

Village of Voorheesville  
Zoning Board of Appeals Public Hearing  
Village Hall, 29 Voorheesville Avenue  
December 10, 2024

Approved 2/6/25

**Present:** Chairman Jim Giglio, Board Members, Nicholas Duncan, Michael O’Leary, Krystina Smith, Mark Wight, Alternate Judy Strauss **Building Inspector/Code Enforcement Officer** Steve Mason, **Attorney** Rich Reilly and **Deputy Clerk Treasurer** Francine Rychcik

**Others:** Applicant Anthony Berghela, Douglas Miller and Mayor Straut

*On the agenda:*

*Public Hearing:*

1. *Area Variance for signage for 112 Maple Avenue (Romo’s Pizza).*

Chairman Giglio opened the meeting at 7:00 pm.

Minutes

The Board reviewed the minutes from the September 5, 2024 meeting. Upon a motion from Board Member Duncan, with a second from Alternate Board Member O’Leary, the Board unanimously approved the minutes from the September 5, 2024 meeting.

Public Hearing

Chairman Giglio opened the Public Hearing at 7:01 pm for an Area Variance for 112 Maple Avenue. He asked the applicant to provide a brief description of the variance request.

A photo of each of the three signs, labeled A-C, was provided to the Board by the applicant. Mr. Berghela explained that his architect ordered the three signs for production without approval of the village, as the architect was under the assumption that they were included as part of the original village approval. The production of the signs has since been on hold after being made aware by the village enforcement officer that a variance would be needed. Mr. Berghela indicated he would be flexible in modifying the Pin Mounted Lettering signs located in the front (Sign A) and the side (Sign C) of the building but, if at all possible wants to keep the Blade Sign (Sign B) as originally designed.

Mr. Berghela clarified for Board Member Wight that he has decided to go with the white lettering rather than the black, on the side, pin-mounted sign presented as sign C.

Board Member Smith indicated that the Zoning Laws are a published requirement.

Attorney Reilly indicated that the internally illuminated Blade sign as presented (Sign B), black sign with white lettering, would minimize the white glow lighting that the zoning law intends to avoid.

Resident Doug Miller expressed support for the sign variance request as presented.

Chairman Giglio thanked the applicant and there being no other public comment, closed the Public Hearing at 7:09 pm.

## Board Discussion

**Code Enforcer** Mason has determined that the sign submittals have five issues that do not conform to the Village Zoning Law for Creekside Commercial:

### Zoning Law

1. Section 5b All Signs to be externally illuminated (Exception LED signs)
2. Section 7 Total Sign Area is Maximum 75 sq/ft

### Submitted Request

Sign B-Internally Illuminated  
Total is 87.3 sq/ft

### **Table 3**

3. Building Mounted, Flat with Maximum of 24 sq/ft
4. Building Mounted, Projecting with Maximum of 4 sq/ft
5. Total Number of Signs per establishment is Two.

Sign C is 70.72 sq/ft  
Sign B-12.56 sq/ft  
Three signs submitted

**Board Member** Smith inquired whether the location being a corner lot, would modify any of the requirements. It was noted that the law is not modified for a corner lot, but the Board all agreed that extra visibility would be helpful for this location.

A discussion was held on the square footage exceeding the maximum 75 sq/ft requirement. **Attorney** Reilly noted that signs A and C are both Pin Mounted-Letter signs and not your typical wall signs. He also mentioned that while the signs as presented exceed the square footage, they are aesthetically pleasing.

**CEO** Mason noted that the application is a non-referral application for Albany County Planning Board.

The applicant filled out Part I of the Short Environmental Assessment Form.

It was determined that the Zoning Board of Appeals would be the LEAD Agency and the application would be classified as Type 2 in regard to SEQRA.

Chairman Giglio went through all the questions of Part 2 of the Short Environmental Assessment Form with fellow board members.

**After completing the Part 2 questions, Board Member Smith with a second from Board Member O’Leary, made a motion that there is no adverse significant environmental impact with the signage request as presented for 112 Maple Avenue (Romo’s).**

***The vote was Chairman Giglio – Yes, Board Member Duncan – Yes, Board Member O’Leary – Yes, Board Member Smith – Yes, Board Member Wight – Yes and Alternate Member Strauss – Present. The motion passed unanimously.***

**Chairman** Giglio reviewed the 5 Balancing Questions for the property located at 112 Maple Avenue with the Board (see attached).

