



CITY OF RENSSELAER
PLANNING AND DEVELOPMENT AGENCY
BUILDING & ZONING
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Minutes of the Regular Meeting of the City of Rensselaer Zoning Board of Appeals
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
October 25, 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

Charlie Twiss, Regina McNelis

Call to Order:

The regular meeting of the City of Rensselaer Zoning Board of Appeals was called to order at 6:10 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 September 27, 2010 was approved as submitted and without correction.

Old Business

NONE.

New Business

- 1. Scale Service & Supply, 344 South Street** – request for Use Variance to allow construction of a 3'x5' free-standing sign at a business property entrance along the roadway in a commercial-industrial (CI) zoning district.

Charlie Twiss said that based on conversations he had with the Planning Office that DOT would not allow signs on their ROW which is very wide along his property. Therefore he would not be able to place a 3'x5' sign close to the roadway, and that size would be too small if placed near his building. He requested that his application be re-considered as an Area Variance to allow double the signage area allowed under zoning (30 square feet) for his property frontage to be split between two signs of equal size. These signs would be located on the south and east faces of his building.

Mr. Ruso noted that the building was significantly lower than the roadway in this location, reducing visibility of the business.

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.

Mr. Ruso moved to Grant an Area Variance of 30 square feet over the maximum 30 square feet to allow placement of two signs of equal size on the south and east face of the building in order to make the business establishment visible for deliveries relying on the fact that the site is significantly below the level of the roadway and a very wide DOT ROW along the frontage does not allow placing a smaller sign close to the driveway entrance and closer to 9J where it would be visible. Mr. Bulnes seconded. The motion was unanimously approved.

- 2. Regina McNelis, 10 Riverside Avenue** – request for Area Variances of 5' on the south lot line & 2' on the north lot line from the minimum 5' required side yard and 9' from the 12' total required side yards to allow construction of a porch in a historic residential (HR) zoning district.

Regina McNelis briefly described the plans to build a new porch with historic design elements.

Mr. Ruso noted that neighbors, including Fort Crailo had been notified and the fact that they were not present was an indication that there was not opposition to the project. Mr. McLoughlin added that he had spoken with the Fort Crailo Site Director / Manager who was fully supportive of the project.

Mr. Hilstro asked what the distance was between the applicant's porch and the structure next door. Mr. McLoughlin related that the drawings showed a separation of one foot at the base of the structures, but the applicant's architect had explained that the roofs would abut but have different pitches (requiring special flashing).

Mr. Ruso asked if the structure would be made out of wood and if fire-rated materials were needed. Mr. McLoughlin related that this point had been raised with the Building Inspector who stated in a staff meeting that fire separation was not needed between the row-house porches.

Mr. Bulnes and Mr. Hilstro asked about the different roof pitches. Mr. McLoughlin related that at the Planning Commission meeting, the applicant's architect stated that the roofline was chosen in order to keep undisturbed the bay windows on the first and second floors.

Mr. Bulnes asked what would happen to the neighbor's porch once the applicant's structure was taken down. Regina McNelis responded that the neighbor's porch would receive exterior improvements if it was found to be unfinished when exposed. Mr. McLoughlin confirmed that the the City funding program's bidding document would include this provision.

Chair Hilstro opened the public hearing at 6:25 PM.

Hearing no one else to speak for or against the project, Chair Hilstro closed the public hearing at 6:26 PM.

Chair Hilstro led the board in review and completion of a Full EAF, because Fort Crailo was on the National and State Registers of Historic Places and the work was being funded through a city-managed program.

Relying on the completed Full EAF, Mr. Bulnes moved to Declare the ZBA as Lead Agency and Issue a Negative Declaration. Ms. Hardt seconded. The motion was unanimously approved.

Mr. Hilstro moved to Grant Area Variances of 2' from the minimum side yard for the north lot line, 5' from the minimum side yard for the south lot line, and 9' from the required total side yard to allow construction of a historic-styled porch. Mr. Bulnes seconded. The motion was unanimously approved.

Other Business:

NONE.

Adjournment:

Hearing no objections, Mr. Hilstro adjourned the meeting at 6:43 PM.

Next Meeting:

The next regular meeting is scheduled for November 22, 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