

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, OCTOBER 26, 2021 7:30PM

7:30 PM CALL TO ORDER

PUBLIC HEARINGS:

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike-Area Variance-Sign

SEQR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike-Area Variance-Sign

WORKSHOP/DELIBERATION:

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike-Area Variance-Sign

NEXT MEETING:

November 9, 2021

STATUS –APPEALS ON NOVEMBER 9, 2021:

NONE

APPROVAL OF MINUTES:

September 14, 2021

NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of East Greenbush will hold a public hearing on October 26, 2021 at the Town Hall 225 Columbia Turnpike Rensselaer NY beginning at 7:30 P.M. to consider the following application:

Appeal number # 2021-12 the appeal of Andrew Kline of 2391 Brookview Road Castleton, NY 12033. The applicant proposes the installation of a façade mounted sign on fascia above the roof line which does not comply with Section III 3.3.7 H. Sign sizing, color and placement of the Town's Comprehensive Zoning Law. 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. Therefore the proposed action requires an Area Variance for the property located at 596 Columbia Turnpike, East Greenbush NY. Tax Map # 166.-7-6.9

Any interested party may comment in person at the hearing. Written comment may be submitted to the Zoning Board of Appeals, Town of East Greenbush, 225 Columbia Turnpike, Rensselaer, New York 12144 at any time prior to the hearing.

BY ORDER OF THE ZONING BOARD OF APPEALS

DATED OCTOBER 13, 2021

JEFF PANGBURN, CHAIRMAN

ZONING BOARD OF APPEALS

TOWN OF EAST GREENBUSH

FOR ADDITIONAL INFORMATION REGARDING THIS ACTION CALL THE EAST GREENBUSH ZONING DEPARTMENT AT 694-4011.

RECEIVED

SEP 27 2021

DEPT Zoning

RCBP # 21-120

Returned by Municipality _____

NOTIFICATION OF ZONING REVIEW ACTION

TO: Jeff Pangburn MUNICIPALITY: East Greenbush

APPLICANT: Andrew Klein

SUBJECT: Area Variance

LOCATION: 596 Columbia Turnpike


Project Description: Applicant proposes placing sign on commercial building that will
extend above the roof line.

Please be advised that the Rensselaer County Bureau of Economic Development and Planning has acted on the above subject as follows:

After having carefully reviewed the information submitted as part of the subject referral, the Bureau of Economic Development and Planning has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail.

Please return a report of the final action you have taken to the Bureau of Economic Development and Planning, This report is due within seven days after the final action. If your action is contrary to the recommendation of the County Bureau of Economic Development and Planning, Section 239-m of Article 12-B requires the adoption of a resolution fully setting forth the reasons for such contrary action.

Date 9/24/21



ROBERT L. PASINELLA, JR, DIRECTOR
Economic Development and Planning
1600 Seventh Avenue
Troy, New York 12180
(518) 270-2914



The Town of East Greenbush

225 Columbia Turnpike
Rensselaer, NY 12144
518 694-4011
518 477-2386 FAX

Memorandum

Date: October 14, 2021

To: Jeff Pangburn, ZBA Chair

From: Alison Lovely on behalf of Chairman Mastin

Re: Planning Board Recommendation

Comments:

The following recommendation is in draft form of the October 13, 2021 Planning Board Minutes.

ZBA Appeal #2021-12-Kline-596 Columbia Turnpike-Area Variance-Sign - report by Ralph Viola

After some discussion from the Board, the following motion was made.

A motion was made by Ralph Viola as follows: **The Planning Board votes to accept Ralph Viola's report and makes a positive recommendation on this proposal to the Zoning Board with the condition that the Zoning Board take a look at the currently existing signage for any further review from the Comprehensive Zoning Law that maybe needed. * See attached report for further details.**

Seconded by Matt Mastin & roll called as follows:

M. Mastin-YES; R. Viola-YES; K. Bergmann-YES; C. Horne-YES; D. Panton-YES; J. Conway-YES; N. Gill-YES.

MOTION CARRIED BY A 7-0 VOTE

October 10, 2021

East Greenbush Planning Board
225 Columbia Turnpike
East Greenbush, NY 12061

Attn: Chairman Matt Mastin

RE: Area Variance Review 2021-12

Andrew Kline (Bloodmoon Tattoo)
598 Columbia Turnpike Suite 4
East Greenbush, NY 12061

The applicant is requesting an area variance to install an internally illuminated façade mounted sign on the building above the roof line. The property is in the B-1 General Business Mixed Use Zone.



In accordance with the E.G. Town Zoning Law, Section III 3.,3.7 H Signs which are mounted on the vertical, horizontal or sloped surface of the building roof or extend beyond the roofline or sides of buildings are NOT permitted.



