

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street
Wynantskill, NY 12198
Meeting Minutes
February 10, 2021

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of North Greenbush will hold public hearings on Wednesday, February 10, 2021 for the following applications at the Town Offices, 2 Douglas Street, Wynantskill, NY, beginning at 6:30 P.M.

IN ACCORDANCE WITH EXECUTIVE ORDER 202.1

NOTICE IS HEREBY GIVEN that public hearings will be held before the Zoning Board of the Town of North Greenbush with respect to the following matter at the time and place set forth below:

Time & Place: February 10, 2021 beginning at 6:30 pm
VIA LIVE STREAM

www.townofng.com (Click on the top banner that says: Watch Town Meetings, then click on the Zoning Board Meeting link)

Due to the current COVID-19 pandemic and Gov. Cuomo's executive order 202.1, at this time, the public is not able to participate in person during the hearing. All application materials are available for review on the Town's website. If you would like to make a comment on the applications, all comments must be submitted via e-mail to: building@townofng.com or by phone 518-283-2714. In the event that the Governor's guidelines allow for participation in person, it will be noted on the Town's website. However, the Town will still continue with the live streaming of the Zoning Board public hearings and accept comments by email or phone.

Due to on-going social distancing requirements and to maintain the opportunity for the public to participate, the Town of North Greenbush will hold public hearings via teleconference and videoconference on Wednesday, February 10, 2021 beginning at 6:30 pm. The following applications will be heard:

Attendance: John Dalmata-absent, Richard French (Chairman), Leanne Hanlon (Secretary), Michael Miner (Building Department), Robert Ewing, Tony Crucetti, Louise Germinerio, Al Kolakowski (Legal Counsel).

Old Business: None

New Business:

Application 21-04, for the special permit request of Jason Brevoort, 3 Locust Avenue, Rensselaer, NY 12144, for the purpose of having chickens, at the property located at 3 Locust Avenue, Rensselaer, NY 12144, in an R1 district, having parcel ID#: 134.13-6-4.

Mr. Brevoort explained his application to the board. He will make the coop out of old pallets if allowed. It is for his kids to tend to as a hobby. There will be a run as well. He is in the process of purchasing the hoe above. Chairman French asked how many chickens and he replied he has twelve and they are almost one year old. Chairman French stated we basically only approve 6 at a time and limit it to that. Chairman French asked if he could drop the number some. Mr. Brevoort stated he does not have any roosters but doesn't think he can change the number of chickens. Chairman French stated we can work with him on a number given where the home is located. Mr. Crucetti has no problem working with him but 12 is a lot and he does not want to set a precedence. Chairman French suggested through attrition he could get down to six as they die and not get anymore. Mr. Brevoort is in favor of that. The board has agreed that he will get to 6 and then keep no more as they die. He also stated if the neighbors have a problem he will do his best to get to 6. This will be a condition of approval. Chairman French stated that with the conditions in place we do not have any issues.

**Zoning Board
Meeting Minutes
February 10, 2021
Page 2**

Susan Kane sent in a comment to the board and Chairman French read that. Chairman French commented on her comment and stated that lots are not to be at least an acre to have chickens and that is not the case. She also stated the front of 3 Locust is the front of someone's back yard. Mr. Brevoort is in agreement and understands all the conditions. Chairman French stated the details of a special permit.

Public Hearing opened:

Motion made to close public hearing by Ms. Germinerio and seconded by Mr. Ewing. All in favor.

Conditions: Limit to 6 chickens (he will get to that point with his number of chickens) and no roosters, waste disposal plan on file with the BD, coop and run be enclosed on six sides including the top, feed must be stored in metal containers, no free ranging chickens, 20 foot set back for the coop and compost disposal.

Mr. Miner: County local considerations shall prevail and they made mention of the conditions above.

Motion made to approve with above conditions by Ms. Germinerio and seconded by Mr. Crucetti. All in favor. Roll call vote: French, Ewing Crucetti, Germinerio. All in favor.

Application 21-05, for the area variance request of AJ Signs, 842 Saratoga Road, Burnt Hills, NY 12027, for the purpose of allowing a third business sign at the property located at 24 North Greenbush Road, Troy, NY 12180, in a BG district, having parcel ID#: 123.-1-1.11.

Tom Wheeler from AJ Signs discussed his application. He stated this is an Urgent Care. He has permits for two wall signs and would like to have a sign visible to the road. It would be a panel on the existing monument sign. The walls sign are 54.77 feet that were currently approved. He does not have the measurements for the monument sign. Mr. Wheeler stated this new sign is more so people can find the facility better.

