

1 S T A T E O F N E W Y O R K
2 COUNTY OF JEFFERSON

3 -----
4 ZONING BOARD OF APPEALS

5 PUBLIC HEARING

6 #624

7 Area Variance to increase the maximum lot area
8 coverage in a Commercial District

9 -----
10 ZONING BOARD OF APPEALS

11 PUBLIC HEARING

12 #625

13 Area Variance to increase the maximum allowed square
14 footage of signage per occupant in a Commercial District

15 -----
16 ZONING BOARD OF APPEALS

17 PUBLIC HEARING

18 #626

19 Area Variance to decrease the minimum side yard setback
20 in a Commercial District

21 -----
22 ZONING BOARD OF APPEALS

23 PUBLIC HEARING

24 #627

25 Area Variance to increase the maximum lot width in a
26 Residential District

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1 245 Washington Street
2 Watertown, New York 13601
3 Wednesday, August 19, 2026

4 B E F O R E :

5 Chairperson: James Corriveau

6 Board Members: Adam Ruppe
7 Lance Evans
8 Anthony Velasquez

9 Senior Planner: Geoffrey Urda

10 City Planner: Joseph Albinus

11 City Attorney: Joseph V. Frateschi, Esq.

12 Reported by: Taryn D. Leonard, RPR
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TARYN D. LEONARD, RPR

ZONING BOARD OF APPEALS

1 CHAIRPERSON CORRIVEAU: Well, it's 7:00,
2 folks. Let's get the meeting started. I'll call it to
3 order.

4 We'll start with roll call.

5 Adam Ruppe?

6 ADAM RUPPE: Here.

7 CHAIRPERSON CORRIVEAU: Anthony Velasquez?

8 ANTHONY VELASQUEZ: Present.

9 CHAIRPERSON CORRIVEAU: Lance Evans?

10 LANCE EVANS: Here.

11 CHAIRPERSON CORRIVEAU: And I'm
12 James Corriveau.

13 So we have a quorum.

14 Let me introduce the staff that we've got
15 here tonight. We've got Senior Planner Geoff Urda,
16 City Planner Joe Albinus, our attorney, Joe Frateschi,
17 and the court reporter, Taryn Leonard.

18 And I'll start by reading the public notice
19 that was out for this.

20 Notice of public hearings request for
21 variances of the zoning ordinance of the City of
22 Watertown, New York. Notice is hereby given that the
23 Zoning Board of Appeals of the City of Watertown,
24 New York, will meet on Wednesday, August 19, 2026, at
25 7 p.m. in the City Council Chambers on the third floor

TARYN D. LEONARD, RPR

ZONING BOARD OF APPEALS

1 of City Hall for the purpose of hearing four variance
2 requests.

3 Variance Request Number 624 is for the
4 property located at 111 Breen Avenue, being Parcel
5 Number 8-01-214.100, submitted by Puccia Olive Oil
6 Company, LLC, to increase the maximum lot area
7 coverage.

8 Variance Request Number 625 is for a property
9 located at 1283 Arsenal Street, being Parcel
10 Number 9-22-101.111, submitted by Allied Sign Company
11 to increase the maximum signage per occupant.

12 Variance Request Number 625, that's what it
13 says, but, I guess, it's meaning 626, is for the
14 property at 521 Hamlin Street, being Parcel
15 Number 11-08-215.000, submitted by Matthew Resch to
16 reduce the minimum side yard setback.

17 And Variance Request Number 626 [sic] is for
18 the property at 716 Eddy Street, being Parcel
19 Number 8-01-108.000, submitted by Scott Kolb, PLS, to
20 increase the maximum lot width.

21 The hearing may be adjourned, if necessary.
22 Meeting's open to the public. Copies of the above
23 requests are available for public inspection by
24 contacting the planning department at (315)785-7741 or
25 by e-mail at planning@watertown-ny.gov, Geoff Urda,

ZONING BOARD OF APPEALS

1 Senior Planner.

2 So let me start by asking for a motion and a
3 second to open the public hearing.

4 ADAM RUPPE: So moved.

5 ANTHONY VELASQUEZ: Second.

6 CHAIRPERSON CORRIVEAU: All in favor?

7 ADAM RUPPE: Aye.

8 ANTHONY VELASQUEZ: Aye.

9 LANCE EVANS: Aye.

10 CHAIRPERSON CORRIVEAU: So we open.

11 And we'll start with Breen Ave., Number 624,
12 variance request.

13 This is an area variance to increase the
14 maximum lot area coverage in a commercial district.
15 The zoning ordinance calls for 70 percent maximum lot
16 area coverage. The applicant's submissions shows
17 84.4 percent lot area coverage.

18 I'd invite the applicant or their
19 representative to present the petition, approach the
20 microphone, and state your name and address.

21 GEOFFREY URDA: Tom, do you want the
22 satellite or your drawing?

23 TOM ROSS: That's good for now, Geoff. Thank
24 you.

25 GEOFFREY URDA: All right.

ZONING BOARD OF APPEALS

1 TOM ROSS: Yep. Tom Ross, Storino Geomatics.
2 We've been here, so I'll give a brief
3 background.

4 As we previously discussed, this is part of a
5 greater plan with the Marcy Spa; shared parking, you
6 know, off hours for the restaurant business, off hours
7 for the nail salon, and, I guess, beautification
8 business don't mesh. So it's a shared parking
9 agreement. I think Marcy is working on current site
10 plans.

11 The request tonight is lot coverage. With
12 the added parking of 11 spaces, it would be 84 percent
13 of the lot. Primarily, the existing lot, I think, is
14 north of 90 percent coverage currently, so even with us
15 being -- with the new proposed stuff, if you were to
16 take that as a lot, you know, we're more of around 65
17 to 70 with the actual area that we're working on. So
18 that's the request. 84 percent is going to be the
19 entire lot part -- or the entire parcel coverage, and
20 the city requirement -- or the max is 70.

21 So I'll take any questions or concerns.

22 CHAIRPERSON CORRIVEAU: Adam?

23 ADAM RUPPE: Well, the first thing that comes
24 to mind is, why are we here for a third time? What's
25 changed since last time?

ZONING BOARD OF APPEALS

1 TOM ROSS: Nothing's changed, sir. This is a
2 miss by myself is all I can say so ...

3 The plans, quite frankly, it's gotten to be
4 less lot coverage recently through the last planning
5 board submission. And, quite frankly, I missed that
6 portion of the code with the -- the lot constraints.

7 ADAM RUPPE: Yeah. The diagram does look
8 different than the last time. It doesn't have a
9 connection to the neighboring lot involved.

10 TOM ROSS: Yeah. So this went through site
11 plan modification at the last city council -- or city
12 planning board meeting. Reason for that is Marcy Spa
13 is looking at additional work and additional purchases
14 in the area, so, you know, it was kind of an odd
15 scenario where we would be tied to a commercial DOT
16 driveway access on a parcel that's not owned by
17 Puccia Olive Oil Company, so to clean that up, we came
18 with this plan. The master plan was still submitted as
19 part of it. The owner still supports that.

20 It's more of a timing issue with what
21 Marcy Spa wants to do going through the planning
22 process, engineering, things of that nature, so, you
23 know, Mr. Puccia would like to get this built. So that
24 was -- that was, I guess, the major change in the
25 amendment process.

ZONING BOARD OF APPEALS

1 ADAM RUPPE: So the other concern I have here
2 is about stormwater drainage. There's quite a bit of
3 water down there right now when it rains, and the more
4 impermeable pavement you put on it, the more that
5 problem is liable to, you know ...

6 TOM ROSS: No. Absolutely. That's a good
7 concern. That was a concern of the city engineering
8 department, a comment through the entire site plan
9 approval process.

10 We are proposing an additional dry well -- an
11 additional dry well to capture most of this water.
12 There is an existing dry well in the parking lot that
13 exists behind the building that will take a small
14 portion of kind of the little access drive that we
15 couldn't capture with this.

16 So good concern. That was strongly vetted
17 with city engineering through the process.

18 ADAM RUPPE: Okay. Well, my last question
19 is, on the existing lot, if you go to a satellite
20 picture, there is -- when you drive in, you can go --
21 you can park next to the building, and then you can
22 drive in next to it. Would it be possible to remove
23 some of the existing pavement to bring that percentage
24 down and possibly help with water that way, too?

25 TOM ROSS: The current -- I'm not sure if

ZONING BOARD OF APPEALS

1 you've been over there. I've parked in those areas.
2 Kind of the access drive to the rear is quite tight to
3 get in and out of. I -- you know, I don't know the
4 exact dimension of that drive aisle right now, but I --
5 I just don't see that as feasible for easy backing and
6 turning movements and people in and out of that
7 facility.

8 ADAM RUPPE: All right. That's all I have at
9 this time.

10 GEOFFREY URDA: Barely wide enough for
11 two-way traffic, 23 feet.

12 TOM ROSS: Yeah. Typically, we like to see
13 at least 24 to make it easy, but, you know, you can get
14 away with 22, but it does get tight.

15 CHAIRPERSON CORRIVEAU: Lance?

16 LANCE EVANS: Hi.

17 TOM ROSS: Hello.

18 LANCE EVANS: Can we have this done for the
19 rest of our lives here, I guess, but do you anticipate
20 more variances? I know --

21 TOM ROSS: The -- the city site plan
22 approval -- or through the city planning commission,
23 excuse me, was approved with a contingency, and this is
24 the last contingency --

25 LANCE EVANS: Okay.

ZONING BOARD OF APPEALS

1 TOM ROSS: -- so I don't envision seeing you
2 lovely folks again next month.

3 LANCE EVANS: At least not for this
4 project --

5 TOM ROSS: Right.

6 LANCE EVANS: -- maybe for a different one.
7 Why is the parking lot across the street no
8 longer viable? It's a huge parking lot that nobody's
9 using at night, and I've gone to Pete's -- I park there
10 normally because it's easier. I didn't even know the
11 parking lot in the back was there. My wife and I
12 were -- went over when I was looking at some of the
13 stuff, and she's gone to Pete's more than I have, and
14 she said, I didn't know that was even here so ...

