

**MINUTES OF THE COHOES ZONING BOARD OF APPEALS HELD IN THE
COMMON COUNCIL CHAMBERS OF COHOES CITY HALL ON WEDNESDAY,
JANUARY 25, 2022 AT 6:30 PM**

MEMBERS PRESENT: Mr. Greg Mollnow, Chairperson
Mr. Anthony Kusaywa, Vice Chair
Mr. Mark Cotch
Ms. Carolyn Dion
Ms. Jacqueline DeChiaro

MEMBERS ABSENT: None

ALSO PRESENT: Joseph Seman-Graves, Planner
Sharon Butler, Administrative Assistant
Tess Drauschak, Assistant Planner

Chairperson Mollnow called the meeting to order at 6:32PM.
Roll Call taken; No members were absent

CONSIDERATION OF THE MINUTES FROM THE NOVEMBER 16, 2022 MEETING

Chairperson Mollnow; next on the agenda is the consideration of the November 16, 2022 meeting minutes. Is there a motion to approve the minutes.

Vice Chair Kusaywa; made the motion to approve the minutes as printed
2nd by Member Cotch

All in favor, motion carried unanimously

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Greg Mollnow	X		
Mark Cotch	X		
Anthony Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

CONSIDERATION OF AN AREA VARIANCES AT 378 SARATOGA STREET

Chairperson Mollnow; next on the agenda is the area variance application for 378 Saratoga Street. The applicant proposes to install 10 signs on the site of Hoffman's Car Wash at 378 Saratoga Street. The specification of the signs are listed below, this is in the Mixed-Use District. Three area variances they are going for; free standing sign; one free standing business identification sign per property may be erected, subject to the following conditions:

No freestanding sign shall be located less than 15 feet from the front property line or less than 5 feet from the side property line. Sign C-1 and sign C-2 on the plan do not appear to be placed with a 15' front setback. The second variance; the maximum total sign area that shall be permitted under this subsection shall not exceed 100 square feet. Between the 4 directional signs that are approximately 8 square feet and the one identification sign being 138 square feet, that is 170 square

feet so a 70 foot variance is being requested. The third variance; signs for direction, provided that such signs do not exceed 2 square feet. Such signs may indicate the entrance and exit to the property and location of the parking. Such signs shall not project more than 4 feet in height above the natural grade on which the sign is located and shall be no closer than 5 feet to any property line. The 4 directional signs are 8 square feet each and project 5 feet above grade. So there is both the signs and above grade variance there. One thing to note is the applicant appeared before the Planning Board on January 9th, and the Planning Board tabled pending Zoning Board review. At this time is there anybody from the Sign Studio? If you could give your name and give a little description of what you are doing.

Ron Levesque from Sign Studio representing Hoffman's Car Wash approached the board. We are looking for variances to install 10 signs. 4 signs—2 at the entrance; 1 will be at the drive through and 1 at the exit, that runs parallel to 787. So you see one on the south end of the building and one on the north end of the building. Those are the 2 signs you see here (pointed it out on the screen). The 3rd sign on the building is a neon open sign. Typically I don't think you have anybody come before you to ask for these signs, they just put them up. Well Hoffman Car Wash has a certain type of neon sign and they put it on the outside of the building and the reason they want it on the outside and it says open, is because in the winter time when it's cold they have to shut their doors. So if the doors are closed and you go by, you will think they're closed, so what we do is put a neon open sign out there to let people know we're open. We could put it in a window like everybody else seems to do but it would be blocked so we decided to put it on the building. The 4th sign we consider a branding sign is the free standing sign. What we did is; we put it towards the corner because most traffic in that area is 787 and you'll see that every other business on 787 has one sign up, so we decided to do that marquis sign on 787. We didn't really ask for more than what we've seen going up and down that corridor. So we saw other businesses have free standing signs, they also have electronic message board signs, we incorporated those also. There are companies on 787 that have a sign on their lots by 787 but they also have another free standing sign, a brand sign to the entrances. We weren't looking to do that, we're trying to minimize the square footage and ask for one brand sign on the lot. Because it is not in the front of the property we're basically towards the corner, so we have a 5' setback on the side, the front setback doesn't really apply to this one because we're on the side of the property. He then spoke about the 2 signs that weren't in the variance request in case any questions came up about them—they are the signs at the drive-thru. One is a pay kiosk and the other is a menu kiosk, they didn't put those in the variance because they were pre-approved but they did change the directional signs. Because they are moving the main brand sign to the side we need to make sure that people coming to the location know where the entrance is, so what they did is put 2 signs at the entrance and because the property line sits back away from the main road we didn't want to push it 15 feet back—he then explained to the board the reasoning for placement of the signs and the height, when cars are coming in and out and keeping the flow of traffic going smoothly through the facility. With the height, he stated that they had to take into consideration the different vehicles that would be going in and out of the facility and to make sure that the signs are visible, that is why they want to put the signs at a 5 foot height. When people exit they need the signs to be at the right height to tell people where to go so there is no back up of traffic.

