

**ZONING BOARD OF APPEALS**  
**Town of North Greenbush**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Monthly Meeting Agenda**  
**January 12, 2022**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the Town of North Greenbush will hold public hearings on Wednesday, January 12, 2022, for the following applications at the Town Offices, 2 Douglas Street, Wynantskill, NY, beginning at 6:30 P.M.

**Old Business:**   None

**New Business:**

**Application 22-01**, for the area variances request of Tom Rento/Bloomingrove Drive, LLC, 2080 Western Avenue, Suite 115, Guilderland, NY 12084, for relief from rear setback requirement of 30ft for the purpose of allowing a 9.3 ft. setback, for relief from maximum building footprint allowance of 10,000 sf. for the purpose of allowing a 30,000 sf. building and for relief of parking requirements of 200 spaces in order to allow a total of 176 parking spaces, at the properties located at 614 & 616 Bloomingrove Drive, in a BG district, having parcel ID#:133.-2-17, 145.-7-5 & 145.-7-1.132.

All written public comments (mail, e-mail, faxes or hand delivered) are due to the Building Department by 4:00 pm on the business day preceding the meeting. If you need additional information or have questions about the process, please contact us at: 518-283-2714 or [building@townofng.com](mailto:building@townofng.com) .

**Please see the Zoning Board page on the Town's website to view applications.**

BY ORDER OF THE PLANNING BOARD DATED: December 30, 2021, Richard French, ZONING BOARD OF APPEALS, NORTH GREENBUSH.

**Project Narrative**  
**Redevelopment Project – Proposed Gym**  
**614, 616 Bloomingrove Drive**  
**Town of North Greenbush, NY**  
**December 23, 2021**

**Introduction**

The applicant, Bloomingrove Drive, LLC, is proposing to redevelop a ±3.3-acre existing property consisting of three (3) lots (Tax ID#s 145.00-7-5, 145.00-7-1.132 & 133.00-2-17) located west of the intersection of North Greenbush Road (U.S. Route 4) and Bloomingrove Drive in the Town of North Greenbush, Rensselaer County, NY with a gym facility. The redevelopment site is privately owned by the applicant and formerly consisted of residential buildings with detached garages and sheds that have since been demolished. A proposed grocery store has been approved by the Town of North Greenbush just north of the proposed subject redevelopment project. An apartment complex is located to the west of the subject site and a Shop Rite plaza is located across U.S. Route 4.

The site lies within the BG – General Business zoning district. Gyms and Health Clubs are permitted uses within the BG zoning district with a Site plan review and approval from the Town of North Greenbush Planning Board. It is anticipated that three (3) area variances will be required from the Town of North Greenbush Zoning Board of Appeals – variances for the maximum allowable building footprint, minimum required rear setback, and minimum required number of parking spaces. In addition to the proposed recreational facility, new parking, curbing, sidewalks, and other appurtenances are proposed as depicted on the accompanying Site plans prepared by Bohler Engineering dated December 20, 2021, last revised 12/23/2021.

**Proposed Project**

The project proposes to redevelop the existing site consisting of three (3) existing parcels to construct a new two-story ±40,000 SF gym facility. The proposed facility will have ±30,000 SF ground floor and a ±10,000 SF second floor. On-site parking and access to the intersection of North Greenbush Road (U.S. Route 4) and Bloomingrove Drive is proposed as a part of the redevelopment project. Site circulation will be provided through a proposed two-way access from Bloomingrove Drive. Two-way circulation through the subject site is proposed for access management and circulation efficiencies. Shared connection to the adjoining Grocery Store Project has also been proposed to allow for cross connection between the two projects. Trash enclosure, sidewalks, and other appurtenances are also proposed onsite as depicted on the accompanying Site Plan prepared by Bohler Engineering dated December 20, 2021, last revised 12/23/2021.