15 TOM ROSS: So my understanding, I don't have
16 a good understanding of this from the owner, is that
17 property is, obviously, not owned by the owner.
18 There's a parking easement within the deed work. This
19 is just an effort by the owner to secure parking on
20 property they own.

21 LANCE EVANS: Okay. And this will no longer
22 connect to Arsenal Street or will it right there where
23 that grass is?

24 TOM ROSS: No. It won't -- it won't ever
25 connect there on this parcel. It'll be --

ZONING BOARD OF APPEALS

1 And I don't have that C104, Geoff. I don't
2 know if you can pull it up.

3 GEOFFREY URDA: It's okay. I can --
4 actually, you know what, we might be able to get it out
5 of the last planning commission agenda.

6 TOM ROSS: So -- and while he's doing that,
7 Lance, there's still a master plan. It just kind of
8 ties into the timing of the Marcy Spa work. They're
9 doing additional work and, I'm -- I'm sure, city
10 planning commission work that would delay this. So in
11 working with the adjoining owner, they're okay with
12 this. And it's just kind of an odd scenario to improve
13 someone else's property kind of ahead of what they're
14 going to do further with their engineers so ...

15 LANCE EVANS: Okay. And will -- I -- I
16 assume they'll have some sign items then showing that
17 you can park back there somewhere. Because, like I
18 said, I've always seen the ones on the side. I've
19 never -- until this came up, I don't know, what is it,
20 three months ago, four months ago --

21 GEOFFREY URDA: Ask and you shall receive.
22 There is your conceptual future.

23 TOM ROSS: Yeah. Again, this is just
24 conceptual. It's been vetted with Marcy. The plan
25 would still be a new DOT entrance. I don't know if you

ZONING BOARD OF APPEALS

1 folks have seen that entrance, but it's very, very
2 narrow to Marcy Spa currently.

3 And, like I said, I'm not privy to what
4 Marcy Spa is planning, but this plan was sent to their
5 engineer, too, for their coordination, and I think
6 there's a note there that's -- you know, obviously,
7 still supports this from a Pete's point of view as well
8 so ...

9 LANCE EVANS: But it doesn't connect to
10 Pete's?

11 TOM ROSS: It will -- it --

12 LANCE EVANS: It may?

13 TOM ROSS: The door is open to allow that --

14 LANCE EVANS: Okay.

15 TOM ROSS: -- you know, pending DOT approval
16 by Marcy Spa and whatever they tend to ...

17 LANCE EVANS: All right.

18 TOM ROSS: So, really, Lance, the crux of the
19 issue is Marcy Spa doesn't have enough parking during
20 peak hours, so a lot of the parking sometimes gets over
21 onto the grass. So Jeff wanted more parking anyway,
22 but the connection would facilitate a shared use --

23 LANCE EVANS: Okay.

24 TOM ROSS: -- you know, between the hours of
25 8 to 5 for Marcy and generally later than that for the

ZONING BOARD OF APPEALS

1 restaurant --

2 LANCE EVANS: All right.

3 TOM ROSS: -- so ...

4 LANCE EVANS: I got one more question, but
5 I'll wait --

6 TOM ROSS: Yep.

7 LANCE EVANS: -- I'll wait until later,
8 because I think I -- I know the answer to that one
9 so ...

10 CHAIRPERSON CORRIVEAU: Anthony?

11 ANTHONY VELASQUEZ: My question was regarding
12 storm drainage and -- or stormwater drainage, but I had
13 my question answered.

14 Thank you.

15 CHAIRPERSON CORRIVEAU: Okay. I looked at
16 the stormwater as well, and it's kind of a unique
17 situation you got there with that dry well sitting in
18 the middle of the parking lot and everything grades
19 right to it. It's like a little bowl.

20 TOM ROSS: It is. The pure low point of the
21 property is right where that is. You know, to get
22 access, we couldn't have, really, a pure low point just
23 with the grades there, so we'd like to see that with
24 this one, but we couldn't, so we just -- we did pitch
25 as much of the parking that direction, but that

ZONING BOARD OF APPEALS

1 existing one will see a touch more flow so ...

2 CHAIRPERSON CORRIVEAU: Yeah. I didn't see
3 any grades on your finished pavement work. I presume
4 it drains right back into that same dry well.

5 TOM ROSS: Yeah. And there's an additional
6 dry well proposed to capture, I would say, the majority
7 of the stormwater before it gets to that other well.

8 CHAIRPERSON CORRIVEAU: You know, I think the
9 intent of the coverage ratio is to, you know, prohibit
10 stormwater from leaving the property going onto
11 somebody else's property. In this case here, it all
12 stays right on your property the way that parking lot
13 is graded right to that dry well 360 degrees. It's
14 kind of unique.

15 TOM ROSS: Concur.

16 CHAIRPERSON CORRIVEAU: The last time around
17 we granted a variance for the parking setback, reducing
18 it down to 7 feet from 20 that was the minimum in the
19 code. Does that apply in the side yard at all?

20 GEOFFREY URDA: No, it does not. That is
21 purely from the street right-of-way.

22 CHAIRPERSON CORRIVEAU: And how about the
23 landscaping buffer strips that are discussed in the
24 code?

25 GEOFFREY URDA: So you -- you had granted a

ZONING BOARD OF APPEALS

1 landscaping buffer relief for when this was the plan --
2 the conceptual plan that Marcy Spa is for the moment no
3 longer a part of, that variance runs with the land, and
4 if the two property owners wanted to work together in
5 the future to connect these, that variance runs with
6 the land, and this section right here would still enjoy
7 the benefit of that. For now, it is my understanding
8 the applicant has chosen to in good faith and meeting
9 with the intent of the code plant grass here and put
10 boulders atop that grass.

11 TOM ROSS: That's correct.

12 CHAIRPERSON CORRIVEAU: And just a couple of
13 other little questions.

14 In the environmental assessment form that you
15 submitted, Item 12(A), you checked yes for historic
16 places. What is that?

17 TOM ROSS: That's the mapper. It's an online
18 tool. I believe, if I'm not mistaken, the closest
19 historic landmark is over by Joe's Tavern.

20 If I'm not mistaken, Geoff, if you can help
21 me with that.

22 GEOFFREY URDA: Yeah. It's an apartment
23 building on Coffeen Street right where the train tracks
24 cross Coffeen at grade. It's not near this site, but
25 it's, I think, close enough that the DEC mapper catches

ZONING BOARD OF APPEALS

1 it for pretty much anything in the same flats.

2 CHAIRPERSON CORRIVEAU: Okay. Those are all
3 my questions.

4 Anything else from the board?

5 ADAM RUPPE: One other thing.

6 If you count the number of new spaces here,
7 it's -- one, two, three, four, five, six, seven, eight,
8 nine, ten -- eleven. Across the street, there's -- I
9 haven't counted it, but it's got to be at least twice
10 that. And so is this going to really make a
11 significant impact in reducing the reliance on that
12 parking lot? Because if you go down there at night,
13 it's often pretty full.

14 TOM ROSS: I mean, that's a good question. I
15 think any parking that you own and control fully
16 without an easement is better than zero, and, I guess,
17 that'd be my response there.

18 CHAIRPERSON CORRIVEAU: Okay. Are there any
19 other property owners adjacent or the public that want
20 to speak to this that are here tonight?

21 ANTHONY DOLDO: Thank you.

22 My name's Anthony Doldo. I live at
23 119 Breen Ave., which is right next door to Pete's
24 restaurant.

25 And in the backyard, you'll see a pool,

ZONING BOARD OF APPEALS

1 that's my yard there that abuts up against his. The
2 storm drain is in the corner by that pool. I don't
3 have any issues with Jeff expanding his parking lot.
4 My concern is stormwater. When you're going to cover
5 it with additional blacktop -- I mean, he does a good
6 job keeping up his restaurant and his cleanliness, but
7 I'm really concerned, especially, you know, the rain
8 the other day that happened, it did build up in that
9 corner.

10 I didn't sit there and watch the whole thing
11 to see how long it took down, but my concern is, is
12 when that ramp comes down off of there, it comes into
13 that back parking lot, how much extra is there going to
14 be that's going to pool into that corner and possibly
15 go into my yard.

16 And I did bring my attorney tonight to talk
17 with you a little bit about the pavement and that stuff
18 there, because I don't understand it all, so I'd like
19 Dave to talk, if he could --

20 CHAIRPERSON CORRIVEAU: Sure.

21 ANTHONY DOLDO: -- on my behalf.

22 Thank you.

23 DAVID GEURTSSEN: Good evening.

24 David Geurtsen.

25 So just some of the technical issues, and

ZONING BOARD OF APPEALS

1 some of them have been raised here, but, you know, as
2 the board's aware, there's legal standards for granting
3 an area variance like this, and I think, in all
4 honesty, that this application doesn't really meet the
5 legal standards on -- it fails on a few points.

6 You know, first of all, I don't know that
7 the -- there's really a proven necessity for this
8 variance. I'm not sure what the necessity for the
9 additional parking is. There's no indication that the
10 easement does not provide -- and I'm talking about the
11 easement on the other side of Breen Avenue, doesn't
12 provide adequate parking or that the improvements that
13 are proposed for this vacant lot couldn't be made over
14 there to -- to augment whatever parking needs there
15 are. And, certainly, as Mr. Evans pointed out,
16 that's -- that's where a lot of people that already
17 patronize the restaurant park in the evening time.

18 There's just no indication other than perhaps
19 the link with the Marcy Spa which is an eventual, you
20 know, plan or prospective plan for an unrelated owner
21 that this is really needed.