Proposed sign 34.5" high x 120" (10ft.) long

The applicants proposed sign would extend above the roof line approximately 18" -20"

The reason for the sign application is because a tree was removed which allowed more visibility to the store front

Item of importance:

Currently the applicant is not compliant with E.G. Town Zoning Law, Section III 3.,3.7 F

Items placed in window and door areas, such as temporary or permanent posters, permitted signs, advertisements, neon or other window advertisementsshould not exceed 15% of the total window area of a given façade.

The current front window/door surface area exceeds 15% of gross area. **Zoning Board of Appeals may want to have applicant adhere to this standard as a condition of approval.**

Additional Signage on building facade:



View from Rt. 9&20 entering Hannaford Plaza



View from Starbucks Coffee

includes adjacent tenant with sign protruding above roof line.

No undesirable change would be produced in character of neighborhood or a detriment to nearby properties.

Only businesses and passing motorists would be able to view the proposed sign. There aren't any residential neighbors that would be affected.

There is not any feasible alternative sought by applicant that can be achieved without this variance. The applicant is a dedicated business owner in East Greenbush and is trying to make his business more visible and noticeable from Hannaford Shopping Plaza.

The reason for the sign application is because a tree was removed which now allows more visibility to the store front

Installing an illuminated sign should help potential customers locate him.

This requested area variance is not substantial.

There are two other tenants with roof mounted signs on the same building.



Installation of another non-conforming sign roof mounted sign is not substantial.

Approval of this variance would have NO adverse impact on the physical or environmental conditions in the neighborhood

After careful review of these Area Variance request, based upon sound planning and zoning considerations, visual aesthetics and existing conditions I offer a positive recommendation to the Zoning Board of Appeals.

Respectfully,

Ralph J. Viola

Ralph J. Viola / E.G. Planning Board Member



The Town of East Greenbush

Zoning Board of Appeals

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

RECEIVED

SEP 16 2021

DEPT PZD

Authorization Form

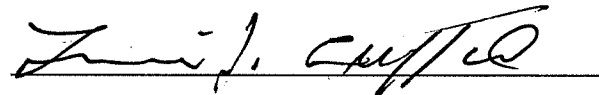
To the Town of East Greenbush (☒) Zoning Board of Appeals;

I, FRANCIS J. CLIFFORD
Property Owner

give permission to 
Representative

For representing me for my application before the Town of East Greenbush
Zoning Board of Appeals as indicated above, in applying for an Area Variance.

for the property located at 598 Columbia Tpke Suite 4
Property Address

Property Owner's Signature: 

Date: 9/15/2021



The Town of East Greenbush

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: Andrew Kline

Address: 2391 Brookview Rd Castleton NY, 12033

Phone #: 518-366-4237 Email Address: dklinetattoo@gmail.com

Signature of Applicant: Andrew Kline Date: 9/15/21

Property Owner (If not Applicant)

Name: FRANCIS J. CLIFFORD

Address: 37 Lashbury Lane, East Greenbush, NY 12061

Phone #: (518) 248-7800 Email Address: FCLIFFORD@AMS2.BIZ

See Authorization page if Applicant and Property Owner are not the same

Section 2: Property Information:

Property Address/Location: 598 Columbia Tpke Suite 4, East Greenbush

Tax Map #: 166.-7-6.9 (B-1) (*Obtain from Assessor's office*) NY, 12061

Section 3: Project Information:

Describe project & why a variance is necessary:

Mount a sign on the facade (fascia) of the
building. A variance is necessary because
the sign will extend partially above the
building's roof line.

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: _____ Section: III 3.3.7 Subsection: H

Additional code sections if they pertain: _____

Please complete the following table indicating all Area Variances needed, if a variance is not required for one or more, just put N/A.

	<u>Required per Code:</u>	<u>Requested Dimensions:</u>
Front Setback:		NA
Side Setback:		NA
Rear Setback:		NA
Lot width/frontage:		120''
Height:		34.5''
Other: <u>Depth</u>		4''

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 fees are: \$150 for the initial area variance & \$75 for each additional area variance. 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 with the total amount due.
5. A public hearing will be scheduled once the fee and completed application is received and is usually 30-45 days out.

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

For Official Use Only:

Appeal Number: <u>2021-12</u>
Date Application Received: <u>9/15/21</u>
Tax Map Number: <u>166-7-6.9</u>
Zoning District: <u>B-1</u>
Appeal Type: <u>Area Variance</u>
Application/Certified Fee: <u>\$ 186.65</u>
Received: <u>9/15/21</u>
Hearing Date: <u>10/26/21</u>
<input type="checkbox"/> Approved:
<input type="checkbox"/> With/without conditions:
<input type="checkbox"/> 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. Please answer the questions to the best of your ability. 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.

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.

