

**MINUTES FROM THE CITY OF WATERVLiet ZONING BOARD MEETING HELD ON JANUARY 9, 2013 AT 7:00 P.M. IN THE FIRST FLOOR COURTROOM OF CITY HALL**

MEMBERS PRESENT: Chairman Mark Cady  
Frank Gilchrist  
Joe Kokernak  
Dot Dugan  
Dave Such  
Jeff Czarnecki

Chairman Cady called the meeting to order at 7:00 p.m. The Chairman asked the recording secretary to take attendance and to read the agenda.

**CONSIDERATION FOR AN AREA VARIANCE TO CONSTRUCT A 16' X 24' WOOD FRAME CONSTRUCTION GARAGE ON AN ALASKAN SLAB AT PROPERTY LOCATED AT 402 7<sup>TH</sup> AVENUE**

Edward Kane, owner of 402 7<sup>th</sup> Avenue, Watervliet, New York is seeking approval for an area variance to construct a 16' x 25' wood frame construction garage on an Alaskan slab. He is before the zoning board because you cannot build an accessory structure in a front yard and you must build at least 10 feet from the property line. This driveway would end up in the public right of way on 4<sup>th</sup> Street.

The contractor suggested reducing the size of the garage to 22'. Mr. Gilchrist did not see the point since it would still be in the public right of way. Board Member Kokernak suggested turning the garage to face 7<sup>th</sup> Avenue. Homeowner stated he was trying to keep as much as his yard as possible while still putting up a garage.

Based on these discussions, the following decision was made:

Regarding SEQR, it was decided this was a Type 2 action with no significant adverse impact to the environment. A motion was made by Mr. Gilchrist and seconded by Mr. Such.

	YES	NO
Mark Cady	X	
Frank Gilchrist	X	
Joe Kokernak	X	
Dot Dugan	Motion	
Dave Such	X	
Jeff Czarnecki	Second	

A motion was made by Mr. Czarnecki and seconded by Mr. Gilchrist to approve with application with the following stipulations: (1) Lighting must include motion sensors; (2) The fence must be brought back framing the garage; (3) Full compliance with permit approvals and codes; (4) If the project isn't complete within 90 days, this approval is deemed null and void.

	YES	NO
Mark Cady	X	
Frank Gilchrist	Second	
Joe Kokernak		X
Dot Dugan	X	
Dave Such		X
Jeff Czarnecki	Motion	

**CONSIDERATION FOR A USE VARIANCE FOR PROPERTY LOCATED AT 1423 2<sup>nd</sup> AVENUE IN ORDER FOR PROSPECTIVE BUYER TO OPERATE HIS ROOF WASHING/PRESSURE WASHING BUSINESS AT SAID PROPERTY**

Joseph Gallo, owner of 1423 2<sup>nd</sup> Avenue, is seeking approval for a use variance in order for a prospective buyer to operate his roof washing/pressure washing business.

Jim Fuller is the prospective buyer of property which consists of a ~30' x 45' garage on a ~106' x 50' parcel. If variance is granted, he intends to use the building to store equipment, supplies and the fenced in area will be used to park his company trucks. His company consists of three employees (including him) who will start and end their workday at this site. The garage will also be used to perform routine maintenance on equipment, trucks and trailers.

Mr. Fuller stated that he would be storing chemicals at the property which he explained as chlorine based chemicals. He would be storing 12 to 14 55 gallon containers which would be delivered once every two weeks. The containers are transported from the truck to the garage using a pallet jack. Mr. Fuller did not mention this chemical storage in his business proposal or to the building department upon submission of his application. Further investigation needs to take place once more information on chemical and its storage is secured.

The Board decided to table the application until the building department received the following information: (1) MSDS sheets for all chemicals intended to be stored in the garage; (2) Mr. Fuller's OSHA safety record; (3) Mr. Fuller's safety plan; (4) confirmation on whether there is a floor drain in the garage or not; and (5) financial data indicating financial hardship.

A motion was made by Mr. Gilchrist and seconded by Mr. Kokernak to table said variance.

	YES	NO
Mark Cady	X	
Frank Gilchrist	Motion	
Joe Kokernak	Second	
Dot Dugan	X	
Dave Such		
Jeff Czarnecki	X	

A motion was made by Mr. Cady and seconded by Mr. Czarnecki to adjourn the meeting at 8:19 p.m.