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Minutes of the Regular Meeting of the City of Rensselaer Zoning Board of Appeals
First Floor Conference Room, Rensselaer Community Center, 62 Washington Street
February 23, 2009

RECEIVED

Members Present:

Chair – Gene Hilstro, Meghan McNamara, Michael Scott, Nancy Johnson

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Members Not Present:

Vice Chair – Bill Bulnes, Terance Ruso, Leonard Sciotti

RENSSELAER CITY CLERK

Staff Present:

Marybeth Pettit – Director of Planning, Kevin McLoughlin – Assistant Director of Planning, John Spath – Deputy Corporation Counsel

Others Present

Graham Kullman, Paul Silverstein, Dominic Tagliento, Rick Marshall, John Mooney

Call to Order:

Chair Hilstro called the regular meeting of the City of Rensselaer Zoning Board of Appeals to order at 6:05 PM. Roll call was taken and it was determined that there was a quorum.

Adoption of Past Meeting Minutes:

The minutes of the regular meeting of January 26, 2009 were approved as submitted without amendment or correction.

Old Business

- 1. CDTA Rensselaer Rail Station, 525 East Street- Request for a Use Variance to allow a 4'x 6' free standing sign located in a multi family residential zoning district (R-3) as well as an area variance to allow two 4'x6' accessory parking entrance signs in a two family (R-2) zoning district; Area Variances requested: a) 1 added sign over maximum 1 allowed b) 22 square feet over 2 square feet for each sign.**

Rick Marshall of Marshall Signs presented the proposed design with 'traditional' external lighting and a brick base, which was a modification from the originally proposed design.

Mr. McLoughlin stated that the state law authorizing CDTA exempted it from compliance with local zoning laws so that their seeking a variance was really out of courtesy to the community.

Chair Hilstro opened the public hearing at 6:10 pm.

Hearing no one further to speak for or against the application, Chair Hilstro closed the public hearing at 6:16 pm.

Mr. Scott moved to grant the Use Variance for a free-standing sign and Area Variances for one additional parking sign and for 22 additional square feet per parking sign. Ms. McNamara seconded. All in favor.

- 2. Graham Kullman, 17 John Street – Request for Use Variance to allow continuance of pre-existing, non-conforming use - hair cutting business – after a one-year vacancy in the street-facing unit in a multi-family (R3) zoning district.**

Graham Kullman described his desire to continue to rent the storefront unit in his building at 17 John Street, which has been used as a barber's / hair salon for a long time. He explained that the current unit would need extensive repairs and renovations in order to comply with current building code as a residential unit.

Mr. Scott asked how long the property was operated as a hair cutters. Graham Kullman responded that it was a barbershop for over 48 years.

Chair Hilstro opened the public hearing at 6:15 pm.

Hearing no one further to speak for or against the application, Chair Hilstro closed the public hearing at 6:16 pm.

Ms. Pettit asked whether there was substantial interior equipment installed specific to the trade. Graham Kullman responded that there was still a special sink installed.

Mr. Scott moved to grant the Use Variance for continued use of the ground floor, street unit as a barbershop / hair salon. Ms. McNamara seconded. All in favor.

New Business

- 3. Paul Silverstein, 321 Broadway – Request for Use Variance to allow conversion of second floor commercial storage space to 2 residential units and Area Variance(s) for exemption from off-street parking requirements on a parcel in a land conservation (LC) zoning district. Area Variance(s) requested: a) 1 less parking space than the minimum 3 spaces required.**

Chair Hilstro opened the public hearing at 6:11 pm.

John Mooney spoke in favor of the use of this currently dead space and vouched on a personal level for the applicant.

Hearing no one further to speak for or against the application, Chair Hilstro closed the public hearing at 6:12 pm.

Mr. Scott moved to grant the Use Variance for residential use of the second floor as two one-bedroom apartments per the submitted site plan and Area Variance(s) of one space from the required three. Ms. Johnson seconded. All in favor.

Adjournment:

Hearing no objections, Mr.Hilstro adjourned the meeting at 6:18 PM.

Next Meeting:

The next regular meeting is scheduled for March 23, 2009 at 6:00 PM

Record of Decisions:

An official record of decisions noting the details of motions from this meeting along with conditions & stipulations has been filed with the City Clerk and a copy maintained in Planning Department records.

Respectfully submitted,

Marybeth Pettit
Secretary