

# TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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

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## MEETING AGENDA

TUESDAY, JULY 26, 2022 7:30PM

\*Meeting to be held in the Town  
Hall Community Room\*

### 7:30 PM CALL TO ORDER

### PUBLIC HEARINGS:

ZBA Appeal #2022-05-Steele -35 Maine Avenue- Area Variance-Front Setback for Porch

### SEQR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2022-05-Steele -35 Maine Avenue- Area Variance-Front Setback for Porch

### WORKSHOP/DELIBERATION:

ZBA Appeal #2022-05-Steele -35 Maine Avenue- Area Variance-Front Setback for Porch

### NEXT MEETING:

August 9, 2022

### APPROVAL OF MINUTES:

April 12, 2022 & June 28, 2022

Town of East Greenbush  
Zoning Board of Appeals

In the matter by:  
Steve & Lea Steele  
For an Area Variance

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

**Appeal No. 2022-05**

**Whereas**, An application has been filed by Steve & Lea Steele of 35 Maine Avenue Rensselaer, NY, 12144. The applicant proposes to construct a 10' x 19'10" front porch in the front yard with a 19 foot front setback. The review of the proposed work will not comply with the following provisions of the Town Zoning Law: Section 2.6.6 E Area and Bulk Schedule. The front setback in the R-2 Zone is 25 feet. The proposed porch leaves a front setback of 19 feet; and

**Whereas**, The applicant has filed an application requesting an Area Variance at the property located at 35 Maine Avenue East Greenbush, NY (Tax Map No. 166,10-19-2); and

**Whereas**, The Board of Appeals has duly published a notice of public hearing regarding this appeal in The Record on June 30, 2022; 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, July 26, 2022 to consider this appeal; and

**Whereas**, The Planning Board of the Town of East Greenbush at its June 22, 2022 meeting provided a report of the requested Area Variances 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 construction of a 10' x 19'10" front porch in the front yard with a 19 foot front setback be \_\_\_\_\_ **(GRANTED/DENIED)** with \_\_\_\_ **(NO)** condition(s):

This resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ at a meeting duly held on July 26, 2022.

*(Discussion)*

A vote was taken as follows:

Tom Hickey \_\_\_\_\_  
Matt Ostiguy \_\_\_\_\_  
Jeff Pangburn \_\_\_\_\_  
Bob Seward III \_\_\_\_\_  
Scot Strevell \_\_\_\_\_

**TOWN OF EAST GREENBUSH  
BOARD OF APPEALS**

By: \_\_\_\_\_  
Jeff Pangburn, Chairperson

Dated: \_\_\_\_\_, 2022

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

# TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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

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**July 26, 2022**

## **MEMO:**

In regards to Appeal #2022-05: Steele - Application for 2 Area Variances, 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*

# NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of East Greenbush will hold a public hearing on July 12, 2022 at the Town Hall 225 Columbia Turnpike Rensselaer NY beginning at 7:30 P.M. to consider the following application:

Appeal number # 2022-05 the appeal of Steve & Lea Steele of 35 Maine Avenue Rensselaer, NY 12144. The applicant proposes to construct a 10' x 19'10" front porch in the front yard with a 19 foot front setback. The review of the proposed work will not comply with the following provisions of the Town Zoning Law: Section 2.6.6 E Area and Bulk Schedule. The front setback in the R-2 Zone is 25 feet. The proposed porch leaves a front setback of 19 feet. Therefore the proposed action requires an Area Variance for the property located at 35 Maine Avenue, East Greenbush NY. Tax Map # 166.10-19-2

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 JUNE 28, 2022

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.

RCBP # 22-59

Returned by Municipality \_\_\_\_\_

NOTIFICATION OF ZONING REVIEW ACTION

TO: Jeff Pangburn MUNICIPALITY: East Greenbush

APPLICANT: Steve & Lea Steele

SUBJECT: Area Variance

LOCATION: 35 Maine Avenue


Project Description: Applicant proposes to build a front porch that will not meet the front setback requirements.

