

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS
MEETING MINUTES
September 25, 2018

Members

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

Also Present:

William Hessney, Attorney
Kateri Rhatigan, Stenographer
Alison Lovely, ZBA Secretary

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Pangburn called the meeting to order and determined a quorum of five (5) members were present. Matt Ostiguy was absent. Introductions were made.

OLD BUSINESS:

PUBLIC HEARINGS:

Reconvene ZBA Appeal #2018-12-TCJ Troy Road LLC.- 597 Columbia Turnpike-Area Variance-Construction of a single story building where there is a two story height requirement.

Chairman Pangburn stated that he received feedback from the Building Department regarding the need to have an elevator to the second floor. The Building Inspector stated that isn't a necessary requirement, it depends on what the use is, not all uses on a second story would require the installation of an elevator. Chairman Pangburn stated that the second question was with the parking restriction and that is also determined by what is put in on the second floor. A second floor with more than one apartment would require a garage space or indoor parking space. Chairman Pangburn asked Guy Donohoe if he had anything else he'd like to add. Guy Donohoe stated that he didn't realize that the Planning Board would give a recommendation and was blown away by their response. He feels that their response to the five area variance criteria was highly inaccurate. Guy Donohoe went through the five area variance criteria again in response to the Planning Board's report. Chairman Pangburn asked the Board if there were any questions. Chairman Pangburn asked if the Board had any other questions. There were none.

Motion by Dan Smith to close the public hearing. Seconded by Scot Strevell. Motion carried by a 5-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2018-12-TCJ Troy Road LLC.- 597 Columbia Turnpike-Area Variance-Construction of a single story building where there is a two story height requirement.

MOTION by Chairman Pangburn for **Zoning Board of Appeals to Declare SEQR Lead Agency**; in regards to Appeal 2018-12-TCJ Troy Road LLC.- 597 Columbia Turnpike - Application for an Area Variance, the Zoning Board of Appeals has determined that this is an Unlisted Action is progressing an uncoordinated review under SEQRA, and declares itself the Lead Agency.

Second By: John Conway any discussion?

Voice vote as follows:

In favor: 5
Oppose: 0
Abstain: 0

Motion Carries 5-0

MOTION by Chairman Pangburn: In regards to **2018-12-TCJ Troy Road LLC.- 597 Columbia Turnpike**, the Town of East Greenbush Zoning Board of Appeals hereby determines, based on the information and analysis submitted for Part 1 of the Short Environmental Assessment Form and other materials submitted by the project sponsor, or otherwise available to the reviewers, and after careful review of Part 2 – Impact Assessment, that the proposed action will not result in any significant adverse environmental impacts.

Second By: Dan Smith; any discussion?

Voice vote as follows:

In favor: 5
Oppose: 0
Abstain: 0

Motion Carries 5-0

WORKSHOP(S):

The ZBA Members deliberated on the information both submitted and presented.

ZBA Appeal #2018-12-TCJ Troy Road LLC.- 597 Columbia Turnpike-Area Variance-Construction of a single story building where there is a two story height requirement.

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

1. There will be an undesirable change in the character of the neighborhood as the proposal is inconsistent with the intent of the B-1 Zoning District.
2. There is another method available to the applicant as a second story could be built.
3. The requested variance is substantial as only a one story won't conform to the two story requirement.
4. The proposed variance will have an adverse effect on the neighborhood as it would be inconsistent with the intent of the B-1 Zoning District.
5. The alleged difficulty is self-created; however, that shall not necessarily preclude the granting of the area variance.

Resolved, that the application for an Area Variance for renovations to existing single story building which has a two story height requirement be DENIED.

This resolution was moved by Jeff Pangburn and seconded by Robert Seward III at a meeting duly held on September 25, 2018.

(Discussion)

A vote was taken as follows:

John Conway	<u>Yes</u>
Matt Ostiguy	<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 5-0

NEXT MEETING: The next meeting scheduled for October 9, 2018 is cancelled. The next meeting that business will be conducted is October 23, 2018.

APPROVAL OF MINUTES:

Approval of 9/11/18 meeting tabled until the October 23, 2018 meeting.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Dan Smith. Seconded by Bob Seward. Motion Carried by a 5-0 vote.

Respectfully Submitted


Alison Lovely, ZBA Secretary

