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

TUESDAY, MAY 25, 2021 7:30PM

This meeting is being held at Town Hall

7:30 PM CALL TO ORDER

PUBLIC HEARINGS:

Reconvene ZBA Appeal #2021-03-Nettinger-1266 Best Road-Area Variance-Solar Array ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Sign ZBA Appeal #2021-06-Kretzschmar-24 Rysedorph Lane-Area Variance-Shed-Rear Setback

SEQR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2021-03-Nettinger-1266 Best Road-Area Variance-Solar Array
ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Sign
ZBA Appeal #2021-06-Kretzschmar-24 Rysedorph Lane-Area Variance-Shed-Rear Setback

WORKSHOP/DELIBERATION:

ZBA Appeal #2021-03-Nettinger-1266 Best Road-Area Variance-Solar Array
ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Sign
ZBA Appeal #2021-06-Kretzschmar-24 Rysedorph Lane-Area Variance-Shed-Rear
Setback

NEXT MEETING:

June 8, 2021

STATUS -APPEALS ON JUNE 8, 2021:

NONE

APPROVAL OF MINUTES:

April 27, 2021



March 18, 2021

Attn: Alison Lovely (Zoning Board Secretary)

Town of East Greenbush 225 Columbia Turnpike, Rensselaer, NY 12144

RE: Variance Application Responses

Dear Mrs. Lovely,

The following documents have been provided in conjunction with the Best Road Solar, LLC Area Variance Application mailed on March 18, 2021.

- 1. February 12th, 2021 Application & Fee Letter (ZBA File# 2021-03)
- 2. March 9th, 2021 Determination Letter by TOEG Zoning Enforcement Officer
- 3. Completed Area Variance Application
- 4. March 18th, 2021 Project Narrative & Variance Application Responses by Matrix Development.
- 5. Short Environmental Assessment Form
- 6. Proposed Site Plan
- 7. Property Owner Authorization Letter
- 8. Check Payable to Town of East Greenbush for the sum of \$266.45

I look forward to working with the Zoning Board of Appeals to consider the Area Variance Application. Please let me know if you require additional information or clarifications.

Sincerely.

Michael Doud

Matrix Development

(518) 727-6219

mdoud@matrixdevllc.com



Zoning Board of Appeals
225 Columbia Turnpike, Rensselaer, New York 12144
Phone: 518 694-4011

Authorization Form

To the Town of East Greenbush	(X) Zoning Board of Appeals:
I_ John Nittinger	give permission toMichael Doud
Property Owner	Representative
For representing me for my applic Board of Appeals as indicated abo	cation before the Town of East Greenbush Zoning ove, in applying for (a)
	() Use Variance (X) Area Variance () Interpretation
for the property located at 1266	Best Rd., East Greenbush, NY 12061
	Property Address
Property Owner's	
	Date: 2/19/2021





RECEIVED MAR 22 2021 DEPTPZD

Zoning Board of Appeals

225 Columbia Turnpike, Rensselaer, New York 12144 Phone: 518 694-4011

AREA VARIANCE APPLICATION

Section 1: Applicant/Property Owner Information:

Applicant:
Name: Best Road Solar, LLC.
Address: 18 Pasture Place, Ballston Lake, NY 12019
Phone #: (518) 727-6219 Email-Address; mdoud@matrixdevllc.com
Signature of Applicant: Date: 2-18-2021
Property Owner (If not Applicant)
Name: John Nittinger
Address: 1266 Best Rd, East Greenbush, NY 12061
Phone #: (518) 312 -6480 Email Address: jpnittinger@gmail.com
See Authorization page if Applicant and Property Owner are not the same
Section 2: Property Information:
Property Address/Location: 1266 Best Rd
Tax Map #: 1563-9 (*Obtain from Assessor's office*)
Section 3: Project Information:
Describe project & why a variance is necessary:
See attached description of project variance request.

Indicate the Town Zoning Law Chapter/Section from which this variance application is being requested: This information can be found on the denial from the Building Dept.

Article: Secti	on: Subsec	tion: A		
Additional code sections is	f they pertain:			
Please complete the follo	wing table indicating all A	rea Variances needed, if a variance		
is not required for one or		ilea valiances needed, n a valiance		
	Required per Code:	Requested Dimensions:		
Front Setback:	N/A			
Side Setback:	N/A			
Rear Setback:	N/A			
Lot width/frontage:	N/A			
Height:	N/A			
Other:	2.5 Acres	8.25 Acres lot coverage		
 All applications must be submitted to the Planning/Zoning Department with: Determination by Zoning Enforcement Officer (given to applicant by Building Department) and Survey Map or Plot Plan, Site Plan, Sketch, and/or Other Descriptive Detail Complete application package. Application fee & certified mailing fees will be calculated and a fee letter will be sent to the applicant within a week of receiving a completed application package. 				
If you have any questions yo		secretary at alovely@eastgreenbush.org		
	7.			

Appeal Number: 2021-03

Date Application Received: 3/20/21

Tax Map Number: 156,-3-9

Zoning District: R-CS

Appeal Type: Appeal Volume Received: 3/20/21

Hearing Date: 4/20/21

Approved:

With/without conditions:

Denied:



March 18, 2021

Attn: Alison Lovely

Town of East Greenbush 225 Columbia Turnpike, Rensselaer, NY 12144

RE: Variance Application Responses

Dear Alison Lovely,

The following statements have been provided in conjunction with the Best Road Solar, LLC Area Variance Application mailed on March 18, 2021.

1. Background Information:

The Town of East Greenbush enacted Local Law #1 (Solar Energy Law) which was filed with the New York Department of State on August 21st, 2017 which established maximum lot coverage of 2.5 acres for Large Scale Solar Energy Systems. As defined by the solar law, the coverage limitation equates to roughly 2 megawatts-ac (2MWac) nameplate solar power capacity. The 2.5 acre maximum coverage limitation at the time was consequently perfectly aligned with the 2017 New York State Standard Interconnection Requirements (SIR) which limited solar energy systems to 2MWac. On February 22nd, 2018 the Public Service Commission (PSC) approved a change to the NYS Standard Interconnecting requirements from 2MWac to 5MWac. This change was unanimously approved by the PSC to lower community solar development costs and adequately incentivize robust development required to achieve New York State's renewable energy goals. To date, the Town of East Greenbush Solar Energy Law has not been amended to reflect the changes in technology or New York State policy which is the basis for the subsequent Area Variance Application.

