

**MINUTES FROM THE CITY OF WATERVLIET ZONING BOARD MEETING HELD ON OCTOBER 9, 2024 AT 6:00 P.M. IN THE WATERVLIET COMMUNITY CENTER, 1501 1<sup>ST</sup> AVENUE, WATERVLIET, NEW YORK**

MEMBERS PRESENT: Michelle Jamrosz ALSO PRESENT: Chris Chartrand  
Dave Such Paul LaBoissiere  
Frank Gilchrist Joe LaCivita  
Ken Keefer

Chairman Gilchrist 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 ERIC PANICHI, OWNER OF PROPERTY LOCATED AT 2400 3<sup>RD</sup> AVENUE, WATERVLIET, NEW YORK, SEEKING A USE VARIANCE TO CONVERT PROPERTY INTO TWO APARTMENTS AND A BARBERSHOP**

Eric Panichi was present at the meeting. Eric explained that he would like to run a barbershop on the first floor with four barber chairs and make two apartments – one which he will live in. The loan assessor he is working with was suggesting rezoning the building to R3 zoning district, but the City cannot do spot zoning. The entrance to the barbershop would be from 24<sup>th</sup> Street. Shop would be open six days a week from 8:00 a.m.-8:00 p.m. There is a lot on the side for off-street parking. The barbershop would be needed in order to make a reasonable return after the renovations.

Regarding SEQR the board concluded 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 Mr. Keefer and seconded by Mr. Such to approve the SEQR findings.

	YES	NO
Frank Gilchrist	X	
Dave Such	Second	
Ken Keefer	Motion	
Michelle Jamrosz	X	

The Watervliet ZBA weighed the effects of the requested variance on the interests of the applicant and on the health, safety and welfare of the neighborhood and community and makes the following findings: (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 he needs the income from the barbershop to offset expenses and make the necessary improvements; (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 of the size and layout of the building; (3) The requested variance will not alter the essential character of the neighborhood because it will not change the overall appearance of the structure; (4) The alleged hardship was self-created because the original condition of the building and use was for a club. The owner is trying to improve the structure and conform to residential area.

A motion was made by Mr. Gilchrist and seconded by Mr. Keefer to grant the application with the following stipulations: (1) Snow removal cannot go into the road and must be removed from property; (2) Any new lighting must be downfacing; (3) Garbage can to be placed in the rear; (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, this variance shall be deemed null and void.

	YES	NO
Frank Gilchrist	Motion	
Dave Such	X	
Ken Keefer	Second	
Michelle Jamrosz	X	

**CONSIDERATION OF APPLICATION OF GHULAM ALI AZRAKSH, OWNER OF PROPERTY LOCATED AT 601 23<sup>RD</sup> STREET, WATERVLIT, NEW YORK, SEEKING A USE VARIANCE TO CONVERT PROPERTY INTO TWO APARTMENTS AND A RETAIL STORE/CAFÉ**

Ghulam Ali Azraksh purchased the property located at 601 23<sup>rd</sup> Street (R2 Zoning District) and is looking to rehab with two apartments and a retail store/café. He is still in the planning stages of exactly what he is looking for as far as the business portion of the building. The City needs a lot more information in order to go forward. He needs to provide the City with a building plan including seating, floor layout, hours of operation, concept style plans for the entire project (including apartments), etc. One neighbor spoke in favor of someone developing the building but did mention that cars/parking is tight on the street. A motion was made by Mr. Gilchrist and seconded by Mr. Such to table the application.

	YES	NO
Frank Gilchrist	Motion	
Dave Such	Second	
Ken Keefer	X	
Michelle Jamrosz	X	

**CONSIDERATION OF APPLICATION OF AHMED AWAIS, OWNER OF PROPERTY LOCATED AT 2402 7<sup>TH</sup> AVENUE, WATERVLIT, NEW YORK, SEEKING AN AREA VARIANCE TO CONSTRUCT A TWO-FAMILY HOME ON A NON-CONFORMING LOT**

Ahmed Awais is the owner of property located at 2402 7<sup>th</sup> Avenue, Watervliet, New York, and he is looking to build a two-family home on a non-conforming lot. There is a discrepancy on the size of the lot – tax map says 35 x 62 and owner says 45 x 62. There was a one-family home on the lot that was recently demolished, but there was a two-family some time ago. He is looking for a one apartment upstairs and one apartment downstairs. He mentioned a driveway, but this is a meeting specifically for the area variance and not for parking – although Joe Lacivita, the City’s General Manager, did make it clear a driveway would not be allowed. One neighbor spoke in favor of the project.

Regarding SEQRA, the City of Watervliet Zoning Board of Appeals determined that the proposed action is a Type II action and that no further review relative to this proposal is required by SEQRA. A motion was made by Mr. Such and Seconded by Mr. Gilchrist to approve SEQRA finding.

	YES	NO
Frank Gilchrist	Second	
Dave Such	Motion	
Michelle Jamrosz	X	
Ken Keefer	X	

The Watervliet Zoning Board of Appeals weighed the effects of the requested variance on the interests of the applicant and on the health, safety and welfare of the neighborhood and community and makes the following findings: (1) The requested area variance will not create an undesirable change to the character of the neighborhood or detriment to nearby properties because the footprint remains the same, and a new structure will fit into the neighborhood; (2) The benefit sought by the applicant cannot be achieved by some other feasible method because this is a residential neighborhood; (3) The requested area variance is not substantial because owner is using the same footprint; (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 an existing residential parcel being used for same; (5) The alleged difficulty was not self-created because of the existing lot size.

A motion was made by Mr. Keefer and seconded by Mr. Gilchrist to grant the application with the following stipulations: (1) Off-street parking spaces have been denied and are not to be incorporated into the blueprint of the construction of the home; (2) The applicant shall comply with all required permit approvals and all other applicable provisions of the Code of the City of Watervliet, (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 variance shall be deemed null and void.

	YES	NO
Frank Gilchrist	Second	
Dave Such	X	
Ken Keefer	Motion	
Michelle Jamrosz	X	

Meeting was adjourned 7:15 p.m.