

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518) 694-4011 FAX (518)477-2386

MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES APRIL 9, 2019

Members

Jeff Pangburn, Chairman
Dan Smith
John Conway, Jr.
Scot Strevell
Matt Ostiguy
Bob Seward

Also Present:

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

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Pangburn called the meeting to order and determined a quorum of six (6) members were present. Tom Hickey was absent. Introductions were made.

OLD BUSINESS:

ZBA Appeal #2019-01– Lemka-700 Columbia Turnpike-Interpretation: Applicant proposes to have a doggie day in an existing building at 700 Columbia Turnpike

Steve Hart spoke and stated that the property is the location of the Sweater Venture and there is a 4,000 square foot building in the rear. Steve Hart stated that this is more of a doggie day care which would be a permitted use in the B-1 Zoning District. Steve Hart read the description of a day care which is more in line of what is proposed, except with dogs. The East Greenbush Animal Hospital is next door to this site and has existing interior dog kennels. Steve Hart stated that there is ample room around the proposed building for a thru road. Dr. Chris Rocchio spoke and stated that anything regarding a vet needs to be licensed in NYS. Steve Hart read Section 3.7.15 which talks about animals needing to be inside overnight. There will not be any animals staying overnight. This would be a Monday thru Friday operation until 7:00/7:30pm.

Chairman Pangburn asked if the dogs are always supervised. Steve Hart stated that yes they are. Dr. Chris Rocchio stated that the dogs are in play groups. Someone is always with them & watching the dogs & stated that this is a new thing now, different then 10 years ago.

Chairman Pangburn asked if the Board had any questions.

- Matt Ostiguy asked what the hours of operation would be. Dr. Chris Rocchio stated 7:30am to 7:00 pm, no later. It would be until people get out of work.
- Bob Seward asked that there will be no weekends. Dr. Chris Rocchio stated that is correct.
- Chairman Pangburn asked if there were weekend hours at the vet office. Dr. Chris Rocchio stated Saturdays only from 8am – 12pm and doesn't expect Saturdays for this proposal.

•John Conway asked if Dr. Chris Rocchio has found this service being offered anywhere else and if he's looked at the codes of other Town's. Dr. Chris Rocchio stated that no he has not. This type of service is usually done at a grooming location.

•Chairman Pangburn asked if there would be any breeding. Dr. Chris Rocchio stated there would not be.

•Matt Ostiguy asked Dr. Chris Rocchio if he is treating this differently then a kennel, if there would be different prices and if it was going to be a totally different operation from the vet office. Dr. Chris Rocchio stated that is correct.

Chairman Pangburn asked the Board if anyone else had any questions.

Chairman Pangburn asked if there was anyone in the public to speak for or against the application. There was no one to speak in favor or opposition.

Motion by Chairman Pangburn to close the public hearing.

Seconded by Matt Ostiguy. Motion carried by a 6-0 vote.

SEOR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2019-01– Lemka-700 Columbia Turnpike-Interpretation: Applicant proposes to have a doggie day in an existing building at 700 Columbia Turnpike

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

WORKSHOP: ZBA Members deliberated on the appeal.

ZBA Appeal #2019-01– Lemka-700 Columbia Turnpike-Interpretation: Applicant proposes to have a doggie day in an existing building at 700 Columbia Turnpike

Resolved, That consistent with Sections 4.2.2.A (01) & 4.2.3 of the Comprehensive Zoning Law, the following Sections and definitions are referenced:

1. Section 3.7.14 Day-Care Centers and Nursery Schools
2. Section 3.7.15 Dog Kennels
3. Section 4.5 Terminology & Index
4. Definitions of Dog daycare (Wikipedia), Kennel (Wikipedia, The Free Dictionary, & Dictionary.com), day-care (Dictionary.com), board (Dictionary.com)

Resolved, That consistent with Sections 4.2.2.& 4.2.3 of the Comprehensive Zoning Law, the Board of Appeals makes the following interpretation of the Zoning Code:

1. That the proposed use of Dog Day Care is consistent with the defined use of School; nursery, day care, elementary or high as listed in Section II-4 Use Schedule

This resolution was moved by Jeff Pangburn and seconded by Dan Smith at a meeting duly held on April 9, 2019.

A vote was taken as follows:

| | |
|----------------|---------------|
| John Conway | <u>No</u> |
| Matt Ostiguy | <u>Yes</u> |
| Tom Hickey | <u>Absent</u> |
| Jeff Pangburn | <u>Yes</u> |
| Bob Seward III | <u>Yes</u> |
| Dan Smith | <u>Yes</u> |
| Scot Strevell | <u>Yes</u> |

Motion carried 5-1

COMPREHENSIVE PLAN UPDATE:

There was a discussion among the Board and Adam Yagelski regarding the Comprehensive Plan Update.

NEXT MEETING: The next meeting on April 23, 2019

APPROVAL OF MINUTES:

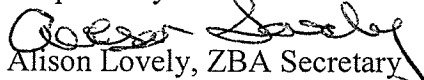
Motion by John Conway to approve the meeting minutes from the February 26, 2019 meeting. Seconded by Scot Strevell. Motion carried by a 6-0 vote.

Motion by Matt Ostiguy to approve the meeting minutes from the March 12, 2019 meeting. Seconded by Dan Smith. Motion carried by a 6-0 vote.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Bob Seward. Seconded by Jeff Pangburn. Motion Carried by a 6-0 vote.

Respectfully Submitted


Alison Lovely, ZBA Secretary