Member Cotch asked the applicant if there will be attendants at the location.

Mr. Levesque responded that there will be attendants there, they will be inside the car wash and also ones out to assist by the kiosks.

Member Cotch then asked about the hours of operation.

Mr. Levesque directed that to the Marketing Director Kevin Zalaznik

Mr. Zalaznik stated that the typical hours are Monday through Friday 8AM – 7PM, Saturday 7:30AM – 7PM and Sunday 8AM – 6PM

Chairperson Mollnow asked if board members had any other questions about the variances or the signs. Being none he moved to public comments asking Joe Seman-Graves if any public comments came in

Joe Seman-Graves stated there were none received.

Chairperson Mollnow being no public comments, he closed public comment period. He then asked members of the board if there were any other items they wanted to discuss regarding the application. The easiest way for Sharon is if we vote on each variance separate. He then asked for a motion on C1 and C2 entrance signs on the Saratoga Street entrance being 5 feet in lieu of 15 feet.

Vice Chair Kusaywa made the motion to approve 2nd by Member Dion motion carried unanimously.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Chairperson Mollnow	X		
Mark Cotch	X		
Vice Chair Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

Chairperson Mollnow; 2nd variance is the total square footage of the free-standing sign. Per code is allowed at 100 square feet, this is an increase to 170 square feet; relief of 70 square feet

Motion was made by Member DeChiaro to approve 2nd by Vice Chair Kusaywa motion carried unanimously.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Chairperson Mollnow	X		
Mark Cotch	X		
Vice Chair Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

Chairperson Mollnow; the last variance is for the directional signs that are 24 square feet and 5 feet above grade in lieu of 2 square feet and 4 feet above grade per code (relief of 24 sq. ft. and 1 ft. above grade)

Motion made by Member DeChiaro 2nd by Member Dion motion carried unanimously.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Chairperson Mollnow	X		
Mark Cotch	X		
Vice Chair Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

Chairperson Mollnow asked Joe Seman-Graves to make a recommendation to the planning board that the zoning board has approved the needed variances, and to review the illumination and how it will affect the area.

CONSIDERATION OF CONSTRUCTION OF A 4 UNIT BUILDING AT 69 & 73 VLIET STREET

Chairperson Mollnow; the next item on the agenda is the construction of a 4 unit building at 69 & 73 Vliet Street. The applicant is proposing to construct a 4 plex apartment building on the vacant lots at 69 & 73 Vliet Street in the Multi-Family Residential Zoning District. The applicant seeks to be granted the following area variances; Minimum lot size; requesting a variance for 4,492 square feet, a reduction of the required 10,000 square foot minimum. Minimum lot width; requesting a variance for 23.5' on the North end and 16' on the South end; a reduction of the required lot depth of 75'. Minimum lot depth; requesting a variance of .32' required depth is 100'. Side setback requesting a variance of 3.3' from the North. Members remember that this applicant came to the board preliminary in November and the plans have been updated further for our review. He then asked Mr. Godfrey to approach and give the board an overview of his plans.

Mr. Godfrey; stated that he changed from 3 bedroom to 2 bedroom, added the washer and dryers in the units. He then asked the board what questions they had for him. He said everything was the same with the exception of what the board recommended he change.

