

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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

MEETING AGENDA

THURSDAY, MAY 28, 2020

NOTE THE CHANGE IN DAY

7:30PM

**Please note: This meeting will be conducted remotely pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State and Local officials related to the COVID-19 virus. See the attached Notice for more information, including how to view the proceedings.*

7:30 PM CALL TO ORDER

PUBLIC HEARINGS:

ZBA Appeal #2020-02-JMA Properties, LLC.-4 Middle Mannix Road-2 Area
Variances- Propose installation of (2) Façade mounted signs on a windscreen

SEQR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2020-02-JMA Properties, LLC.-4 Middle Mannix Road-2 Area
Variances- Propose installation of (2) Façade mounted signs on a windscreen

WORKSHOP/DELIBERATION:

ZBA Appeal #2020-02-JMA Properties, LLC.-4 Middle Mannix Road-2 Area
Variances- Propose installation of (2) Façade mounted signs on a windscreen

NEXT MEETING:

June 9, 2020

STATUS –APPEALS ON JUNE 9, 2020:

ZBA Appeal #2020-03-Guay-733 Columbia Turnpike-2 Area Variances- Propose construct of 24' x 22' detached garage in rear yard

ZBA Appeal #2020-04-Schurrman-46 New York Avenue-Area Variance- Propose construction of single family dwelling that doesn't meet the required frontage

APPROVAL OF MINUTES:

February 25, 2020

Town of East Greenbush
Zoning Board of Appeals

AREA VARIANCE

An applicant for a variance will be afforded a public hearing, at which time the applicant will present his/her case to the Zoning Board of Appeals, a board of seven members who will determine the disposition of the appeal by a majority vote. The following information is offered as a guide to assist you in preparation for your hearing. For additional advice, you are encouraged to contact your personal legal counsel.

An Area Variance has been defined as one where: "the owner still must comply with the zoning ordinance's limitations on use of land, but is allowed to build or maintain physical improvements which deviate from the zoning ordinance's nonuse limitations." (Rathkopf, The Law of Planning and Zoning, (4th ed) section 38.01(4). New York State statute dictates that the Zoning Board of Appeals take a "balancing approach" in making its determination on an application for an area variance. The board must weigh two basic things: the benefit to the applicant if the variance is granted versus the detriment to the health, safety and general welfare of the neighborhood or community that would occur if the variance were to be granted.

The statute provides that in balancing the interests of the applicant and those of the neighborhood or community, the board of appeals must consider the following five factors:

1. whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
2. whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
3. whether the requested area variance is substantial;
4. whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district; and
5. whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Finally, carrying the "balancing" step further, the statute provides that when granting area variances, the board of appeals shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The applicant should be prepared to answer questions from the board related to these factors at the hearing.

Signature

Print Name

Date

1/24/20

Thomas Wheeler



Town of East Greenbush ZONING BOARD

Town Hall • 225 Columbia Turnpike • Rensselaer, NY 12144
Tel. (518) 694-4011 • Fax (518) 477-2386
www.eastgreenbush.org

AUTHORIZATION FORM

To the Town of East Greenbush ☒ Zoning Board of Appeals;

I, JMA Properties LLC give permission to AJ Signs
Property Owner *Representative*

For representing me for my application before the Town of East Greenbush Zoning Board of Appeals and/or Planning Board, as indicated above, in applying for (a)

- ☐ Use Variance
- ☒ Area Variance
- ☐ Interpretation

for the property located at 4 Middle Mannix Rd
Property Address

Property Owner's Signature: _____

Stephan Obermayer

Date: 2/7/20

RECEIVED

APR 12 2020

DEPT Zoning

Zoning Board of Appeals
Town of East Greenbush
225 Columbia Turnpike
Rensselaer, New York 12144

All applications must be submitted to the Building Department with:

1. Determination by Zoning Enforcement Officer (given to applicant by Building Department) and
2. Survey Map or Plot Plan, Site Plan, Sketch, and/or Other Descriptive Detail

The property owner must complete Sections A, B, and C.

A. Property Owner Data Please print or type neatly.

1. Name: JMA Properties
2. Address: 302 Washington Ave Ext
3. City: Albany State: NY Zip: 12203
4. Telephone Number: 518-452-8200
5. Location of Property: 4 Middle Mannix Rd
6. Tax Map No. 155-4-3
(Can be obtained at Assessors Office)
7. Email Address: Kristen@ajsigns.com

D. For Official Use

Appeal Number: 2020-01
Tax Map Number: 155-4-3
Zoning District: OL
Appeal Type: 2 Area Variances
(2 Signs)
Fee(s): \$259.50 APP + Conf Fee
Received: 2/20/20
Hearing Date: 3/24/20

8. Representative:

Name: AJ Signs Emma VanVorst Phone Number: 518-399-9291
(If other than property owner) (Authorization form must be filled out and submitted)

B. Application for (Check as appropriate)

Area or Use

Variance(s) ☒ Special Permit ☐ Interpretation ☐

Reason for Appeal (Please include brief but detailed description of the proposed action which require variance(s) or special permit. Attach additional pages as necessary).

