

# ZONING BOARD OF APPEALS

Town of North Greenbush

2 Douglas Street

Wynantskill, NY 12198

Meeting Minutes

February 12, 2020

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

Chairman French opened the meeting with the Pledge of Allegiance and roll call. Chairman French also explained the special permit rules and what this board does.

## Old Business:

**Application 20-01, the application of Kevin Canders & Matthew Millea, Compass Auto Group, 4 Ludlow Lane, Rensselaer, NY 12144, for the special permit request for the purpose of operating an automotive repair facility and the area variance request for relief from rear setback requirements of 30 feet, for the purpose of allowing an automotive repair building 10 ft. from the rear property line, at the property located at 476 North Greenbush Road, Rensselaer, NY 12144, in a BG district, having parcel ID#: 133.-2-5.2.**

Mr. Canders and Mr. Millea spoke about the application.

Mr. Millea apologized for not being here last month. Where there are now will not be extended for a long period and need to find a new place for their business and want to stay in this town. There are limited places to house an automotive repair facility. They have drawings they distributed to the board. Their hardship is they cannot find another location for this business. The footprint also does not allow it to be configured any other way. There is also a sewer line easement near that comes across the parking lot. This type of business is an allowable use in this area. The board reviewed the drawing provided. West side to the rear is where they need to variance. They are making due with 30 feet deep. Their architect placed it to the best of his ability so they would not need other variances and so this would work for them to conduct business. The office space is 26 feet deep. Per Mr. Miner this is also in front of the planning board. One use displaced the other per Chairman French. There are 4 day use parking spots. Mr. Canders is the only employee right now. Where will customer vehicles be kept? They will be used in the pre-existing parking in Ames Plaza. Having three bays will reduce the number of overnight vehicles per Mr. Millea.

Public Hearing opened:

Andrew Mair: Brinker Drive, DeFreestville. The setback is 67%. Zoning District location there is some confusion of the tax map number. Neighborhood business zone is not a permitted use for that zoning. It has to be determined where neighborhood business turned into general business? 170 back from the front property line runs down the rear portion of an existing lot and

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turns into BG district. West side is permitted use; east side is not. If this board does approve this application that they include as a condition that all the business activities must be conducted in the BG zone. He is asking that the vehicles be behind that BG line.

Mr. Millea is curious about the line and would like to look at the map again so they have a better understanding where the zoning changes.

Motion made to close the public hearing by Mr. Crusetti and seconded by Ms. Germinerio.

Mr. Miner: County stated local consideration shall prevail. Mr. Miner also is requesting that the Route 4 design guidelines be looked at when designing this building. Nothing was received from the Fire Department who are the adjacent property owners per Mr. Miner.

SEQRA questions were reviewed and asked by the board.

Uncoordinated unlisted action.

Motion made for a neg dec Mr. Crusetti and seconded by Mr. Ewing.  
Roll call vote: Crusetti, French, Germinerio, Ewing.

Undesirable change character of neighborhood: No  
Benefits sought by applicants are pursued other than area variance: No  
Substantial: No because of the scale of the property. Consistent with neighboring properties.  
Adverse effect on physical and environmental conditions: No  
Self created: Yes however does not preclude.

Conditions: Small business use in BG portion and not on the other zoning portion. Two year expiration. Project to be subject to as best possible the Rt. 4 design guidelines. Hours of operation 7am-7pm except for vehicles drop off 7 days per week. No work 7pm-7am.

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

**New Business: None**

Motion made to approve January 2020 meeting minutes by Ms. Germinerio and seconded by Mr. Ewing.

Motion made to adjourn at 7:12pm by Mr. Ewing and seconded by Ms. Germinerio.