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 7/7/22

  
\_\_\_\_\_  
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:** June 23, 2022

**To:** Jeff Pangburn, ZBA Chair

**From:** Alison Lovely on behalf of Chairman Mastin

**Re:** Planning Board Recommendation

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### **Comments:**

The following recommendation is from the draft June 22, 2022 Planning Board Minutes.

ZBA Appeal #2022-05-Steele-35 Maine Avenue-Area Variance-Front Porch- Report by Matt Mastin

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

A motion was made by Chairman Mastin as follows: **The Planning Board accepts Matt Mastin's report & makes a positive recommendation from a Planning perspective & forwards this recommendation & report to the Zoning Board. \* See attached report for further details.**

**Seconded by Don Panton & roll called as follows:**

**M. Mastin-YES; K. Bergmann-YES; R. Viola-YES; D. Panton-YES; J. Conway-YES.**

**MOTION CARRIED BY A 5-0 VOTE**

June 11, 2022

RE: Area Variance Application  
Steele  
35 Maine Ave

The applicant is seeking to build a front porch at their home on 35 Maine Avenue (Tax Map #166.10-19-2) in the Town's Residential District (R2). The applicant submitted for a building permit for a 10' x 19'10" front porch structure, facing Maine Avenue. Upon review by the Town Building Inspector, it was determined that the proposed structure would leave a front set back of 19' and did not meet Section 2.6.6 E Area and Bulk Schedule of the Town Comprehensive Zoning Law. Section 2.6.6 E Area and Bulk Schedule requires a front set back of 25'. The applicant is seeking relief through the Zoning Board of Appeals for one area variance for the front yard set back.



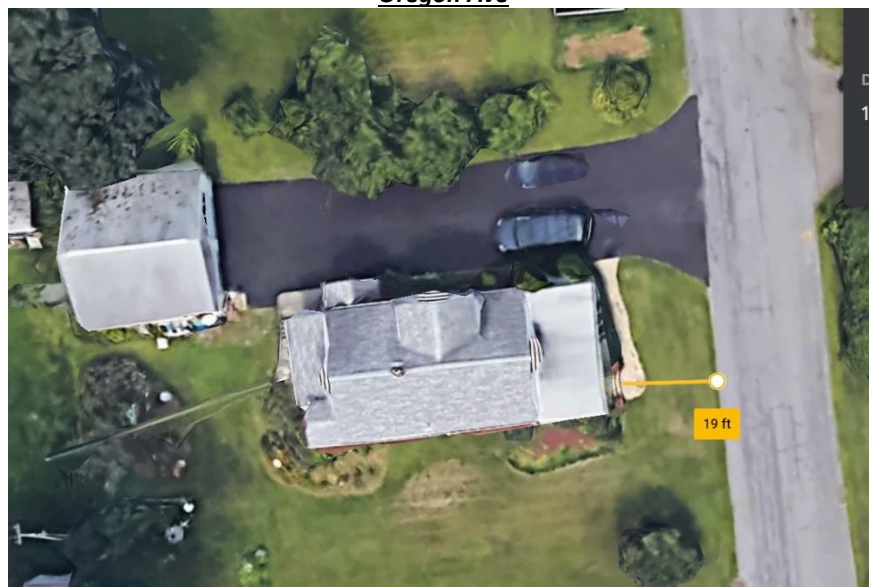
I visited 35 Maine Avenue on June 11<sup>th</sup> at approximately 3:45 p.m. I briefly spoke with the applicant, Lea Steele. During the site visit, I walked and drove around the neighborhood. What I observed during the site visit, and through use of Google Earth, is many structures that do not meet the front set back of 25'. The Sherwood Park neighborhood is one of the oldest in town with a dense parcel layout. Many homes in the area would not meet the standards set forth in the Comprehensive Zoning Law, passed in 2008.

A second observation is that 35 Maine Avenue is a corner lot. If the location of the proposed porch were designated a "side yard" a variance would not be required. The side set back required in the R-2 district is 8'.





**Oregon Ave**



Based on my review of the area variance application, the construction of a 10' x 19'10" porch at 35 Maine Avenue will not have an adverse impact on the neighborhood. The proposed construction meets the character of the area.