2. Project Information (project description & variance reasoning)

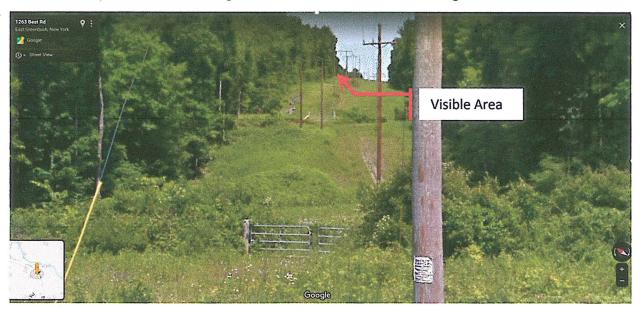
1266 Best Road Solar, LLC. has proposed to permit and construct a 5MWac a community solar energy system which has a "Lot Coverage" (surface area of panels) of approximately 8.25 acres of solar panel surface area and associated equipment.

Variance Reasoning: The proposed community solar project located at 1266 Best Rd. meets all zoning ordinances as outlined in the 2017 amended Solar Energy Law with the exception of "Lot Coverage" which has a maximum solar panel surface area of 2.5 acres. Due to the 2018 changes to the Standard Interconnect Requirements (SIR), revenue generated by the solar credit sales and



the NYSERDA NY-Sun Incentives have been financially engineered to incentivize 5MWacsolarevelopment. System size that requires approximately 8.25 acres of solar panels. Additionally, as of February 2021 a component of the Value of Distributed Energy Resources (VDER) known as "Community Credit" has been exhuasted which further reduces sales revenue by 20%. Changes made to the SIR, VDER revenue (solar credit) and NYSERDA incentives are all governed by the Public Services Commission to promote community solar development for the purpose of obtaining New York State Renewable Energy goals outlined in the Climate Leadership and Community Protection Act (CLCPA). Collectively these changes create an economic hardship from increased development costs that are NOT self-imposed and lower revenue which makes community solar energy development economically infeasible at a "Lot Coverage" less than 8.25 acres of solar panel surface area and associated equipment.

- 3. Based on the statutory balancing approach to evaluating the proposed variance please consider the following information.
 - a. Neighborhood Character: 1266 Best Road parcel is 158 acres located in R-0S Residential Open Space District. The proposed community solar system is located roughly a quarter of a mile east of Best Road in the southeast corner of the property in a heavily wooded area adjacent to National Grids utility transmission infrastructure. The proposed system is entirely naturally screened from the viewshed of all surrounding residential houses as depicted by the site plan. It is possible that 0.13 acres of the allowable 2.5 acres fall within the viewshed of northbound motorist through a narrow opening created by the 125' wide National Grid transmission parcel. Traveling at approximately 40 mph (posted speed limit), the solar array will be available for 2 seconds to passing motorists. Due to the distance from Best Road and the rate of speed motorist are traveling, it's unlikely passing motorists will become aware of the array. In the reverse direction (southbound), the array will be outside of a motorist's peripheral vision as they cross the National Grid transmission parcel. Due to the location of the system and natural screening, the proposed solar system will not change the nature or character of the neighborhood.





- b. Alternatives to Variance Request: As previously stated, the economic hardship is beyond the control of the applicant and not specific to the design, parcel characteristics or any other physical attribute of the project. Currently, no alternatives exist that would allow large-scale solar development to proceed on this property.
- c. Not a Substantial Request: In the New York solar industry large-scale solar development is generally considered to be 20 megawatts or larger. This would equate to 32 acres of solar panels or more. There are many large-scale NY solar projects that exceed 100 MWs and a handful that are greater than 300MWs. In the context of NY solar development, 8.25 acres of a typical large-scale solar energy system is not considered substantial. More importantly, the proposed 5MWac solar system will have no adverse impact and the community stands to benefit financially and environmentally.
- d. No Adverse Effect: The proposed solar system will not have an adverse effect on the surrounding neighborhood or Town of East Greenbush for the following reasons;
 - ✓ The solar panels will be generally screened from view.
 - ✓ Beyond construction, there will be no material increase in traffic.
 - ✓ The solar system does not create air, water or noise pollution.
 - ✓ No additional resources are required from the school district, town or county gov.
- e. Due to changes in the marketplace beyond the control of the applicant, it is economically infeasible to develop community solar in the Town of East Greenbush, including the subject parcel, within the maximum 2.5 acres of solar panels. This has been previously outlined in section 1. and 2. of this document and can be observed by the lack of large scale solar development within the Town limits.
- 4. In accordance with the legislative intent of Local Law number 1 of 2017, the proposed system will provide the following benefits to the residents of Town of East Greenbush.
 - a. Decreasing Cost of Energy: The proposed community solar system will provide Town of East Greenbush residents the opportunity to save up to \$1,909,807 over the next 25 years generated from a local renewable energy source.
 - b. Taking Advantage of non-polluting energy resource: The proposed system will prevent 6,526 metric tons of carbon entering the atmosphere annually which is equivalent to carbon dioxide sequestered by 8,523 acres of trees.
 - c. Increasing employment and business development: The project will create approximately 32 full time equivalent construction jobs, long term operation and maintenance jobs and utility jobs. Additionally, the Department of Labor has concluded that



d. Community Benefits: The proposed system will generate significant property taxes, sales tax and Special District Taxes without requiring any services from the Town, County or School District. All property tax income generated from the Solar system will have a 100% net tax reduction to residents.

I look forward to working with the Zoning Board of Appeals and appreciate your consideration of my Area Variance application.