	J Giglio	N. Duncan	M OLeary	K. Smith	M Wight
1.	No	No	No	No	No
2.	Yes	Yes	Yes	Yes	Yes
3.	No	No	No	No	No
4.	No	No	No	No	No
5.	Yes	Yes	Yes	Yes	Yes

In their discussion the board considered the following factors:

1. The Unique character and location of the property.
2. Multi-directional signage is beneficial for a corner lot.
3. The Pin Mounted Lettering Signs as presented, while over the sq/ft requirement, have an aesthetically pleasing appearance.
4. The Blade sign as presented, black with white lettering, would minimize the white glow lighting that the zoning law intends to protect.

After additional discussion, Board Member Smith, with a second from Board Member O'Leary made a motion to approve the Area Variance for Signage as presented for 112 Maple Avenue (Romo's) based on three factors noted above.

*The vote was Chairman Giglio – Yes, Board Member Duncan – Yes, Board Member O'Leary – Yes, Board Member Smith – Yes, Board Member Wight – Yes and Alternate Member Strauss – Present. The motion passed unanimously.*

At 7:26 PM Board Member O'Leary made the motion that the meeting be adjourned with a second by Board Member Wight. All agreed; motion passed.

Attachments

Signs A, B and C by AJ Sign Co.

Five Conflicts with Zoning Law

Part 1 of Short Environmental Assessment Form - Applicant

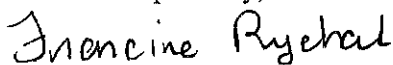
Part 2 & 3 of the Short Environmental Assessment