The Planning Board thereby gives a positive recommendation on the area variance from a planning perspective. The Planning Board further recommends that the Zoning Steering Committee take a hard look at older subdivisions in town to ensure that the updated Comprehensive Zoning Law does not have an adverse impact on preexisting residential structures in neighborhoods such as Sherwood Park, Woodland Park, and Hampton Manor.

*Matt Mastin*

Matt Mastin  
Chairman  
East Greenbush Planning Board

**From:** [Matthew Poli](#)  
**To:** [Alison Lovely](#)  
**Subject:** appeal no. 2022-05  
**Date:** Monday, July 11, 2022 8:08:33 AM

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The appeal calls for a set back in front yard of 35 Maine Ave however there is road frontage on both Maine Ave and Corliss Ave. The proposed structure calls for a 19' front setback. Will this apply as the same setback approach to Corliss Ave also? There is no mention to the dimensions that apply to the distance to Corliss Ave as the property sits on a corner lot.

Thanks

Matt Poli

Sent from [Mail](#) for Windows



# *The Town of East Greenbush*

## **Zoning Board of Appeals**

225 Columbia Turnpike, Rensselaer, New York 12144

Phone: 518 694-4011

**RECEIVED**

JUN 07 2022

DEPT P2D

## **AREA VARIANCE APPLICATION**

### **Section 1: Applicant/Property Owner Information:**

#### **Applicant:**

Name: Steele, Steven + Lea

Address: 35 Maine Ave

Phone #: 518 210 9687 Email Address: -

Signature of Applicant: Lea A. Steele Date: 6/7/2022

#### **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: 35 Maine Ave

Tax Map #: 166-10-19-2 (\*Obtain from Assessor's office\*)

### **Section 3: Project Information:**

#### **Describe project & why a variance is necessary:**

Proposed Construction of 10' x 19' 10" front porch in area  
zoned R-2 Residential. Permits state work will not comply  
with town provision Code Section 2.6.6 E Area + Bulk Schedule  
The front setback in the R-2 zone is 25 feet the proposed  
porch leaves a front setback of 19 feet so Variance Required

**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.**  
**or on the resolution from the Planning Board.**

Article: II Section: 2.6.6 Subsection: E Area + Bulk Schedule

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.**

	<b><u>Required per Code:</u></b>	<b><u>Requested Dimensions:</u></b>
Front Setback:	25'	19'
Side Setback:	—	—
Rear Setback:	—	—
Lot width/frontage:	—	—
Height:	—	—
Other:	N/A	N/A

**All applications must be submitted to the Planning/Zoning Department with:**

- 1. Determination by Zoning Enforcement Officer (given to applicant by Building Department), not necessary if referred by the Planning Board 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](mailto:alovely@eastgreenbush.org)**

**For Official Use Only:**

Appeal Number: 2022-05
Date Application Received: 6/7/2022
Tax Map Number: 166.10-19-2
Zoning District: R-2
Appeal Type: Area Variance
Application/Certified Fee: \$303.93
Received: 6/7/2022
Hearing Date: 7/12/2022
<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. 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, (4<sup>th</sup> 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:

### **APPLICANT NEEDS TO ANSWER THE FOLLOWING:**

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:

It would enhance the appearance of the property and conform with other properties in the neighborhood.

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:

None found  
That would meet with zoning codes

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

Not substantial  
because were requesting only 4 feet  
more for the front porch.

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:

Shouldnt impact any of our  
neighbors as it would just be  
a front porch in our yard.

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:

we took down the  
existing porch because it was a  
hazzard and didn't realize the zoning  
code were what they are. we've Always  
had an attached Porch.



# *The Town of East Greenbush*

## **PLANNING AND ZONING DEPARTMENT**

225 Columbia Turnpike, Rensselaer, New York 12144

Phone: 518.694.4011

Fax: 518.477.2386

### **MEMORANDUM**

**TO: Applicants and Design Professionals**

**FROM: Adam Yagelski, Director of Planning and Zoning**

**DATE: February 14, 2019**

**SUBJECT: State Environmental Quality Review Act (SEQRA) Title 6 NYCRR  
Part 617 Regulations guidance**

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The following webpage will provide helpful guidance to applicants and their design professionals about completing an environmental assessment form Short (EAF):

<http://www.dec.ny.gov/permits/357.html>.

