

MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON APRIL 13, 2016 AT 7:00 P.M. IN THE WATERVLIET SENIOR CITIZEN CENTER, WATERVLIET, NEW YORK

MEMBERS PRESENT: Mark Cady Joe Kokernak ALSO PRESENT: Yorden Huban
Dot Dugan Jeff Czarnecki Chris Chartrand
Frank Gilchrist Dave Such Frank Gilchrist

Chairman Cady called the meeting to order at 7:05 p.m. He asked the recording secretary to take attendance and to read the agenda.

CONSIDERATION FOR AN AREA VARIANCE TO INSTALL A 12' X 24' ABOVE GROUND POOL WHICH DOES NOT MEET SETBACK REQUIREMENTS AT 1309 1ST AVENUE, WATERVLIET, NEW YORK

Maria MacGilfrey, owner of 1309 1st Avenue, Watervliet, New York, seeking approval for an area variance to install a 12' x 24' above ground pool. Mrs. MacGilfrey explained that her setback issue is only on one side and it is due to the location of an electrical line and not the lot size. The pool will be professionally installed with no deck or lighting. Ilene and Charles Page, owners of 1307 1st Avenue, spoke in opposition of the application. They expressed worry about the pool collapsing and would like some sort of barrier put up in the event it happened. It was pointed out that the setback issue is not on the side of their home and that a new, professionally installed pool is not going to collapse.

Based on discussions, the following decision was made:

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

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

The following findings were made: (1) The requested variance will not create an undesirable change in the character of the neighborhood or detriment to nearby properties because the yard is fenced and secure and the pool will be professionally installed; (2) The benefits sought by the applicant cannot be achieved by some other feasible method because of the location of the electrical lines; (3) The requested variance is not substantial in that it does not change the characteristics of the neighborhood or property because the yard is fenced and secure and the pool will be professionally installed; (4) The proposed variance will not have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because the yard is fenced in and the setback issue is only on one side; (5) The alleged difficulty was not self-created because of the location of the electrical lines.

A motion was made by Ms. Dugan and seconded by Mr. Such to approve the application with the following stipulations: (1) the pool must be professionally installed; (2) any future lighting would have to be approved by the Watervliet Zoning Board of Appeals; (3) Full compliance with permit approvals and codes; (4) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this resolution, this approval is deemed null and void

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

CONSIDERATION OF THE ALBANY COUNTY PLANNING BOARD’S RECOMMENDATION ON THE APPLICATION OF BAYVIEW LOAN SERVICING, LLC, 4425 PONCE DE LEON BOULEVARD, 5TH FLOOR, CORAL GABLES, FLORIDA 33146, OWNER OF PROPERTY LOCATED AT 720 4TH STREET, WATERVLIET, NEW YORK, SEEKING A USE VARIANCE TO ALLOW PROSPECTIVE OWNER TO OPERATE THE PROPERTY AS A LEASED SPACE TO A REAL ESTATE SALES AND PROPERTY MANAGEMENT OFFICE WITH ASSOCIATED STORAGE/GARAGE SPACE AND AS A SELF-STORAGE RENTAL FACILITY

A motion was made by Chairman Cady and seconded by Ms. Dugan to approve the Albany County Planning Board’s recommendation that the proposed action will have no significant countywide or intermunicipal impact and to defer to local consideration.

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

A motion was made by Mr. Cady and seconded by Mr. Such to adjourn the meeting at 7:35 p.m.