

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES SEPTEMBER 13, 2022

Members

Jeff Pangburn, Chairman
Bob Seward
Scot Strevell

Also Present:

William Hessney, Attorney
Alison Lovely, Zoning Board Secretary
Kateri Rhatigan, Stenographer

Chairman Pangburn stated that the applicant for ZBA Appeal #2022-07 – Bank of Greene County this afternoon requested a postponement of their public hearing so it is tentatively scheduled for the September 27, 2022 meeting pending the confirmation of their schedules. It will be posted on the website if it gets postponed again.

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Pangburn called the meeting to order and determined a quorum of three (3) members were present. Tom Hickey & Matt Ositguy were absent.

PUBLIC HEARINGS:

ZBA Appeal #2022-06–Lombardi– 15 Bruen Court- Area Variance-Side Setback-Garage

Chairman Pangburn referenced the following as being in the record:

- Legal Notice-was read by Chairman Pangburn
- PB Recommendation with supplemental report by Chris Horne
- Rensselaer County Recommendation
- ZBA Area Variance Application Packet
- Drawing of proposed garage location

Louis Lombardi stated that the house was built in the 30's and there was a garage there for about 80 years. The previous owner removed the garage as it was in really bad shape and the driveway was repaved prior to the removal of the garage. Louis Lombardi stated that the original garage was built 3' from the side property line and he just wants to place it in the same location. Louis Lombardi had some photos that he pointed out what they were to the Board. Louis Lombardi stated that the nearest property is the Asian Tea House and their parking lot would be closest to the garage. Louis Lombardi stated that the reason he's asking for a variance instead of using the required 8' setback is due to the fact that the yard is very small and then he would have zig zag the existing driveway to meet the garage.

•Scot Strevell asked if the blue outline in the picture is where the old garage was. Louis Lombardi stated that he believes so, this is his new proposed footprint for the garage. The concrete slab will be no closer than 3' to the property line. The garage will be 20' x 24'.

Chairman Pangburn stated that it appears if the existing lot is 50' wide. Louis Lombardi stated that is correct.

•Bob Seward stated that the rendering of the proposed garage shows that it's 12' high and asked if that's correct and that it's only going to be one story tall. Louis Lombardi stated that is correct.

•Bob Seward asked the applicant if he thinks the garage will alter the character of the neighborhood. Louis Lombardi stated no, as the old garage had been there for a long time, the neighbors were all used to it. Louis Lombardi stated that he talked with Ken the owner of the Asian Tea House and he had no problem with it.

•Bob Seward asked if he was to move the garage 5' to the right, then the driveway will be offset from that correct. Louis Lombardi stated that is correct.

Chairman Pangburn asked in the parking lot next door if the cars park perpendicular to the applicant's lot. Louis Lombardi stated cars typically pull in facing his lot with the headlights towards his property.

Chairman Pangburn asked if there were any other questions from the Board. There were none.

Chairman Pangburn asked if there were any questions from the public.

•Shawn Farley of 16 Catskill Avenue stated that his property abuts the rear of the applicant's property. He doesn't have a problem with the new garage, the old garage was a wreck and needed to be torn down. But he stated that the only problem is that there is a huge old oak tree at the rear of the applicant's property and he doesn't know if the Zoning Board has anything to do with this, but he'd like it taken down.

Chairman Pangburn stated that it won't affect what happens with this appeal, but at least you made contact with the owner & you can talk it out afterwards. .

Chairman Pangburn asked if anyone else in the public had any questions.

•Dave Terpening stated that it's nice to see a property owner doing the right thing and also trying to improve his property.

Chairman Pangburn asked if the Board had any further questions. There were none.

Bob Seward made a motion to close the public hearing.

Seconded by Scot Strevell. Motion carried by a 3-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2022-06-Lombardi- 15 Bruen Court- Area Variance-Side Setback-Garage

This is a type II Action-there is no further action necessary.

WORKSHOPS:

ZBA Appeal #2022-06–Lombardi– 15 Bruen Court- Area Variance-Side Setback-Garage

Resolved, That the Board of Appeals makes the following findings of fact:

1. There will not be an undesirable change in the character of the neighborhood as this is simply replacing a garage that was in place for over 80 years in the same footprint.
2. There is another method available to the applicant; however, the small lot size would result in a worse impact to the property and the garage is on the side of the property which neighbors a parking lot, it also would require the pavement to be changed if another remedy was requested.
3. The requested variance is substantial; however, it is only five feet and it is adjacent to an existing parking lot.
4. The proposed variance will not have an adverse effect on the neighborhood.
5. The alleged difficulty is self-created; however, that shall not necessarily preclude the granting of the area variance.

Resolved, that the application for the construction of a 20' x 24' garage in the rear yard with a 3 foot side setback be GRANTED with no conditions.

This resolution was moved by Bob Seward III and seconded by Scot Strevell at a meeting duly held on September 13, 2022.

(Discussion)

A vote was taken as follows:

Tom Hickey	<u>Absent</u>
Matt Ostiguy	<u>Absent</u>
Jeff Pangburn	<u>Yes</u>
Bob Seward III	<u>Yes</u>
Scot Strevell	<u>Yes</u>

Motion carried 3-0

NEXT MEETING: The next meeting is scheduled for September 27, 2022

APPROVAL OF MINUTES:

Motion by Chairman Pangburn to approve the July 26, 2022 meeting minutes. Seconded by Scot Strevell. Motion carried by a 3-0 vote.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Bob Seward. Seconded by Scot Strevell. Motion Carried by a 3-0 vote.

Respectfully Submitted

Alison Lovely

Alison Lovely, ZBA Secretary