



CITY OF RENSSELAER
PLANNING AND DEVELOPMENT AGENCY
BUILDING & ZONING
CITY HALL, 62 WASHINGTON STREET
RENSSELAER, NEW YORK 12144-2696
Planning (518) 465-1693 Building (518) 462-5489 Fax (518) 465-2031

Minutes of the Regular Meeting of the City of Rensselaer Zoning Board of Appeals
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
September 27, 2010

Members Present:

Chair – Gene Hilstro, Vice Chair – Bill Bulnes, Nancy Hardt, Paula Micheli, Terance Ruso

Members Not Present:

Nancy Johnson, Michael Scott

Staff Present:

Sarah Crowell – Director of Planning, Kevin McLoughlin – Assistant Director of Planning, Jack Spath – Deputy Corporation Counsel

Others Present

Walt Stager

Call to Order:

The regular meeting of the City of Rensselaer Zoning Board of Appeals was called to order at 6:02 PM. Roll call was taken and it was determined that there was a quorum.

Adoption of Past Meeting Minutes:

The minutes of the regular meeting of August 23, 2010 and the special meetings of September 7, 2010 and September 13, 2010 were approved as submitted and without correction.

Old Business

NONE.

New Business

- 1. Walt Stager, 1016 4th Street** – request for an Area Variance to allow a 6’ high stockade fence 10’ less than the 25’ minimum required setback from the curb.

Walt Stager said that having dogs he felt the need to enclose his yard. Since he lacked a back yard, he wanted to use this side yard for the dogs.

Mr. Ruso asked how far back from the sidewalk the house façade was. Mr. Stager replied he did not know exactly, but pointed out that many of the homes on the block were right next to the sidewalk. It was determined that the building façade was 4’ from the sidewalk.

Mr. Ruso asked about the fence height. Walt Stager confirmed that he wanted to install a 6’ fence along the front of the property and a 4’ fence to the side and rear.

Mr. Spath asked if the fence would cross the driveway. Walt Stager responded that he planned to install a swing gate across the driveway.

Ms. Hardt asked if it was 30’ from the house to the driveway. Walt Stager responded that it was 30’ from the house to the edge of the property.

Walt Stager stated that there had been mischief in the neighborhood from some youths, including a neighbor’s vehicle being stolen. He stated that a neighbor’s dog often got loose, and he hoped the fence would serve as a security measure to exclude both the dog and trespassers from his yard.

Mr. Ruso asked if the applicant would be amenable to moving the fence line back to a point even with the façade of his house. Walt Stager responded that he preferred to place the fence close to the sidewalk so as not to lose this area for his yard and referred to the many properties where homes were built adjacent to the sidewalk.

Chair Hilstro opened the public hearing at 6:12 PM.

Hearing no one else to speak for or against the project, Chair Hilstro closed the public hearing at 6:13 PM.

Relying on the assertion of a changing neighborhood and security issues presented by the applicant, Mr. Bulnes moved to Grant an Area Variance allowing a 6’ stockade fence closer than 25’ from the curb with the following stipulations: that the fence be painted a color complementary to the owner’s and neighbors’ homes; that the green space areas in front of the fence be landscaped to mitigate the appearance of a wall; and that the fence be located no closer than 24” (2 feet) from the inside edge of the sidewalk. Ms. Hardt seconded. The motion was approved 4 to 1 in favor.

Other Business:

NONE.

Adjournment:

Hearing no objections, Mr. Hilstro adjourned the meeting at 6:20 PM.

Next Meeting:

The next regular meeting is scheduled for October 25, 2010 at 6:00 PM

Record of Decisions:

An official record of decisions noting the details of motions from this meeting along with conditions & stipulations has been filed with the City Clerk and a copy maintained in Planning Department records.

Respectfully submitted,

Sarah Crowell
Secretary