

**City of Schenectady  
Board of Zoning Appeals  
Meeting Minutes  
July 6, 2022**

**I. CALL TO ORDER**

Mr. Gleason called the meeting to order at 6:31 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.

**II. ATTENDANCE**

**PRESENT:** James Gleason, Chair; David Connelly; Brendan Keller; Mary D'Alessandro-Gilmore; Helene Lester; Matthew Smith, Senior Planner; Chris Marney, Assistant Corporation Counsel; Sylvia Jimison, Development Staff.

**EXCUSED:** Fred Clark; Nora Garrett, Zoning Officer

**III. CONFLICT OF INTEREST CHECK**

None.

**IV. APPROVAL OF MEETING MINUTES**

Motion by Mr. Gleason, seconded by Mr. Keller, to approve the Minutes of the June 1, 2022 meeting as submitted.

*Motion carried unanimously.*

**V. APPLICATIONS**

- A. **AIK Property Group, LLC** requests an area variance for 1101 and 1107 Barrett Street and 519 South Avenue (tax parcel #'s 39.57-4-29, 30 and 32), located in a "C-4" Downtown Mixed-Use Commercial District, to allow for nine (9) off-street parking spaces where 13 are required, pursuant to Section 264-44 B of the zoning ordinance.

**Pam Swanigan** began the presentation stating that AIK Property Group, LLC is a family-owned business since 2018 that focuses on its mission to build sustainable quality housing in distressed communities. The homes will be affordable, safe, and for rental. The homes will also serve as a pathway to homeownership. She stated a community meeting was held whereby 18 neighborhood people attended the meeting and was in favor of her company to take care of the vacant lots.

She went onto say that the 2021 Community Needs Assessment indicated that there is a lack of affordable housing in the city and she had also consulted with Richard Homenick at Schenectady Municipal Housing Authority, who indicated that there are over 6,000 people on the waitlist for Section 8 Housing.

**David Kimmer** from ABD Engineers began to discuss the technical details of the project. He indicated that he did the site plan that shows both projects together. He stated there will be a three-story building (row houses) consisting of 9 units and kitty corner to that building will be a two-story building consisting of 16 units. He stated that all of the units will be handicap accessible. He explained that the site will be cleared for the new development, side walks will be completed, and landscaping completed. The materials will be brick and vinyl – residential style.

**Pam Swanigan** added, one consideration that she had reached out to Living Resources to collaborate and has a MOU with the organization. She stated that they will occupy 6 of the 8 one-bedroom units on first floor and that these occupants will not have a need for parking.

**Mr. Keller** asked for how long would the residents from Living Resources occupy the building. **Ms. Swanigan** replied, she is open to having a long-term agreement – 99 years. She continued to state that her company was awarded a grant that was used for pre-development work.

**Mr. Connelly** asked who will be the targeted audience for the rental units. **Ms. Swanigan** stated primary funding is up to 120% AMI and she would like to keep rental rates at 60%-80% AMI, slightly less than 120% AMI. **Mr. Connelly** continued to inquire about the number of bedrooms and **Ms. Swanigan** stated, there will be 1-, 2-, and 3-bedroom units. She stated that Richard Homenick advised her that 3-bedroom units are needed for families.

**Mr. Keller** wanted to know if the conditions of her funding was contingent upon housing individuals with disabilities. He also stated he was concerned about the long-term parking stress on the neighborhood.

**Mr. Gleason** interjected, and explained that the board can not make the decision contingent on the types of individuals that will be residing in the buildings even if those with disabilities would likely have less need for parking.

**Chris Marney** stated, any conditions must be specific to the variance relief that is being requested and anything else would be outside the scope of what is being asked for. The parking variance, if wanted to have something that's more specific such as density issues that would generate more parking. For now, the parking involves Living Resources, but in the future, it could be different and require more parking for the site. He went onto say that it could get tricky.

**Mr. Gleason** invited comments from the public.

**Comments from the public:**

**David Hogenkamp**, Schenectady Metroplex Authority, stated, he was very pleased with the meeting that was held with the neighbors at the library, and he strongly supports the AIK Property Group and Ms. Pam Swanigan. He went on to say, from “a land bank perspective we appreciate this project it’s a connection to downtown. We spent a lot of resources to demolish the buildings there. We do control within 500 feet two parking lots and we offer residential parking passes for those that need them.”

**Stephanie Irto** stated that she lives on Barrett Street and there there's really not a whole lot of additional street parking. Also, she explained that on festival dates are very few available on-street parking spaces.

She said, “I just feel like it could be designed in a way that they do allow for parking, either reducing the amount of units or having parking since they're all for lots, why not just shape the building size and the parking so we know not at the front entrance that we have that one street, if you go on the side entrance of the park alongside the back of the building. That would be a good solution for possibly on the ground level, create parking and then have apartments above that can also create additional parking. Regarding the parking lot, since there's three different parcels How would you ensure that they're never sold separately from each other since we're taking a lot someone just decided to sell the parking lot at some point and others?”

Stephanie also expressed concerns about caretakers that would park at the site, the city adding more parking regulations, and parking during the winter.

**Xavier Medellin**, stated he lives on Barrett Street, and suggested building a parking structure across the street and not in favor of having just the simple parking spaces that are being proposed. He was also concerned about snow days and holidays.

**Mr. Gleason** closed the meeting for board members to vote on the projects separately.

**Mr. Keller** had concerns about mitigating factors and parking rights. In addition, other board members had concerns about the parcels and if parking will be around for the future.

The board members decided to table the projects for a parking plan with either an MOU, Parking Agreement, or deed restriction that ties the two projects together to ensure the parking lot will remain available for the residential development. Ms. Swanigan stated she is willing to follow whatever recommendations are for the project.

### **Recommendations to table project:**

In the parking plan should be something that ties the parking lot to the two properties, so that there's some sort of assurance for the board that that parking is going to be around for the two buildings for a while and to help soften that area.

Come back next month and then the board could apply that as a condition if they were going to grant the variance.

Develop a proposal for how to tie parking into the other two properties, either by way of an easement or some sort of restrictive covenant. If the properties are going to be titled two separate entities, some sort of shared parking agreement between the properties, so that the board could come up with a condition to apply to a possible approval for the variance that would serve to address concerns that that parking lot could be sold or other occurrence.

Work with Matt Smith in the Department of Development and the Law Department with some suggestions for the parking plan.

**Motion by Mr. Connelly, seconded by Ms. D'Alessandro-Gilmore to table application.**

*Motion carried unanimously.*

- B.** **AIK Property Group, LLC** requests an area variance for 1052 and 1062 Barrett Street and 608 South Avenue (tax parcel #'s 39.65-2-33.1, 34 and 35.1), located in a "C-4" Downtown Mixed-Use Commercial District, to allow for five (5) off-street parking spaces where 24 are required, pursuant to Section 264-44 B of the zoning ordinance.

**Motion by Mr. Connelly, seconded by Ms. D'Alessandro-Gilmore to table application.**

*Motion carried unanimously.*

## **VI. MOTION TO ADJOURN**

Motion by Mr. Connelly, seconded by Ms. Lester, to adjourn the meeting.

*Motion carried unanimously.*

The meeting was adjourned at 7:31 p.m.