It is anticipated that the site will be serviced with municipal water, municipal sewer, natural gas, and electric services located in close proximity to the site. Stormwater from the site is proposed to be collected and treated onsite. Disturbance is anticipated to exceed one (1) acre and a full Stormwater Pollution Prevention Plan is anticipated including provisions to treat stormwater quality and quantity per NYSDEC specifications.

**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	_____
Hearing Scheduled Date	_____
Application Fee	_____
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	_____

**VARIANCE - BUILDING FOOTPRINT**

**Applicant:**  
**Name:** Contact: Tom Rento  
**Company:** Bloomingrove Drive, LLC  
**Address:** 2080 Western Avenue, Suite 115  
 Guilderland, NY 12084  
**Phone:** 518-788-6154

**Property Owner:**  
**Name:** Contact: Tom Rento  
**Company:** Bloomingrove Drive, LLC  
**Address:** 2080 Western Avenue, Suite 115  
 Guilderland, NY 12084  
**Phone:** 518-788-6154

Applicant is: Owner  Builder \_\_\_\_\_ Lessee \_\_\_\_\_ Architect/Engineer \_\_\_\_\_ Agent \_\_\_\_\_ Other \_\_\_\_\_  
 If Other, Explain: \_\_\_\_\_

**Lot Information**

Street Address of Lot: 614, 616 Bloomingrove Drive, Town of North Greenbush, Rensselaer County, NY

Parcel ID Number: 133.00-2-17, 145.00-7-5 & 1.132 Zoning District: General Business (BG) Zoning District

Irregular Shape of Lot ( Y or N ) Y Corner Lot ( Y or N ) Y  
 Existing: Lot Area ±44,643 SF Frontage ±147.5' Depth ±310.1'  
 Set Backs: Front N/A Rear N/A Left N/A Right N/A  
 Proposed: Lot Area ±143,914 SF Frontage ±250' Depth ±626'  
 Setbacks: Front ±370.5' Rear ±337.7' Left ±9.3' Right ±545'

Type of Water Service: Public water Type of Sanitary Disposal: Public sanitary sewer

**Describe Existing Use:**

The property is privately owned and was previously developed with single story residences with detached garages that have since been demolished. Lots 145-27-5, 1.132 & 133-02-17 are proposed to be merged and have been rough graded for the currently proposed Gym development.

Type of Request:  Area Variance \_\_\_\_\_ Use Variance  
 \_\_\_\_\_ Special Permit \_\_\_\_\_ Code Interpretation

**Briefly describe the proposal:**

Refer to the attached narrative for project description.

The applicant seeks relief from the allowed maximum building footprint requirement (Table 2, Schedule of Area and Bulk Regulations). A maximum building footprint of 10,000 SF is allowed while 30,000 SF is proposed.

**Abutters- Adjacent Property Owners**

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

	Name:	Address:	Property Use:
Front	NYSDOT right-of-way	N/A	N/A
Rear	Town of North Greenbush	2 Douglas Street, Wynantskill, NY 12198	Undeveloped
Left	NYSDOT right-of-way	N/A	Residential
Right	Bloomingrove Drive, LLC	610 Bloomingrove Drive, North Greenbush, NY	Proposed Grocery Store currently under construction



## 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) N  
If yes, explain:

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## For any Area Variance Request, please complete the following:

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

	REQUIRED	PROPOSED
Lot Size:	0.46 acres (20,000 SF)	±3.30 (143,914 SF)
Width at set back:	110'	±236.5
Front Setback:	30'	±370.5
Rear Setback:	30'	±9.3 (requires variance)
Left Side Setback:	20'	±54.7
Right Side Setback:	20'	±20.9
Maximum Lot Coverage:	75%	±67.1%
Maximum Height:	3 Stories/45'	2 Stories/<45'
Maximum Building Footprint:	10,000 SF	±30,000 SF

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

	REQUIRED	PROPOSED
Number of Parking Spaces:	200	176
Buffer:	10'	10'
Units per Acre:		

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.