Sincerely,

Michael Doud

Matrix Development

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		· · · · · · · · · · · · · · · · · · ·		
Best Road Solar, LLC.				
Name of Action or Project:				
Best Road - Community Solar Project	,			
Project Location (describe, and attach a location map): 1266 Best Rd, East Greenbush, NY 12061				
Brief Description of Proposed Action:				
Area variance requested for 1266 Best Road Solar, LLC.has proposed to permit and construc "Lot Coverage" (surface area of panels) of approximately 8.25 acres of solar panel surface ar	ct a 5MWac a community sola ea and associated equipment	r energy	system wh	nich has a
Name of Applicant or Sponsor:	Telephone: (518) 727-62	19		
Best Rd Solar, LLC E-Mail: mdoud@matrixdevllc.com		evilc.com	n	
Address:				
18 Pasture Place				
City/PO: Ballston Lake	State: NY	Zip Co 12019	ode:	
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	al law, ordinance,		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the emay be affected in the municipality and proceed to Part 2. If no, continue to ques		at	4	
2 Does the proposed action require a permit approval or funding from any oth	er government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Site Plan Approval by Town of East Greenbush Planning Board		1		V
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	8.25 acres 26 acres 158 acres	1	<u> </u>	
4. Check all land uses that occur on, are adjoining or near the proposed action:				
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commerci	al 🗹 Residential (subur	ban)		
Forest Agriculture Aquatic Other(Spe	cify):			
Parkland				

Page 1 of 3

,					Modern Committee Committee
5.	Is	s the proposed action,	NO	YES	N/A
	a	. A permitted use under the zoning regulations?		V	
	b	c. Consistent with the adopted comprehensive plan?		4	
	т.			NO	YES
6.	15	s the proposed action consistent with the predominant character of the existing built or natural landscape?		V	
7.	Is	s the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If'	Yes	s, identify:		V	П
					Ш
8.	a	. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
	b	. Are public transportation services available at or near the site of the proposed action?		0	Ц
				4	Ш
	С	action?		4	
9.	D	Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If	he	proposed action will exceed requirements, describe design features and technologies:			
				П	0
_					
10	V	Vill the proposed action connect to an existing public/private water supply?		NO	YES
				110	1123
		If No, describe method for providing potable water:		V	П
11	V	Vill the proposed action connect to existing wastewater utilities?		NO	YES
		If No, describe method for providing wastewater treatment:			
				4	П
		Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	t	NO	YES
		is listed on the National or State Register of Historic Places, or that has been determined by the nissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the		V	
		Register of Historic Places?			
				V	П
	hae	o. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for eclogical sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<u></u>	
13.		Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain vetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
					V
	b.	. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		V	
If	es	s, identify the wetland or waterbody and extent of alterations in square feet or acres:			
				1	
				-	
			_		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline Forest Agricultural/grasslands Early mid-successional		
□Wetland □ Urban □ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	V	
16. Is the project site located in the 100-year flood plan?	NO	YES
	V	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	V	
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		
If ites, briefly describe:		*
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
	0	Ш
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	YES
ii res, describe.	4	П
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste? If Yes, describe:		
	4	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Michael Doud Date: 3/18/2021		
Signature:		
L '		



Building Department

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

Building, Zoning and Fire Prevention

March 9, 2021

John Nittinger 1266 Best Road East Greenbush, NY 12061

RE: PERMIT APPLICATION

1266 Best Road Tax Map # 156.-3-9

To Whom It May Concern;

On February 23, 2021 you submitted an application for work at the above property involving: Proposal to construct a ground surface solar array covering 8.25 acres. The property is located in an area, which is zoned: R-OS Residential Open Space District.

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 Law: Local Law # 1 of 2017 and amended by Local Law # 3 of 2017 limits ground mounted solar systems to 2.5 acres maximum. The proposed system covers 8.25 acres. The proposed action requires (1) Area Variance.

Therefore, your application of February 23, 2021 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

KANitchrock

Cc: Zoning Board of Appeals



TOWN OF EAST GREENBUSH - RENSSELAER COUNTY Application No. 225 Columbia Turnpike Rensselaer, NY 12144 Permit Issued ______20__ Office: (518)477-6225; Fax: (518)477-2386 Permit Expires _____ www.eastgreenbush.org Zoning District Fee (\$) BUILDING DEPT. APPLICATION FORM Approved by: 24-HR. NOTICE FOR INSPECTIONS 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. PRINT ALL INFORMATION CLEARLY: The owner of this property is: John Nittinger Phone #/Cell# 5183126480 E-MAIL: jpnittinger@gmail.com Property Location: 1266 Best Rd, East Greenbush, NY 12061 SBL#: 156.-3-9 Name of Person/Business Responsible for work: Mike Doud/Best Rd Solar, LLC. ___Phone # 518-727-6219 E-MAIL: mdoud@matrixdevllc.com Contractor Requirements: Provide Town with proof of Gen. Liability Insurance & Worker's Comp. Insurance with each permit. Town of East Greenbush listed as certificate holder on each insurance. Estimated Value of Work: \$ 2,600,000 NATURE OF PROPOSED WORK (circle) **REQUIREMENTS:** Construction of new building (Describe in NOTE AREA*) A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK AND Alterations to a building (Describe in NOTE AREA*) **INSPECTIONS MUST BE CALLED IN BEFORE AND DURING** 0 **Demolition of building** CONSTRUCTION. Installation of plumbing (Describe in NOTE AREA*) 0 Installation of oil /gas /ac / heating /cooling unit INDICATE ON THE PLOT PLAN: STREET NAMES, LOCATION, Fence - 4' high 6'high - Total I.f. 0 SIZE OF PROPERTY; SIZE & SETBACKS OF PROPOSED Swimming Pool - Above or In-ground 0 BUILDINGS AND LOCATION OF ALL EXISTING BUILDINGS. Size: _____x____ Depth ____ SHOW PROPOSED BUILDING(S) IN DOTTED LINE AND Driveways - New Resurface 0 Expansion **EXISTING BUILDING(S) IN SOLID LINE.** Shed – Size _____ - Total s/f___ 0 Roof (Circle) New Reroof Repair BEFORE YOU DIG CALL 811 or 1.800.962.7962 Solar Panels (Circle) Roof Ground OR www.DigSafelyNewYork.com/homowners Other (Describe in NOTE AREA)* *NOTE AREA - ADDITIONAL INFORMATION: Matrix Development is seeking approval to construct a 8.25 acre (surface area of solar panels) community solar array with a lot coverage variance from the 2.5 acres listed in local law #1 of 2017. 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. DATE: 2/23/2021 SPECIAL CONDITIONS OF THE PERMIT: BY: Required upon completion: <u>CERTIFICATE OF COMPLIANCE</u> for alterations; <u>CERTIFICATE OF OCCUPANCY</u> for new

PERMIT FEES ARE NON-REFUNDABLE

construction/occupancy; THIRD PARTY ELECTRICAL APPROVAL for all electrical work.



