

MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON DECEMBER 8, 2021 AT 6:00 P.M. IN THE WATERVLIET SENIOR CITIZEN CENTER, 1501 BROADWAY, WATERVLIET, NEW YORK

MEMBERS PRESENT: Paul Huban
Dave Such
Mark Cady
Frank Gilchrist

ALSO PRESENT: Chris Chartrand
Joe LaCivita
Lauren McCluskey

Chairman Cady called the meeting to order at 6:00 p.m. He asked for Chris Chartrand to take attendance and to read the agenda.

CONSIDERATION OF APPLICATION OF BRANDON CALHOUN, OWNER OF 1308 3RD AVENUE, WATERVLIET, NEW YORK 12189 SEEKING APPROVAL FOR A USE VARIANCE AT SAID PROPERTY TO CONVERT AN EXISTING ABANDONED ONE FAMILY HOME CURRENTLY ON THE LOT WITH AN EXISTING TWO-FAMILY HOME BACK INTO A ONE FAMILY

Brandon Calhoun, owner of 1308 3rd Avenue, Watervliet, New York, explained that the back house is abandoned, and he would like to fix it up and rent it out. He said it was previously gutted (including electrical) and there are appliances. He resides in the two-family home currently on the same lot. He explained the water and sewer are on separate lines and there are three meters in the basement. He noted there are no parking issues in the neighborhood. The property was classified as a 280 but was changed to a 220 in 2011. If approved, the assessor should revert the property class back to 280. Two neighbors attended the meeting and had no objections to Mr. Calhoun's request. Another neighbor called and spoke to the Zoning secretary. After further explanation of the request, he had no objections. The Board was presented with financial information outlining why Mr. Calhoun could not receive a reasonable return on the property.

The City of Watervliet Zoning Board of Appeals determined that the proposed action is an unlisted action and based upon its thorough review of the potential areas of environmental convert and its completion of the Short EAF Part II, hereby concludes that the proposed action will not result in any significant adverse impacts to the environment and makes a negative determination of environmental significance (Negative Declaration) in accordance with SEQRA. A motion was made by Dave Such and seconded by Paul Huban to accept this determination.

	YES	NO
Frank Gilchrist	X	
Dave Such	Motion	
Mark Cady	X	
Paul Huban	Second	

The Zoning Board of Appeals made the following findings regarding the requested use variance: (1) The applicant cannot realize a reasonable return from the property in question, provided that the lack of return is substantial as demonstrated by competent financial evidence because without the income from the single-family home, shown expenses (i.e., mortgage water bill, etc.) cannot show a reasonable return; (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 it's an existing structure that has been there 50+ years; (3) The requested use variance will not alter the essential character of the neighborhood because it's an existing structure, and the renovation will not alter

the character of the neighborhood; (4) The alleged hardship was not self-created because the building has been there for 50 years plus, and the property has been continuously used as two buildings with one address.

A motion was made by Paul Huban and seconded by Frank Gilchrist to approve the Use Variance with the following stipulations: (1) No garbage in the alley; (2) Exterior lighting must be down facing; (3) Building renovations must be completed; (4) The applicant shall comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet; and (5) If the applicant does not take the necessary steps to act upon this Special Use Permit within 90 days of the date of the resolution, then the Use Variance shall be deemed null and void.

	YES	NO
Frank Gilchrist	Second	
Dave Such	X	
Mark Cady	X	
Paul Huban	Motion	

A motion was made to adjourn the meeting at 6:45 p.m.