The proposed use, a health gym facility is anticipated to be a significant enhancement to the neighborhood. The site is

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located along a major corridor near an interstate interchange so the requested variance is not anticipated to produce an undesirable change in the character of the neighborhood nor be a detriment to nearby properties.

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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.

The benefit sought cannot be achieved by some other method due to the nature of the facility being proposed and the unique characteristics

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of the project site. The proposed gym facility requires a larger footprint for various reasons including basketball courts, a pool,

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changing rooms and other related spaces. The facility will incorporate various areas for health related activities such as guided exercise classes and

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free-weight lifting areas. A single story structure is preferred for this use however the applicant is proposing a two story structure

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which minimizes the requested relief.

3. Describe whether the requested Area Variance is substantial.

The proposed gym facility requires a large footprint to accommodate various services provided. The applicant has experience operating similar

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facilities in the area and believes that the size of the proposed building is the minimum required for efficient operation and management for this type of

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gym facility. By asking for the minimum area required for operation, the applicant believes that the request for the area variance is not substantial.

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

The proposed redevelopment project involves construction of a modern ±30,000 SF footprint building (±40,000 SF total) on a ±3.30 acre

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parcel with substantial landscaping, site access, stormwater management and other improvements that are not anticipated to have an

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adverse effect on the physical or environmental conditions in the neighborhood.

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

The difficulty is not self-created. The tenant has considerable experience operating similar gym facilities in the Greater

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Capital Region and believes that the variance sought is the minimum variance required for efficient operation of the proposed facility. Further,

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the unique site characteristics and location have resulted in the proposal to build a 2-story (30,000 SF ground floor, 10,000 SF top floor) building

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which adds significant costs to the project.

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For Use Variance Applications, please complete the following:

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.

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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

**Appeal Criteria**

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

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**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: Bloomingrove Drive, LLC (c/o Tom Rento) Bloomingrove Drive, LLC (c/o Tom Rento)

Signature:  

Date: 12/23/21 12/23/21

**FEES as per Town Code Chapter 197:**

<i>Special Permits for a residential single parcel: \$50.00</i>	<i>Special Permit for non-residential parcel: \$150.00</i>
<i>Area Variance for a single residential parcel: \$80.00</i>	<i>Area Variance for a non- residential parcel: \$250.00</i>
<i>Use Variance for a single residential parcel: \$200.00</i>	<i>Use Variance for a non-residential parcel: \$500.00</i>

**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	_____
Hearing Scheduled Date	_____
Application Fee	_____
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	_____

**VARIANCE - SETBACK FROM RESIDENTIAL DISTRICT**

**Applicant:**  
**Name:** Contact: Tom Rento  
**Company:** Bloomingrove Drive, LLC  
**Address:** 2080 Western Avenue, Suite 115  
 Guilderland, NY 12084  
**Phone:** 518-788-6154

**Property Owner:**  
**Name:** Contact: Tom Rento  
**Company:** Bloomingrove Drive, LLC  
**Address:** 2080 Western Avenue, Suite 115  
 Guilderland, NY 12084  
**Phone:** 518-788-6154

Applicant is: Owner  Builder \_\_\_\_\_ Lessee \_\_\_\_\_ Architect/Engineer \_\_\_\_\_ Agent \_\_\_\_\_ Other \_\_\_\_\_  
 If Other, Explain: \_\_\_\_\_

**Lot Information**

Street Address of Lot: 614, 616 Bloomingrove Drive, Town of North Greenbush, Rensselaer County, NY

Parcel ID Number: 133.00-2-17, 145.00-7-5 & 1.132 Zoning District: General Business (BG) Zoning District

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

Existing: Lot Area ±44,643 SF Frontage ±147.5' Depth ±310.1'  
 Set Backs: Front N/A Rear N/A Left N/A Right N/A  
 Proposed: Lot Area ±143,914 SF Frontage ±250' Depth ±626'  
 Setbacks: Front ±370.5' Rear ±9.3' Left ±55.5' Right ±545'

Type of Water Service: Public water Type of Sanitary Disposal: Public sanitary sewer

**Describe Existing Use:**

The property is privately owned and was previously developed with single story residences with detached garages that have since been demolished. Lots 145-27-5, 1.132 & 133-02-17 are proposed to be merged and have been rough graded for the currently proposed Gym development.