#### Form to Submit with Your Application

The Town's Zoning Application packet contains a Short EAF Part 1 form for your consideration.

#### Completing Required SEQRA Forms

It is also important to note that the webpage link provided above contains resource materials and information concerning use of state web-based interactive mapping applications, including the NYSDEC's EAF Mapper tool, to assist you in completing the required SEQRA documentation.

It is *strongly* recommended that applicants use the EAF Mapper tool to complete Part 1. Applications should submit the completed Part 1 returned by the EAF Mapper and the accompanying report the tool auto-generates. You can learn more about the EAF Mapper and access the tool by visiting the following webpage: <https://www.dec.ny.gov/permits/90201.html>.



# 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <div style="font-family: cursive; font-size: 1.2em;">Steve + Lea Steele</div>			
Project Location (describe, and attach a location map): <div style="font-family: cursive; font-size: 1.2em;">35 Maine Ave Rensselaer NY 12144</div>			
Brief Description of Proposed Action: <div style="font-family: cursive; font-size: 1.2em;">Proposed to put in a 10' x 20' front porch and this required a zoning variance.</div>			
Name of Applicant or Sponsor: <div style="font-family: cursive; font-size: 1.2em;">Steve + Lea Steele</div>		Telephone: 518 477 6458	
		E-Mail:	
Address: <div style="font-family: cursive; font-size: 1.2em;">35 maine Ave</div>			
City/PO: <div style="font-family: cursive; font-size: 1.2em;">Rensselaer</div>		State: <div style="font-family: cursive; font-size: 1.2em;">New York</div>	Zip Code: <div style="font-family: cursive; font-size: 1.2em;">12144</div>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" 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 checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input 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 YES <input type="checkbox"/> <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 YES <input checked="" type="checkbox"/> <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 YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>		
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>		
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO YES <input checked="" type="checkbox"/> <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 YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? 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 YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" 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 type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>Lea A. Steele</u> Date: <u>6/7/2022</u> Signature: <u>Lea A. Steele</u> Title: <u>owner</u>		



# *The Town of East Greenbush*

## **Building Department**

225 Columbia Turnpike, Rensselaer, New York 12144

Phone: 518-477-6225 - Fax: 518-477-2386

*Building, Zoning and Fire Prevention*

May 13, 2022

Steve and Lea Steele  
35 Maine Avenue  
Rensselaer, NY 12144

RE: Permit Application  
35 Maine Avenue  
Tax Map # 166.10-19-2

Dear Mr. and Mrs. Steele,

On May 2, 2022 you submitted an application for work at the above property involving:  
**Proposal to construct a 10' x 19'10" front porch.** The property is located in an area, which is zoned: **R-2 Residential 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 Code: **Section 2.6.6 E Area and Bulk Schedule. The front setback in the R-2 Zone is 25 feet. The proposed porch leaves a front setback of 19 feet. The proposed action requires (1) Area Variance.**

Therefore, your application of May 2, 2022 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

TOWN OF EAST GREENBUSH  
COUNTY OF RENSSELAER  
225 Columbia Turnpike Rensselaer, NY 12144  
Office (518) 477-6225 Fax (518) 477-2386  
www.eastgreenbush.org  
Email: egcodes@eastgreenbush.org

**BUILDING DEPARTMENT APPLICATION FORM  
24 HOUR NOTICE FOR INSPECTIONS**

For office use only

RECEIVED

MAY 02 2022

EAST GREENBUSH  
BUILDING DEPT.