Zoning Board of Appeals
225 Columbia Tumpike, Rensselaer, New York 12144 Phone: 518 694-4011

Authorization Form

To the Town of East Greenbush	(X) Zoning Board of Appeals;	
I. Stass gi Property Owner	ve permission to AJSIGNS Representative	
For representing me for my application Board of Appeals as indicated above,	on before the Town of East Greenbush Zoning in applying for (a)	
	() Use Variance () Interpretation	
for the property located at	Property Address	
Property Owner's Sign	ature:	
1	Date: 4/24/21	



Zoning Board of Appeals

225 Columbia Turnpike, Rensselaer, New York 12144 Phone: 518 694-4011

AREA VARIANCE APPLICATION

Section 1: Applicant/Property Owner Information:

Applicant:
Name: AJSigns
Address: 842 Saratoga Rd Burnt Hills
Phone #: (618) 399-9291 Email Address: Krisken @ AJSigns
Signature of Applicant: Date: 4/22/21
Property Owner (If not Applicant)
Name: Mabey's Realty
Address: 513 Third Ave Rensselger
Phone #: (518) 265 7714 Email Address: Ryan@ Mabeys.com
See Authorization page if Applicant and Property Owner are not the same
Section 2: Property Information:
Property Address/Location: 486 3rd Ave Extension
Tax Map #: 144-3-6.2 (*Obtain from Assessor's office*)
Section 3: Project Information:
Describe project & why a variance is necessary: Install (2) Sets of 1125qft Channel letters "Maloey's Self Storage (256 x 565)" Install (1) Set of 92.4-qft Channel letters Climate Controlled Storage (493 x 27") Install (1) Set of 372 sqft Channel letters "Maleys Moving and (1032"x 52") Total of 488.4 sq where 24 sqft is allowed storage"
Indicate the Town Zoning Law Chapter /Section from which this variance application is
being requested: This information can be found on the denial from the Building Dept.

Article: Sectio	n:3	Subsection: _	3.3 A b) iii
Additional code sections if	they pertain:		
Please complete the followis not required for one or n			riances needed, if a variance
	Required per Co	de: R	equested Dimensions:
Front Setback:	NIA		
Side Setback:	NA		
Rear Setback:	NIA		
Lot width/frontage:	NIA		
Height:	NA		
Other: Signage	24 54	4+	688.4 St A
0 0	0		7

All applications must be submitted to the Planning/Zoning 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
- 3. Complete application package.
- 4. Application fee & certified mailing fees will be calculated and a fee letter will be sent to the applicant within a week of receiving a completed application package.

If you have any questions you can reach the Zoning secretary at alovely@eastgreenbush.org

For Official Use Only:

Appeal Number: 2021-05
Date Application Received: 4/15/21
Tax Map Number: 1443-6.2
Zoning District: OC
Appeal Type: 4 Area Variances-Signs
Application/Certified Fee: \$430.68
Received: 4/26/2021
Hearing Date: 5/25/2021
□Approved:
□With/without conditions:
□Denied:

FOR AN 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." (Ratherkopf, 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.

Finally, carrying the "balancing' step further, the statue 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.

To grant an Area Variance, the ZBA will must balance the benefits to the applicant and the health, safety and welfare of the neighborhood and community, taking into consideration the following factors. The ZBA must consider each of these factors, but no one factor is determinative and the weight to given to each of them will vary with the facts of each case.

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 the granting of the variance will produce an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the character of the neighborhood for the following reasons:

This is a commercial area, the larger signs will not produce any undesirable change to the neighborhood or area.

The signs will be a Hacked to the facade at the 3rds tory revel approximately 40 from grade The signs will need to larger than the 24sq ft allowed to be visible and legible to motorists/patrons

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. Identify what alternatives to the variance have been explored (alternative designs etc.) and why they are not feasible:

There is no other feasible alternatives than making the Signs larger. The signs will need to be larger to be legible at a gleight of 40t feet and also to be able to maximize visibility to motorists traciling north on 190.

3. Whether the requested area variance is substantial. The requested variance is not substantial for the following reasons:

Given the size of the building that the signs will be attached to we do not feel that the additional square footage needed to make the signs more visible to motorists should be seen as Substantial. A 24sqfootsign will be very difficult to see on the facacle and virtually impossible to see.

4. Whether the proposed variance will have an adverse effect or impact on the

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district. The requested variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district for the following reasons:

This is a commercial area, the additional sq footage of wall sign will not have any adverse impact on the physical conditions of the area. The internally lit

Channel tetters will emit a soft glow and will produce minimal light pollution and will be minimally obtusive to neighbors.

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. Explain whether the alleged difficulty was or was not self-created:

The need for larger signage could be seen as self-created.

However should not diminish the reed for larger signs to maximize legibility to motorists on 3rd Are Extand on I90.

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

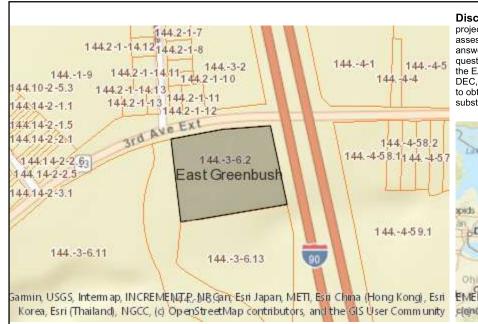
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

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Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Mabey's Self Storage				
Project Location (describe, and attach a location map):				
486 3rd Ave Extension Rensselaer NY 12144				
Brief Description of Proposed Action:				
Installation of 2 Sets of Channel letters 112 Sq ft Copy to Read "Mabeys Self storage" Installation of 1 set of Channel letters 92.5 sq ft Copy to Read Climate Controlled Storage" Installation of 1 Set of Channel letters 372 Sq ft Copy to read "Mabey's Moving and Storage"				
Name of Applicant or Sponsor:	Telephone: 518-399-929	1		
AJ Signs	E-Mail: Kristen@ajsigns.	com		
Address:				
842 Saratoga Rd				
City/PO:	State:	Zip C	ode:	
Burnt Hills	NY	12027		
1. Does the proposed action only involve the legislative adoption of a plan, local administrative rule, or regulation?	al law, ordinance,		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the emay be affected in the municipality and proceed to Part 2. If no, continue to ques		nat	V	
2. Does the proposed action require a permit, approval or funding from any other	er government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		Ì		
3. a. Total acreage of the site of the proposed action?	5.07 астеѕ			
b. Total acreage to be physically disturbed?	0 acres			
c. Total acreage (project site and any contiguous properties) owned	5.07			
or controlled by the applicant or project sponsor?	5.07 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:	= =====================================			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercia	al 🔲 Residential (subur	rban)		
Forest Agriculture Aquatic Other(Spec	cify):			
Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		V	
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape	9	NO	YES
o. Is the proposed action consistent with the predominant character of the existing built or natural landscape	?		V
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:		V	
		NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		V	11.5
b. Are public transportation services available at or near the site of the proposed action?		計	H
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
		~	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water:			YES
		NO V	YES
		V	
If No, describe method for providing potable water: 11. Will the proposed action connect to existing wastewater utilities?			YES YES
If No, describe method for providing potable water:		V	
If No, describe method for providing potable water: 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:		NO	
If No, describe method for providing potable water: 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	ct	NO	
If No, describe method for providing potable water: 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the	f	NO V	YES
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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	V	
16. Is the project site located in the 100-year flood plan?	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
33711		
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	V	
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		
11 1 05, oup that the purpose and size of the impoundment.		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		_
	~	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE	ST OF	
MY KNOWLEDGE		
Applicant/sponsor/name: homas Wheler Date: 4/22/	2/	
Signature:Title: OWNOV		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Channel Letter Sets