Section III 3.3.7 Sign Sizing Color and placement. Signs which are mounted
on the vertical, horizontal or sloped surfaces of the building or roof or extend beyond
the roofline or sides of the building are not permitted. The proposed 2 wall signs
installed on the parapet/windscreen requires (2) variances.

C. Signature of Property Owner: 

Date: 2/7/20 Stephen Obermayer

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information																		
Name of Action or Project: Adirondackortho / All Kids Smile																		
Project Location (describe, and attach a location map): 4 Middle Mannix Wall Signs																		
Brief Description of Proposed Action: Install wall signage on windscreen																		
Name of Applicant or Sponsor: AT Signs		Telephone: (518) 399 9291																
Address: 842 Saratoga Rd		E-Mail: 1mster@ATsigns.com																
City/PO: Bount Hills		State: NY	Zip Code: 12027															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action?		.33 acres																
b. Total acreage to be physically disturbed?		.33 acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.33 acres																
4. Check all land uses that occur on, adjoining and near the proposed action.																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input checked="" type="checkbox"/> Commercial</td> <td><input type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input type="checkbox"/> Forest</td> <td><input type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other (specify): _____</td> </tr> <tr> <td colspan="5"><input type="checkbox"/> Parkland</td> </tr> </table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
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<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____	<input checked="" type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: <u>1/24/20</u> Signature: _____		



The Town of East Greenbush

Building Department

225 Columbia Turnpike Rensselaer, New York 12144 (518) 477-6225 FAX (518) 477-2386

Building, Zoning and Planning

February 3, 2020

JMA Properties LLC
4 Middle Mannix Road
East Greenbush, NY 12061

RE: PERMIT APPLICATION

4 Middle Mannix Road
Tax Map # 155.-4-3

To Whom It May Concern;

On December 31, 2019 you submitted an application for work at the above property involving: **Installation of (2) façade mounted signs on a windscreen.** The property is located in an area, which is zoned: **OC.**

This application has been examined for compliance with the applicable provisions of the Zoning Laws and the Town Code of the Town of East Greenbush.

The review of the proposed work will not comply with the following provisions of the Town Zoning Law: **Section III 3.3.7 H. Sign sizing, color and placement. Signs which are mounted on the vertical, horizontal or sloped surfaces of the building roof or extend beyond the roofline or sides of the building are not permitted. The proposed action requires (2) Area Variances.**

Therefore, your application of December 31, 2019 is hereby **DENIED.**

This objection may be addressed by filing revised plans reflecting conditions, which comply with the requirements of the Town Code and Zoning Laws. In the alternative, this denial may be appealed to the Zoning Board of Appeals on forms available from the Planning and Zoning Office, 225 Columbia Turnpike. (518) 694-4011.

Sincerely,

Kevin Hitchcock
Building Inspector

Cc: Zoning Board of Appeals



TOWN OF EAST GREENBUSH – RENSSELAER COUNTY
225 Columbia Tpke, Rensselaer, NY 12144
Office: (518)477-6225; Fax: (518)477-2386
www.eastgreenbush.org

BUILDING DEPT. APPLICATION FORM
24-HR. NOTICE FOR INSPECTIONS

Application No. _____
Permit Issued _____ 20 _____
Permit Expires _____ 20 _____
Zoning District _____
Value of Work \$ _____
Approved by: _____
Remarks: _____

All submittals with this application need to be in **DUPLICATE**. The undersigned hereby applies for a permit to do the following work which will be done in accordance with the description, plans, and specifications submitted, and such special conditions as may be indicated on the permit. Issuance of a building permit DOES NOT release the applicant from verifying whether or not said building lot is in a flood zone or a wetland's area.

ANSWER ALL OF THE FOLLOWING: (Please Print Clearly)

The owner of this property is: J M A Properties Phone #/Cell# _____
Property Location: 4 Middle Manix Rd E-MAIL: _____
SBL #: 155-4-3

Name of Person/Business Responsible for work: AJ Signs 842 Saratoga Rd Phone # 399-9291

Contractor needs to provide Town with proof of Gen. Liability Ins. & Worker's Comp. Insurance with each permit

Estimated Value of Work: \$ 5900.00 E-MAIL: kviste@ajsigns.com

NATURE OF PROPOSED WORK (please circle)

- ☐ Construction of new building (Describe in NOTE AREA*)
- ☐ Alterations to a building (Describe in NOTE AREA*)
- ☐ Demolition of building
- ☐ Installation of plumbing (Describe in NOTE AREA*)
- ☐ Installation of oil /gas /ac / heating /cooling unit
- ☐ Fence – 4' high 6'high - Total _____ I.f.
- ☐ Swimming Pool – Above or In-ground
Size: _____ x _____ Depth _____
- ☐ Driveways – New Resurface Expansion
- ☐ Shed – Size _____ x _____
- ☐ Roof – New Reroof Repair
- ☐ Solar Panels Roof Ground
- ☒ Other (see below) ***NOTE AREA – ADDITIONAL INFORMATION:**

REQUIREMENTS: All submittals in duplicate

A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK AND INSPECTIONS MUST BE CALLED IN BEFORE AND DURING CONSTRUCTION.

