

## Schenectady Board of Zoning Appeals

### Minutes

June 7, 2023

#### I. CALL TO ORDER

**Commissioner Mr. Gleason** called the meeting to order at 6:30 p.m.

After calling the meeting to order, **Mr. Gleason** explained to the members of the public how the consideration of the applications would proceed. He stated that the applicants would have an opportunity to make their presentation to the Board, followed by any members of the public who would like to speak in favor of the application. Next any members of the public in opposition to the application would be invited to speak, followed by any further discussion or questions the Board Members wished to put forth prior to the vote. He added that after the initial presentation of the proposal the applicant would not be given another opportunity to comment unless directly questioned by a Board Member. The meeting is being recorded.

#### II. ROLL CALL

**PRESENT:** James Gleason, Chair; Mary D'Alessandro-Gilmore; Helene Lester, David Connelly, Austin Erickson, Chris Marney, Assistant Corporation Counsel, and Sylvia Jimison, Development Staff.

III. **EXCUSED:** Fred Clark and Brendan Keller

#### IV. CONFLICT OF INTEREST CHECK

None.

#### V. APPROVAL OF MEETING MINUTES

The minutes were approved for the May 3, 2023, meetings. The motion was made by **Commissioner Connelly** and seconded by **Commissioner Lester**.

*Motion carried unanimously.*

VI. **Applications: Old Business – None**

VII. **Applications: New Business**

- A. Teekah Lachman** requests a use variance for 820 Strong St. (tax parcel 49.40-2-7), located in an “R-2” Two -Family Residential District to use four dwellings where two are allowed, pursuant to Section 264 Attachment 1 Schedule A.

The applicant came before the commission to request a use variance for 820 Strong Street, a two-family residential district, to use the building as a 4- unit residential site. The applicant has an application pending to purchase the city-owned property. He was asked by the commissioners the following questions:

- If the property was ever used as a 4-unit structure?
- If there were 4 utility meters on the property?
- How long the property has been vacant?
- If the tax bills classified the property as a 4-unit site?
- Will there be off-street parking for the site (applicant said he is trying to reach owner for a nearby parking lot for use of space)
- What will be the reasonable profit for the 4-unit structure?

Also, Counsel Marney thought that there might be a contingency variance because it was not permitted. It was part of the approval for the sales process.

The application was tabled because the applicant did not show alleged hardship was created and need to explain the financial costs of the unit as a 4-unit and as a 2-unit-a side-by-side comparison. Can or cannot realize a reasonable profit for the allowable use? What would be a reasonable return if the unit had to be converted back to a 2-unit?

The applicant has not purchased the property yet and is under contract. The applicant owns the property next door to 820 Strong Street. He owns the property at 818 Strong Street.

## **RESOLUTION**

A motion was made by **Commissioner Connelly** and seconded by **Commissioner Lester** to table the application because the applicant did not meet the 4 standards for variance and would need to provide financial details for the property to be a 4-unit from a 2-unit dwelling. The applicant was requested to return to the BZA commission with a revised application.

*Motion carried unanimously.*

- B. Narine Premchan** requests a use variance for 1106 Union St. (tax parcel 39.83-2-3), located in an “R-3” Multiple-Family Residential District to use the premises for a hair salon pursuant to Section 264-104 D. (3).

The applicant came before the commission to request a use variance for 1106 Union Street and it was determined that his application should have been presented to the Planning Commission. It was determined that the property was in a three-zoning district (R3) where commercial uses are permitted with a special use permit on the first floor of the property. The applicant was provided the opportunity to withdraw the variance use application and to resubmit to the Planning Commission.

## **VIII. Other Business - none**

**VIII. Adjourn** 7:02 p.m. motioned by Commissioner Connelly and seconded by Commissioner Lester.

*Motion carried unanimously.*

**X. Other Business - none**

**XI. Adjourned 6:57 p.m. Commissioner Gleason made motion to adjourn and seconded by Commissioner Ms. D'Alessandro-Gilmore**