

**MINUTES OF THE COHOES ZONING BOARD OF APPEALS HELD IN THE
COMMON COUNCIL CHAMBERS OF COHOES CITY HALL ON WEDNESDAY,
OCTOBER 19, 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

Chair Mollnow called the meeting to order at 6:30PM.
Roll Call taken; No members were absent

CONSIDERATION OF THE MINUTES FROM THE SEPTEMBER 28, 2022 MEETING

Chairperson Mollnow; first on the agenda is the consideration of the meeting minutes from the September meeting. Is there a motion to approve the minutes.

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

All in favor, motion carried unanimously

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

CONSIDERATION OF AN AREA VARIANCE AT 53 MCDONALD DRIVE

Chairperson Mollnow; next on the agenda is an area variance at 53 McDonald Drive. The applicant has submitted an area variance application for the addition of a 12'x16' shed at 53 McDonald Drive in the R-1 Residential zoning district. Properties zoned R-1 require a front setback of 50 feet, but the applicant proposes that the shed be placed with a setback of 34 feet from the northerly property line, requiring an area variance of 16 feet. The appeal under consideration is one for an area variance. For an area variance to be legally granted pursuant to Section 81 of the General City Law, the following issues must be considered:

General consideration for an area variance;

1. The benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant;
2. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
3. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue, other than an area variance;
4. Whether the requested area variance is substantial;
5. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
6. Whether the alleged difficulty was self-created

Chairperson Mollnow asked Mrs. Burke to approach and explain the project.

Mrs. Burke; stated that they are looking to install the shed to store their motorcycle and they are hoping to get the area variance before snow comes.

Chairperson Mollnow; Joe there are no issues with the side setback correct?

Joe Seman-Graves; no

Chairperson Mollnow; only question I have is it looks like the shed it going be in line with the back of the house to give it a nice clean line?

Mrs. Burke; yes

Chairperson Mollnow; members of the board, any questions? Tess were there any public comments?

Tess Drauschak read the comment sent in by Ms. Lara Brehm and Ms. Dorothy Pascavage residing at 43 McDonald Drive. They had several concerns regarding the shed, storing motorcycles, and the removal of a tree.

Chairperson Mollnow asked if there were any other public comments, being none closed the public comment period.

Mr. Steve Zareski accompanying Mrs. Burke responded to the board that there would only be one motorcycle, it's not plural. He stated that he only rides once or twice a week and not at night, so the neighbor doesn't have to be concerned about him going in and out at night.

Mrs. Burke told the board that it would be stored in the winter in the shed.

Chairperson Mollnow asked the applicant if they intended to use it as a daily garage

Mrs. Burke stated no

Member DeChiaro asked the applicant if they intended to install a driveway, as the neighbor had a concern regarding that.

Mrs. Burke stated no,

Joe Seman-Graves told the board that per code you can't have 2 driveways on a residential property, and it would have to go to traffic and they tend to not approve second driveways.

Chairperson Mollnow ok, members of the board any other questions or comments?

Member DeChiaro; the set back between the 2 properties meets code right?

Chairperson Mollnow yes, it's only required to be 10 feet this is 14 feet. Any other questions?

Member Cotch asked where the motorcycle is stored now

Mr. Zareski stated in the driveway

Member Cotch; so you've had it for a few years, it's not new to the neighbors?

Mr. Zareski yes I've had it for a few years now, it's an expensive Harley Davidson and I don't want it sitting in the driveway for the winter.

Chairperson Mollnow; any other questions from the board? I have one question about the siding, will it be similar to the siding on your house. He asked what would the exterior of the shed look like, will it be comparable to the buildings in the area, some kind of finished siding?

Mrs. Burke responded yes it would be similar to their house.

Chairperson Mollnow asked if there were any other questions or comments?

Chairperson Mollnow made a motion to approve the application

Vice Chair Kusaywa 2nd the motion. 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; your variance is granted, Joe do they need to do anything else?

Joe Seman-Graves; told the applicant that we would send the approval over to the building department so they could get their building permit

Chairperson Mollnow with that we will call the meeting to adjourn at 6:39PM