INDICATE ON THE PLOT PLAN STREET NAMES, LOCATION SIZE OF PROPERTY, LOCATION, SIZE & SETBACKS OF PROPOSED BUILDINGS AND LOCATION OF ALL EXISTING BUILDINGS. SHOW PROPOSED BUILDING(S) IN DOTTED LINE AND EXISTING BUILDING(S) IN SOLID LINE.

CALL BEFORE YOU DIG: digsafelynewyork.com
1-800-962-7962

Install 30.86 sq ft Set of Channel letters to
Read " Adirondack Orthodontics "

The undersigned hereby applies for a permit to do the specified work which will be done in accordance with the description, plans and specifications submitted and such special conditions as may be indicated on the permit.

SIGNATURE [Signature] DATE _____

SPECIAL CONDITIONS OF THE PERMIT: _____

BY: _____

Required upon completion: CERTIFICATE OF COMPLIANCE for alterations; CERTIFICATE OF OCCUPANCY for new construction/occupancy; THIRD PARTY ELECTRICAL APPROVAL for all electrical work.

PERMIT FEES ARE NON-REFUNDABLE

MOTION by Chairman Pangburn for **Zoning Board of Appeals to Declare SEQR Lead Agency**; in regards to Appeal #2020 -02 JMA Properties– 4 Middle Mannix Road - Application for two Area Variances, the Zoning Board of Appeals has determined that this is an Unlisted/Type I Action, is progressing an uncoordinated review under SEQRA, and declares itself the Lead Agency.

End of Motion

Second By: _____; any discussion?

Voice vote as follows:

In favor: _____

Oppose: _____

Abstain: _____

Motion **Carries/Fails**

MOTION by Chairman Pangburn: In regards to Appeal #2020 -02 JMA Properties– 4 Middle Mannix, 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: _____; any discussion?

Voice vote as follows:

In favor: _____

Oppose: _____

Abstain: _____

Motion **Carries/Fails**

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing:		
a. public / private water supplies?		
b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

Town of East Greenbush
Zoning Board of Appeals

In the matter by:
JMA Properties
For **2 Area Variances**

**Resolution and
Final Decision of
Board of Appeals**

Appeal No. 2020-02

Whereas, An application has been filed by JMA Properties LLC. of 302 Washington Avenue Ext., Albany, NY 12203, proposing the installation of (2) façade mounted signs on a windscreen in the OC Zoning District. The review of the proposed work will not comply with the following provision of the Town Zoning Law: Section: III 3.3.7 H Sign sizing, color, and placement. Signs which are mounted on the vertical, horizontal, or sloped services of the building roof, or extend beyond the roofline, or sides of the building are not permitted; and

Whereas, The applicant has filed an appeal requesting 2 Area Variances at the property located on 4 Middle Mannix Road, East Greenbush, NY (Tax Map No. 155.-4-3); and

Whereas, The Board of Appeals has duly published a notice of public hearing regarding this appeal in The Record on May 17, 2020; and

Whereas, Notice of the Public Hearing was provided by Certified Mail to the owners of all property within 200 feet of the land involved in the application, to the Town Planning Board, and to the Rensselaer County Bureau of Economic Development and Planning; and

Whereas, A Public Hearing was held by the Board of Appeals on Thursday, May 28, 2020 to consider this appeal; and

Whereas, The Planning Board of the Town of East Greenbush at its February 26, 2020 meeting provided a report of the requested two Area Variances with a recommendation; and

Whereas, At this hearing, the applicant as well as any and all persons interested in this appeal were heard, their statements recorded, and various written material including exhibits, if any, were entered into the record; and

Whereas, All statements, written material, and exhibits submitted in connection with said appeal have been carefully considered; and

Whereas, This appeal has met all the requirements of the **SEQR** and the **TEQR**; now, therefore, be it

Resolved, That the Board of Appeals makes the following findings of fact with regards to the pylon sign:

1. There will **(not)** be an undesirable change in the character of the neighborhood as
2. There is **no** other method available to the applicant as
3. The requested variance is **(not)** substantial
4. The proposed variance will **(not)** have an adverse effect on the neighborhood
5. The alleged difficulty is **(not)** self-created; however, **that shall not necessarily preclude the granting of the area variance.**

Resolved, that the application for the installation of (2) façade mounted signs on a windscreen be _____ **(GRANTED/DENIED)** with ____ **(NO)** condition(s):

This resolution was moved by _____ and seconded by _____ at a meeting duly held on May 28, 2020.

(Discussion)

A vote was taken as follows:

John Conway	_____
Matt Ostiguy	_____
Tom Hickey	_____
Jeff Pangburn	_____
Bob Seward III	_____
Scot Strevell	_____

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2020

****Granting of this variance, does not preclude the applicant from obtaining a building permit***

Copy To:

JMA Properties, LLC.
4 Middle Mannix Road
Rensselaer, NY 12144

Cc: Rensselaer County Planning
Town Clerk
ZBA File No. 2020-02

Via Email: Building Inspector
Assessor
Town Clerk