22 So for that reason, I think, you know, the
23 applicant really doesn't show that they -- first of
24 all, that they cannot achieve the desired outcome of
25 having additional parking or even the need for

ZONING BOARD OF APPEALS

1 additional parking through some other means.

2 The other point is whether this is a
3 substantial variance to begin with. And I think that
4 when you're looking at a 24 percent overage over the
5 allowed maximum lot coverage on top of some already
6 granted variances that have taken away the rainwater or
7 stormwater buffer area that is built into the code,
8 this is a substantial variance. It's not a de minimis
9 or a minor one to try to get around a site difficulty
10 or what have you.

11 And the other thing that should be pointed
12 out about the site, as some of you probably know,
13 you're putting a 5- or 6-foot drop from Arsenal Street
14 going back into the lot. So, yes, it's definitely -- I
15 appreciate that the applicant has tried to address the
16 water that will come off of that -- that lot, but, you
17 know, as we all know, weather events are less and less
18 predictable and -- I haven't seen -- I know the
19 planning commission has required calculations of
20 stormwater. I'm not clear whether those have actually
21 been submitted. I think it was a condition of their
22 permit -- you know, their final permit that those be
23 submitted. And I'm not sure that the single dry well
24 that's proposed to be added here is going to be
25 adequate. But I do note that, you know, that is a

ZONING BOARD OF APPEALS

1 significant drop, and I haven't heard that they're
2 going to grade it so that it's flat or anything that
3 would reduce the velocity of water traveling down there
4 in a storm event so ...

5 I guess, finally, whether it has an adverse
6 impact on the neighboring property is a little bit up
7 in the air. I don't know that there's a history of
8 flooding that we can point to at this point, but there
9 is a concern. And, again, because of the existence of
10 a significant and a large parking easement right across
11 Breen Avenue, I don't see that this is anything but a
12 self-created hardship. This is in the category of nice
13 to have for the applicant. But necessary? Essential?
14 I don't think it meets that test.

15 And it's definitely in my view what appears
16 to be a self-created problem, so to speak, or a
17 self-created request for -- to use more land and exceed
18 the tolerance of the zoning law so ...

19 Unless there's any other questions ...

20 GEOFFREY URDA: I just want to enter one
21 quick clarification into the transcript. The applicant
22 is seeking 84.4 percent lot area coverage. The
23 commercial district carries a 70 percent lot area
24 coverage maximum. The request represents 120.6 percent
25 of the maximum.

ZONING BOARD OF APPEALS

1 LANCE EVANS: So it's 20 percent more?

2 GEOFFREY URDA: Right.

3 DAVID GEURTSEN: I appreciate that. I'm not
4 trying to mislead anybody on the numbers, but --

5 GEOFFREY URDA: No. Yeah. I just wanted it
6 in the transcript so --

7 TOM ROSS: -- take it --

8 GEOFFREY URDA: -- since -- only for
9 accuracy.

10 Tom, I don't know if you wanted to say
11 anything.

12 TOM ROSS: First of all, we certainly hear
13 the concerns, respect those concerns.

14 Kind of as previously noted, we did work
15 extensively with the city engineering department. We
16 reviewed the stormwater, and stormwater is always a
17 public concern, and it's well taken. We did work
18 through that -- all that with the city engineer.
19 Previously, when the parking lot was first paved, we
20 did percolation testing. It's really good soils.

21 I would argue a little bit that -- you know,
22 that the parking lot is -- I think it is essential to
23 the business. You know, he doesn't own across the
24 street to do any improvements across the street. It is
25 a deeded easement. But I think the -- knowing that you

ZONING BOARD OF APPEALS

1 own your parking lot, and not through a deed on someone
2 else's property, goes a long way for a business owner
3 in continuing to provide good -- good service.

4 So, additionally, like I previously noted,
5 too, if you look at the lot coverage on the current
6 with nothing and you kind of cut out the area where
7 we're doing the parking lot, it's probably 95 percent,
8 if not more. The stuff we're doing here, you know, we
9 tried to our best ability while allowing circulation
10 and things of that nature to meet the code. You know,
11 I think, you know, there is a way potentially that this
12 variance isn't needed through a simple subdivision, but
13 I think it meets the intent of the code with the
14 expansion. I mean, I would argue that it's probably
15 grandfathered in. You know, it's 95 percent lot
16 coverage in what we're doing I would say
17 significantly -- not significantly, but it's under the
18 city code, so -- just because it's one parcel
19 currently, it does put us over the 85 percent so ...

20 ANTHONY VELASQUEZ: Sir, a question. Have
21 the owners across the street expressed concern about
22 the parking for Pete's patrons?

23 TOM ROSS: Not to my knowledge, no.

24 ANTHONY VELASQUEZ: Okay.

25 CHAIRPERSON CORRIVEAU: Did you say --

ZONING BOARD OF APPEALS

1 what -- what is the coverage ratio right now on the
2 entire parcel the way it exists today?

3 TOM ROSS: The way it exists today -- what I
4 said previously was kind of removing all the green
5 space. I don't have that number off the top of my
6 head. We did it based on the proposed versus,
7 obviously, what's within the city code. The developed
8 area, I would argue, is north of 95 percent. There's
9 very, very little buffer around the edges, if any, in
10 those spots.

11 CHAIRPERSON CORRIVEAU: You can see that.

12 But when you add in the green space that
13 exists on the parcel today, that percentage comes down
14 to 70-ish or less. I don't know.

15 GEOFFREY URDA: Lance, and, Anthony, can you
16 guys see around me?

17 ANTHONY VELASQUEZ: Yeah. I'm good. Thank
18 you.

19 LANCE EVANS: It's right there above your
20 head, so we're all set.

21 Mr. Doldo, when it rains now, before we've
22 done any of this work --

23 ANTHONY DOLDO: Yep.

24 LANCE EVANS: -- does that flood into your
25 yard now at all or ...

ZONING BOARD OF APPEALS

1 ANTHONY DOLDO: It does not, but it does
2 pool. That drain is closer to my yard.

3 And just for transparency here, when they did
4 this, the parking lot was paved and that -- what do you
5 call it? The drain -- the drain that's in the driveway
6 was not permitted for and that came up in conversation
7 two or three years ago when they did a deck, and then
8 he extended his deck with no permit and codes came down
9 and they said that the driveway was paved, the drain
10 was in there, so I don't know how any testing was done
11 on it, because it was there for quite a few years.
12 This was all done so ... How they did a perc test
13 prior to, I have no idea, because they went and put it
14 in with no permit.

15 LANCE EVANS: So when you say "pooling," is
16 it actually coming into your yard, too, as part of that
17 pooling or is it --

18 ANTHONY DOLDO: It's pooling in that corner.
19 I mean, we had that heavy rain yesterday. I didn't
20 watch it all --

21 LANCE EVANS: Right.

22 ANTHONY DOLDO: -- but I did take a short
23 video of it and how it pools in the circle and comes
24 around. I didn't stay there long enough. And, again,
25 you got the snow load. My concern is the newer part,

ZONING BOARD OF APPEALS

1 what's not captured, because you'll see now when it
2 rains -- I don't know if it's the north side. Can I go
3 up to the map and point?

4 LANCE EVANS: Sure.

5 ANTHONY DOLDO: Is that okay?

6 So when we had that heavy rain the other day,
7 you could see water coming from here and around the
8 corner of the storm drain that's over here, and it was
9 coming down here, swirling in, and then the driveway on
10 both sides was pooling in, and it probably had a -- I'm
11 going to say probably a 10-foot amount of water around
12 it that was building.

13 LANCE EVANS: Okay.

14 ANTHONY DOLDO: And, again, I don't go out
15 into my backyard when we have the heavy rains just to
16 see. There is a little bit of an elevation there, but
17 my concern is adding the additional and capturing that
18 water, but we don't know what that drain is capable of;
19 at least, I don't, I'm not an engineer. But, again, it
20 was put in without any permit initially, and then
21 eventually they got a whole site plan approval with it
22 in there once. I think he did drawings for them so ...

23 LANCE EVANS: Thank you.

24 ANTHONY DOLDO: You're welcome.

25 DAVID GEURTSSEN: If I can make one other

ZONING BOARD OF APPEALS

1 point.

2 CHAIRPERSON CORRIVEAU: Sure.

3 DAVID GEURTSSEN: Just that -- you know, I
4 understand that the existing structure, existing
5 pavement is perhaps grandfathered, but, you know, when
6 you go to expand the nonconforming use or what have
7 you, you know, that's typically not allowed by the
8 zoning code and it's got to be looked at, you know,
9 closely and that's -- that's what we're saying. I
10 think if you do that here, it doesn't really meet the
11 test either for the variance or -- or for an expansion
12 of the nonconforming at least so ...

13 CHAIRPERSON CORRIVEAU: I'd like to see a
14 couple more things. I'd like the staff to come up with
15 the numbers as they exist today. What is the coverage
16 ratio right now? I mean, you can see it's 95 percent
17 on the developed parcel, but when you add in that green
18 space --

19 GEOFFREY URDA: We already --

20 CHAIRPERSON CORRIVEAU: -- going out to
21 Arsenal, what does it become?

22 GEOFFREY URDA: Well, I got to -- I couldn't
23 answer that right now for -- down to the percentage,
24 but if you look at the entire parcel, which is what's
25 shaded in blue, you know, the maximum is 70 percent,

ZONING BOARD OF APPEALS

1 and based on the applicant's drawing being at 84, to
2 fill in what he's filling in there, only add 14, I
3 mean, I think it's a reasonably educated guess to say
4 that the parcel as it is today is under 70. I don't
5 know if the applicant's AutoCAD abilities would be able
6 to get that to us.