Area Variance Findings & Decision – 5 Balancing Questions

**Schedule of up coming Meetings and Events**

Date	Day	Time	Event
January 9, 2024	Thursday	7:00 PM	Meeting/Public Hearing

Submitted Respectfully,



Francine Rychcik,  
Deputy Clerk Treasurer  
Date: February 6, 2025

# A) Pin-Mounted Letters

Qty: (1) set

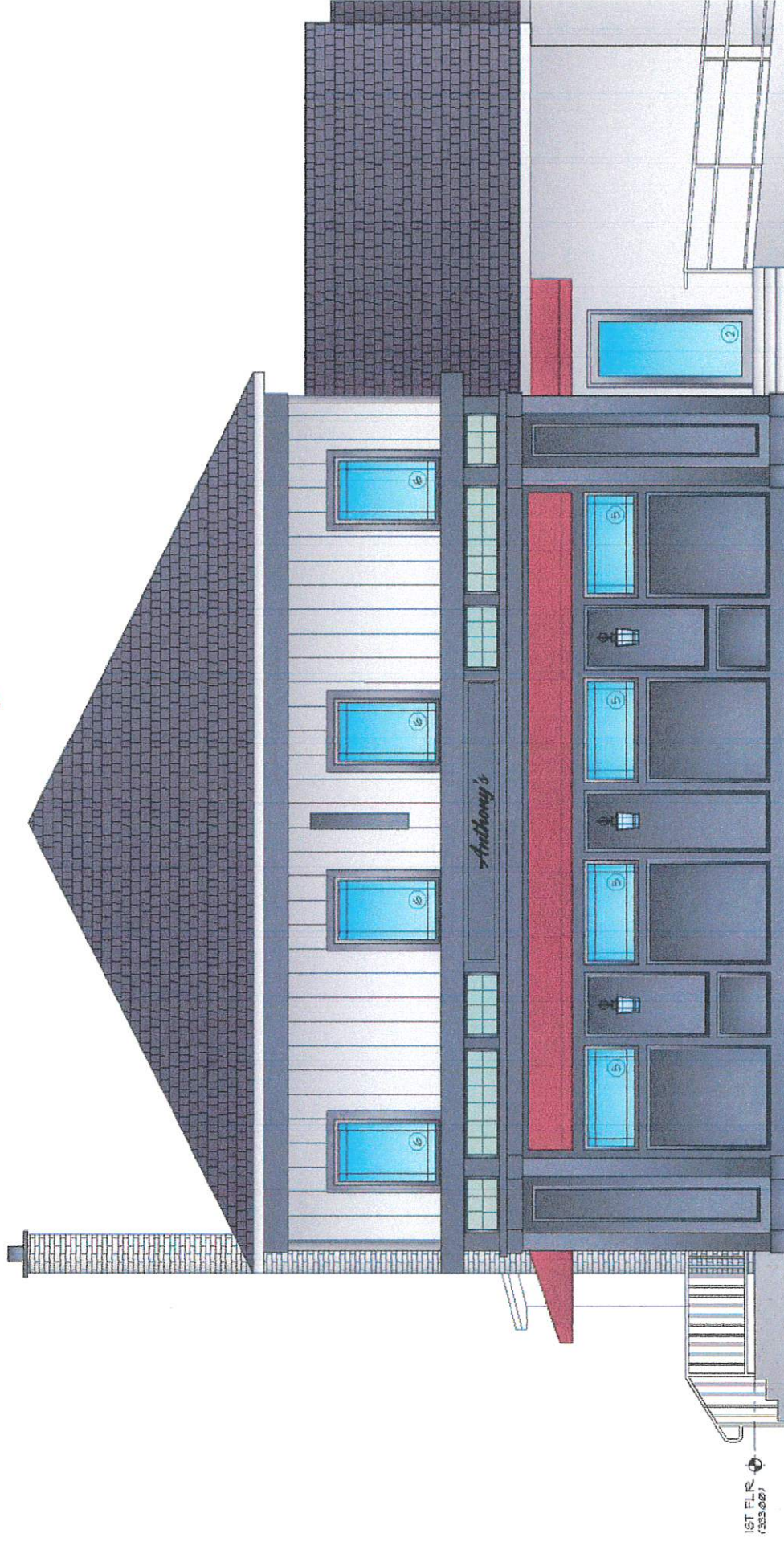
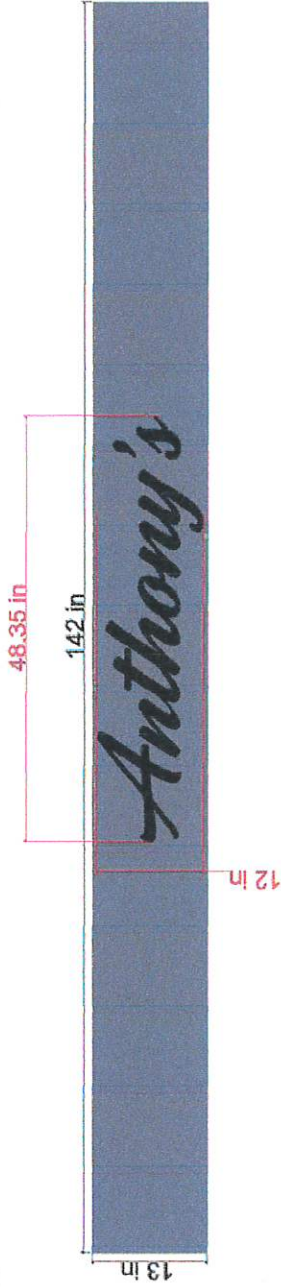
Materials: .25" thick pin mounted letters

Additional Information: --

Install Information: --

Colors: ■ Paint: Black

Photo Representation of Approximate Sizing



1ST FLR  
(333-067)

842 Saratoga Road  
Burr Hill, NY 12027  
(518) 399-9291  
ALSigns.com

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Client: Wainshaft (Romos Pizzeria)  
Project: Exterior Signage  
Location: --

Customer Approval: \_\_\_\_\_  
Landlord Approval (if Required): \_\_\_\_\_

Date: \_\_\_\_\_  
Date: \_\_\_\_\_

File Name: e49349\_A  
Salesperson: Emma Heck  
Designer: Nikki  
Date: 10/31/2024

Original drawings and digital representations of signs created by AL Signs Co. are for informational purposes only. No warranty is made for the accuracy or completeness of the information provided. AL Signs Co. does not assume any liability for the use of drawings. Designer's responsibility is limited to the work of design. Designer's responsibility is limited to the work of design. Designer's responsibility is limited to the work of design.



