

MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON NOVEMBER 8, 2017 AT 7:00 P.M. IN THE WATERVLIET SENIOR CITIZEN CENTER, WATERVLIET, NEW YORK

MEMBERS PRESENT: Mark Cady Dave Such ALSO PRESENT: Chris Chartrand (@7:20)
Dot Dugan Jeff Czarnecki Mark Gilchrist
Frank Gilchrist Joe Kokernak Yorden Huban

Chairman Cady called the meeting to order at 7:00 p.m. He asked for Corporation Counsel Huban take attendance and to read the agenda.

CONSIDERATION FOR AN AREA VARIANCE FOR PATRYK KANIOWSKI TO EXPAND THE PREVIOUSLY APPROVED CURB CUT OF HIS PROSPECTIVE DRIVEWAY FROM 10 FEET TO 14 FEET AT PROPERTY LOCATED AT 1523 5TH AVENUE, WATERVLIET, NEW YORK

Patryk Kaniowski, owner of 1523 5th Avenue, Watervliet, New York, seeking approval for an area variance to expand the previously approved curb cut of his prospective driveway from 10 feet to 14 feet (he applied for 18 foot curb cut last month and was denied). He submitted another application with another plot plan.

Regarding SEQRA, a motion was made by Mr. Such and seconded by Ms. Dugan that the proposed action is a Type II action and that no further review relative to this proposal is required by SEQRA

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

The following findings were made: (1) The requested variance will not create an undesirable change to the character of the neighborhood or detriment to nearby properties because it is going to free up parking on a very tight street; (2) The benefit sought by the applicant cannot be achieved by some other feasible method because the alley is unusable for rear access; (3) The requested area variance is not substantial because it is a driveway and the curb cut is adequate; (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 be installed properly with adequate setback and green space; (5) the alleged difficulty was not self-created because the alley is unusable in the rear of the house.

A motion was made by Mr. Gilchrist and seconded by Mr. Czarnecki to approve the application with the following stipulations: (1) No lighting to be installed in the driveway; (2) Driveway must be pitched properly as not the flood neighbors; (3) Snow removal cannot be into the street; (4) Must comply with provisions in Watervliet Code regarding unregistered vehicles being stored/parked in driveways; (5) Driveway must be professionally installed; (6) The applicant must comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (7) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this Resolution, then this variance shall be deemed null and void.

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

CONSIDERATION FOR AN AREA VARIANCE FOR ELIZABETH BIRD SEEKING TO INSTALL AN 8' X 45' DRIVEWAY ON THE EAST SIDE OF PROPERTY LOCATED AT 509 7TH STREET, WATERVLIT, NEW YORK

Elizabeth Bird, owner of 509 7th Street, Watervliet, New York is seeking approval for an area variance to install an 8' x 45' driveway on the east side of said property.

Regarding SEQRA, a motion was made by Mr. Such and seconded by Ms. Dugan that the proposed action is a Type II action and that no further review relative to this proposal is required by SEQRA

| | YES | NO |
|-----------------|--------|----|
| Mark Cady | X | |
| Frank Gilchrist | X | |
| Dot Dugan | Second | |
| Dave Such | Motion | |
| 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 a driveway and green space is adequate; (2) the benefit sought by the applicant cannot be achieved by some other feasible method because the driveway will allow the convenience of getting in and out of her house by way of the side door; (3) The requested area variance is not substantial because it is a driveway and the green space is adequate; (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 be installed properly with adequate setback and green space; therefore, not changing anything environmental; (5) The alleged difficulty was not self-created because the driveway will assist with the parking conditions and with the ease of getting in and out of her house.

A motion was made by Mr. Czarnecki and seconded by Mr. Gilchrist to approve the application with the following stipulations: (1) No lighting to be installed in the driveway; (2) Driveway must be pitched properly as not the flood neighbors; (3) Snow removal cannot be into the street; (4) Must comply with provisions in Watervliet Code regarding unregistered vehicles being stored/parked in driveways; (5) Driveway must be professionally installed; (6) The applicant must comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (7) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this Resolution, then this variance shall be deemed null and void.

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

CONSIDERATION FOR AN AREA VARIANCE FOR EDWARD LABODA SEEKING TO INSTALL A 15' ABOVEGROUND SWIMMING POOL AT PROPERTY LOCATED AT 1003 23RD STREET, WATERVLIET, NEW YORK

Edward LaBoda, owner of 1003 23rd Street, Watervliet, New York, seeking approval for an area variance to install a 15' swimming pool on said property.