7 TOM ROSS: I could provide that.

8 GEOFFREY URDA: Okay. And then I also just
9 want to note for the record, it's zoned commercial, so
10 a restaurant is a fully legal use in a commercial zone.

11 CHAIRPERSON CORRIVEAU: Yeah. No debate
12 there.

13 I'd also like to see more about the pavement
14 that's going in there. What we saw in the package,
15 there's no grading how that asphalt's going to lay
16 there. I noticed the same thing about when you sit in
17 that parking lot where the little trees are in the new
18 space there --

19 GEOFFREY URDA: Tom, does your site plan have
20 a grading plan?

21 TOM ROSS: It's in the site plan app, yeah.

22 CHAIRPERSON CORRIVEAU: Okay. And this is
23 where there's some, I don't want to say, overlap, but
24 the distinction between the zoning board versus the
25 site planning approval, two different gangs, for sure.

ZONING BOARD OF APPEALS

1 They're looking at different things. We look at just
2 the code, but when you look at the code here, just with
3 the single number, 70 percent being allowed in the
4 zoning ordinance, to really think about that, you got
5 to see the whole picture and how that grading is going
6 to be accomplished there, because it does drop off
7 several feet, like 4 or 5 feet.

8 TOM ROSS: Yeah. As you can see with the
9 grading plan, we do have to catch up quickly. There's
10 no doubt about that. The initial entry there to the
11 asphalt is around 8 percent grade, so the parking lot
12 is generally tilted to capture as much as we can and
13 still meet grade, right? It is tricky, but it does
14 capture about, I would say, 75 percent of the parking
15 lot with that proposed dry well so ...

16 CHAIRPERSON CORRIVEAU: In your discussion
17 with the city engineer about the dry well, did anybody
18 open it up and look at it?

19 TOM ROSS: No.

20 CHAIRPERSON CORRIVEAU: All right. Because
21 one of the dynamics you typically see with a dry well
22 in a parking lot is they take on a lot of oil and --
23 from vehicles and traffic and the sand that you're
24 draining into can go blind over time with these wells
25 and doesn't drain like the day you built it, you know

ZONING BOARD OF APPEALS

1 what I'm saying? I don't know what the sand looks like
2 down there from a civil analysis standpoint and how
3 much water it can take and how big that trowel is and
4 all that sort of thing, but that all goes into that
5 calculus, and I don't know where it stands today given
6 that that dry well's been there a while and may very
7 well have some -- some compromised oils in there that
8 impact all dry wells.

9 So, I guess, I'd like to see what the city
10 engineer come up with and what you're planning on doing
11 with the existing one to verify how much capacity it
12 has as well as where the new one is going to go and
13 what its capacity might be, that all kind of fits into
14 this whole picture.

15 TOM ROSS: Understood.

16 I would like to argue -- or not argue, just
17 point out that there has been no history of flooding,
18 you know, from Pete's or from Mr. Doldo that's been
19 presented so ...

20 CHAIRPERSON CORRIVEAU: But the fact it's --
21 the fact that its surcharge is to the point where
22 Mr. Doldo has seen it with a 10-foot pool on top of the
23 dry well tells you that thing's maxed out at that
24 point. And if that storm had continued --

25 TOM ROSS: Right.

ZONING BOARD OF APPEALS

1 CHAIRPERSON CORRIVEAU: -- who knows how
2 high -- how far it would have gone. I mean, it's a
3 pretty tight relationship between Pete's backyard and
4 Mr. Doldo's backyard. I mean, it's a --

5 TOM ROSS: No. Fully understand.

6 And I can do some additional work, provide
7 some pictures, some condition reports of that dry well,
8 I'll do that.

9 I would also like to note that, you know, I
10 don't see any requirement for Mr. Puccia to treat -- to
11 handle any more than the ten-year storm per the DEC,
12 that's standard commercial. So, I mean, if we get a
13 100-year storm, you see the roads around here get 5,
14 6 inches of rain, everything floods, right? So I think
15 the DEC standard is going to require the ten-year storm
16 to be treated and contained within the property, so
17 just a note, but I can provide all those counts,
18 absolutely.

19 CHAIRPERSON CORRIVEAU: No argument about the
20 design standards. They are what they are.

21 TOM ROSS: Right.

22 LANCE EVANS: So do we need a motion to
23 continue the hearing?

24 CHAIRPERSON CORRIVEAU: I'd like to leave
25 this part of the hearing open.

ZONING BOARD OF APPEALS

1 Does that require a motion, Geoff, to keep
2 this open?

3 JOSEPH FRATESCHI: No. You don't have to
4 make a motion, just --

5 CHAIRPERSON CORRIVEAU: So we'll just do
6 that. We'll keep this part of the hearing open until
7 the next time around.

8 GEOFFREY URDA: I will need a little bit of
9 direction from the board. If the board wishes for the
10 city engineer to appear at the next meeting, I need to
11 arrange that to happen, so you would need to direct me
12 to request it.

13 ANTHONY VELASQUEZ: I would like that.

14 CHAIRPERSON CORRIVEAU: Yeah, me too.

15 LANCE EVANS: Me too.

16 TOM ROSS: Thank you.

17 CHAIRPERSON CORRIVEAU: Okay. So let's move
18 on.

19 GEOFFREY URDA: All right. Give us about 30
20 to 45 seconds here to reorient the map and materials
21 and ourselves. And I think the microphone went out out
22 there, so I'm going to try and change that battery.

23 All right. So the next application is
24 loaded. I'm going to get out of the way. I'll be back
25 up here for the third item.

ZONING BOARD OF APPEALS

1 (Brief pause.)

2 LANCE EVANS: Joe, is this any different than
3 what was sent out other than the fact it's bigger and
4 prettier?

5 JOSEPH ALBINUS: Yes. It has some more
6 information on it.

7 LANCE EVANS: Okay.

8 JOSEPH ALBINUS: I received it the other day,
9 so I --

10 LANCE EVANS: Yep.

11 JOSEPH ALBINUS: -- wasn't able to take
12 the --

13 LANCE EVANS: No problem.

14 (Brief pause.)

15 GEOFFREY URDA: All right. Yep. We're live
16 again.

17 CHAIRPERSON CORRIVEAU: All set there, Joe?

18 JOSEPH ALBINUS: Yes.

19 CHAIRPERSON CORRIVEAU: Okay. So we're
20 looking at Variance 625, 1283 Arsenal Street, an area
21 variance to increase the maximum allowable square
22 footage of signage per occupant in a commercial
23 district.

24 JOSEPH ALBINUS: And I would like to remind
25 the zoning board that we will not be able to vote on it

ZONING BOARD OF APPEALS

1 today as it is with the county since --

2 LANCE EVANS: Oh.

3 JOSEPH ALBINUS: -- how we received it right
4 before the county closed, so we weren't able to get it
5 to the county in time.

6 CHAIRPERSON CORRIVEAU: Okay. So we won't
7 vote on it this time, but we can certainly discuss
8 it --

9 JOSEPH ALBINUS: Yep.

10 CHAIRPERSON CORRIVEAU: -- and if the
11 applicant's here, we can hear his position on it, why
12 not?

13 JOSEPH ALBINUS: Correct.

14 CHAIRPERSON CORRIVEAU: So state your name
15 and address and --

16 GREG FISHEL: Good evening.

17 Greg Fishel, Allied Sign Company, Syracuse,
18 New York. I'm here representing the design team sign
19 company for the Shoe Dept. Encore in Watertown.

20 I wanted to apologize to the board, and
21 especially Joseph. The design team didn't do too great
22 on the sign package, and we had a lot of e-mails back
23 and forth.

24 Thank you, Joseph.

25 JOSEPH ALBINUS: Welcome.

ZONING BOARD OF APPEALS

1 GREG FISHEL: So the square footage on the
2 storefront sign is 206.79 square feet, that is correct,
3 what you guys figured out, and the pylon faces text is
4 39.64 square.

5 So the storefront sign is a standard LED
6 internally illuminated channel letter set. It does
7 have what we call in the industry day/night vinyl.
8 It's perforated. So during the day, it looks black;
9 when it lights up at night, it's white. And then the
10 pylon tenant panels, they would just be replacing what
11 is already existing.

12 CHAIRPERSON CORRIVEAU: So do we have an
13 agreement on the square footage between the staff and
14 yourself?

15 GREG FISHEL: Correct.

16 JOSEPH ALBINUS: Yes. On the -- this one, it
17 is, well, rounded 207.

18 CHAIRPERSON CORRIVEAU: And then how about
19 the one on the marquee up in front of the plaza?

20 JOSEPH ALBINUS: That is rounded 40, but not
21 rounded, we calculated it as 39.64.

22 CHAIRPERSON CORRIVEAU: So we're still over
23 the magic 200?

24 JOSEPH ALBINUS: Yes, on the front side.

25 LANCE EVANS: 46 -- is it about 46 feet --

ZONING BOARD OF APPEALS

1 JOSEPH ALBINUS: Yeah.

2 LANCE EVANS: -- 47 feet, something like
3 that?

4 JOSEPH ALBINUS: 46 feet or about -- or about
5 22 percent over the maximum.

6 LANCE EVANS: Quick question. One of the
7 things that was submitted was a kids sign.

8 GREG FISHEL: Yeah. I apologize again. That
9 is an interior sign.

10 LANCE EVANS: Okay.

11 GREG FISHEL: It has nothing to do with the
12 exterior. The only thing on the exterior would be the
13 Shoe Dept. sign and replacing the --

14 LANCE EVANS: Because I was confused. I
15 looked around the building, and I couldn't find where
16 that would go but ...