# C) Pin-Mounted Letters

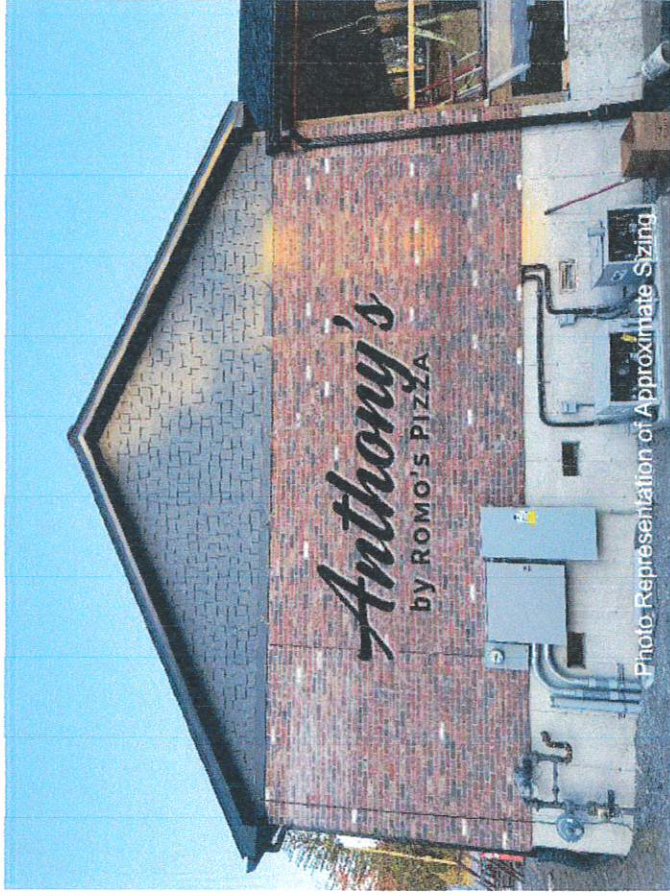
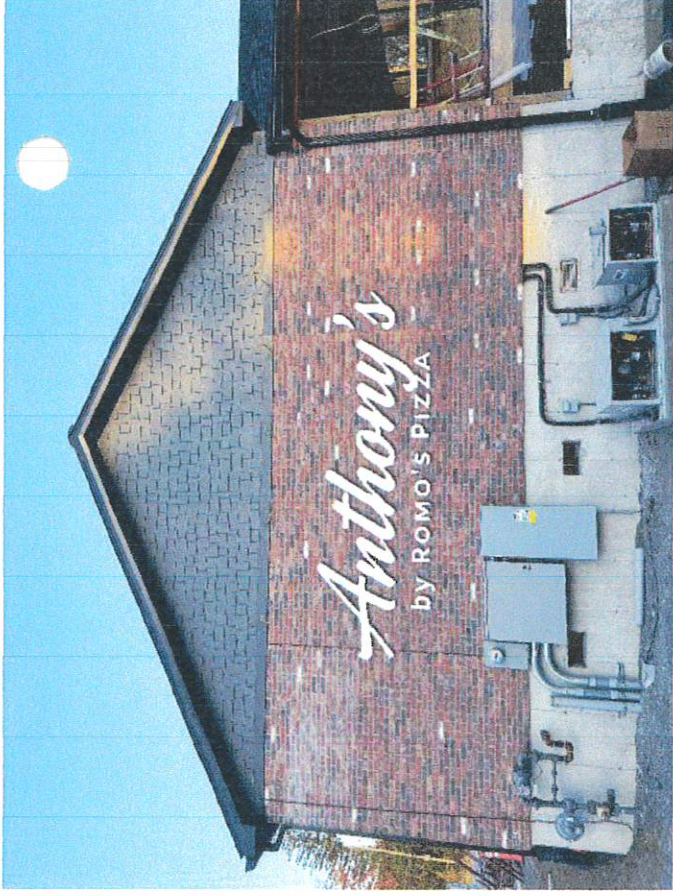
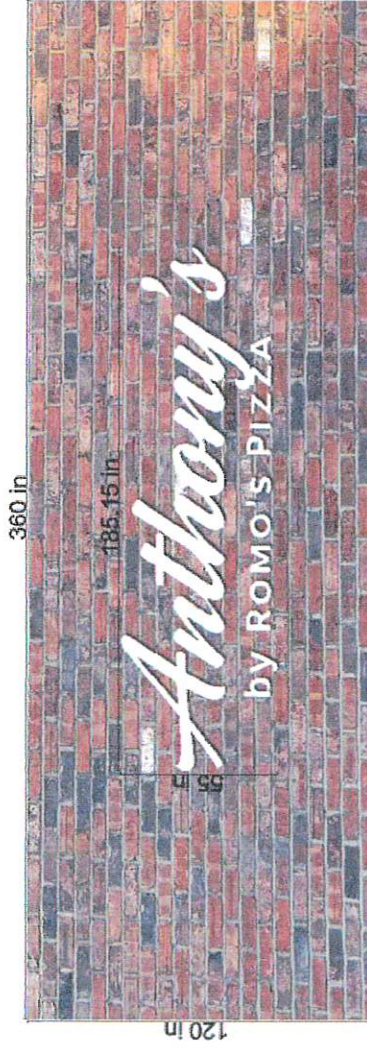
Qty: (1) set