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:

Granting the variance will not create a detriment to nearby properties or an undesirable change to the neighborhood because similar signs are already on the building and surrounding plaza.

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:

The alternative of hanging the sign below/ even with the roofline would obstruct the store front and would not be cohesive with signage in the surrounding area.

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

Yes the requested variance would be substantial because it's required to put the sign on the building.

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:

The variance will not have an adverse impact on the surrounding area because it does not interfere with the movement of traffic or pedestrians and is not a distraction being black & white.

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 alleged difficulty was not self created because we do not control the shape of the roofline. We have not had the opportunity to advertise on the roofline until recently when a tree was removed.

Short Environmental Assessment Form

Part 1 - Project Information

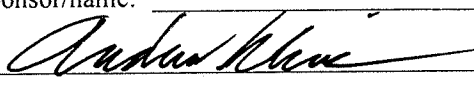
Instructions for Completing

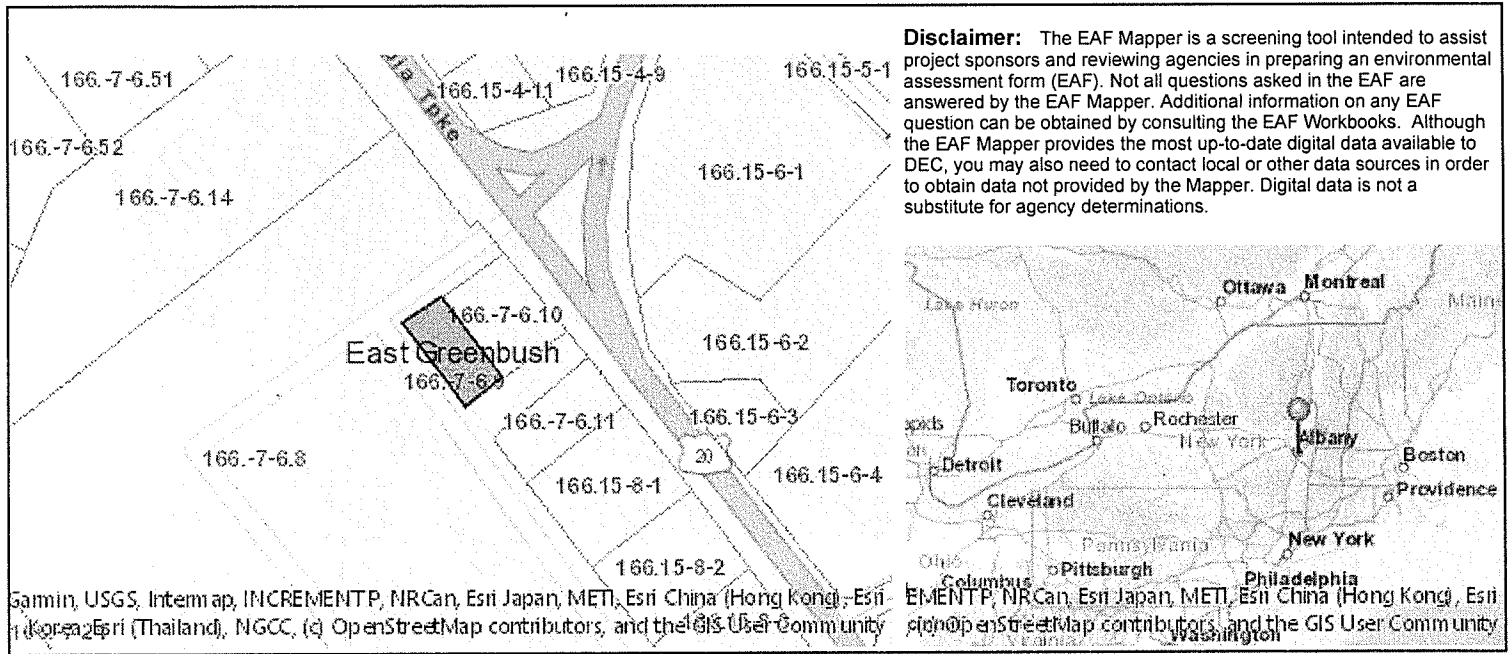
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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 Installation of a facade mounted sign on fascia above the roof line. Bloodmoon Collective LLC.				
Name of Action or Project: Installation of a facade mounted sign on fascia above the roof line				
Project Location (describe, and attach a location map): 598 Columbia Tpke Suite 4 East Greenbush NY, 12061				
Brief Description of Proposed Action: Mount a sign on the facade (fascia) of a building that will extend partially above its roof line.				
Name of Applicant or Sponsor: Andrew Kline		Telephone: 518-366-4237 E-Mail: dklinetattoo@gmail.com		
Address: 2391 Brookview Rd.				
City/PO: Castleton		State: NY	Zip Code: 12033	
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.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of East Greenbush zoning board approval			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ n/a acres b. Total acreage to be physically disturbed? _____ n/a acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ n/a acres				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <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				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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: Low cost/energy consumption LED lighting on a day/night timer.	NO <input checked="" 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: _____ n/a	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ n/a	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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 State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" 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? 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: _____ _____ _____	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, 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)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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: _____ n/a	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Andrew Kline</u> Date: <u>9/15/2021</u> Signature: <u></u> Title: <u>Owner</u>		



