

**TOWN OF BRUNSWICK**  
**ZONING BOARD OF APPEALS**

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DRAFT MINUTES

A Meeting of the Zoning Board of Appeals of the Town of Brunswick, County of Rensselaer, State of New York, was held on November 21, 2011, at 6:00 P.M.

Present at the meeting were: Caroline Trzcinski, Member  
Martin Steinbach, Member  
E. John Schmidt, Member  
Mark Cipperly, Member  
James Hannan, Chairman

Member Steinbach was absent. Also present were Thomas R. Cioffi, Town Attorney and Zoning Board of Appeals Secretary, and Code Enforcement Officer John Kreiger. At 5:30 P.M., a Workshop Meeting was held wherein the Board Members reviewed files and discussed pending matters informally.

The Chairman called the Regular Meeting to order at 6:00 P.M.

As to the October, 2011 Minutes, Member Trzcinski noted that on page 2, 1<sup>st</sup> full paragraph from the bottom, 8<sup>th</sup> line from the top of the paragraph, the letter "M" was omitted from the list of letters and should be added. She then made a motion to approve the Minutes as corrected. Member Steinbach seconded. The motion carried 5 - 0.

The next item of business was further consideration of the appeals filed by Oakwood Property Management LLC from Notices of Violation issued by the Code Enforcement Officer in connection with its business activities at 215 Oakwood Avenue. Chairman Hannan and Member Steinbach left the meeting room, having previously recused themselves from the matter. Member Cipperly assumed the Chair. After a brief discussion, Member Trzcinski made a motion to schedule a special meeting for December 5, 2011, at 4:00 P.M., to consider and deliberate on the pending appeals. Member Schmidt seconded. The motion carried 3 - 0.

The next item of business was further consideration of the appeal and petition of PAT PATTERSON - THE SIGN RESOURCE o/b/o TRACTOR SUPPLY CO. , applicant, dated September 14, 2011, for a variance pursuant to the Sign Law of the Town of Brunswick, in connection with the construction and erection of signage for the Tractor Supply Co. store to be located at 864 Hoosick Road, in the Town of Brunswick, because a maximum of two (2) signs are permitted for the site and three (3) signs are proposed. Member Cipperly left the meeting room, having previously recused himself from this matter.

Fred Early, from Sign Works, 27 Carey Road, Queensberry, for The Sign Resource, appeared.

He recapped that Tractor Supply Co. wants a second wall sign on its building, the same as the existing, approved sign that you see coming east. They are concerned about identification of the business from the west bound approach. Coming west, you go up a grade, and all you see is a block building. People need identification time so they can shift lanes, etc., without causing traffic problems. He stated that Trustco Bank has two wall signs as well as a small free-standing sign facing east. It is similar to what is being requested here.

Chairman Hannan suggested that a smaller second sign on the building be considered. Mr. Early stated that a smaller sign would probably work, but he would need to take it back to his principals. Chairman Hannan said that the pylon sign is very visible. Mr. Early said that traffic coming west bound still has a difficult time identifying the building before they are upon it and don't have time to make the lane change to turn into the parking lot. Chairman Hannan noted that the entrance sign and the pylon sign are huge. Member Trzcinski said that people going to Tractor Supply would not normally be impulse shoppers; their trip to the store would normally be planned and they would know where they were going. She is not in favor of a second sign on the building. Member Schmidt said that he would consider a smaller second sign.

Mr. Early noted that a 6'-3" x 20' sign is now proposed. The next size down is 5' x 16'. There may also be a 4' high sign. Mr. Early said she would speak to his principals and obtain schematics for the smaller signs. He will also prepare a short form EAF. Member Steinbach made a motion to continue the public hearing to December 19, 2011. Member Schmidt seconded. The motion carried 4 - 0.

The next item of business was the appeal and petition of GEORGE and DEBBIE MACY, owners-applicants, dated September 30, 2011, for an area variance pursuant to the Zoning Ordinance of the Town of Brunswick, in connection with the construction of a temporary carport on a lot located at 11 Russell Court, in the Town of Brunswick, because the proposed construction violates the front yard setback for an accessory structure in that 60 feet is required and 31 feet is proposed. Attorney Cioffi read the Notice of Public Hearing aloud.

George and Debbie Macy appeared. Mr. Macy said they want a carport and this is the only place they can put it for safety reasons due to the new road. The structure they are proposing is temporary and portable in nature. It is 18' x 21'. The roof will be red to match the siding on the house. It is a two car carport. They only want to have it for 3 - 5 years. They intend to retire in that time frame move from the area. They will take the carport when they move. They would agree that that be a condition of the variance.

Member Schmidt asked whether variances could be temporary. Attorney Cioffi stated that normally variances run with the land. However, he stated, the applicants could probably stipulate that the variance be temporary in nature. Member Cipperly said that the nature of the site does not lend itself to any other alternative. James Mullahey, 9 Russell Court, the next door neighbor, stated that he has no objection. No one else from the public wished to speak.

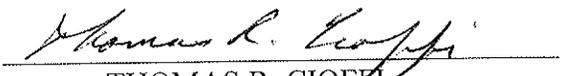
Member Cipperly made a motion to classify the matter a Type 2 action under SEQRA. Member Trzcinski seconded. The motion carried 5 - 0. The Chairman offered a resolution granting the variance as requested but it would be effective only for the time that the applicants are the owners

of the property. Member Trzcinski seconded. The motion carried 5 - 0.

There being no further business, Member Steinbach made a motion to adjourn. Member Cipperly seconded. The motion carried 5 - 0.

Dated: Brunswick, N.Y.  
November 28, 2011

Respectfully submitted,

  
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THOMAS R. CIOFFI  
Town Attorney - Zoning Board Secretary