Materials: .25" thick pin mounted aluminum letters

Additional Information: --

Install Information: Install on brick

Colors:  Paint: Black and/or white, TBD



842 Saratoga Road  
Burrill Hills, NY 12027  
(518) 399-9291  
AJSigns.com

**AJ**  
**Sign Co.**  
Your Image. Our Everything.

Client: Wainshaft (Romos Pizzeria)  
Project: Exterior Signage  
Location: --

Customer Approval: \_\_\_\_\_  
Landlord Approval (if Required): \_\_\_\_\_

Date: \_\_\_\_\_  
Date: \_\_\_\_\_

File Name: e49349\_C  
Salesperson: Emma Heck  
Designer: Nikki  
Date: 10/31/2024

Original drawings and designs are the property of AJSigns Co. and may not be designed or created and in which there is a drawing or sign without written permission from AJSigns Co. Drawings are to be used in perfect fidelity. AJSigns Co. does not assume any liability for any errors or omissions in this drawing or sign. AJSigns Co. shall not be held responsible for the value of drawings. Designer's Responsibilities are available for purchase for use in completing bid processes upon request.



12/10/2024

RE: 112 MAPLE AVE SIGNAGE SUBMITTALS

THERE ARE 5 CONFLICTS WITH THE ZONING LAW AS PRESENTED IN THE SUBMITTALS.

Issues:

O. 5.) b) Except for LED signs, all signs shall be externally illuminated.

*Sign B, 2 sided sign is internally illuminated.*

Table 3. Building Mounted , Flat. Maximum 24 sq/ft.

*Sign C is 70.72 sq/ft.*

Table 3. Building Mounted , Projecting. Maximum 4 sq/ft.

*Sign B is 12.56 sq/ft.*

Table 3. Total Number of Signs per Establishment is 2.

*Total number of signs submitted is 3.*

O.7.) Total Sign Area. Maximum is 75 sq/ft.

*Total sq/ft submitted is 87.3 sq/ft*

## 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: <b>AREA VARIANCE FOR SUBMITTED SIGNAGE</b>			
Project Location (describe, and attach a location map): <b>112 MAPLE AVE., VOORHEESVILLE, NY 12186</b>			
Brief Description of Proposed Action: <b>TO ALLOW THE PROPOSED SIGNAGE AS SUBMITTED. SEE ATTACHMENT FOR THE 5 ISSUES CEO HAS NOTED AS CONFLICTING WITH THE ZONING LAW</b>			
Name of Applicant or Sponsor: <b>ANTHONY BERGHELA</b>		Telephone: <b>518-542-8444</b>	
		E-Mail: <b>romospizza@yahoo.com</b>	
Address: <b>32 DANIEL ST.</b>			
City/PO: <b>SLINGERLANDS</b>		State: <b>NY</b>	Zip Code: <b>12159</b>
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 checked="" 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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>1.53</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.53</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<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 checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			



Project: ROMO'S SIGNAGE ZB-2024-017

Date: 12/10/2024

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



SEQRA DETERMINATION

The Conservation Advisory Council has reviewed the proposed Variance and issued advisory recommendations concerning potential environmental impacts: Yes \_\_\_\_\_ No \_\_\_\_\_

The ZBA has classified the action under SEQRA, reviewed and/or completed any necessary assessment form(s) or impact statement(s), conducted necessary reviews and, if required, rendered a determination of environmental significance or non-significance: Yes \_\_\_\_\_ No \_\_\_\_\_

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above factors, finds that:

[ ] The Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is Denied.