17 CHAIRPERSON CORRIVEAU: Questions, Anthony?

18 ANTHONY VELASQUEZ: I had my question
19 answered.

20 Thank you.

21 CHAIRPERSON CORRIVEAU: Adam?

22 ADAM RUPPE: The length justification you
23 gave was proportionate from the building facade, and
24 I'm not very artistic, so if you were to shrink, let's
25 say, 10 percent to get it under the requirement --

ZONING BOARD OF APPEALS

1 GREG FISHEL: I thought -- I've been in the
2 industry probably for 23 years now. You know, everyone
3 thinks that that's big and that's really proportionate
4 to that facade. If you did take it down that much, it
5 would most likely look funny with all the clean space
6 around it.

7 ADAM RUPPE: So is that mostly a subjective
8 aesthetic view, or do you think it also impacts
9 visibility from the partial line --

10 GREG FISHEL: Yeah. It would definitely
11 affect the visibility, and you're coming into the plaza
12 there, people are looking left and right. Can it be
13 done? Anything can be done but ... Just, you know,
14 seeing signs all over the place. Like, a lot of people
15 go that small, and then you have this tiny sign and all
16 this facade. So, A, it looks funny or different, and,
17 B, it is harder to see coming into the plaza.

18 ADAM RUPPE: I see.

19 Thank you.

20 LANCE EVANS: I want to follow that up. I
21 mean, I don't think that if I'm coming to the Shoe
22 Department, I'm either going to see the sign on the
23 monument sign or I'm going to know it's there already.
24 I'm not going to be suddenly drawn in by the fact that
25 there's this store halfway down or a quarter of the way

ZONING BOARD OF APPEALS

1 down, I guess, actually, beyond the Applebee's there
2 and the sign, you know, I'll figure out that that must
3 be the Shoe Department if it says the Shoe Department
4 signing. I know what you're saying about aesthetics,
5 but I don't think it's going -- it's -- there's not a
6 lot of clutter there. It's not like you're going down
7 a busy city street and you can't find a certain store
8 because --

9 GREG FISHEL: Correct.

10 LANCE EVANS: -- the sign's not there. I
11 mean, it's huge. I -- I actually think you probably
12 could shrink it from my standpoint at least, I mean,
13 so ...

14 CHAIRPERSON CORRIVEAU: Okay. I got a couple
15 things here.

16 Have you submitted the sign application?

17 GREG FISHEL: I believe so, yes.

18 CHAIRPERSON CORRIVEAU: Was it approved or
19 disapproved?

20 GREG FISHEL: I believe Joseph got a hold of
21 me and told me we needed to have a variance, so it was
22 denied.

23 GEOFFREY URDA: So I could answer that or,
24 Joseph, if you want to.

25 JOSEPH ALBINUS: It was -- there was one

ZONING BOARD OF APPEALS

1 submitted, but after talking with Matthew Compo, he
2 said that he required more information before it could
3 be approved or disapproved, but there was an e-mail
4 that stated that at the current signage he knew it
5 would get disapproved. It was not an official
6 disapproval, but that it was a foregone conclusion.

7 CHAIRPERSON CORRIVEAU: Okay. I'm just
8 thinking in terms of process. Normally we see in these
9 packets is a statement of denial from the code's office
10 that leads you to go to the SPA --

11 JOSEPH ALBINUS: Yes.

12 CHAIRPERSON CORRIVEAU: -- or the SAP.

13 JOSEPH ALBINUS: Normally there is one, but
14 for this case, since we knew that we wouldn't be able
15 to vote on it this way -- at this time, we figured that
16 we -- better for them to attempt to get anything
17 rounded out for the first meeting.

18 CHAIRPERSON CORRIVEAU: Okay. And then the
19 codes votes on the board with the same numbers, 207 and
20 40?

21 JOSEPH ALBINUS: Yes.

22 CHAIRPERSON CORRIVEAU: Yeah. We've been
23 through quite a discussion months ago on how the square
24 footage is calculated. How did that work out between
25 you and the sign code folks here in the city?

ZONING BOARD OF APPEALS

1 GREG FISHEL: For me, it was a little
2 different. Usually, most places, it's got to be in a
3 rectangle or a square, and that's how it's calculated,
4 but we did go through, I worked with Joseph, and we
5 found the calculations --

6 JOSEPH ALBINUS: Yes.

7 GREG FISHEL: -- for a T.

8 JOSEPH ALBINUS: Since in the initial package
9 he had included this -- this rectangular area on both
10 of these and he also included the black area around
11 here, but the way that we calculated is the closest
12 rectangle that -- well, it -- the closest lines that
13 don't -- that are straight that don't -- like, they
14 can't break off, but I checked with Dana and this sort
15 of stacked T is how we would calculate the area for the
16 sign.

17 CHAIRPERSON CORRIVEAU: Yeah. You can even
18 take some corners off of the S.

19 JOSEPH ALBINUS: I believe it has to be a
20 vertical line.

21 CHAIRPERSON CORRIVEAU: Oh, it has to be
22 right angles?

23 JOSEPH ALBINUS: Yeah.

24 CHAIRPERSON CORRIVEAU: I didn't see that in
25 the Dana's memo from last year.

ZONING BOARD OF APPEALS

1 JOSEPH ALBINUS: That -- that's just my
2 interpretation from speaking with him.

3 CHAIRPERSON CORRIVEAU: Okay. And then how
4 is the -- the marquee sign viewed? There's two signs
5 out there back-to-back and the code has a provision
6 regarding that, too.

7 JOSEPH ALBINUS: Yes. If they're
8 back-to-back and they're not over 2 feet, they count as
9 the same. So, in this case, we only count the one
10 frontage, even though it's dual-faced, since it's a --
11 I'll pull up the code real quick.

12 LANCE EVANS: Well, it says in the memo
13 for -- for signs with two faces closer than 24 inches
14 apart and back-to-back only, one face, the largest,
15 will be used in calculating the surface area.

16 JOSEPH ALBINUS: That is correct.

17 LANCE EVANS: So if they're equal or
18 smaller --

19 JOSEPH ALBINUS: Yeah.

20 LANCE EVANS: -- one side.

21 JOSEPH ALBINUS: Whichever side is the
22 largest is what we use to calculate the signage.

23 CHAIRPERSON CORRIVEAU: And that's this one
24 here with the black background?

25 JOSEPH ALBINUS: Yes.

ZONING BOARD OF APPEALS

1 CHAIRPERSON CORRIVEAU: Yeah. And they are
2 within 24 inches of each other --

3 JOSEPH ALBINUS: Yep.

4 CHAIRPERSON CORRIVEAU: -- back-to-back?

5 JOSEPH ALBINUS: (Nodding head up and down.)

6 CHAIRPERSON CORRIVEAU: Okay. Okay. I
7 guess, that is all the questions I have.

8 Anybody else?

9 ANTHONY VELASQUEZ: You know, in -- you know,
10 in keeping with the discussion of the square footage of
11 the sign, I would like to echo the sentiment that I
12 understand it might be more aesthetically pleasing if
13 the sign were larger, the proposed size, I really don't
14 think it creates too much of a detriment to shrink
15 the -- to shrink the sign. You know, the number that
16 was thrown out was 10 percent. I understand it would
17 not be as aesthetically attractive. I would be a lot
18 more in favor of that.

19 GREG FISHEL: And it could -- it could look
20 right. You know, the Encore is very -- the stroke's
21 very thin. It's not a block letter like the Shoe
22 Dept., so it may look all right at 10 percent. I'm
23 just -- from my past experience.

24 CHAIRPERSON CORRIVEAU: Yeah. You know, the
25 ordinance talks about 2 square feet per lineal footage

ZONING BOARD OF APPEALS

1 of frontage of a building up to a maximum of 200 in
2 this district, and that word's all the way up to 200
3 square feet, and when you're building gets as big as,
4 you know, a UPS warehouse or some such thing, that 200
5 square feet looks a whole lot smaller --

6 GREG FISHEL: It does.

7 CHAIRPERSON CORRIVEAU: -- in comparison to
8 the building mass. I don't know how you account for
9 that. The code says what it says and that's what you
10 got to work with, the ordinance as it's written.

11 That's the scale right there on the front of
12 the building entry?

13 GREG FISHEL: I believe so.

14 CHAIRPERSON CORRIVEAU: And at 247, you know,
15 you're 47 feet over the -- the code allows for 200.
16 And so that's about, what, 23 and a half percent over
17 what the code allows.

18 GREG FISHEL: Okay.

19 CHAIRPERSON CORRIVEAU: So you got to skinny
20 that up by -- by 23 percent or take some off of both
21 signs, the one on the marquee as well as this one.

22 LANCE EVANS: I mean, even this sign here is
23 bigger than what the code allows without the marquee
24 sign.

25 CHAIRPERSON CORRIVEAU: Well, what's the

ZONING BOARD OF APPEALS

1 difference between the two sides of the marquee sign
2 between square footage? One is -- are different from
3 the other. One's smaller.

4 GREG FISHEL: You're talking about the pylon?

5 CHAIRPERSON CORRIVEAU: Yes.

6 GREG FISHEL: So, I guess, I'm not
7 understanding what you're asking.

8 So that is a separated sign cabinet most
9 likely, that could be a flex-base, that's like a banner
10 material. So I understand how you're doing the
11 calculations, but most of the time it's always the
12 cabinet calculated, so --

13 CHAIRPERSON CORRIVEAU: Well, given that,
14 when you look at what you got here, the black and white
15 one's got pretty big size font on the letters, the
16 other one on the other side, that's got the red
17 lettering against the black background, the letters are
18 much smaller. There, you can see them up there on the
19 screen, too.

20 GEOFFREY URDA: Was that meant just to be
21 conceptual?

22 GREG FISHEL: I believe so, yeah.

23 CHAIRPERSON CORRIVEAU: So they'd be
24 identical, the white on black?

25 GREG FISHEL: Oh, actually, it says it's

ZONING BOARD OF APPEALS

1 existing. That photo on the right is the existing,
2 that's what's there now.