Colors: Face Color - 2793 Red Acrylic
Trim Caps & Returns - Red Mounting: Flush Mount

TYPICAL - Section Detail Front-Lit L.E.D Channel Letter - Flush Mount

120v System: Typical: Behind Wall Backs: .063 Aluminum Mountning: Typical: 2/8" Anchor Boits

Wote: All fastenors to be non-forous and all penetrations shall be sealed water right

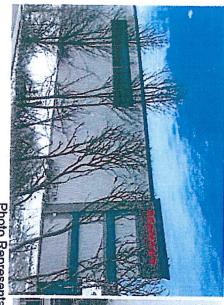


Photo Representations of Approximate Sizing

EAST

286 in Available

NORTH

Bank Car

7代 AVAILABLE 17.9 in 38.6 in 39.14 in storage 80.5 in 202 in



842 Suratoga Road Burnt Hills, NY 12027 (518) 399-9291

AJSigms.com

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Customer Approval: Landlord Approval (If Required):

Date: Date:

> Salesperson: Carl Wheeler Designer: Liz Charon File Name: e32058_A Date: 2/11/2021

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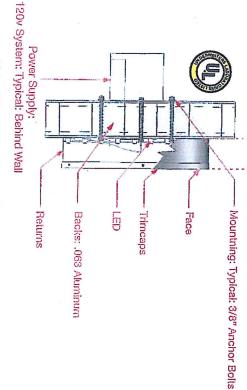
B. Channel Letter Set

Qty: x1 Mounting: Flush Mount

Opt 1 Colors: Face Color - 2793 Red Acrylic Trim Caps & Returns - Red

Front-Lit L.E.D Channel Letter - Flush Mount

TYPICAL - Section Detail



*Note: All fasteners to be non-ferrous and all penetrations shall be sealed water tight



Photo Representation of Approximate Sizing

4 2 AVAILABLE

60 ft AVAILABLE

Climate Controlled Storage



842 Saratoga Road Burnt Hills, NY 12027 (518) 399-9291

AJSigns.com

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Customer Approval:
Landlord Approval (If Required):

Salesperson: Carl Wheeler Designer: Liz Charon Date: 1/28/21 File Name: e32058_B

0

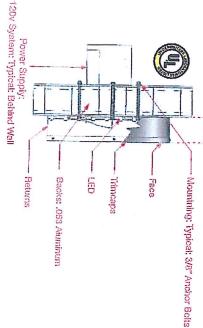
C. Channel Letter Set

Mounting: Flush Mount

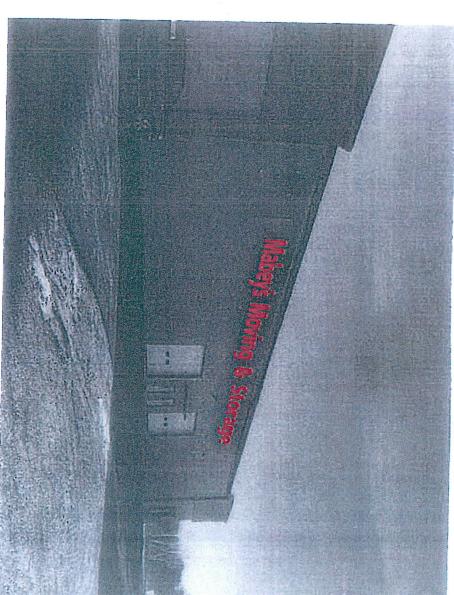
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Trim Caps & Returns - Red

Front-Lit L.E.D Channel Letter - Flush Mount

TYPICAL - Section Detail



"Note: All fasteners to be non-ferrous and all penetrations shall be sealed water tight



3727

Photo Representation of Approximate Sizing

NARCHOUSE NORTH

Mabey's Moving & Storage 4,53



842 Saratoga Road Burnt Hills, NY 12027 (518) 399-9291

AJSigns.com

Customer Approval:

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Landlord Approval (If Required):

Date: Date:

> File Name: e32058_C Salesperson: Carl Wheeler Designer: Liz Charon Date: 2/11/2021



Building Department

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

Building, Zoning and Fire Prevention

April 20, 2021

Mabey's Realty 486 Third Avenue Extension Rensselaer, NY 12144

> RE: Permit Application Mabey's Storage Tax Map # 144.-3-6.2

To Whom It May Concern;

On February 23, 2021 an application was submitted for work at the above property involving: Proposal to construct (4) façade channel letter signs. (2) Sets of 112 sf each on East (facing I-90) and North elevations. (1) Set of 92.5 sf East elevation. (1) Set of 372 SF North elevation. The property is located in an area, which is zoned: OC Corporate Office / Regional Commercial.

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 3.3.2 A b) iii. The maximum shall be 24 sf. The proposed action requires (4) Area Variance(s)

Therefore, your application of February 23, 2021 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 / Zoning Department, 225 Columbia Turnpike. (518) 694-4011.

Sincerely,

Kevin Hitchcock Building Inspector

Cc: Zoning Board of Appeals



Building Department225 Columbia Turnpike Rensselaer, New York 12144 (518) 477-6225 FAX (518) 477-2386

pike Rensselaer, New York 12144 (518) 477-6225 FAX (518) 477-2386

Building, Zoning and Fire Prevention

April 20, 2021

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Sincerely,

Kevin Hitchcock Building Inspector

Cc: Zoning Board of Appeals



BUILDING DEPT.