Application No.: 26207

Permit Issued: \_\_\_\_\_

Permit Expires: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Fee: \$ \_\_\_\_\_

Approved by: \_\_\_\_\_

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: Steven + Lea Steele

Phone #/Cell# 518 477 6458

E-MAIL: \_\_\_\_\_

Property Location: 35 Maine Ave Ren NY 12144

SBL # 166-10-19-2

Contractor: Self Phone # \_\_\_\_\_

Email: no email

**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 document.

Estimated Value of Work: \$ 5,000.00

**NATURE OF PROPOSED WORK**

- ☐ 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 ☐ In-ground  
Size: \_\_\_\_\_ x \_\_\_\_\_ Depth \_\_\_\_\_
- ☐ Driveways - New Resurface Expansion
- ☐ Shed - Size \_\_\_\_\_ x \_\_\_\_\_ - Total s/f \_\_\_\_\_
- ☐ Roof ☐ New ☐ Reroof ☐ Repair
- ☐ Solar Panels (Circle) Roof Ground
- ☐ Sign(s) Size: \_\_\_\_\_ x \_\_\_\_\_ - Total s/f \_\_\_\_\_
- ☐ Other (Describe in NOTE AREA\*)

\*NOTE AREA - ADDITIONAL INFORMATION : \_\_\_\_\_

**REQUIREMENTS:**

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

When required submit stamped plans in duplicate.  
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.

CALL BEFORE YOU DIG: digsafelynewyork.com, dial 811  
PERMIT FEES ARE NON - REFUNDABLE

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: Lea A. Steele

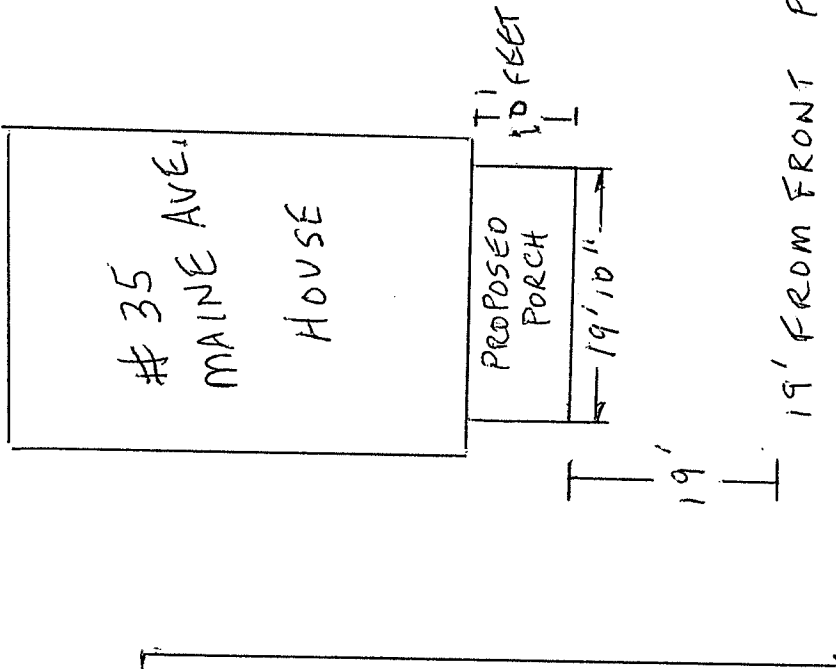
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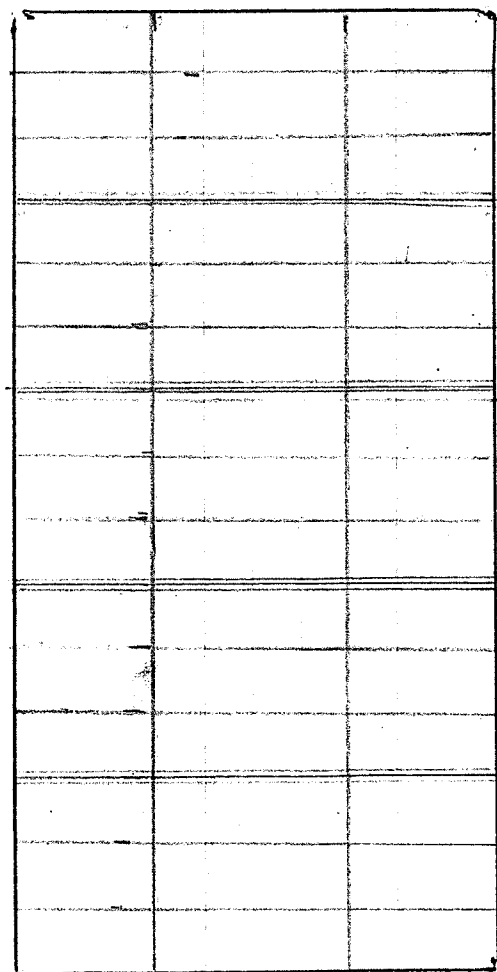
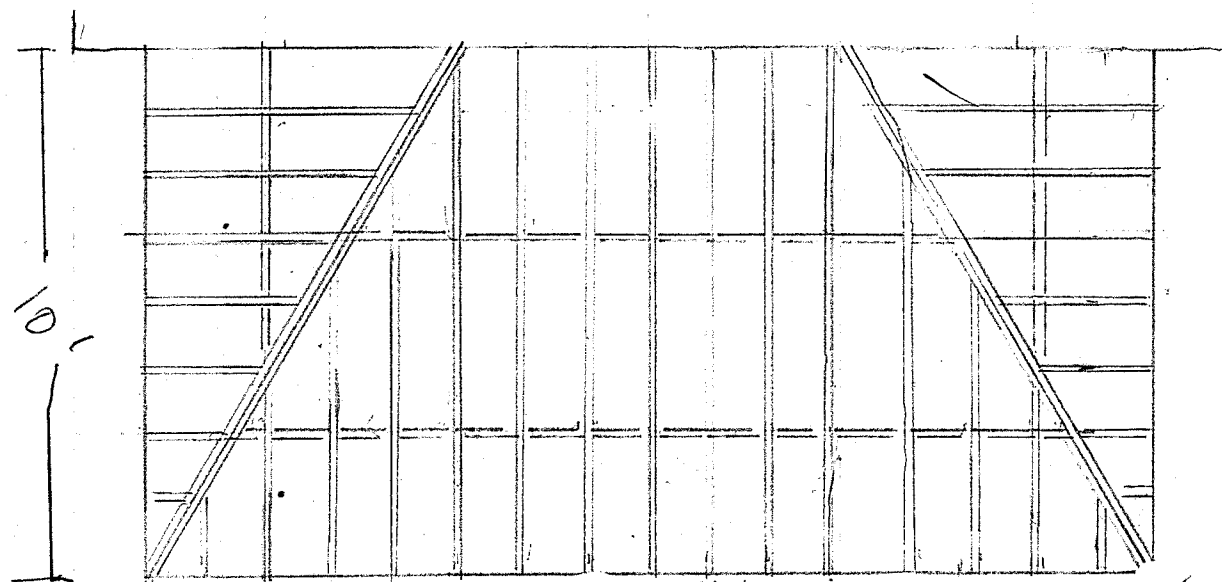
SPECIAL CONDITIONS OF THE PERMIT: \_\_\_\_\_