3 JOSEPH ALBINUS: I don't believe that is the
4 existing one that's --

5 CHAIRPERSON CORRIVEAU: It doesn't say,
6 Shoe --

7 LANCE EVANS: It doesn't say, Shoe Dept.
8 Encore.

9 JOSEPH ALBINUS: No. Yeah. I believe it is
10 currently blank since JoAnn's --

11 CHAIRPERSON CORRIVEAU: JoAnn's.

12 GREG FISHEL: Okay. I got even more screwed
13 up than the sign package.

14 CHAIRPERSON CORRIVEAU: But your intent is to
15 do two more like the white lettering --

16 GREG FISHEL: Yeah. I would just be
17 replacing the existing faces and what's already there.

18 CHAIRPERSON CORRIVEAU: Yeah. Well, it's an
19 interesting one. You know, on the one hand, it seems
20 to be you could get it down to 200 square feet if you
21 wanted to skinny that one up a bit as well as the one
22 on the building, but by the same token, there's a lot
23 of signs around that plaza. You know, everyone's got
24 one. They're all big in size. I think there aren't
25 many of them like that, but it's a -- like any plaza, I

ZONING BOARD OF APPEALS

1 suppose, big buildings, big signs.

2 Anything else from the board?

3 ADAM RUPPE: Yeah, just one point. The
4 intent of the zoning board ordinance is to try to
5 shrink those in the future, so just because everybody
6 is doing that now, it feels bad to be the first person
7 who has to be smaller when everyone else around you is
8 large, but change has to start somewhere, so if that is
9 the intent of council, we can't completely override
10 that.

11 CHAIRPERSON CORRIVEAU: Okay. There's
12 probably not a whole lot more to say about it tonight.
13 I would really like -- if there's anybody from the
14 public that wants to speak on this one, the opportunity
15 is now.

16 Okay. So we'll keep this portion of the
17 hearing open until the next time, too, when we have a
18 chance to vote on it when the county is done with their
19 portion of it.

20 GREG FISHEL: Thanks very much for your time.
21 Appreciate it.

22 CHAIRPERSON CORRIVEAU: Thanks.

23 JOSEPH ALBINUS: Have a good evening.

24 ANTHONY VELASQUEZ: Thanks. You too.

25 CHAIRPERSON CORRIVEAU: All right. So we'll

ZONING BOARD OF APPEALS

1 move on to the 626 Variance Number. This is
2 521 Hamlin Street, an area variance to decrease the
3 minimum side yard setback in a residential district.
4 The zoning ordinance calls for a minimum 5-foot setback
5 from the side property line. The applicant's
6 submission shows a 4-foot setback.

7 I'd invite you to come up and talk to us
8 about it.

9 MATTHEW RESCH: My name's Matthew Resch. I
10 live and reside at 521 Hamlin Street. I'm not -- I'm
11 here for Matt Cleaver. He's the owner of the property.

12 So we have a panhandle in the back of the
13 property that just pretty much collects vegetation,
14 animals, and wildlife and skunks and groundhogs and
15 debris and whatever else, you know, kind of strolls
16 through there. So we want to clean it up and put a
17 usable shed for the property there. There is no garage
18 on-site. And the shed that is existing has been torn
19 down because it's been -- first of all, it wasn't
20 really built that well and it's rotted over the years.

21 CHAIRPERSON CORRIVEAU: Any questions from
22 the board?

23 Anthony?

24 ANTHONY VELASQUEZ: Do you have the
25 dimensions of the preexisting shed by chance?

ZONING BOARD OF APPEALS

1 MATTHEW RESCH: It was 8 by 10 -- 8-foot by
2 10-foot. It was not in that portion of the property.
3 It was located --

4 ANTHONY VELASQUEZ: Okay.

5 MATTHEW RESCH: -- at a different portion of
6 the property.

7 ANTHONY VELASQUEZ: All right. I have no
8 further questions.

9 Thank you.

10 CHAIRPERSON CORRIVEAU: Lance?

11 LANCE EVANS: Yeah.

12 My question may be stupid -- not stupid, but
13 just ignorant. You're proposing a 12 by 30 shed. If
14 you were to do an 11 or a 10 by 30 -- I've seen 10 by
15 30s. Is there a reason that it's 12 by 30?

16 MATTHEW RESCH: The lumber is dimensional, so
17 we purchase 4-foot wide material. We'd like to use the
18 4-foot wide material instead of wasting the 1-foot of
19 material.

20 LANCE EVANS: Okay. So you're going to
21 construct this yourself, this is not a preconstructed
22 or --

23 MATTHEW RESCH: Correct. I'm a general
24 contractor in the area. I'm fully insured. I live at
25 that residence. I have been for the last four years.

ZONING BOARD OF APPEALS

1 And I'm just trying to make the property better and
2 more usable.

3 LANCE EVANS: And it appears that the 4-foot
4 portion is just that as you're facing at the left
5 corner basically; after that, it gets down to the
6 5-foot if you move further back in the -- from what I
7 could see on your drawing.

8 MATTHEW RESCH: Correct. There's a
9 chokepoint.

10 LANCE EVANS: Yeah.

11 MATTHEW RESCH: So there's a 1-foot
12 chokepoint, that's where we really need the approval.
13 And I've talked to both of the neighboring properties,
14 and right now there's -- there's fences there which
15 are --

16 LANCE EVANS: Uh-huh.

17 MATTHEW RESCH: -- in question whether or
18 not -- whether -- whether they're actually on the
19 proper line or not, but, with that being said, they
20 both are okay with this shed being placed there. I
21 propose to -- if you're looking at this diagram, on the
22 left-hand side of the property facing -- looking from
23 the street side, we will -- I would like to move the
24 whole building to a 4-foot variance which would
25 eliminate that chokepoint, if that makes any sense.

ZONING BOARD OF APPEALS

1 I think, Geoff --

2 GEOFFREY URDA: You meant 4-foot setback,
3 1-foot variance.

4 MATTHEW RESCH: Right. Correct. Correct.
5 I'm sorry.

6 CHAIRPERSON CORRIVEAU: Yeah. You'll be in
7 compliance on one side with 5 feet, the other side
8 chokes down to 4.

9 LANCE EVANS: Uh-huh.

10 CHAIRPERSON CORRIVEAU: Adam?

11 ADAM RUPPE: No questions from me. Given the
12 shape of this parcel, I think that's a unique
13 circumstance.

14 CHAIRPERSON CORRIVEAU: You mentioned the
15 fences. Who owns the fences?

16 MATTHEW RESCH: I believe Jeff Powell. Don't
17 quote me on that. I think he owns the property to the
18 left, but there's -- his property manager, he lives
19 there, and they may be in partner. I'm not sure. I
20 know his name by Brian. I have a really good rapport
21 with him. We help each other out, you know, shoveling
22 driveways.

23 LANCE EVANS: It's Rob Moyer. Rob Moyer
24 lives at 517.

25 GEOFFREY URDA: Rob Moyer --

ZONING BOARD OF APPEALS

1 MATTHEW RESCH: Rob Moyer?

2 LANCE EVANS: Yeah, to the left as you
3 face --

4 MATTHEW RESCH: Right.

5 GEOFFREY URDA: You're saying you think
6 that's Rob Moyer --

7 LANCE EVANS: Yeah.

8 GEOFFREY URDA: -- and then --

9 MATTHEW RESCH: Okay.

10 GEOFFREY URDA: -- this one is
11 Patrick Bigelow.

12 MATTHEW RESCH: Correct.

13 CHAIRPERSON CORRIVEAU: Yeah. In any event,
14 you're not getting -- building -- not disturbing any of
15 the fences that exist today?

16 MATTHEW RESCH: Correct.

17 CHAIRPERSON CORRIVEAU: The package that we
18 got didn't have anything drawn to scale. You know, it
19 was just a couple sketches on graph paper.

20 Has the city staff actually looked at that
21 parcel as it's delineated in the GIS to verify the
22 numbers that we're working with here?

23 GEOFFREY URDA: Yes. The applicant actually
24 came in for a zoning compliance certificate. I spoke
25 with him in my office. We measured it together. I

ZONING BOARD OF APPEALS

1 informed him of the chokepoint and the need for a
2 variance and they denied since he initiated the
3 variance.

4 CHAIRPERSON CORRIVEAU: Okay. Thanks.

5 One of the things in the packet was the
6 letter from the neighbor, Mr. Bigelow, and his letter
7 reads, quote, My wife and I have no issues with this
8 plan for a shed at his property after all, end quote.

9 After all kind of caught my attention. Was
10 there a preexisting issue Mr. Bigelow had with this
11 whole idea?

12 MATTHEW RESCH: No. I've actually just built
13 a really good rapport with my neighbors. I've been
14 helping him clean up his property as they are both, him
15 and his wife -- his wife has multiple sclerosis. I've
16 been, you know, removing vegetation, removing vines,
17 poison ivy, well, uncontrolled brush, just trying to
18 just help out neighbors, make the properties and
19 everybody's property just be more usable for everybody
20 and more pleasant.

21 And, you know, even -- there's not a mention
22 of the other property to -- the other property next to
23 me.

24 I've even cleaned up all the Sumac. They had
25 huge overgrown Sumac. I came in there with the

ZONING BOARD OF APPEALS

1 excavator and tore it all out, got all the roots out,
2 replanted everything, trying to make a yard for her
3 with no -- no money, you know, just to help, just to
4 try to make the neighborhood better.

5 CHAIRPERSON CORRIVEAU: You want to talk
6 about the scaled drawings.

7 GEOFFREY URDA: I just want to make a quick
8 point for anybody that might be reading the transcript
9 in the future. This is the drawing on the graph paper
10 that the chair referred to. The 12-foot width of the
11 shed here, and it does identify here that this is where
12 the parcel narrows to 21 so ...