Type of Request:  Area Variance \_\_\_\_\_ Use Variance \_\_\_\_\_  
 \_\_\_\_\_ Special Permit \_\_\_\_\_ Code Interpretation

**Briefly describe the proposal:**

Refer to the attached narrative for project description.

The applicant seeks relief from the minimum proposed setback requirement of 30' from an adjacent rear lot line. A setback of ±9.3' is proposed along the northwesterly boundary which abuts an undeveloped Town owned parcel.

**Abutters- Adjacent Property Owners**

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

	<b>Name:</b>	<b>Address:</b>	<b>Property Use:</b>
Front	NYSDOT right-of-way	N/A	N/A
Rear	Town of North Greenbush	2 Douglas Street, Wynantskill, NY 12198	Undeveloped
Left	NYSDOT right-of-way	N/A	Residential
Right	Bloomingrove Drive, LLC	610 Bloomingrove Drive, North Greenbush, NY	Proposed Grocery Store currently under construction



**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) N  
If yes, explain:

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**For any Area Variance Request, please complete the following:**

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

	REQUIRED	PROPOSED
Lot Size:	0.46 acres (20,000 SF)	±3.30 (143,914 SF)
Width at set back:	110'	±236.5
Front Setback:	30'	±370.5
Rear Setback:	30' (50' if abutting residential)	±9.3 (requires variance)
Left Side Setback:	20'	±54.7
Right Side Setback:	20'	±20.9
Maximum Lot Coverage:	75%	±67.1%
Maximum Height:	3 Stories/45'	2 Stories/<45'
Maximum Building Footprint:	10,000 SF	±30,000 SF (requires variance)

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

	REQUIRED	PROPOSED
Number of Parking Spaces:	200	176
Buffer:	10'	10'
Units per Acre:		

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.

The proposed use, a modern, state of the art health gym, is anticipated to be a significant enhancement to the neighborhood. The

project site is located along a major corridor near an interstate interchange with similar uses in the vicinity of the site so the requested variance

is not anticipated to produce an undesirable change in the character of the neighborhood nor be a detriment to nearby properties. A small portion

of the building lies within an intended buffer area between the neighboring Town parcel, however, the Town's parcel is undeveloped and is a former

paper street with no further plans of installing the roadway.

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.

The benefit sought cannot be achieved by some other method due to various existing site constraints. The subject site has a unique

configuration and extensive change in topography throughout the site. Additionally, the requested variance is sought due to the

unique shape of the parcel - that is, front property boundary not being parallel to the rear property boundary. The proposed site layout has

evolved to consider the unique nature of the site. The site further complies with the 50' residential setback so there is no anticipated negative effect on the

neighboring residential zone.

3. Describe whether the requested Area Variance is substantial.

The applicant is requesting relief of the least extent possible. Per the attached Site Plan, only a portion of the proposed

building is located within the 30' setback. Additionally, site operations such as deliveries and parking are proposed to be located away from the

setback encroachment due to the strategic location of the proposed building. As such, the applicant believes that the requested

relief is minor in nature and the project proposes a layout that satisfies the intent of buffering the undeveloped parcel.

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

The proposed building is in harmony with existing uses within the vicinity of the site. The requested relief will help locate the proposed building

in a place that is anticipated to buffer daily operations from the undeveloped parcel along the northwesterly property boundary. Site operations such as

delivery and parking are expected to be shielded from the parcel as a result of the building placement which in turn requires the requested relief.

