

# TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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## MEMORANDUM

### EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES April 28, 2015

#### **Members**

Jeff Pangburn, Chairman  
Bob Seward III  
Tom Calamaras  
Joyce Lapham  
Lou Polsinello III

#### **Also Present:**

George Hoffman, Jr., Attorney  
Donna Moran, Stenographer  
Alison Lovely, ZBA Secretary

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

Chairman Pangburn called the meeting to order and determined a quorum of five (5) members were present. Introductions were made.

Chairman Pangburn read Resolution #105-2014 into the record and discussed the microphone use. He also circulated a memo regarding training which is a requirement of the open meeting law. The draft meeting minutes should be posted within the two weeks between meetings and marked draft, as well as the applications and proposed resolutions for the applications on that specific agenda. The Zoning Board does not have an open public comment period.

#### **APPROVAL OF MINUTES:**

Motion by Bob Seward to approve the meeting minutes from the February 10, 2015 meeting. Second by Joyce Lapham. Motion carried by a 5-0 vote.

**ZBA Appeal # 2014-20-Hart-1 Cooper Avenue-Use Variance:** Chairman Pangburn stated that this application has been tabled by the request of the applicant's attorney in a letter dated February 5, 2015.

Bob Seward recused himself as he has a personal and professional interest with Regeneron which impacts his income directly. Chairman Pangburn wants to note with Mr. Seward's recusal that they are down to 4 of the 7 Board members, which is still a quorum, but that any resolution that is entertained tonight, will require the full 4 votes in order to be approved or denied. Any split vote would be a denial tonight.

#### **PUBLIC HEARINGS:**

**ZBA Appeal #2015-01-Regeneron-81 Columbia Turnpike – Area Variance for the construction of a 4 story office building with a proposed height of 55 feet.**

Chairman Pangburn read the legal notice into the record. Steve Hart of Hart Engineering presented the proposal to the Board on behalf of the applicant, and also stated that Rob Bievenue from Regeneron & Trevor Harrison from HBT Architects were present. The

entire site consists of 85 acres. The 13 acre site is located on Discovery Drive between Building 81 & 85. The area where the building will be located currently has contractor trailers on it and is used as an employee parking lot. They are trying to disturb as little natural buffer that exists on the site.

They are proposing a four story 70,000 square foot office building with a parking lot. Steve showed photos of the rear elevation and stated that the nearest neighbor is the Orcuoli apartments on Catskill Avenue. Steve also showed elevations of the front of the building on Discovery Drive.

Steve read the narrative and Chairman Pangburn marked it as Exhibit 2015-01a. Chairman Pangburn asked the Board if they had any questions. Tom asked Steve to show where the National Grid right of way used to be outlined at and if there is anything in the works for any further development on the site. Chairman Pangburn stated that this is an uncoordinated SEQR review. He also asked if the Fire Dept. had submitted anything to say that the height of the building is ok with them. Chairman Pangburn read the Planning Board Recommendation with the supplemental draft report from Planning Board member Mike Bottillo and the Rensselaer County Recommendation. Chairman Pangburn asked if there was anyone present in favor of or opposition to the proposal.

**A motion to close the public hearing was made by Lou Polsinello and seconded by Joyce Lapham. Motion carried by a 4-0 vote.**

There was some discussion as Tom Calamaras is unsure of the proposal and wants to be fair by giving the applicant a chance to have more Board members present to hear the proposal and vote on a resolution.

**A motion to reopen the public hearing was made by Tom Calamaras– Seconded by Jeff Pangburn. Motion carried by a 4-0 vote.**

The Board asked for a letter from the Clinton Heights Fire Dept. that they are ok with the proposed height.

**A motion to adjourn and table the public hearing until May 12, 2015 was made by Tom Calamaras– Seconded by Joyce Lapham. Motion carried by a 4-0 vote.**

**SEQR DETERMINATIONS & RECOMMENDATIONS:**

NONE

**WORKSHOPS:**

NONE

**NEXT MEETING:** May 12, 2015

**MOTION TO ADJOURN**

There being no further business before the Board, the meeting was adjourned upon a motion by Lou Polsinello. Second by Tom Calamaras. Motion Carried by a 4-0 vote.

Respectfully Submitted

Alison Lovely, ZBA Secretary

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