[ ] The Benefit to the Applicant DOES Outweigh the Detriment to the Neighborhood or Community.

Reasons \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The ZBA further finds that a variance of \_\_\_\_\_ from Section \_\_\_\_\_ of the Zoning Codes is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

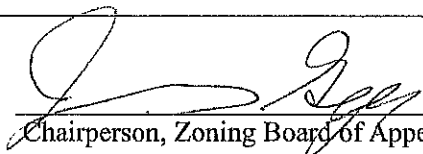
CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

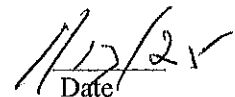
Condition No. 1: \_\_\_\_\_

Adverse impact to be minimized: \_\_\_\_\_

Condition No. 2: \_\_\_\_\_

Adverse impact to be minimized: \_\_\_\_\_

  
Chairperson, Zoning Board of Appeals

  
Date 1/17/21

### RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	<u>Jim Giglio</u>	<u>X</u>	<u>      </u>
Member	<u>Nicholas Duncan</u>	<u>X</u>	<u>      </u>
Member	<u>Michael O'Leary</u>	<u>X</u>	<u>      </u>
Member	<u>Krystina Smith</u>	<u>X</u>	<u>      </u>
Member	<u>Mark Wight</u>	<u>X</u>	<u>      </u>
Member (Alt.)	<u>Judy Strauss</u>	<u>Present</u>	<u>      </u>



**ALBANY COUNTY PLANNING BOARD**  
**NOTIFICATION**

**RECOMMENDATION DATE: December 19<sup>th</sup>, 2024**

**Case #:** 16-2412040597  
**Project Name:** Carport - Area Variance  
**Project Location:** 184 Helderberg Parkway  
**Tax Map Number:** 72.10-1-14.31  
**Referring Agency:** Village of Voorheesville Zoning Board of Appeals  
**Considerations:** Area variance for the construction of a two-vehicle carport in the front yard. Proposed carport will cover an existing paved area and will be behind the existing barn.

**ACPB Recommendation:** Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

**Advisory:**

Gopika Muddappa, Senior Planner  
Albany County Planning Board

**NOTE:**

- This recommendation is rendered in compliance with applicable requirements of Section 239 of New York State General Municipal Law. Final determination on this matter rests with the appropriate municipal body.
- A recommendation of "APPROVE" or "MODIFY LOCAL APPROVAL" should not be interpreted as a recommendation by this body that the referring agency approve the matter referred. Such recommendation does not indicate that this body has reviewed all local concerns; rather the referral has met certain countywide considerations. Evaluation of local criteria is the responsibility of the referring agency.
- General Municipal Law Section 239 requires that the local agency notify the county within thirty days of its final action. Please use the OFFICIAL NOTICE OF LOCAL ACTION form that is attached for this purpose.
- General Municipal Law Section 239 sets forth the procedural requirements for taking local action contrary to the County Planning Board's recommendation of objection or conditional approval.
- Albany County is required to submit a Municipal Separate Storm Sewer System Permit (MS4) (No. GP-0-10-002) Notice of Intent (NOI) to comply with the NYS DEC permit for the control of wastewater and stormwater discharges in accordance with the Clean Water Act. Construction Activity Permit No. GP-0-1-001 issued by NYSDEC is also required for activity with soil disturbances of one acre or more. The law is required by the Clean Water Act to control point source discharges to ground water as well as surface waters.

**449 New Salem Road, Voorheesville, NY 12186**  
**TELEPHONE: (518) 655-7932 FAX: (518) 765-3459**



# Attendance Sheet

Committee ZBA  
Meeting Date: 12-10-24

Please clearly print name

- 1 Douglas Miller
- 2 Anthony Bayhale
- 3 Rich Strout
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_
- 6 \_\_\_\_\_
- 7 \_\_\_\_\_
- 8 \_\_\_\_\_
- 9 \_\_\_\_\_
- 10 \_\_\_\_\_
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- 20 \_\_\_\_\_