Additionally, the applicant also proposes to maintain a portion of the existing vegetation buffer that screens the parcel in existing conditions.

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

The subject site is unique due to its unique configuration and topographic changes throughout the site. The hardship is not

self-created because the applicant has proposed a layout that requires the smallest magnitude variance possible for the permitted use.

During the site design/planning process, the applicant was constrained by various site challenges that were outside of the applicant's

control. Thus, the applicant believes that the difficulty is not "self-created".

For Use Variance Applications, please complete the following:

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.

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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

**Appeal Criteria**

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

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**Certification and Authorization**

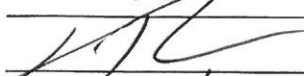
I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of North Greenbush to process this application as provided by law.

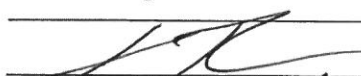
Applicant:

Property owner:

Name: Bloomingrove Drive, LLC (c/o Tom Rento)

Bloomingrove Drive, LLC (c/o Tom Rento)

Signature: 



Date: 12/23/21

12/23/21

**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: \$80.00*

*Area Variance for a non- residential parcel: \$250.00*

*Use Variance for a single residential parcel: \$200.00*

*Use Variance for a non-residential parcel: \$500.00*

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

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**Property Owner:**  
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**Address:** 2080 Western Avenue, Suite 115  
 Guilderland, NY 12084  
**Phone:** 518-788-6154

**VARIANCE - PARKING SPACES**

Applicant Number \_\_\_\_\_  
 Date Application Received \_\_\_\_\_  
 Hearing Scheduled Date \_\_\_\_\_  
 Application Fee \_\_\_\_\_  
 Approved Date \_\_\_\_\_ Conditions (y/n) \_\_\_\_\_  
 Denial Date \_\_\_\_\_ Withdrawn Date \_\_\_\_\_  
 Zoning Chairperson \_\_\_\_\_

Applicant is: Owner  Builder \_\_\_\_\_ Lessee \_\_\_\_\_ Architect/Engineer \_\_\_\_\_ Agent \_\_\_\_\_ Other \_\_\_\_\_  
 If Other, Explain: \_\_\_\_\_

**Lot Information**

Street Address of Lot: 614, 616 Bloomingrove Drive, Town of North Greenbush, Rensselaer County, NY

Parcel ID Number: 133.00-2-17, 145.00-7-5 & 1.132 Zoning District: General Business (BG) Zoning District

Irregular Shape of Lot ( Y or N ) Y Corner Lot ( Y or N ) Y  
 Existing: Lot Area ±44,643 SF Frontage ±147.5' Depth ±310.1'  
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**Describe Existing Use:**

The property is privately owned and was previously developed with single story residences with detached garages that have since been demolished. Lots 145-27-5, 1.132 & 133-02-17 are proposed to be merged and have been rough graded for the currently proposed Gym development.

Type of Request:  Area Variance \_\_\_\_\_ Use Variance \_\_\_\_\_  
 \_\_\_\_\_ Special Permit \_\_\_\_\_ Code Interpretation

**Briefly describe the proposal:**

Refer to the attached narrative for project description.

The applicant seeks relief from the required number of parking spaces (section 197-112 and Zoning Law Table 3 "Schedule of Parking and Loading Regulations"). 200 parking spaces are required and 176 are proposed.

**Abutters- Adjacent Property Owners**

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

	<b>Name:</b>	<b>Address:</b>	<b>Property Use:</b>
Front	NYSDOT right-of-way	N/A	N/A
Rear	Town of North Greenbush	2 Douglas Street, Wynantskill, NY 12198	Undeveloped
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in the processing or denial of the application.**

Have there been any other variances issued for this property? (Y or N) N

If yes, explain:

Not to our knowledge.