Regarding SEQRA, a motion was made by Mr. Gilchrist and seconded by Mr. Czarnecki that the proposed action is a Type II action and that no further review relative to this proposal is required by SEQRA

| | YES | NO |
|-----------------|--------|----|
| Mark Cady | X | |
| Frank Gilchrist | Motion | |
| Dot Dugan | X | |
| Dave Such | 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 not be visible and is bordered on the west by a driveway; (2) the benefit sought by the applicant cannot be achieved by some other feasible method because he does not have a backyard; (3) The requested area variance is not substantial because it is a small pool on a larger piece of 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 is simply a pool; (5) The alleged difficulty was not self-created because he does not have a backyard.

A motion was made by Ms. Dugan and seconded by Mr. Such to approve the application with the following stipulations: (1) Gate must be self-closing/self-latching; (2) Pool alarm must be installed; (3) Pool must be professionally installed; (4) No exterior flood light is allowed; (5) The applicant must comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (6) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this Resolution, then this variance shall be deemed null and void.

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

CONSIDERATION FOR AN AREA VARIANCE FOR JUSTIN SORINO SEEKING TO INSTALL A 20' X 32' DRIVEWAY ON THE 4TH AVENUE SIDE OF HIS PROPERTY LOCATED AT 1526 5TH AVENUE, WATERVLIET, NEW YORK

Justin Sorino, owner of 1526 5th Avenue, Watervliet, New York, seeking approval for an area variance to keep the 20' x 32' driveway he installed on the 4th Avenue side of said property. Justin installed the driveway unaware that he had to apply for an area variance. He presented old photos of the property showing that the curb cut was already there.

Regarding SEQRA, a motion was made by Mr. Czarnecki and seconded by Mr. Gilchrist that the proposed action is a Type II action and that no further review relative to this proposal is required by SEQRA

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

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 an improvement and esthetically pleasing; (2) the benefit sought by the applicant cannot be achieved by some other feasible method because the home has two front yards; (3) The requested area variance is not substantial because the home has a large backyard and he replaced what was already there; (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 a driveway; (5) The alleged difficulty was not self-created because it is an improvement and he replaced/expanded existing conditions.

A motion was made by Mr. Gilchrist and seconded by Mr. Such to approve the application with the following stipulations: (1) The applicant must remove three feet on the north side leaving the side portion intact and the cut out must be replaced with green space; (2) Driveway must be pitched property as not the flood neighbors; (3) Snow removal must not be into the street; (4) Must comply with provisions in Watervliet Code regarding unregistered vehicles being stored/parked in driveways; (5) The applicant must comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (6) If the applicant does not take the necessary steps to act upon this variance within 90 days of the date of this Resolution, then this variance shall be deemed null and void.

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

CONSIDERATION FOR A VARIANCE FOR HASY PROPERTIES, LLC, PROSPECTIVE OWNER OF 825 24TH STREET (FORMER SCHOOL 9), WATERVLIT, NEW YORK, TO CONVERT THE BUILDING INTO 10 HIGH END APARTMENTS DURING THE FIRST PHASE AND AN ADDITIONAL 5 APARTMENTS DURING THE SECOND PHASE

Hasy Properties, LLC, prospective owner of 825 24th Street (former School 9), Watervliet, New York, is seeking a variance to convert the former School 9 building into 10 high end apartments during the first phase and an additional 5 apartments during the second phase. Haris Hussain is proposing to put five studio apartments in the basement and 2, 3 and 4 bedroom apartments on the 1st and 2nd floors. His proposed parking includes six spots along the front and 5 spots along the side (perpendicular parking). The engineering company he works with is Nolan Engineering. Mr. Hussain believes the building is structurally sound and states there is no water damage in the basement. He plans to eventually purchase nearby property on 9th Avenue between 24th and 25 Street to develop off street parking (he needs 15 parking spots for 10 apartments). Mark Gilchrist questioned the reason for 3 and 4 bedroom apartments and wondered who he was targeting to rent this size apartment – he didn’t believe there would be many families looking for this size apartment without having a backyard, outdoor space, etc.

Many during the public comment period spoke about parking concerns (including snow taking up spots and snow removal). 10-15 additional apartments could bring a great number of additional cars to the neighborhood. Another concern was trash removal and potential odor. There was also mention of a 2,500-3,000 gallon oil tank buried in the basement and question of how that would be removed.

Mark Gilchrist gave applicant a list of things he would like to see prior to the next meeting: (1) Floor plans for all members of the Board and zoning officials (10 copies); (2) Address of properties currently owned by applicant which have been renovated along with number of units; (3) Off street parking plan drawn to scale (10 copies); (4) Competent financial evidence that a reasonable return cannot be realized for permitted uses; (5) A more detailed description, including brand names of kitchen and bath equipment, type of countertops and cabinets; (6) Copies of purchase contracts; (7) Name and address of design professionals hired for the project; and (8) List total square footage for each apartment on the floor plans.

A motion was made by Mr. Cady and seconded by Ms. Dugan to table the application.

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

Meeting adjourned at 9:45 p.m.