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]	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]	Yes



The Town of East Greenbush

Building Department

225 Columbia Turnpike Rensselaer, New York 12144 (518) 477-6225 FAX (518) 477-2386
Building, Zoning and Fire Prevention

September 10, 2021

Witbeck Propertie II LLC
Francis Clifford
37 Lashway Lane
East Greenbush, NY 12061

RE: PERMIT APPLICATION

596 Columbia Turnpike
Tax Map # 166.-7-6.9

To Whom It May Concern;

On October 21, 2020 you submitted an application for work at the above property involving: **Installation of a façade mounted sign on fascia above the roof line.** The property is located in an area, which is zoned: **B-1 General Business Mixed Use.**

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 (1) Area Variance.**

Therefore, your application of October 21, 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 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 Turnpike Rensselaer, NY 12144
Office: (518)477-6225; Fax: (518)477-2386
www.eastgreenbush.org

Application No. _____
Permit Issued _____ 20____
Permit Expires _____ 20____
Zoning District _____
Fee (\$) _____
Approved by: _____

BUILDING DEPT. APPLICATION FORM
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: Andrew Kline Phone #/Cell# 518-366-4237
Property Location: 598 Columbia tpke suite 4 E-MAIL: dkline.tattoo@gmail.com
SBL #: 445366645

Name of Person/Business Responsible for work: No Name Sign Co Phone # 518-326-3977
E-MAIL: nonamedavema@gmail.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: \$ 2,300

NATURE OF PROPOSED WORK (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 _____ l.f.
- ☐ Swimming Pool – Above or In-ground
Size: _____ x _____ Depth _____
- ☐ Driveways – New Resurface Expansion
- ☐ Shed – Size _____ x _____ - Total s/f _____
- ☐ Roof (Circle) New Reroof Repair
- ☐ Solar Panels (Circle) Roof Ground
- ☒ Sign(s) Size: 10' x 3' - Total s/f 30
- ☐ Other (Describe in NOTE AREA*)

REQUIREMENTS:

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; 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.

BEFORE YOU DIG CALL 811 or 1.800.962.7962

OR

www.DigSafelyNewYork.com/homowners

***NOTE AREA - ADDITIONAL INFORMATION:** Exterior lit sign is attached to the front of the building.

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: 10/21/2020

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.

120.05"

34.52"

21.50"



5.63"

90.27"



TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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

OCTOBER 26, 2021

MEMO:

In regards to Appeal #2021-12: Kline- Application for an Area Variance, the Zoning Board of Appeals has considered this project under SEQR and determines that this project meets the requirements for a Type II Action and no further SEQR review is required.

End of Memo

Town of East Greenbush
Zoning Board of Appeals

In the matter by:
Andrew Kline
For an Area Variance

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

Appeal No. 2021-12

Whereas, An application has been filed by Andrew Kline of 2391 Brookview Road Castleton, NY, 12033. The applicant proposes the installation of a façade mounted sign on fascia above the roof line which does not comply with Section III 3.3.7 H. Sign sizing, color and placement of the Town's Comprehensive Zoning Law. 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; and

Whereas, The applicant has filed an application requesting an Area Variance at the property located at 596 Columbia Turnpike East Greenbush, NY (Tax Map No. 166.-7-6.9); and

Whereas, The Board of Appeals has duly published a notice of public hearing regarding this appeal in The Record on October 13, 2021; 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 Tuesday, October 26, 2021 to consider this appeal; and

Whereas, The Planning Board of the Town of East Greenbush at its October 13, 2021 meeting provided a report of the requested Area Variance with a positive 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:

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 a façade mounted sign on fascia above the roof line be _____ **(GRANTED/DENIED)** with ___ **(NO)** condition(s):

This resolution was moved by _____ and seconded by _____ at a meeting duly held on _____.

(Discussion)

A vote was taken as follows:

Tom Hickey	<u>Absent</u>
Matt Ostiguy	<u>Absent</u>
Jeff Pangburn	___
Bob Seward III	___
Scot Strevel	___

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2021

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

Copy To:

Andrew Kline
2391 Brookview Road
Castleon, NY 12033

Cc: Rensselaer County Planning (Via Email)
Town Clerk (Via Email)
Building Inspector (Via Email)
Assessor (Via Email)
ZBA File No. 2021-12