

Zoning Board Meeting

July 2nd 2024

6:00 PM

PRESENT: Board Members: Kevin Gorman (chairman), Jason VonGuiness, Jamie Spear, Bill Hazen, Atty Alaina Finan present on zoom call, Bldg. /codes Mark Surdam. Absent was Megan Albert and Village Clerk Olivia Schneider.

Mark recorded this meeting for minute purposes due to the Clerk being out.

Mark started the meeting off by telling the board members that for March, April and May meeting minutes will need to be approved with a motion for each one.

A **MOTION** was made to approve the minutes from 3/26/24 made by Kevin Gorman and 2nd by Jasen VonGuiness. **Motion was unanimously carried by members present.**

A **MOTION** to approve minutes from 4/29/24 was made by Kevin Gorman and 2nd by Bill Hazen. **Motion was unanimously carried by members present.**

A **MOTION** to approve minutes from 5/21/24 was made by Kevin Gorman and 2nd by Bill Hazen. **Motion was unanimously carried by members present.**

Next on the agenda was 60 Wilder Ave fence application owned by Orlando Acevedo. It will be a 6ft fence in the backyard. Mark stated there were no issues with this by the neighbors. No zone members had any issues with this application either.

A **MOTION** to approve 60 Wilder Ave fence application was made by Bill Hazen and 2nd by Jasen VonGuiness. **Motion was unanimously carried by members present.**

Next on the agenda is an application for a use variance made by board member Jasen VonGuiness who will be excusing himself from the vote for this application. Jasen put an application in for 7 Hoosick Street where he would like to build a single-family home. Aliana reminded board members what a use variance was and how it needs to be the 4 criteria that applies to the use variance which are:

1. The Applicant cannot realize a reasonable return, as shown by competent financial evidence. The lack of return must be substantial
2. The alleged hardship relating to the property is unique. (The hardship may not apply to a substantial portion of the zoning district or neighborhood.)
3. The requested use variance, if granted, will not alter the essential character of the neighborhood.
4. The alleged hardship has been self-created.

Jasen talked about his project plans and how he went around to other parcels near the train tracks and there were 76 different ones. Out of 76 there was only one industry. This property will be considered a commercial industrial property.

Mark asked Jasen if the house will be facing Hoosick Street and Jasen said that this single-family home will be facing Hoosick Street.

Bill Hazen asked because the new Stewarts will be taking over a lot of that back area. There will be a lot of attraction to that lot. Jasen explained that he has never been approached by Stewarts company asking to use that lot for parking or any other interests in the lot.

Bill also brought up how he thinks this will make the empty lot look much better with a home there specially for Jasen's business.

Jasen brought up to the board that this home he is building he will be using for his mother when the time comes that she needs to a place to go which meets the criteria in a use variance because #4 states "The alleged hardship has been self-created. "

A MOTION was made with the understanding of a use variance and using the 4 criteria for a use variance to approve the application for a single-family home submitted by Jasen VonGuiness for 7 Hoosick Street was made by Bill Hazen and 2nd by Jamie Spear. **Motion was unanimously carried by members present minus Jason VonGuiness due to him excusing himself from this decision.**

Mark asked if there was anything else the board wanted to talk about at this meeting. Jasen brought up how he will be going to the village board of trustees again about changing the zoning law for fences but wanted to know if any other members had anything they wanted Jasen to add when In Front of the board. Mark brought up to go along with the fence concerns was that the Country club had put up an 8-foot fence for around their cooking area which looks nice there are no neighbors around that area that would have concerns with this but it is still against the code laws so dropped off a building application that he has not received back from them yet but this shows that even if the law changes to 6 feet we will still run into fencing issues. There were no other concerns from board members about these issues.

A MOTION was made to end the meeting by Kevin Gorman and 2nd by Jasen VonGuiness. **Motion was unanimously carried by members present.**

Meeting adjourned at 7:00 PM.

Olivia Schneider

Village Clerk