

ZONING BOARD OF APPEALS MEETING
With Public Hearing

December 21, 2023; 7:00pm

MINUTES

Regular Meeting Call to Order: 7pm by Chair Pro Tem, J. Wojick.

Present: Members L. McDermott, E. Wagner, M. Washburn, J. Wojick; Dep Clerk S. Davis, Jr.; Attorney K. Dow; Applicants Scott and Sofi Gabriel; Residents A. Rippel, E. Gardner, M. Gardner, A. Nemey.

Not present: Chairman, S. Piazza; Board of Trustees Liaison, P. Minahan.

Open Public Hearing for: Application #2023-147: Tax Map #66.10-3-15; Scott Gabriel; 15-17 School Street, Chatham, NY. 7:08 pm by Chair Pro Tem, J. Wojick.

Applicants were shown letters received by the ZBA from the Village of Chatham Fire Department, the Foreman of the Village of Chatham Department of Public Works, and the Village of Chatham Planning Board. General discussion between the Board and Applicant regarding the issues raised in the letters. Attorney K. Dow reminded attendees to direct any comments directly to the Board and not the Applicant. Residents raised issues regarding the potential of placing additional burden on an already old sewer line, reduction of green space, the ability of the structure to sustain the additional residents, and the safety of the lack of windows. M. Gardner expressed major concern regarding structural issues, parking, Fire Department access, and the need for a structural engineer to assess the property, stating that she was not on board. E. Gardner stated that she had lived next to the structure for 14 years and that the street was very narrow with not much parking capacity, that the carrying capacity of the property was maxed out, that there is a senior home nearby and that ambulance access is already limited, parking restriction exist on that street form 3-6 am, and that configuration of the property is detrimental to future growth. A. Ripple stated that snow removal on the street is already difficult and that more cars parked there would make it unfeasible. Applicant stated that the reason for seeking a variance was to allow them to move forward and that they have no interest in moving forward without having all of the issues addressed. Applicant is seeking provisional approval to move forward. They plan to limit 1 car per unit and that the square footage in the parking lot would not change and that the lot can currently accommodate 12 cars. Applicant stated that they would be happy to share plans and that they are open to window changes but that they would not know until they spoke with the fire department. K. Dow noted that some of the issues raised had to do with the fire department and the building department

regarding the Fire Code and was not the purview of this Board. He then advised the Board that they could seek more information from other entities if they felt that was needed and leave the Public Hearing open. General discussion regarding thoughts on the need for more information. K. Dow noted that the law states that there needs to be a certain amount of space. To seek relief, there needs to be a reason. The Boards agreed that no additional info was needed. K. Dow read the standard of definitions to the Board. L. McDermott stated that the variance would be substantial and that there would clearly be a negative impact on the quality of life. M. Washburn agreed with both points and added that the change would be self-inflicted. E. Wagner and J. Wojick both agreed. E. Washburn made a motion to close the Public Hearing at 8:00 pm. Motion seconded by L. McDermott, approved by all.

Old Business:

1. Application #2023-147: Tax Map #66.10-3-15; Scott Gabriel; 15-17 School Street, Chatham, NY. Area variance to convert a 4-unit dwelling into a 6-unit dwelling, on an undersized lot. Adding two additional dwelling units in the empty oversized attic. K. Dow noted that no SEAF was required and that the Board could treat the application as a Type II.

M. Washburn made a motion that the Village of Chatham Zoning Board of Appeals deny Application #2023-147: Tax Map #66.10-3-15; Scott Gabriel; 15-17 School Street, Chatham, NY 12037. Motion was seconded by L. McDermott. J. Wojick asked that the vote be cast by roll call.

L. McDermott	Deny
M. Washburn	Deny
E. Wagner	Deny
J. Wojick	Deny

Application denied.

Other Business: Members please complete your annual 4-hours training and bring certificate to Clerk Office.

Other Public Comments: None

Approve Minutes: November 16, 2023 Motion to approve the minutes made by L. McDermott, seconded by E. Wagner, approved by all.

Adjournment: Motion made to adjourn by E. Wagner, seconded by L. McDermott, approved by all.

Next ZBA meeting: January 18, 2023; 7:00pm.

Meeting location: Tracy Memorial Village Hall, 77 Main Street, Chatham, NY 12037

Respectfully submitted:

Sam G. Davis Jr., Deputy Clerk
(as of 01/10/2024)