TOWN OF EAST GREENBUSH - RENSSELAER COUNTY Application No. Permit Issued Permit Expires _____ www.eastgreenbush.org Zoning District Value of Work \$ Approved by:

225 Columbia Tpke, Rensselaer, NY 12144 Office: (518)477-6225; Fax: (518)477-2386 **BUILDING DEPT. APPLICATION FORM** 24-HR. NOTICE FOR INSPECTIONS 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) Phone #/Cell# **Property Location:** 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 E-MAIL: 13nsten (ATSGNQ. 1 Estimated Value of Work: \$ NATURE OF PROPOSED WORK (please circle) REQUIREMENTS: All submittals in duplicate Construction of new building (Describe in NOTE AREA*) A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK AND Alterations to a building (Describe in NOTE AREA*) **INSPECTIONS MUST BE CALLED IN BEFORE AND DURING Demolition of building** 0 CONSTRUCTION. Installation of plumbing (Describe in NOTE AREA*) Installation of oil /gas /ac / heating /cooling unit INDICATE ON THE PLOT PLAN STREET NAMES, LOCATION Fence - 4' high 6'high - Total SIZE OF PROPERTY, LOCATION, SIZE & SETBACKS OF Swimming Pool - Above or In-ground PROPOSED BUILDINGS AND LOCATION OF ALL EXISTING Depth . BUILDINGS. SHOW PROPOSTED BUILDING(S) IN DOTTED Driveways - New Resurface 0 Expansion LINE AND EXISTING BUILDING(S) IN SOLID LINE. Shed - Size ____ Roof- New Reroof Repair CALL BEFORE YOU DIG: digsafelynewyork.com **Solar Panels** Ground Roof 1-800-962-7962 Other (see below) < *NOTE AREA - ADDITIONAL INFORMATION: mound Litul Ltd (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 DATE SPECIAL CONDITIONS OF THE PERMIT:

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

BY:

Channel Letter Sets

Qty: x2 Sets

Mounting: Flush Mount

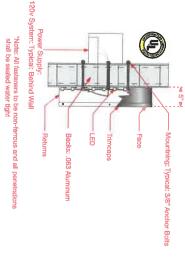
Colors: ■ Face Color - 2793 Red Acrylic ■ Trim Caps & Returns - Red

TYPICAL - Section Detail Front-Lit L.E.D Channel Letter - Flush Mount



Photo Representations of Approximate Sizing

Madevs



7 ft AVAILABLE .17.9 in 38.6 in 39.14 in storage 80.5 in 286 in AVAILABLE



842 Saratoga Road Burnt Hills, NY 12027 (518) 399-9291

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Customer Approval:
Landlord Approval (If Required):

File Name: e32058 A
Salesperson: Carl Wheeler
Designer: Liz Charon
Date: 2/11/2021

Date:

0

B. Channel Letter Set

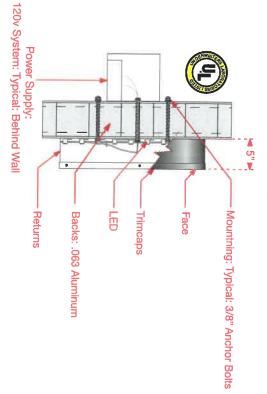
Mounting: Flush Mount

Opt 1 Colors:

Face Color - 2793 Red Acrylic
Trim Caps & Returns - Red

Front-Lit L.E.D Channel Letter - Flush Mount

TYPICAL - Section Detail



*Note: All fasteners to be non-ferrous and all penetrations shall be sealed water tight



Photo Representation of Approximate Sizing

60 ft AVAILABLE



4 & AVAILABLE



B42 Saratoga Road (518) 399-9291 Burnt Hills, NY 12027

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Customer Approval: Landlord Approval (If Required):

Date:

File Name: e32058_B Salesperson: Carl Wheeler Designer: Liz Charon Date: 1/28/21

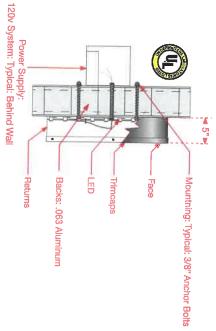
C. Channel Letter Set

Qty: x1 Mounting: Flush Mount

Opt 1 Colors: Face Color - 2793 Red Acrylic
Trim Caps & Returns - Red

Front-Lit L.E.D Channel Letter - Flush Mount

TYPICAL - Section Detail



shall be sealed water tight *Note: All fasteners to be non-ferrous and all penetrations

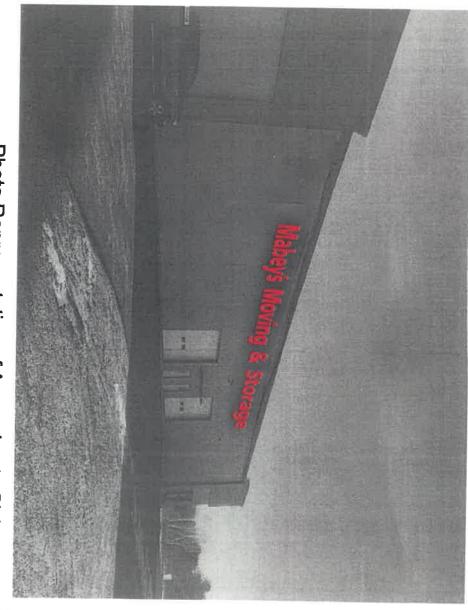


Photo Representation of Approximate Sizing

10.75

Mabey's Moving & Storage

150 ft

37259



842 Saratoga Road Burnt Hills, NY 12027 AJSigns.com

Client: Mabey's Self Storage Project: Channel Letter Set Location: 486 3rd Avenue Ext. - Rensselaer, NY

Customer Approval: Landlord Approval (If Required):

Designer: Liz Charon Date: 2/11/2021

Date: Date:

Salesperson: Carl Wheeler File Name: e32058_C

0



Zoning Board of Appeals
225 Columbia Turnpike, Rensselaer, New York 12144 Phone: 518 694-4011

Authorization Form

To the Town of East Greenbush) Zoning Board of Appeals;
I. Lindsey Kretzschmar give Property Owner	permission to <u>Warren C. Kretzschmar</u> Representative
For representing me for my application be Board of Appeals as indicated above, in a	pefore the Town of East Greenbush Zoning applying for (a)
((* (*) Use Variance Area Variance) Interpretation
for the property located at 24 Rys	Property Address
Property Owner's Signatu	ire: Jinday Kretysehme
Da	te: 4/28/2021



APR 28 2021

Zoning Board of Appeals

225 Columbia Turnpike, Rensselaer, New York 12144 Phone: 518 694-4011

AREA VARIANCE APPLICATION

Section 1: Applicant/Property Owner Information:

Applicant:
Name: Jundscy hoetzschman
Address: 24 Rysedorph lane
Phone # (18) 944-8567 Email Address: Lsmith & WERKids . Com
Signature of Applicant:
Property Owner (If not Applicant)
Name:
Address:
Phone #: Email Address:
See Authorization page if Applicant and Property Owner are not the same
Section 2: Property Information:
Property Address/Location: 24 Rysedorph lave Rousselver My 12441
Tax Map #: (*Obtain from Assessor's office*)
Section 3: Project Information:
Describe project & why a variance is necessary: 512e of 81ed is larger than a warra
Indicate the Town Zoning Law Chapter/Section from which this variance application is

being requested: This information can be found on the denial from the Building Dept.

