



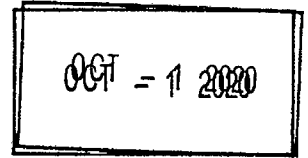
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**Minutes of the Regular Meeting of the City of Rensselaer Zoning Board of Appeals
Second Floor Conference Room, City Hall, 505 Broadway, Rensselaer
July 24, 2006**

Call to Order:

Chairman Gene Hilstro called the regular meeting of the City of Rensselaer Zoning Board of Appeals to order at 6:00 pm.

Roll call was taken and it was determined that there was a quorum.

Members Present:

Gene Hilstro, Chairman; William Bulnes; Debby Girgenti; Nancy Johnson; Kevin Kerwin

Staff Present:

Marybeth Pettit, Director of Planning; Sarah Stern Crowell, Assistant Director of Planning

Others Present:

John Buck, Donna Bulnes, Lola Buck, Larry Schroder, Ruthie Seaburg, Robert Van Detta, Joseph Olivan, Kathleen Olivan, Ken Downes, James Casey.

Minutes of the June 26, 2006 Regular Meeting:

Ms. Johnson motioned for the approval of the minutes of the June 26, 2006 regular meeting of the Zoning Board of Appeals.

Mr. Kerwin seconded. All in favor. Minutes adopted.

New Business:

Jim Casey, 215 Washington Avenue, application for a use variance to convert the former Knights of Columbus building for use as a banquet facility.

The Zoning Board of Appeals reviewed the Environmental Assessment Form submitted by Mr. Casey. The Board reviewed each item on the form, and agreed that there would be no significant environmental impact as a result of the variance, with the exception of potential traffic impacts.

Ms. Girgenti made the following motion:

The Zoning Board of Appeals finds that a variance to permit the applicant to operate a banquet hall at 215 Washington Avenue would have no significant negative environmental impact and therefore makes a Negative Declaration and determined that no further action is required under SEQR.

Mr. Kerwin seconded the motion.

Ayes: Bulnes, Girgenti, Hilstro, Kerwin,
Nay: Johnson

Motion carried.

Mr. Casey then approached the board and explained that he would like to operate a banquet hall at the location and that it would be very similar to the current use. He said he may have events up to seven nights a week, but would be closed by 11 or 12 at the latest. He would only use the upstairs room, which holds approximately 150 guests. His plans for the building itself include cleaning up the parking lot and maintaining the landscaping.

Mr. Kerwin asked what types of events he anticipates holding. Mr. Casey responded that he would host weddings, shower, birthday parties, corporate parties and meetings. He added that he would not continue to host the poker nights that have been occurring in the building.

Mr. Bulnes asked Mr. Downes what occurs at the Knights of Columbus Hall currently. Response: Texas Hold'Em parties tend to cause a lot of trouble lately, but Mr. Casey would not continue to hold these events. Until the poker parties began, the Knights of Columbus not experienced any such trouble.

Ms. Johnson asked if the bar would be open to the public? Response: no, only private parties.

Mr. Hilstro opened the public hearing.

Joe Olivan: Asked Mr. Casey to clarify whether he plans to only use the upstairs hall, and if he would ever use the downstairs for events. Mr. Casey responded that for now he would use the upstairs only, and that the downstairs needs significant renovation. Mr. Olivan then asked the number of parking spaces. Response: 60-70.

John Brock: Concerned about parking. Problems since 1967 with parking related to the Knights of Columbus hall. He asked if the city could approach the state to acquire the adjacent greenspace for parking on Manor Drive, or if the city could find some other way of helping Mr. Casey increase the parking capacity. He also suggested that lines be painted in the parking lot, and that this may increase the capacity. He then stated that 4 wheelers drive through the wooded area adjacent to the KofC hall and the police claim they can't do anything because it is private property.

Ms. Pettit responded that 4wheelers are a problem in the city, and that it is illegal to operate them off private property. She also agreed that painting lines would be a good idea, and the board should consider including this as a condition of a variance.

Mr. Casey stated that he would paint lines and likely use a parking attendant as well.

Larry Schroeder: Stated that he lives on Lincoln Terrace and cannot get his truck through some nights. Stated that because Anderson is one way from 8 am until 4pm due to school buses, traffic is a mess and people often have to turn around when they find Anderson is one way. He added that the street layout is all wrong and that the police do not enforce parking regulations.

Ms. Crowell pointed out that any issues related to school traffic would be most in a couple of years when the school moves.

Bob Vandetta: Stated that he works in the banquet business and knows that banquet halls need to be open all week in order to make money. Therefore, there may be events more nights than there are now, and thus more evenings with banquet-related traffic.

Mr. Hilstro asked if any member of the public present is opposed to the banquet hall.

Mr. Oliven said he supports businesses in the city, and is not opposed to Mr. Casey's proposal, but that he is concerned about the traffic generated and potential parking problems in the neighborhood. But as long as Mr. Casey will work with the neighborhood, he has no objection.

Ms. Girgenti encouraged the neighborhood to call the police if people park illegally or cause other problems.

Ms. Johnson stated that illegal parking would not be an issue if there were adequate parking at the facility.

Another neighbor stated that she would like assurance that Mr. Casey is not proposing a bar. Mr. Casey said no. Then she stated that traffic in the area is a problem as a result of events at the Knights of Columbus, as is parking in front of fire hydrants.

Mr. Hilstro closed the public hearing.

Mr. Bulnes made the following motion:

The Zoning Board of Appeals grants a use variance to permit a banquet facility to be located in the former Knights of Columbus Hall at 215 Washington Avenue with the following conditions:

- 1. Only the upstairs hall be used for events. If at a future date the applicant wants to use the downstairs for an event space, he must return to the Zoning Board of Appeals.*
- 2. The applicant have a parking plan prepared, stripe the parking lot, and make an effort to provide as much parking as possible and minimize illegal parking.*

The Zoning Board of Appeals adopts the following findings to support the variance:

- 1. **The owner cannot realize a reasonable return on the property as zoned.** The current use of the property, a private membership club, is no longer financially feasible and the existing structure is not suitable for residential use.*
- 2. **The hardship must be unique to the owner's property and not applicable to a substantial portion of the zoning district.** This property is one of the only non-residential properties in the neighborhood. Its previous use, a private membership club, is no longer financially feasible, but the existing structure is not suitable for any other permitted uses.*
- 3. **Granting the variance will not alter the essential character of the neighborhood.** Under the auspices of the Knights of Columbus, this building essentially serves as a banquet hall, hosting many of the same events as Mr. Casey plans to cater. Therefore, the conversion of this building to a banquet hall will not alter the character of the neighborhood.*

4. *The hardship is not self-created. The building was constructed in early 1950s, well before the current zoning was adopted, and has been in continuous use as the Knights of Columbus hall since that time.*

Ms. Girgenti seconded the motion.

Ayes: Bulnes, Girgenti, Hilstro, Kerwin,

Nay: Johnson

Motion carried.

Ms. Johnson stated for the record that she voted against the variance because of the stated concerns of the neighbors regarding parking and traffic problems.

Ms. Girgenti made a motion to adjourn the meeting.

Mr. Kerwin seconded the motion.

All in favor. Motion carried.

Mr. Hilstro adjourned the meeting at 6:55pm.

Respectfully submitted,

Marybeth Pettit