

# 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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## MEMORANDUM

### EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES September 13, 2011

#### **Members**

Tom Calamaras  
Joyce Lapham  
Steve Millens  
Lou Polsinello III  
Jeff Pangburn  
Bill Ritz III  
Bob Seward III

#### **Also Present:**

Mary Pat Donnelly, Attorney  
Donna Moran, Stenographer  
Alison Lovely, ZBA Secretary

#### **CALL TO ORDER / DETERMINATION OF QUORUM**

Chairman Calamaras called the meeting to order and determined a quorum of seven (7) members were present. Introductions were made.

#### **PUBLIC HEARINGS:**

##### **#2011-17-Fed Ex-2 Area Variances: Signs– 253 Troy Road**

- Legal Notice
- Rensselaer Cty Referral and Recommendation
- ZBA Application, Short EAF, Denial, Area Variance Criteria, Zoning Book section on Mounted Signs(Read into record) Diagram of property, showing building and proposed signs (Exhibit #2011-17 (1))
- Bldg Permit Application,
- Planning Board Recommendation(Read into record)
- Letter from Marshall Sign (Read into record)

Rick Marshall of Marshall Signs of 3276 River Road Rensselaer, NY presented the proposal to the Board. Mr. Marshall also stated that Larry Barnhorst of WDG construction who is the job super for construction on the Fed Ex building is also present. Mr. Marshall stated that the applicant is requesting two area variances for two building signs. Both signs proposed are 126 square feet with 54' high channel set lettering for both the west side of the building which faces I-90 and the north side of the building which faces Wal-Mart. The sign for the north side of the building is for truckers pulling into the facility Mr. Marshall states that he feels the signs are small compared to the size of the building. Mr. Millens asked how many feet is the sign from Route 4. Mr. Marshall stated that he doesn't know the exact distance but that it is substantial and it's also down the hill, you have to pull in the site in order to see it. Chairman Calamaras asked what is the length of the building on the west elevation. Mr. Marshall stated that the building is approximately 900' long. Mr. Pangburn asked if there was going to be any signage along Route 4. Mr. Marshall stated that there is a 3'x6' post and panel sign proposed for Route 4, that is the allowable signage. It will just say Fed Ex and have the address on it.

**PUBLIC HEARINGS:**

**#2011-17-Fed Ex-2 Area Variances: Signs– 253 Troy Road Cont.**

Chairman Calamaras asked if there were any more questions. Mr. Pangburn asked who would be visiting the site, customers. Mr. Marshall stated that the trucks come in drop off their loads and then they would be distributed elsewhere, wherever Fed Ex ground goes to. Mr. Pangburn asked if Mr. Marshall knew the size of the Garelick Farm signs. Mr. Marshall stated that he did those signs, but can't remember the size. Mr. Ritz asked what is the approximate height of the building. Mr. Marshall stated that it's about 46'. Mr. Millens asked what the brightness of the signs from the Route 4 area or possibly Thompson Hill would be. Mr. Marshall stated that Blair Signs makes these signs for Fed Ex and that they are only the local installer. Mr. Pangburn asked if Fed Ex has a corporate standard for the size of their signs. Mr. Marshall stated that this is what they use for a facility of this size. Mr. Pangburn stated that the façade is 2 ½ times the size of the side of the building, yet we have the same size sign being proposed. Mr. Pangburn asked if the sign package came up during site plan review. Mr. Marshall stated that he wasn't present at that time but that the elevations were presented at that time. Calamaras asked if there was anyone present to speak in favor of the application (3 times). There was no one to speak in favor of the application. Chairman Calamaras asked if there was anyone present to speak in opposition of the application (3 times).

1. Dwight Jenkins of 41 Thompson Hill Road spoke and stated the he is only opposed to half of it. He stated that he thinks the sign on the North side is an unnecessary intrusion on the homes that are probably going to go in on top of Thompson Hill Road and Carver Court. He stated it will not impede his view, so he really doesn't care. He said the Zoning Board should be concerned about the future development up on Thompson Hill.

Mr. Ritz stated that you can't foresee future development. Chairman Calamaras asked if the Fed Ex colors are blue and green. Is there any outward illumination from the lights? Mr. Marshall stated it's just the lights inside the channel. There will be parking lot lights and light on the building shining down near stairs and walking areas. Mr. Marshall thinks that it's a reasonable request in many different ways.

**A motion to close the public hearing and hold a tentative workshop tonight was made by Tom Calamaras – Seconded by Bill Ritz III - Carried by a 7-0 vote.**

**SEQR DETERMINATIONS & RECOMMENDATIONS**

**#2011-17-Fed Ex-2 Area Variances: Signs-253 Troy Road:**

MOTION: A motion was made by Tom Calamaras as follows: **In regards to, the Zoning Board of Appeals #2011-17-Fed Ex-2 Area Variances: Signs-253 Troy Road: is progressing an uncoordinated review under SEQRA, declares itself Lead Agency, and determines that this is an Unlisted Action.**

**#2011-17-Fed Ex-2 Area Variances: Signs-253 Troy Road Cont:**

Reasons Supporting This Determination:

- i) Will not have substantial adverse change in existing water quality, traffic or noise levels.
- ii) Will not result in destruction of large quantities of vegetation or habitat
- iii) Will not affect a Critical Environmental Area
- iv) Will not result in conflict with Town's current plans or goals.
- v) Will not impair the character or quality of existing community or neighborhood character.
- vi) Will not have a major change in energy usage
- vii) Will not create hazard to human health
- viii) Will not change the use of any agricultural, open space, or recreational use land.
- ix) Will not attract a large number of people for more than a few days
- x) Will not create a material demand for other actions that would result in one of the above.
- xi) Will not cause changes in two or more of the above; in combination being a substantial impact
- xii) Will not be one or two or more related actions that when considered cumulatively meet one or more of the criteria above

**WORKSHOP SESSION:**

**#2011-17-Fed Ex-2 Area Variances: Signs-253 Troy Road:** After some discussion a **Motion was made by Chairman Calamaras to reopen the public hearing to address the idea of reapplication for the north side sign. Seconded by Jeff Pangburn. Carried by a 7-0 vote.**

**Motion by Chairman Calamaras to adjourn the public hearing for further input from Mr. Marshall and his client for information on both variances on September 27, 2011. Seconded by Jeff Pangburn. Motion carried by a 7-0 vote.**

**STATUS - New Appeals**

NONE

**APPROVAL OF MINUTES**

**Motion by Chairman Calamaras to approve the meeting minutes of July 26, 2011.  
Second by Joyce Lapham. Motion carried by a 6-0 vote. Lou Polsinello abstained.**

**Motion by Chairman Calamaras to approve the meeting minutes of August 9, 2011.  
Second by Steve Millens. Motion carried by a 5-0 vote. Bill Ritz III and Bob Seward  
III abstained.**

NEXT MEETING: The next meeting will be September 27, 2011.

**MOTION TO ADJORN**

There being no further business before the Board, the meeting was adjourned upon a motion by Tom Calamaras. Second by Lou Polsinello. Carried by a 7-0 vote.

Respectfully Submitted

Alison Lovely, ZBA Secretary