13 CHAIRPERSON CORRIVEAU: Yeah.

14 GEOFFREY URDA: So that is what prompts the
15 denial and the variance request.

16 CHAIRPERSON CORRIVEAU: Yeah.

17 And if that 12-foot dimension is reasonably
18 accurate, the 30-foot is way short the way it's drawn.
19 It's a lot bigger shed than what you think looking at
20 that right there.

21 MATTHEW RESCH: That was not intended to
22 mislead anybody. It's not required to have a scaled
23 document in the application, and, you know, my
24 apologies for not being a little bit more
25 architecturally involved.

ZONING BOARD OF APPEALS

1 CHAIRPERSON CORRIVEAU: That's okay. That's
2 why we lean on these guys.

3 MATTHEW RESCH: And thank you for that, too,
4 so ...

5 CHAIRPERSON CORRIVEAU: Anything else from
6 the board?

7 Anybody else from the public want to speak to
8 this one?

9 Okay. Seeing none, I'd ask for a motion
10 to -- and a second to close this portion of the public
11 hearing.

12 ANTHONY VELASQUEZ: So moved.

13 LANCE EVANS: Second.

14 CHAIRPERSON CORRIVEAU: All in favor?

15 ADAM RUPPE: Yes.

16 LANCE EVANS: Aye.

17 ANTHONY VELASQUEZ: Aye.

18 CHAIRPERSON CORRIVEAU: I'd ask for -- let's
19 call for a vote on the side yard setback.

20 Adam?

21 ADAM RUPPE: There's five criteria for an
22 area variance.

23 One is whether an undesirable change will be
24 produced in the neighborhood or a detriment to nearby
25 properties. And I do not believe so.

ZONING BOARD OF APPEALS

1 Whether the benefit can be solved by some
2 other method, feasible. Part of the benefit can be,
3 because you could cut the wood down, but that would,
4 you know, end up more wasteful, so I think that's a
5 partial yes.

6 And then whether it's substantial. No. This
7 is a small area just due to the unique shape of this
8 parcel.

9 Will it have an adverse effect on the
10 physical or environmental conditions? The answer is
11 no.

12 And is the difficulty self-created? Yes, it
13 is. However, I don't think that this is a
14 deal-breaker.

15 So my vote is yes to grant the variance.

16 CHAIRPERSON CORRIVEAU: Anthony?

17 ANTHONY VELASQUEZ: So in going off of the
18 criteria, I do not believe that the proposed variance
19 creates an undesirable change to the character of the
20 neighborhood or to the neighboring properties.

21 As Adam stated, I do believe that the
22 benefit -- that the benefit sought by the applicant
23 could be achieved by another method, but what was
24 proposed is relatively reasonable.

25 I do not believe this request area variance

ZONING BOARD OF APPEALS

1 is substantial.

2 And I do not believe that the proposed
3 variance will have an adverse effect or impact on the
4 physical or environmental conditions in the
5 neighborhood.

6 With that said, the alleged difficulty is
7 self-created but relatively managed.

8 Therefore, I will be voting yes.

9 CHAIRPERSON CORRIVEAU: And, Lance?

10 LANCE EVANS: I had a whole big speech going,
11 but it basically says what they said, and so I vote to
12 grant the variance.

13 CHAIRPERSON CORRIVEAU: And I'll do likewise.
14 The variance is approved.

15 Thanks for your time.

16 MATTHEW RESCH: Thank you very much.

17 Thanks, Geoff.

18 GEOFFREY URDA: I'll be in touch with you
19 tomorrow.

20 MATTHEW RESCH: Yes, sir.

21 CHAIRPERSON CORRIVEAU: So now we'll go to
22 the last variance tonight, Number 627, 716 Eddy Street.
23 This is a variance to increase the maximum lot width in
24 a residential district. The zoning ordinance sets a
25 maximum lot width to 100 feet. The applicant's

ZONING BOARD OF APPEALS

1 variance submission requests adding 9 and a half feet
2 to the lot's frontage on Eddy Street. Current lot
3 width is 124.38 feet.

4 Anybody here to talk to that one?

5 SCOTT KOLB: Yes.

6 CHAIRPERSON CORRIVEAU: The floor is yours.

7 SCOTT KOLB: Good evening.

8 My name is Scott Kolb. I'm a land surveyor
9 that's representing the Gebos on this.

10 As you pretty much stated, the applicants' --
11 well, let me give you this first here.

12 GEOFFREY URDA: While he passes that out, I'm
13 going to note for the record that I submitted a
14 corrected measurement to the ZBA this morning.

15 ANTHONY VELASQUEZ: Thank you.

16 Yes.

17 LANCE EVANS: Thank you.

18 SCOTT KOLB: The Gebos own both Parcel
19 Number 108 and 110 on the tax map, and what they're --
20 they are in the process of selling Parcel 110 which is
21 162 Boon Street, and on the east side of their
22 property, as you can see on the photo, there's a
23 concrete retaining wall that has always been assumed
24 that that was the property line as a natural boundary.
25 When we surveyed the property, you can see the other

ZONING BOARD OF APPEALS

1 line that kind of comes through the grass there. So
2 what they're trying to do is they're trying to absorb
3 that portion of the property onto their existing
4 property which is Parcel Number 108.

5 Unfortunately, since the zoning has changed
6 since last time we submitted this, because we had
7 submitted this once in 2018, but because the Gebos own
8 both parcels, they never followed through with it in
9 terms of getting it filed and everything like that, now
10 that they're selling the house, when I talked to the
11 planning department, obviously, it had to be
12 resubmitted, and because the zoning has changed since
13 2018, it only allows a maximum frontage of 100 feet in
14 that district. Their lot currently has, like you
15 stated, 124.38 feet. To move over to the existing wall
16 that was there that would be a natural boundary, it's
17 going to add 9 and a half feet to that which is roughly
18 going to put them at 133-plus feet which is 33 feet
19 over what the maximum frontage is.

20 CHAIRPERSON CORRIVEAU: That 9 and a half
21 feet, does that bring it up to the concrete retaining
22 wall or no? Does that --

23 SCOTT KOLB: It's within a foot of the wall.

24 CHAIRPERSON CORRIVEAU: All right. So the
25 wall will stay with the corner lot?

ZONING BOARD OF APPEALS

1 SCOTT KOLB: That's correct.

2 CHAIRPERSON CORRIVEAU: All right.

3 Questions?

4 Adam?

5 ADAM RUPPE: No, nothing from me.

6 CHAIRPERSON CORRIVEAU: Lance?

7 LANCE EVANS: Looking at the photo here,
8 it -- there's a fenced in portion of, I think it's, 162
9 in the back, is that that -- is part of the 162, so is
10 the property line going to jog, or is it just the way
11 the photo is?

12 SCOTT KOLB: That is not part of the
13 property, that --

14 LANCE EVANS: That's next door?

15 SCOTT KOLB: Where you're seeing the fence,
16 that is adjoining parcel on Boon Street.

17 LANCE EVANS: Oh, okay.

18 All right. My mistake there.

19 SCOTT KOLB: That's okay.

20 But, yes, there would be a jog of 9 and a
21 half feet there. As you can see, based on the GIS now,
22 this is the property line -- existing property line.
23 If we move over the 9 and a half feet because of the
24 trees, you can't see the wall, but it would come up,
25 jog back to the Gebos' property line, and then straight

ZONING BOARD OF APPEALS

1 back out the way it is now.

2 LANCE EVANS: Okay.

3 SCOTT KOLB: So that's -- this will be the
4 jog, is in that one spot there.

5 GEOFFREY URDA: Scott, I'll bring up your
6 drawing, if you give me just a second there.

7 There you go.

8 SCOTT KOLB: Okay. So just slide it down a
9 little bit for me, Geoff, if you can. Can you shrink
10 it a little bit and just --

11 GEOFFREY URDA: I can zoom out, yeah.

12 SCOTT KOLB: So, again, this is their
13 property line now, that is for Parcel Number 108.
14 Between 108, and 110 is over here, that concrete wall
15 is, like, right in here, would stay on the 110 side,
16 and then this 9-and-a-half-foot strip would go back to
17 the property line -- the northerly property line of 110
18 and jog 9.5 feet, and then back to the original
19 property line to the back.

20 LANCE EVANS: Which -- which follows the
21 current property line straight back?

22 SCOTT KOLB: That's correct, yes.

23 LANCE EVANS: Okay. Is -- is there a reason
24 they want to do the 9 and a half feet or ...

25 SCOTT KOLB: Because of that wall, they want

ZONING BOARD OF APPEALS

1 to be able to -- with the neighbor -- with them selling
2 the lot next door, they don't want -- they maintain
3 this now --

4 LANCE EVANS: Right.

5 SCOTT KOLB: -- right up to this point.

6 LANCE EVANS: Yeah.

7 SCOTT KOLB: They don't want to end up with
8 the person buying this, realizing the property line is
9 here, and then all of a sudden don't maintain this
10 which would make their side of the wall -- I think -- I
11 mean --

12 LANCE EVANS: Gotcha.

13 SCOTT KOLB: -- if you drove by there right
14 now, you'd think that wall is probably the property
15 line the way it is. So these people over here were
16 buying it, decided not to -- not to maintain it, it's
17 just going to be a -- you know, worst for the house for
18 the Gebos.

