

**Town of North Greenbush
Zoning Board of Appeals
2 Douglas Street, Wynantskill NY 12198**

**Application for a Variance, Special Permit,
and/or Appeal**

Zoning Board Fees as per Chapter 197 Section I

General Information

Applicant Number	_____
Date Application Received	<u>3/12/25</u>
Hearing Scheduled Date	<u>4/9/25</u>
Application Fee	<u>\$150 - pd</u>
Approved Date	_____
Conditions (y/n)	_____
Denial Date	_____
Withdrawn Date	_____
Zoning Chairperson	_____

<u>Applicant:</u>		<u>Property Owner:</u>	
Name:	<u>Cellco Partnership d/b/a Verizon Wireless</u>	Name:	<u>Denise L. Guilianelli</u>
EMAIL:	<u>c/o David Brennan (dbrennan@youngsommer.com)</u>	EMAIL:	_____
Company:	<u>Young/Sommer LLC</u>	Company:	_____
Address:	<u>5 Palisades Drive, Suite 300</u>	Address:	<u>4478 NY 43</u>
	<u>Albany NY 12205</u>		<u>Rensselaer NY 12144</u>
Phone:	<u>518-714-9282</u>	Phone:	_____

Applicant is: Owner ___ Builder ___ Lessee X Architect/Engineer ___ Agent ___ Other ___
If Other, Explain: _____

Lot Information

Street Address of Lot: 4478 NY 43

Parcel ID Number: 145-8-11 Zoning District: AR

Irregular Shape of Lot (Y or N) _____ Corner Lot (Y or N) _____

Existing: Lot Area 9.5 sac Frontage _____ Depth _____
Set Backs: Front _____ Rear _____ Left _____ Right _____
Proposed: Lot Area _____ Frontage _____ Depth _____
Setbacks: Front 475 Rear 124 Left 383 Right 113

Type of Water Service: _____ Type of Sanitary Disposal _____

Describe Existing Use:
2-family residence

Type of Request: Area Variance Use Variance
X Special Permit Code Interpretation

Briefly describe the proposal:
Proposed telecommunications facility

Abutters- Adjacent Property Owners SEE ZONING DRAWINGS, SHEET AD-1

List the name and address for each adjacent property owners. Use additional paper if needed.

Name:	Address:	Property Use:
Front _____	_____	_____
Rear _____	_____	_____
Left _____	_____	_____
Right _____	_____	_____

Required Submittals

- A plot plan showing all property lines, dimensions, adjacent streets, existing structures, setback distances, and location of proposed changes.
- Part 1 of the State Environmental Quality Review (SEQR) Short Environmental Form
- Appropriate fee, as determined by the Code of the Town of North Greenbush, and as Calculated by the Building Department

**NOTE: Additional submittals may be required by the Zoning Board of Appeals.
Failure to submit all required documents may result in a delay
in the processing or denial of the application.**

Have there been any other variances issued for this property? (Y or N) Not known
If yes, explain:

For any Area Variance Request, please complete the following: N/A

Proposed use/construction: _____
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:		
Front Setback:		
Rear Setback:		
Left Side Setback:		
Right Side Setback:		
Maximum Lot Coverage:		
Maximum Height:		

For Multi-family Residential / Non- Residential Area Variances, please complete the following:

	REQUIRED	PROPOSED
Number of Parking Spaces:		
Buffer:		
Units per Acre:		

N/A
Area Variance Continued

1. Explain how no undesirable change will be produced in the character of the neighborhood; nor a detriment to nearby properties created by granting the area variance.

2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

3. Describe whether the requested Area Variance is substantial.

4. Explain how the proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.

5. Explain whether difficulty is self-created. (Consideration is relevant, but should not necessarily preclude the granting of the Area Variance.)

For Use Variance Applications, please complete the following: N/A

Describe the request use: _____

1. Explain why the application cannot realize a reasonable return without the Use Variance, as demonstrated by the content financial evidence.

2. Explain how the alleged hardship relating to the property is unique, and does not apply to a substantial portion of the neighborhood.

3. Describe why granting the requested use variance will not alter the essential character of the neighborhood.

Explain whether the alleged hardships have been self- created.

Describe in Detail your request:

Explain why granting the request is consistent with the public health, safety, and general welfare of the community, including the public or commercial inconvenience of the applicant.

For **Home Occupation Request**, please see Town of North Greenbush Code Sections 197-3 and 197-24

For **Earthwork Permit**, Please see Town of North Greenbush Code Section 197-30

For **Telecommunication Tower Permit**, Please see Town of North Greenbush Code Section 197- 107 **See attached**

Appeal Criteria

Explain the nature of the requested appeal, including Town Code Section, Building Department decision, and your objections.

Please see detailed Statement of Intent and attached supporting documents

Certification and Authorization

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of North Greenbush to process this application as provided by law.

Applicant:

Property owner:

Name: David C. Brennan, Esq.

Signature: 

See TAB 2

Date: 3/10/2025

FEES as per Town Code Chapter 197:
Special Permits for a residential single parcel: \$50.00 Special Permit for non-residential parcel: \$150.00
Area Variance for a single residential parcel: \$100.00 Area Variance for a non-residential parcel: \$300.00
Use Variance for a single residential parcel: \$200.00 Use Variance for a non-residential parcel: \$500.00
Plus reimbursement of legal and engineering expenses per 95-4 for all variances & special permit applications

617.20

Young / Sommer LLC

ATTORNEYS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

David C. Brennan, Esq.
Writer's Telephone Extension: 224
dbrennan@youngsommer.com

March 12, 2025

Via Hand Delivery

Kelley Caiazza, Building Department Secretary
Town of North Greenbush
2 Douglas Street
Wynantskill NY 12198

RE: Application of Cellco Partnership d/b/a Verizon Wireless for a Proposed Public Utility/Personal Wireless Service Facility on Property Located at 4478 NY 43 (Verizon Wireless Site: Rensselaer Square)

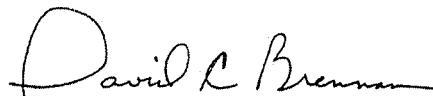
Dear Ms. Caiazza:

We represent Cellco Partnership d/b/a Verizon Wireless with respect to approvals for a proposed wireless communications facility to be located at 4478 Route 43. Enclosed for the Planning Board's and Zoning Board of Appeals' review are ten (10) copies for each board of an application for Site Plan Review and Special Use Permit.

Enclosed is a check in the amount of \$150.00 for the Special Use Permit fee. Once the Department reviews the application materials, please advise of any fees for the site plan application and engineering review.

We look forward to discussing this application at the March 24th meeting of the Planning Board and April 9th meeting of the Zoning Board of Appeals. In the meantime, if you should have any questions or require any further information concerning this project, I can be reached at (518) 714-9282. Thank you for your consideration.

Very truly yours,



David C. Brennan, Esq.

Encl.