Mr. Ewing asked Mr. Miner about the sign drawing and it is not to scale. Mr. Crucetti asked about the monument sign placement and Chairman French explained it will be perpendicular. County per Mr. Miner: Local consideration shall prevail.

Public Hearing Opened:

Meeting Minutes
February 10, 2021
Page 3

No additional comments

Motion to close public hearing by Mr. Crucetti and seconded by Ms. Germinerio.

SEQRA: Unlisted

All questions were asked and answered by the board.

Motion made for a neg dec by Mr. Ewing and seconded by Mr. Crucetti. Roll call vote: French, Ewing, Crucetti, Germinerio. All in favor.

Undesirable change: No

Benefits sought by applicant: No

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

Chairman French asked Mr. Wheeler what the hours are for the WellCare Now and he does not now for sure so Chairman French asked what hours the sign will be lit. Mr. Wheeler stated it is a multi tenant sign so he does not know. Chairman French asked if he could get down what hours the sign will be on but typically the monument signs are lit 24 hours a day.

Motion made to approve by Mr. Ewing and seconded by Mr. Crucetti. All in favor. Roll call vote: French, Ewing, Crucetti, Germinerio. All in favor.

Application 21-03, for the application of Peter Enzien, 4 Crossways, Troy, NY 12180, for the purpose of allowing an additional LED message board sign, at the property located at 531 North Greenbush Road, Rensselaer, NY 12144, in a C (commercial) district, having parcel ID#: 144.2-4-8.

Mr. Enzien explained the sign that is existing. He stated he did not change anything on the second sign. He said they have the potential of having 5 businesses on the site. He decided to split the sign up between 4-5 tenants. He had a sign made to fit into the existing message board. He assumed he was all good. 70 sq feet now including the LED as opposed to 160 by not touching the structure at all. He did not know he had to bring it before the board. The large fixed sign above will be used for AutoZone and other tenants. The other four tenants will be listed smaller on the current signage. It looks as if Auto Zone will be the "anchor store". Chairman French stated Mr. Enzien has been before this board multiple times regarding signage and message boards. Chairman stated he should of known that he had to come before the board

**Zoning Board
Meeting Minutes
February 10, 2021
Page 4**

for this particular approval which he did not. Are we obligated to approve it because it is already there? His intention was not to but the board in a situation where they were obligated to approve because it is already there. He thought he was ok because he used the existing frame. Chairman French explained that is not always the case. Chairman French also noted that the existing car wash is advertised on both the car wash sign and the Auto Zone sign. Two message boards within a specific distance is not good. Mr. Enzien said his intention is to take off the car wash off the auto zone sign and will remove it as soon as possible.

Mr. Enzien stated they are developing behind Auto Zone and there is now a hair salon back there. The current empty unit (the old tanning sign) will hopefully be Jersey Mike's. Mr. Miner stated his concern is that maybe future tenants would want a larger sign and this approval needs to be conditioned to prevent that.

No other board members had any other questions.

Mr. Enzien explained that the tenant on Agway Drive has an easement for a sign but Chairman French stated they don't have the approval though.

Public Hearing opened:

Chairman French read a written comment received from Andrew Mair.

Chairman French asked how the message board will be used between tenants. Mr. Enzien stated he will be outing up the information himself. He said the rotation would be 30 seconds per message.

County per Mr. Miner: Local consideration shall prevail and that the town should consider and examine the part of the Zoning law that requires LED signage should be amended.

Conditions: virtual message board is available to all other tenants with the exception of the Car Wash. Auto Zone is the anchor store and have a bigger sign. All other tenants will have the smaller signs under the Auto Zone signage or other anchor store. 10 square feet and fit within the existing sign configuration. Rotation will be 30 seconds per message. No other tenants can have any other larger sign than what already exists.

All SEQRA questions were asked and answered by Board members.

Undesirable change: No

Benefits sought by applicant: No

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

**Zoning Board
Meeting Minutes
February 10, 2021
Page 5**

Motion made to approve with above conditions by Ms. Germinerio and seconded by Mr. Crucetti.

Roll Call Vote: French, Ewing, Crucetti, Germinerio. All in favor.

Motion made to approve December meeting minutes by Mr. Ewing and seconded by Mr. Crucetti

Motion made to approve January meeting minutes by Mr. Ewing and seconded by Mr. Crucetti

Motion made to adjourn at 7:50pm by Ms. Germinerio and seconded by Mr. Ewing. All in favor.

If you need additional information or have questions about the process, please contact us at: 518-283-2714 or building@townofng.com .