Article: Sect	ion: $\frac{2.6.3}{}$ Subsection	n:
Additional code sections	if they pertain:	
Please complete the followis not required for one or	A STATE OF THE PROPERTY OF THE	Variances needed, if a varianc
	Required per Code:	Requested Dimensions:
Front Setback:		
Side Setback:	.4	
Rear Setback:	301	51
Lot width/frontage:	V	
Height:		1 2 2 5 .
Other:		
l applications must be su	bmitted to the Planning/Zoni	ing Department with:
1. Determination	by Zoning Enforcement Offi	icer (given to applicant by

- **Building Department) and**
- 2. Survey Map or Plot Plan, Site Plan, Sketch, and/or Other Descriptive Detail
- 3. Complete application package.
- 4. Application fee & certified mailing fees will be calculated and a fee letter will be sent to the applicant within a week of receiving a completed application package.

If you have any questions you can reach the Zoning secretary at alovely@eastgreenbush.org

For Official Use Only:

Appeal Number	
Date Application	n Received: 비ə윙(ə)
Tax Map Number	er: 155.10-11-18
Zoning District	R-B
Appeal Type: (Free vorgance
Application/Cer	tified Fee: ੈ a33よちる
Received: 418	18 P1
Hearing Date:	5/25/21
□Approved:	
□With/withou	t conditions:
□Denied:	

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." (Ratherkopf, 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.

Finally, carrying the "balancing' step further, the statue 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.

To grant an Area Variance, the ZBA will must balance the benefits to the applicant and the health, safety and welfare of the neighborhood and community, taking into consideration the following factors. The ZBA must consider each of these factors, but no one factor is determinative and the weight to given to each of them will vary with the facts of each case.

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 the granting of the variance will produce an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the character of the neighborhood for the following reasons:

The Shed will baliance our property it

will be kept up and landscaped

for house appeal. It will be placed

in the buckyard most peignfurs will not

even see it in fortunatly.

	e applicant to pursue, other than an area variance es to the variance have been explored (alternation
designs etc.) and why the	
Need certain size shed	I for extra storage a yard supplies Can not pu
addition on garage due	to location of neighbor being close
	· · · · · · · · · · · · · · · · · · ·
not substantial for the fo	area variance is substantial. The requested variable of the requested
N 40 8 3	
physical or environmen	rariance will have an adverse effect or impact of tal condition in the neighborhood or district. To not have an adverse effect or impact on the ph
or environmental condit reasons:	placed is in back, so that only 2 neighbors view
or environmental condition reasons: Location shed will be	tion in the neighborhood or district for the following the placed is in back, so that only a neighbor view
or environmental conditions: Location shed will be It will be eitherically	placed is in back, so that only 2 neighbors view appealing (matching house).
or environmental conditions: Location shed will be It will be eitherically	placed is in back, so that only 2 neighbors view appealing (matching house).
or environmental conditions: Location shed will be It will be eitherically	placed is in back, so that only 2 neighbors view appealing (matching house).
or environmental conditions: Location shed will be It will be esthetically Want interfere will	tion in the neighborhood or district for the following have district for the following house).
or environmental conditions: Location shed will be It will be eitherically Went interfere will Whether the alleged different to the decision preclude the granting of	ficulty was self-created, which consideration softhe area variance. Explain whether the alleger
or environmental conditions: Location shed will be It will be esthetically Whether the alleged difference will Whether the decision preclude the granting of difficulty was or was not the decision.	ficulty was self-created, which consideration sof the board of appeals, but shall not necessarily the area variance. Explain whether the alleged of self-created:
whether the alleged difficulty was or was no	ficulty was self-created, which consideration softhe area variance. Explain whether the alleged to self-created:

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

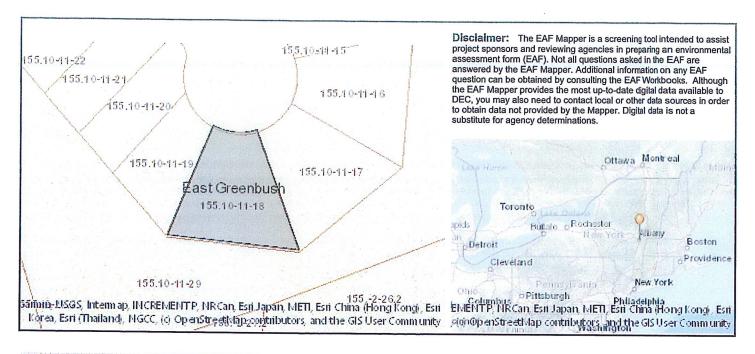
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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	v = = , yt = ,	
Name of Action or Project:		70.00
Permit for 12x16 shed		
Project Location (describe, and attach a location map):	2 2 2 2 2 2	
24 Rusedorph In Rensselver NY 12144 - back left	corner of amnestu	*
Brief Description of Proposed Action:	C 1	
24 Rysedorph Ln. Rensselaer NY 12144 - back left Brief Description of Proposed Action: Ability to place 12 × 16 size shed on location stated above.	to storage	
		3.517
		(a)
Name of Applicant or Sponsor:	Telephone:	
Linder a Warren Kantzenhannen	1010phone. 3/8-999-	8567 (L) 578-935-3296
Lindsey a Warren Kretzschmar Address:	E-Mail: LSmithoup	pokids com
	s attraction	The state of the s
24 Rysedorph Ln. City/PO:		
	State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, loca	NY	12144
administrative rule, or regulation?	1 law, ordinance,	NO YES
If Yes, attach a narrative description of the intent of the proposed action and the en	nvironmental resources th	at 🔲 🗆
may be affected in the municipality and proceed to Part 2. If no, continue to quest		
2. Does the proposed action require a permit, approval or funding from any other If Yes, list agency(s) name and permit or approval:	er government Agency?	NO YES
== 2 55, 150 agency(5) hame and permit of approval.		
3. a. Total acreage of the site of the proposed action?	acres	
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	184 acres	
or controlled by the applicant or project sponsor?	acres	r 2 g .
4. Check all land uses that occur on, are adjoining or near the proposed action:	· · · · · · · · · · · · · · · · · · ·	
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercia	Residential (subur	ban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Spec	ify):	
Parkland	* * E	,
		8