BY: \_\_\_\_\_

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

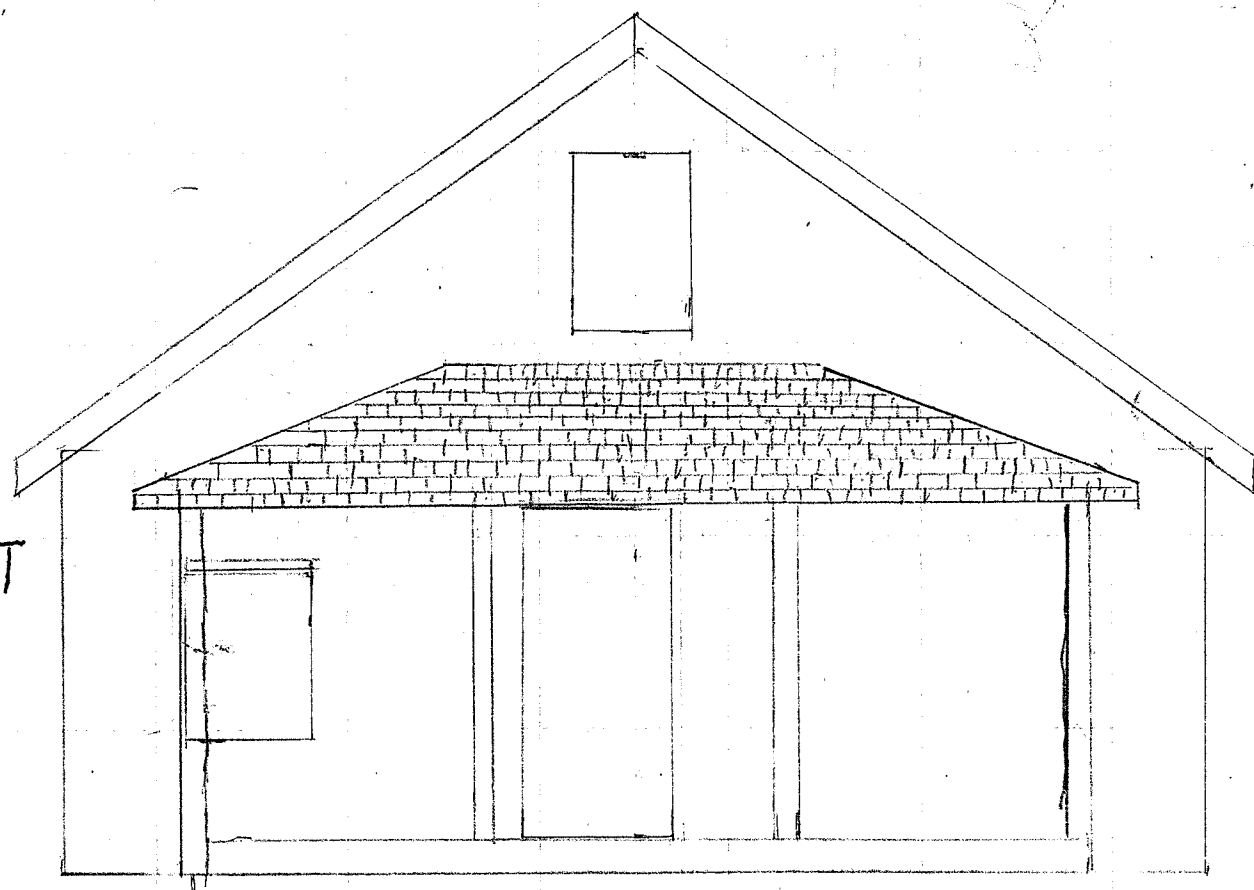
STEELE RESIDENCE  
35 MAINE AVE. RENSS, NY  
12144



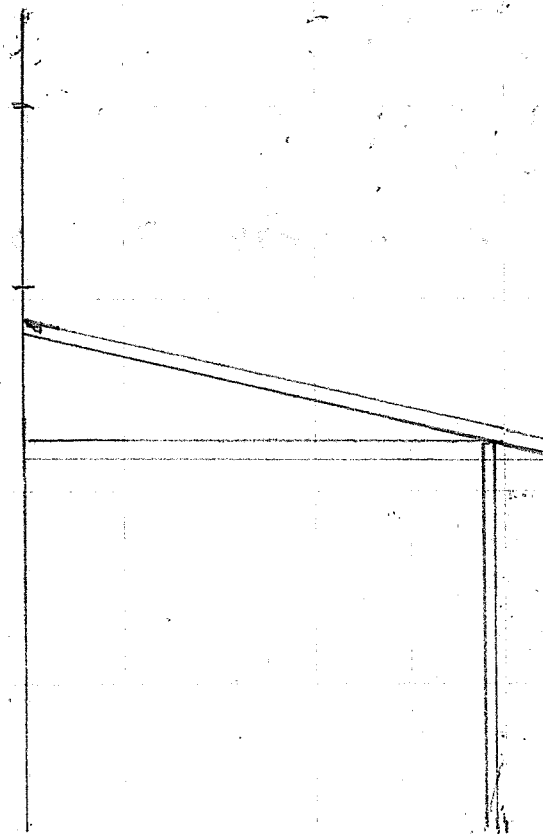


FRONT  
PROP. LINE

EAST



west



19'10"

Scale  $\frac{1}{4}" = 1'$  give or take 10'

