

**MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON JUNE 8, 2016 AT 7:00 P.M. IN THE WATERVLIET SENIOR CITIZEN CENTER, WATERVLIET, NEW YORK**

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

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

**CONSIDERATION FOR AN AREA VARIANCE TO INSTALL A 4' HIGH PICKET FENCE AT PROPERTY LOCATED AT 711 12<sup>TH</sup> STREET, WATERVLIET, NEW YORK**

Kevin and Theresa Dubuc, owners of 711 12<sup>th</sup> Street, Watervliet, New York, seeking approval for an area variance to install a 4' high picket vinyl fence. They are looking to install 4' as opposed to 3' because they feel their dog could jump over the 3' fence or another dog could jump into the yard. There is a four way stop at the intersection, and the fence would be professionally installed by Bruce Fence Company. One neighbor, Eleanor Meyer of 1205 7<sup>th</sup> Avenue, spoke in favor of the application.

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. Cady and seconded by Mr. Kokernak.

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

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 it will be cleaner looking, better curb appeal and no different than any other fence in the area; (2) The benefits sought by the applicant cannot be achieved by some other feasible method because the dog can jump a three foot fence; (3) The requested variance is not substantial in that it is no different than any other fence in the area; (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 will not impair visibility to the corner; (5) The alleged difficulty was not self-created because the Code states a corner lot must have visibility and also states there is two front yards.

A motion was made by Mr. Kokernak and seconded by Mr. Czarnecki to approve the application with the following stipulations: (1) the fence must be maintained; (2) the five foot section of the fence must be in the middle of the yard and not on the perimeter of the property; (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	X	
Dave Such	X	
Joe Kokernak	Motion	
Jeff Czarnecki	Second	

**CONSIDERATION FOR AN AREA VARIANCE TO INSTALL AN 6' HIGH WHITE VINYL FENCE AT PROPERTY LOCATED AT 1800 7<sup>TH</sup> AVENUE, WATERVLIET, NEW YORK**

Joe Green, 19 Mann Boulevard, Clifton Park, New York, is seeking approval for an area variance to install a 6' high vinyl fence at 1800 7<sup>th</sup> Avenue, Watervliet, New York. The property is on a corner lot which is considered to have to front yards; and a six foot fence cannot be installed in a front yard.

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. Cady.

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

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 it is adding additional privacy to the backyard; (2) The benefits sought by the applicant cannot be achieved by some other feasible method because privacy is what he is trying to accomplish; (3) The requested variance is not substantial because the applicant is not fencing in the entire property; (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 will improve curb appeal; (5) The alleged difficulty was not self-created because the Code states a corner lots have two front yards.

A motion was made by Ms. Dugan and seconded by Mr. Cady to approve the application with the following stipulations: (1) the fence must be maintained; (2) Full compliance with permit approvals and codes; (3) 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	Second	
Frank Gilchrist	X	
Dot Dugan	Motion	
Dave Such	X	
Joe Kokernak	X	
Jeff Czarnecki	X	

**CONSIDERATION FOR AN AREA VARIANCE TO INSTALL AN 6’ HIGH FENCE AT PROPERTY LOCATED AT 1821 4<sup>TH</sup> AVENUE, WATERVLIET, NEW YORK**

William VanGuilder, owner of property located at 1821 4<sup>th</sup> Avenue, Watervliet, New York, is seeking approval for an area variance to install a 6’ high privacy fence. The property is located across from Dunkin Donuts and close to the Black Bear which makes the area very noisy (drive-thru, tractor trailers, patrons, etc.). The fence will hopefully provide privacy and a noise barrier. Mr. VanGuilder was asked about the unregistered/uninspected cars on his property. He said most of them belonged to his son and assured the Board they would be removed or registered, inspected and legally parked on property. Joe Piccolo, who resides at 1822 4<sup>th</sup> Avenue, Watervliet, New York, spoke in favor of the application.

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	
Joe Kokernak	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 it will improve the look of the front of the property and create privacy; (2) The benefits sought by the applicant cannot be achieved by some other feasible method because the fence will provide privacy and a noise barrier; (3) The requested variance is not substantial in that he is not fencing the entire property; (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 applicant is not fencing the entire property; (5) The alleged difficulty was not self-created because the need for privacy requires a higher fence than is allowed in a front yard.

A motion was made by Mr. Czarnecki and seconded by Mr. Such to approve the application with the following stipulations: (1) the fence must be maintained; (2) work cannot begin and permit cannot be issued until all unregistered cars are removed; (3) Registered vehicles must be parked legally in the driveway; (4) Full compliance with permit approvals and codes; (5) 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	X	
Dave Such	Second	
Joe Kokernak	X	
Jeff Czarnecki	Motion	