i. Is the proposed action,	NO	YES	N/
a. A permitted use under the zoning regulations?		X	
b. Consistent with the adopted comprehensive plan?		X	
5. Is the proposed action consistent with the predominant character of the existing built or natural landscap	e?	NO	YI
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	ĮZ YI
f Yes, identify:		M	
3. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	Y
b. Are public transportation services available at or near the site of the proposed action?		X	F
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		区	Ĺ
action? Does the proposed action meet or exceed the state energy code requirements?		NO	Y
If the proposed action will exceed requirements, describe design features and technologies:	<u>, 12. dus</u> 6	Ø	7/
10. Will the proposed action connect to an existing public/private water supply?		NO	Y
If No, describe method for providing potable water:		Ø	
11. Will the proposed action connect to existing wastewater utilities?	w. 47	NO	Y
If No, describe method for providing wastewater treatment: _shed who revenue water		Ø	
12. a, Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or dis	trict, ;	NO.	3
which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on State Register of Historic Places?		X	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for		Ø	
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			1
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? 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?		NO	
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain		NO X	
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? 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?		NO X	
 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? 		NO NO	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
Shoreline Forest Agricultural/grasslands Early mid-successional		
☐ Wetland ☐ Urban ☐ 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?	NO	YES
rederal government as uneatened or endangered?	VÍ	
16. Is the project site located in the 100-year flood plan?	į Ą	
10. Is the project site located in the 100-year flood plan?	NO	YES
	X	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	X	
a. Will storm water discharges flow to adjacent properties?	V	
		Ш
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	X	
		M - M - 11
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES
or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	1	
22 2 00, 00-paint the purpose that size of the impoundment.	X	
: 5		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility?	NO	IES
If Yes, describe:	1	
	X	Ш
	•	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		
	V	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BES	TOF	
MY KNOWLEDGE	, I OI	
Applicant/sponsor/pame: Lindsey Kretzschmar Date: 4/28/20	ગ	
Signature: Title: Home Owner		
	,,	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	· No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



Building Department

225 Columbia Turnpike, Rensselaer, New York 12144 Phone: 518-477-6225 - Fax: 518-477-2386 Building, Zoning and Fire Prevention

February 4, 2021

Lindsey Kretzschmar 24 Ryesdorph Lane Rensselaer, NY 12144

> RE: Permit Application 24 Ryesdorph Lane Tax Map # 155.10-11-18

Dear Mrs. Kretzschmar,

On December 14, 2020 you submitted an application for work at the above property involving: **Proposal to install a 12'x16' shed in the rear yard.** The property is located in an area, which is zoned: **R-B.**

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 Code: Section 2.6.3 Residential Buffer District requires accessory structures larger than 120 sf maintain a rear setback of 30 feet. The proposed shed location will leave a rear setback of 5 feet. The proposed action requires (1) Area Variance.

Therefore, your application of December 14, 2020 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 / Zoning Department, 225 Columbia Turnpike. (518) 694-4011.

Sincerely,

Kevin Hitchcock Building Inspector

Cc: Zoning Board of Appeals



RECEIVED DEC 14 2020

EAST GREENBUSH BUILDING DEDT

TOWN OF EAST GREENBUSH - RENSSELAER COUNTY Application No. 225 Columbia Turnpike Rensselaer, NY 12144 Permit Issued 20 Office: (518)477-6225; Fax: (518)477-2386 Permit Expires _____ www.eastgreenbush.org Zoning District Fee (\$) **BUILDING DEPT. APPLICATION FORM** Approved by: 24-HR. NOTICE FOR INSPECTIONS Submittals with architectural plans \underline{ONLY} must be in $\underline{DUPLICATE}$. 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. PRINT ALL INFORMATION CLEARLY: The owner of this property is: Lindsey Kretzsch mar

Phone #/Cell# 578-944-8567

E-MAIL: LSmith @ wppkids.com

SBL #:

Name of Person/Business Responsible for work: Backyard Shed CV. JWC

Phone #(518) 767 - 2671 (5UE) Contractor Requirements: Provide Town with proof of Gen. Liability Insurance & Worker's Comp. Insurance with each permit. Town of East Greenbush listed as certificate holder on each insurance. Estimated Value of Work: \$ 5,000.00 NATURE OF PROPOSED WORK (circle) **REQUIREMENTS:** Construction of new building (Describe in NOTE AREA*) A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK AND Alterations to a building (Describe in NOTE AREA*) INSPECTIONS MUST BE CALLED IN BEFORE AND DURING **Demolition of building** CONSTRUCTION. Installation of plumbing (Describe in NOTE AREA*) 0 Installation of oil /gas /ac / heating /cooling unit 0 INDICATE ON THE PLOT PLAN: STREET NAMES, LOCATION, Fence - 4' high 0 6'high - Total _____ l.f. SIZE OF PROPERTY; SIZE & SETBACKS OF PROPOSED Swimming Pool - Above or In-ground 0 BUILDINGS AND LOCATION OF ALL EXISTING BUILDINGS. Size: _____x____ Depth ___ SHOW PROPOSED BUILDING(S) IN DOTTED LINE AND Driveways - New Resurface Expansion **EXISTING BUILDING(S) IN SOLID LINE.** Shed – Size 12 x 20 - Total s/f 2400 Roof (Circle) New Reroof Repair 0 CALL BEFORE YOU DIG: digsafelynewyork.com or 0 Solar Panels (Circle) Roof Ground 1-800-962-7962 0 Sign(s) Size: _____x___- Total s/f ____ Other (Describe in NOTE AREA)* *NOTE AREA - ADDITIONAL INFORMATION: SHED TO be placed in back yard 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. Netzehma DATE: 12/8/2020 SPECIAL CONDITIONS OF THE PERMIT: _ BY:

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