**For any Area Variance Request, please complete the following:**

Proposed use/construction: Health Gym

(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	<b>REQUIRED</b>	<b>PROPOSED</b>
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For Multi-family Residential / Non- Residential Area Variances, please complete the following:

	<b>REQUIRED</b>	<b>PROPOSED</b>
Number of Parking Spaces:	200	176
Buffer:		
Units per Acre:		

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.

The requested variance is not anticipated to create an undesirable change in the character of the neighborhood nor be a detriment to nearby properties. As proposed, the site layout balances Town requirements, aesthetics and the applicant's parking needs for operations and management of the site. Based on similar facilities in the area, the proposed number of parking spaces is suitable for this use. Installation of more parking spaces than the applicant needs would result in more impervious coverage, more site lighting, less green space and additional stormwater runoff from the associated impervious areas.

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.

The parking variance cannot be avoided because of unique configuration and topography of the site. The proposed layout provides a viable option to develop the site while seeking variance with least magnitude. Further, the tenant has considerable experience operating similar gym facilities in the Greater Capital Region and believes that the number of parking spaces proposed are appropriate for efficient operation of the proposed medical/office facility.

3. Describe whether the requested Area Variance is substantial.

The tenant has considerable experience operating similar gym facilities in the Greater Capital Region and believes that the number of parking spaces proposed are appropriate for efficient operation of the proposed medical/office facility. The proposed gym facility will contain larger open space amenities such as a pool and basketball courts, which lower the demand for parking. Therefore, the applicant believes that the requested variance is not substantial.

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

It is anticipated that a reduction in parking spaces will not have an adverse effect on the physical or environmental conditions in the neighborhood. On the contrary, a reduction in parking spaces will provide additional greenspace, less stormwater runoff from the site, and therefore is anticipated to be a benefit to the environment and the neighborhood.

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

This request could be considered self-created however it should be noted that the applicant is seeking relief for the number of parking spaces for a valid purpose. The end user of the proposed facility has considerable experience operating similar facilities in the Greater Capital Region and the additional parking spaces are not warranted based on these other comparable facilities. Installation of more parking than needed will lead to less greenspace, more pavement, and additional stormwater runoff.

For Use Variance Applications, please complete the following:

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.

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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

**Appeal Criteria**

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

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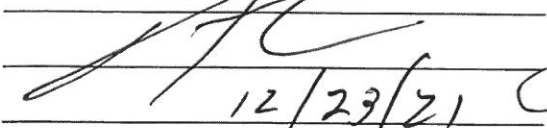
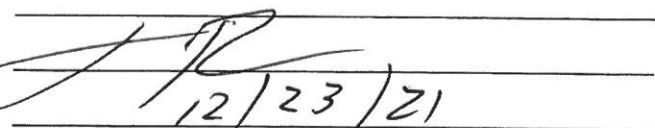
**Certification and Authorization**

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: Bloomingrove Drive, LLC (c/o Tom Rento) Bloomingrove Drive, LLC (c/o Tom Rento)

Signature:  

Date: 12/23/21 12/23/21

**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: \$80.00 Area Variance for a non- residential parcel: \$250.00  
Use Variance for a single residential parcel: \$200.00 Use Variance for a non-residential parcel: \$500.00

617.20

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Proposed Gym			
Project Location (describe, and attach a location map): 614, 616 Bloomingrove Drive, Town of North Greenbush, Rensselaer County, NY (Tax Map ID# 133.00-2-17, 145.00-7-5 & 1.132)			
Brief Description of Proposed Action: Refer to the attached project narrative and applications for the requested variances.			
Name of Applicant or Sponsor: Bloomingrove Drive, LLC		Telephone: 518-278-4610 E-Mail: trento@liarealtygroup.com	
Address: 2080 Western Avenue, Suite 115			
City/PO: Guilderland		State: NY	Zip Code: 12084
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of North Greenbush (ZBA variance & Building Permit), NYSDOT (Highway Work Permit); NYSDEC (SPDES Construction Permit)			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ ±3.30 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ ±9.39 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Vacant Lands			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

