

Approved July 24, 2017

**Village of Kinderhook  
Zoning Board of Appeals  
JOINT PUBLIC HEARING  
Minutes of June 26, 2017**

Present	K. Gray; D. Sullivan, ZBA Chair; G. Seaman; J. Callahan; B. Van Alstyne; G. Smith, CEO/ZEO; R. Fitzsimmons, Village Attorney; R. Baumeister, Liaison; S. Patterson, Acting Chair PB; K. Monahan; A. Van Alstyne
Also	Patricia Armstrong; Steve Matheke; Peter Van Alstyne; Rev. Tom Malioneck
Absent	B. Charbonneau; M. Cabral
Public Hearing	7:15 PM D. Sullivan opens the public hearing and explains the application to the public. St. Paul's Church 43.20-2-53 4-6 Sylvester Street Area Variance requesting Side Set Back – proposing 14.6 feet and code requires 25 feet, Lot Size – proposing 10,734 sq. ft. and code requires 20,000 sq. ft., and Lot Width – proposing 108.57 feet and code requires 125 feet and a Minor Subdivision. Dave then explains the procedure and that this is a joint public hearing with the Planning Board, if the ZBA approves the area variance then the PB can vote on the minor subdivision. P. Van Alstyne discusses the application and reviews site map of property with public. R. Fitzsimmons confirms that this parcel will still be able to hook up to the sewer if requested even after it is a separate parcel per Jim Dunham, Mayor who confirmed this Office of Community Renewal. No public comment. Public Hearing is closed at 7:23 PM.
Call to Order	7:23 PM D. Sullivan opens meeting.
Minutes	J. Callahan made a motion to approve May 22, 2017 minutes; B. Van Alstyne seconded; all in favor.
Funds Remaining	\$1,400.00
Correspondence	NONE
Old Business	St. Paul's Church 43.20-2-53 4-6 Sylvester Street Minor Area Variance and Minor Subdivision R. Fitzsimmons reviews SEQR for the ZBA and PB both on one

form. NO to all and asks the boards to issue a negative declaration for SEQR; J. Callahan requests that the parcel be listed as suburban as it is listed as urban on the current form, all in favor. B. Van Alstyne motions to declare a negative declaration with the change; D. Sullivan seconds, all ZBA and PB members are in favor. The letter of authority from the Diocese is presented per boards request. R. Fitzsimmons reviews and agrees it is acceptable to proceed. The ZBA fills out the Area Variance Findings and Decision Worksheet.

#1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties. The board discusses that these were actually a few different parcels at one time and the history of the church. All agree with NO.

#2 Whether benefit sought by applicant can be achieved by a feasible alternative to the variance. All board members agree NO.

#3 Whether the requested variance is substantial. The board discusses that they are looking for an almost 50% variance and all agree on YES but state that it is not unlike others in the area which mitigates any concerns.

#4 Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood. All agree with NO.

#5 Whether the alleged difficulty was self-created. All agree YES but again discuss that this is not an unreasonable request. D. Sullivan motions to accept and approve the application for area variance as the benefit to the applicant does outweigh the Detriments to the Neighborhood or Community; K. Gray seconds, all ZBA members are in favor.

The PB opens up their meeting at 7:43PM to discuss the minor subdivision application. R. Fitzsimmons discusses application, parking is with in code, sewer has been discussed, SEQR complete, no site plan requested, no screening issues. A. Van Alstyne motions to accept and approve application for the PB Minor Subdivision; K Monahan seconds; all in favor. D. Sullivan reopens ZBA meeting at 7:50 PM to discuss NB.

## New Business

The Flammerie 43.20-2-53

### 4-6 Sylvester Street Area Variance for Sign

C. Chase discusses her application for a new sign on the side of her building. HPC has approved the actual sign. Lighting is compliant. The board then discusses what her actual variance is for. The board discusses the matrix with G. Smith, CEO to make sure we have the correct variance requested. It is decided that the sign will need 1 sq. ft. variance for flush mounted sign as the maximum is 24 sq. ft. and the sign is 25sq. ft. and 3 feet variance as the maximum length is 12' and sign is 15'. The applicant discusses that this is as small as she can make the sign without it

looking awkward on the building. D. Smith will forward application to the PB to see if they have an advisory opinion prior to the next meeting. K. Gray motions to set public hearing for July 24, 2017 at 7 PM; B. Van Alstyne seconds; all in favor.

Other

Training for ZBA Members. Board discusses different topics on which they wish to train and possibly hold workshop meetings in the future to discuss generic items to better understand their role as a member of the board. R. Fitzsimons commends the board on their process of discussing applications as they come in and understanding and updating during meetings. This will be discussed further.

Next Meeting

July 24, 2017

Adjournment

8:55 PM B. Van Alstyne moved to adjourn; D. Sullivan seconded; all in favor.

Kristina Berger

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Secretary to Zoning Board of Appeals