MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON JUNE 20, 2018 AT 7:00 P.M. IN THE WATERVLIET COURT ROOM, 2 15TH STREET, WATERVLIET, NEW YORK

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

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

<u>CONSIDERATION FOR A USE VARIANCE FOR JEFFERY COLLETT FOR THE EXPANSION OF A PRE-EXISTING NON-</u> <u>CONFORMING USE AT PROPERTY LOCATED AT 1855 12TH AVENUE, WATERVLIET, NEW YORK</u>

Jeff Collett explained that he is looking to put an addition off the back so that the funeral home can move its prep space up from the basement. This will also allow them to add handicapped access off the back. They also plan to enclose the front porch. It will be a wood frame on pylons with a peaked roof.

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

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

A motion was made by Mr. Cady and seconded by Mr. Czarnecki to refer the application to the Albany County Planning Board.

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

The following findings were made: (1) The applicant cannot realize a reasonable return from the property in question, provided the lack of return is substantial as demonstrated by competent financial evidence because an elevator and handicapped ramp would cost approximately \$100,000 and this addition will add the handicapped access they need; (2) The alleged hardship is unique to the property in question and does not apply to a substantial portion of the district or neighborhood because property sits on four lots with adequate green space remaining, and the property has been a funeral home since 1950; (3) The requested variance will not alter the essential character of the neighborhood because the front will look nicer which will enhance the look of the building, and the addition is obstructed from view; (4) The alleged hardship was not self-created because the property was built as a funeral home and has been in continual use as such.

A motion was made by Mr. Such and seconded by Mr. Gilchrist to approve the application with the following stipulations: (1) Any outside lighting must be down facing; (2) Ramp must be maintained; (3) Must be approved by the Albany County Planning Board; (4) The applicant shall comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet and New York State; (3) 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
Dot Dugan	Х	
Jeff Czarnecki	Х	
Frank Gilchrist	Second	
Dave Such	Motion	
Mark Cady	Х	

CONSIDERATION FOR AN AREA VARIANCE FOR LYALL MACFEE, PROSPECTIVE OWNER OF PROPERTY LOCATED AT 1436 1ST AVENUE, WATERVLIET, NEW YORK, TO BUILD A 6' X 25' FRONT PORCH WITH ROOF

Mr. Macfee is under contract to purchase this home and would like to add a front porch. Will be constructed of wood with spindles and painted to match the façade of the house. The roof will be pitched to the front and the porch will be built by a professional contractor.

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 Ms. Dugan and seconded by Mr. Czarnecki.

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

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 addition of a front porch will enhance the property as well as surrounding properties; (2) The benefit sought by the applicant cannot be achieved by some other feasible method because he is seeking a front porch; (3) The requested variance is not substantial because it leaves adequate green space and it is a small addition to the house; (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 front porch and not a major addition; (5) The alleged difficulty was self-created because the applicant would like a home with a front porch and it does not existing on this property.

A motion was made by Ms. Dugan and seconded by Mr. Czarnecki to grant the variance with the following stipulations: (1) Porch must be painted and maintained; (2) Outside lighting should light up the porch only; (3) The porch is not to be used for storage; (4) The applicant shall comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; (5) 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
Dot Dugan	Motion	
Jeff Czarnecki	Second	
Frank Gilchrist	Х	
Dave Such	Х	
Mark Cady	Х	

CONSIDERATION OF THE ALBANY COUNTY PLANNING BOARD'S RECOMMENDATION ON THE APPLICATION OF STEEVI RUTELLA, OWNER OF PROPERTY LOCATED AT 17 BALL PLACE, WATERVLIET, NEW YORK, TO INSTALL A DRIVEWAY WITH TWO PARKING SPACES LOCATED IN THE REAR OF A PROSPECTIVE HOME IN ORDER TO PROVIDE THE REQUIRED OFF STREET PARKING ACCORDING TO THE CITY'S CODE

A motion was made by Mr. Cady and seconded by Mr. Gilchrist to accept the Albany County Planning Board's recommendation to defer to local consideration.

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

Meeting adjourned at 8:15 p.m.