Chairperson Mollnow asked the applicant what changed in the site plan.

Mr. Godfrey; stated he had the engineer do an actual site concept, showing where the storm water is going to go, showing the placement of the bike rack, the patios in the back, the retaining wall.

Chairperson Mollnow so nothing changed it was just developed.

Mr. Godfrey correct, stating that they didn't want to do the developed plans because of the cost and if the board didn't approve or was in favor of the project.

There was a discussion on what plans the board members had in their packet Mr. Godfrey approached Member DeChiaro to explain the concept plans.

Chairperson Mollnow asked the applicant if it was drawing C101.

Mr. Godfrey responded yes.

Chairperson Mollnow told the board members it would be the third page in the packet.

Mr. Godfrey again explained the plans showing the retaining wall, patios, where greenery is going to be and he explained the storm water drainage, he also stated that they would be replacing the sidewalks on Vliet and Hamilton Street, they are going to plant trees out in front to help catch water, the trash would be at the south end of the building which is a paper street, and they are working with the Historic Board regarding the exterior colors and design.

Vice Chair Kusaywa asked about the paper street and if he was looking to buy it.

Mr. Godfrey stated that they are going to leave that alone for now and once the building is complete then he would like to pursue working with the city on purchasing the paper street. He stated that they could then use that for off street parking. He stated that once the building is complete he would start to work with Joe on the paper street purchase.

Joe Seman-Graves stated that the City has some major utilities in that area so it may be a situation that it can just be used for parking instead of purchasing, he told the applicant that he didn't know if a sale would happen

Mr. Godfrey acknowledged what Joe said, stating that maybe they could just do gravel over it instead of blacktopping it—using crusher run.

Joe Seman-Graves told the board that the applicant has gone to the Historic Board and presented his project but hasn't been in front of the Planning Board.

Chairperson Mollnow asked the board if they had any other questions, he had 2 questions for the applicant. Parking on Hamilton and Vliet, you can park on both sides of the street right?

Mr. Godfrey; I believe so. When we go to Planning we were going to bring up that we are doing the bike racks and we are accounting for one car per unit. I drive by Hamilton all the time and if anyone else does as well, the 2 cars that park there are the guy right next door, nobody else parks there. He stated that he already had a conversation with the neighbor that once the building is up he would have to park across the street.

Chairperson Mollnow then asked how tall the retaining wall is going to be

Mr. Godfrey; retaining wall is going to be 5 foot tall—he said the engineer came up with the highest point being 5 foot.

Chairperson Mollnow asked Joe Seman-Graves if there were any public comments sent in

Joe Seman-Graves stated none were sent in—44 letters went out and no comments

Chairperson Mollnow closed public comments and asked if members of the board had any other questions or comments.

Member DeChiaro stated that she was pleased that the applicant is working with the Historic Board as it does tie in with other properties in the area.

Vice Chair Kusaywa stated to the applicant that he liked what they did to the property on Columbia Street, it came out really nice

Chairperson Mollnow; members of the board if there are no other comments I will open it up for motions on the variances, make a motion on any variance that you want to start with.

Member Cotch made a motion to approve the variance on the minimum lot size 2nd by Vice Chair Kusaywa motion carried unanimously.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Chairperson Mollnow	X		
Mark Cotch	X		
Vice Chair Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

Member DeChiaro made a motion to approve the remaining variances; Lot width, lot depth and side set back (relief width; 23.5' on North 16' on South, lot depth .32' and side setback 3.3' on the North side) motion was 2nd by Vice Chair Kusaywa all motions passed unanimously.

Chairperson Mollnow wanted it noted that the one side setback is in the public alley owned by the City.

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Chairperson Mollnow	X		
Mark Cotch	X		
Vice Chair Kusaywa	X		
Carolyn Dion	X		
Jacqueline DeChiaro	X		

Chairperson Mollnow stated to the applicant that all of his variances have been approved and told him to go to Joe for the next steps.

With no other business to discuss Chairperson Mollnow made a motion to adjourn the meeting at 6:56PM.

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