19 LANCE EVANS: It does give a natural, I mean,
20 where I am --

21 SCOTT KOLB: It does.

22 LANCE EVANS: -- without -- without the pin
23 in the -- in the yard where I'm at --

24 SCOTT KOLB: Correct.

25 LANCE EVANS: -- I wouldn't know --

ZONING BOARD OF APPEALS

1 SCOTT KOLB: Correct.

2 LANCE EVANS: -- if it was merely mine or
3 part of the neighbors'.

4 SCOTT KOLB: And part of the -- and part of
5 the history on this, I grew up on Boon Street my whole
6 life so ... The people that owned this house initially
7 owned all of this and it was all greenhouses at one
8 point by the same family, so this wasn't a big deal to
9 them. And then when they sold it, they cut off this
10 piece and a different -- a non-family member bought
11 it --

12 LANCE EVANS: Yeah.

13 SCOTT KOLB: -- and then they've got this
14 piece over here, the -- the Mitchells who own the whole
15 parcel, they kept this piece, which is where
16 Mrs. Mitchell lived her whole life, and then when she
17 passed away, the Gebos purchased it for Mrs. Gebo's
18 mother who was my aunt, so they were -- they were
19 like -- if you get down to the spa ghetto, we're all
20 related.

21 LANCE EVANS: Yeah.

22 Okay. All right. Thank you.

23 CHAIRPERSON CORRIVEAU: Any further
24 questions?

25 ANTHONY VELASQUEZ: I have no questions.

ZONING BOARD OF APPEALS

1 I just wanted to say thank you for the
2 picture. It really did help set the scene and provide
3 some supplemental material.

4 Thank you.

5 SCOTT KOLB: You're welcome.

6 CHAIRPERSON CORRIVEAU: Okay. Anybody else
7 want to speak to it?

8 Apparently not.

9 So I'll ask for a motion and second to close
10 tonight's public hearing.

11 ANTHONY VELASQUEZ: So moved.

12 LANCE EVANS: Second.

13 CHAIRPERSON CORRIVEAU: All in favor?

14 ADAM RUPPE: Aye.

15 CHAIRPERSON CORRIVEAU: Aye.

16 And then we'll take a vote on this.

17 GEOFFREY URDA: You will need to do a SEQR
18 for this one.

19 CHAIRPERSON CORRIVEAU: Oh, you're right. We
20 got that new form. Two new questions. This is
21 exciting.

22 LANCE EVANS: We got a new form?

23 CHAIRPERSON CORRIVEAU: That's right.

24 GEOFFREY URDA: Yeah. I've got the
25 assessment tool up here, so when you get to that

ZONING BOARD OF APPEALS

1 question, just look our way.

2 CHAIRPERSON CORRIVEAU: Okay. The two new
3 questions are at the end of the list, so the rest are
4 all pretty familiar.

5 Will the proposed action create a material
6 conflict with an adopted land use plan or zoning
7 regulation?

8 ADAM RUPPE: No.

9 LANCE EVANS: No.

10 ANTHONY VELASQUEZ: No.

11 CHAIRPERSON CORRIVEAU: Will the proposed
12 action result in a change in the use or intensity of
13 use of land?

14 ADAM RUPPE: No.

15 LANCE EVANS: No.

16 ANTHONY VELASQUEZ: No.

17 CHAIRPERSON CORRIVEAU: Will the proposed
18 action impair the character or quality of the existing
19 community?

20 ADAM RUPPE: No.

21 ANTHONY VELASQUEZ: No.

22 CHAIRPERSON CORRIVEAU: Will the proposed
23 action have an impact on the environmental
24 characteristics that caused the establishment of a
25 Critical Environmental Area?

ZONING BOARD OF APPEALS

1 ADAM RUPPE: No.

2 ANTHONY VELASQUEZ: No.

3 CHAIRPERSON CORRIVEAU: Will the proposed
4 action result in an adverse change in the existing
5 level of traffic or affect existing infrastructure for
6 mass transit, biking, or walkway?

7 ANTHONY VELASQUEZ: No.

8 LANCE EVANS: No.

9 CHAIRPERSON CORRIVEAU: Will the proposed
10 action cause an increase in the use of energy and it
11 fails to incorporate reasonably available energy
12 conservation or renewable energy opportunities?

13 ADAM RUPPE: No.

14 ANTHONY VELASQUEZ: No.

15 LANCE EVANS: No.

16 CHAIRPERSON CORRIVEAU: Will the proposed
17 action impact existing public/private water supplies?

18 ANTHONY VELASQUEZ: No.

19 LANCE EVANS: No.

20 ADAM RUPPE: No.

21 CHAIRPERSON CORRIVEAU: Public/private
22 wastewater treatment facilities?

23 ANTHONY VELASQUEZ: No.

24 LANCE EVANS: No.

25 CHAIRPERSON CORRIVEAU: Will the proposed

ZONING BOARD OF APPEALS

1 action impair the character or quality of important
2 historic, archaeological, architectural, or aesthetic
3 resources?

4 ANTHONY VELASQUEZ: No.

5 LANCE EVANS: No.

6 ADAM RUPPE: No.

7 CHAIRPERSON CORRIVEAU: Will the proposed
8 action result in an adverse change to natural resources
9 (wetlands, water bodies, groundwater, air quality,
10 flora, and fauna)?

11 ANTHONY VELASQUEZ: No.

12 LANCE EVANS: No.

13 ADAM RUPPE: No.

14 CHAIRPERSON CORRIVEAU: Will the proposed
15 action result in an increase in the potential for
16 erosion, flooding, or drainage problems?

17 LANCE EVANS: No.

18 ANTHONY VELASQUEZ: No.

19 CHAIRPERSON CORRIVEAU: Will the proposed
20 action create a hazard to environmental resources or
21 human health?

22 ANTHONY VELASQUEZ: No.

23 LANCE EVANS: No.

24 CHAIRPERSON CORRIVEAU: And now we got two
25 new ones.

ZONING BOARD OF APPEALS

1 Is the potentially affected disadvantaged
2 community identified as having comparatively higher
3 burdens or vulnerabilities by the Disadvantaged
4 Community Assessment Tool?

5 GEOFFREY URDA: All right. So my best
6 understanding, the red, which is the north side, is
7 DAC's identified as having comparatively higher burdens
8 and vulnerabilities. The subject parcel is in this
9 blue polygon which is a disadvantaged community
10 identified as having comparatively lower burdens of or
11 vulnerabilities.

12 So I believe you can answer the question no.
13 Am I on solid ground with that?

14 JOSEPH FRATESCHI: Based on the colors --

15 GEOFFREY URDA: Yeah.

16 Okay.

17 JOSEPH FRATESCHI: -- I would say.

18 CHAIRPERSON CORRIVEAU: No.

19 ANTHONY VELASQUEZ: No.

20 LANCE EVANS: No.

21 CHAIRPERSON CORRIVEAU: No, it is.

22 And the last one.

23 Will the proposed action cause or increase a
24 pollution burden within a disadvantaged community?

25 ANTHONY VELASQUEZ: No.

ZONING BOARD OF APPEALS

1 LANCE EVANS: No.

2 CHAIRPERSON CORRIVEAU: All right. That
3 concludes the SEQR.

4 Now we can have a motion and a second to take
5 the vote.

6 ANTHONY VELASQUEZ: So moved.

7 LANCE EVANS: Second.

8 CHAIRPERSON CORRIVEAU: All in favor?

9 ADAM RUPPE: Yes.

10 ANTHONY VELASQUEZ: Aye.

11 LANCE EVANS: Aye.

12 CHAIRPERSON CORRIVEAU: Let's take a vote.
13 Anthony?

14 ANTHONY VELASQUEZ: This is pretty
15 straightforward, so I will keep my comments brief.

16 This does not create an undesirable change in
17 the character of the neighbor or a detriment to any
18 nearby properties.

19 The benefit sought by the applicant I do not
20 believe can be achieved by some other method.

21 The requested area variance is not
22 substantial.

23 The proposed variance will not have -- will
24 not have an adverse impact on the physical or
25 environmental conditions in the neighborhood.

ZONING BOARD OF APPEALS

1 And I'm kind of subjective on the
2 self-created problem, but I don't foresee an issue.

3 Therefore, I vote yes.

4 CHAIRPERSON CORRIVEAU: Lance?

5 LANCE EVANS: I'd agree substantially with
6 Anthony.

7 I do think it's self-created, just because
8 they didn't follow up in 2018, but I don't think that
9 negates anything.

10 So I vote to grant the variance.

11 CHAIRPERSON CORRIVEAU: Adam?

12 ADAM RUPPE: I just want to add to the
13 substantial question. On this one, I don't think the
14 numbers matter so much because part of the idea of the
15 zoning law was to increase density, and that's,
16 obviously, not going to happen in this strip of land
17 between two houses, so I do not believe it's
18 substantial. Otherwise, I agree.

19 I also vote yes.

20 CHAIRPERSON CORRIVEAU: And I'll vote yes as
21 well.

22 So the variance is approved.

23 I also need to get a motion and a second to
24 make a negative declaration pursuant to the SEQR
25 requirements.

ZONING BOARD OF APPEALS

1 ADAM RUPPE: I move that we make a negative
2 declaration.

3 CHAIRPERSON CORRIVEAU: Is there a second?

4 ANTHONY VELASQUEZ: Second.

5 CHAIRPERSON CORRIVEAU: All in favor?

6 ANTHONY VELASQUEZ: Aye.

7 LANCE EVANS: Aye.

8 ADAM RUPPE: Aye.

9 CHAIRPERSON CORRIVEAU: Okay. The
10 declaration is in place. And the variance is approved.
11 And the last thing I want to do is ask for a motion and
12 a second to close the meeting.

13 ANTHONY VELASQUEZ: So moved.

14 ADAM RUPPE: Second.

15 CHAIRPERSON CORRIVEAU: All in favor?

16 ANTHONY VELASQUEZ: Aye.

17 LANCE EVANS: Aye.

18 CHAIRPERSON CORRIVEAU: Meeting is adjourned.

19 (Proceedings concluded at 8:11 p.m.)

20 * * *

21 Certified to be a true and accurate transcript.

22 *Taryn D. Leonard*
23 TARYN D. LEONARD, RPR
24 Official Court Reporter
25

TARYN D. LEONARD, RPR