## MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON MAY 8, 2019 AT 7:00 P.M. IN THE WATERVLIET SENIOR CENTER, 1501 BROADWAY, WATERVLIET, NEW YORK

| MEMBERS PRESENT: | Jeff Foster | Frank Gilchrist | ALSO PRESENT: | Chris Chartrand  |
|------------------|-------------|-----------------|---------------|------------------|
|                  | Dave Such   | Mark Cady       |               | 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.

## CONSIDERATION FOR A USE VARIANCE FOR EDWARD WATSON TO CONVERT PROPERTY LOCATED AT 600 13<sup>TH</sup> STREET, WATERVLIET, NEW YORK, FROM A TWO-FAMILY TO A THREE FAMILY-HOME

Edward Watson's application was tabled last month. The Board was provided with the financial information that they requested from the applicant to justify that he could not make a reasonable return from the property if it were to stay a two family. The applicant reiterated that it would be a one bedroom apartment with separate plumbing, utilities, etc. Paul Facteau, who resides at 1233 6<sup>th</sup> Avenue, Watervliet, New York spoke in favor of the application. He said the building is very well maintained and that Mr. Watson is a good neighbor who has done lots of improvements in a very quick period of time.

Regarding SEQRA, the Board declares itself lead agency and concludes that the proposed action is an Unlisted Action that will not result in any significant adverse impacts to the environment and makes a negative declaration in according with SEQRA. A motion was made by Mr. Cady and seconded by Mr. Gilchrist.

|                 | YES    | NO |
|-----------------|--------|----|
| Jeff Foster     | Х      |    |
| Frank Gilchrist | Second |    |
| 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 the cost of converting to a two family is cost prohibitive (financial information submitted by owner); (2) The alleged hardship is not unique to the property in question and does not apply to a substantial portion of the district or neighborhood because it was originally built with three units and applicant is not changing footprint of the property; (3) The requested use variance will not alter the essential character of the neighborhood because the owner has the required off street parking spaces and the footprint of the building is not changing; (4) The alleged hardship was not self-created because the building was built as three separate units.

A motion was made by Mr. Gilchrist and seconded by Mr. Foster to approve the application with the following stipulations: (1) Property must be maintained including, but not limited to, snow removal and law maintenance; (2) Garbage cans must have lids; (3) 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; (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 this variance shall be deemed null and void.

|                 | YES    | NO |
|-----------------|--------|----|
| Jeff Foster     | Second |    |
| Frank Gilchrist | Motion |    |
| Dave Such       | Х      |    |
| Mark Cady       | Х      |    |

Meeting adjourned at 7:25 p.m.