

MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON WEDNESDAY, OCTOBER 14, 2015 AT 7:00 P.M. IN THE WATERVLIET SENIOR CITIZEN CENTER, WATERVLIET, NEW YORK

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

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

APPROVAL OF ALBANY COUNTY PLANNING BOARD (ACPB) RECOMMENDATION FOR APPLICATION OF DP PARTNERS (SCHUYLER COMPANIES), 596 NEW LOUDON ROAD, LATHAM, NEW YORK, SEEKING AN AREA VARIANCE FROM SIGN REGULATIONS TO ALLOW A MONUMENT SIGN FOR A COMMERCIAL SHOPPING CENTER LOCATED AT 1804 2ND AVENUE, WATERVLIET, NEW YORK

The ACPB modified local approval to include: (1) The sign should not be located within the right of way of 2nd Avenue; (2) The City should ensure that the location of the sign does not inhibit the site distance of vehicles exiting the properties on either side of the sign. The ACPB also included the following advisory note: The City Zoning Board should consider the precedent setting nature of allowing significant area variances to the sign code in the commercial zone.

Mr. Gilchrist stated he is not in favor of the ACPB recommendation as he was not in favor of the original variance application at the July 8, 2015 meeting of the Watervliet Zoning Board. The ACPB recommendation was approved 4-1.

APPROVAL OF ALBANY COUNTY PLANNING BOARD (ACPB) RECOMMENDATION FOR APPLICATION OF ERNEST BROWN TO CONVERT VACANT FORMER SCHOOL BUILDING LOCATED AT 1400 8TH AVENUE, WATERVLIET, NEW YORK INTO 15 APARTMENTS

The ACPB modified local approval to include (1) notification of the application should be sent to the adjacent Town of Colonie. It was noted that notification was sent to the Town of Colonie by Corporation Counsel Huban. The ACPB recommendation was approved 5-0.

APPLICATION OF SCHUYLER COMPANIES, 596 NEW LOUDON ROAD, LATHAM, NEW YORK, SEEKING AN AREA VARIANCE TO INCREASE THE FRONT YARD SETBACK OF THE CONSTRUCTION OF A COMMERCIAL BUILDING LOCATED AT 1804 2ND AVENUE, WATERVLIET, NEW YORK

Mark Gilchrist updated the Board on the design of the plaza. Nathan Kirshner of Langan Engineering went over the project. The Board asked about the two entrance areas to Autozone. The northern exit will be right turn only; and traffic going south on 2nd Avenue can turn into either entrance. Autozone does not sell tires but they do take used oil and batteries. For the oil they have a double lined storage tank inside the store which an environmental company comes to empty when full. Batteries are removed weekly. MSDS sheets will be onsite for the fire department. Fire Chief Conlen believes perhaps there should be a fire hydrant onsite. Paul Huban asked why someone would want to subdivide one piece when the same person/business owns the whole parcel.

Mr. Cady read into the record that the application, along with the required referral form, has been forwarded to the Albany County Planning Board.

Mr. Cady went over the Part II SEQR questions and all were answered as having “no, or small impact may occur”. A motion was made by Mr. Such and seconded by Mr. Czarnecki to approve the SEQR as an unlisted action.

	Yes	No
Mark Cady	X	
Dave Such	Motion	
Dot Dugan	X	
Jeff Czarnecki	Second	
Frank Gilchrist	X	

The Zoning Board weighed the effects of the required variance and made the following findings: (1) the requested variance will not create an undesirable change in the character of the neighborhood or detriment to nearby properties because the applicant is replacing another business and upgrading the entrance; (2) The benefits sought by the applicant cannot be achieved by some other feasible method because of space restrictions and green space needed; (3) The requested variance is not substantial in that it does not change the characteristics of the neighborhood or property because it is replacing an existing business and makes the property safer; (4) The proposed variance will not have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because it is replacing the Price Chopper that was there and makes an egress to the plaza is safer; and (5) The alleged difficulty was not self-created because it will improve the safety to the building entrance.

A motion was made by Mr. Czarnecki and seconded by Mr. Gilchrist to approve the application with the following stipulations: (1) All exterior lighting on the north and south side shall be down facing; (2) Receipt, acceptance and agreement with Albany County Planning Board Notification and Recommendation; (3) The applicant shall comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (4) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this Resolution, then the variance shall be deemed null and void.

	Yes	No
Mark Cady	X	
Dave Such	X	
Dot Dugan	X	
Jeff Czarnecki	Motion	
Frank Gilchrist	Second	

A motion was made by Mr. Gilchrist and seconded by Mr. Cady to adjourn the meeting at 7:55 p.m.