

The Mechanicville Zoning/Planning Board held a meeting at the Mechanicville Senior Center, 178 North Main Street, Mechanicville, New York on December 8, 2020. Frank Scirocco opened the meeting at 7:00 P.M. The Pledge of Allegiance was led by Robert Chase.

Roll Call:	Frank Scirocco	- present
	Robert Chase	- present
	Richard Delaney	- present
	Martin Doyle	- present
	Ed Morcone	- present
	Dan O'Connor	- present
	Addie Waldie	- absent

Frank Scirocco: Did everyone get a chance to look at the minutes of the last meeting; is there a motion to accept them?

Motion by: Dan O'Connor

Seconded by: Bob Chase

Ayes: 6 Nays: 0

Frank Scirocco: The applicant is Gagne-Morin for a special permit to convert an open space into four (4) one (1) bedroom apartments on the third floor of 211 Park Avenue. Let it be known the public hearing was duly published in the official newspaper, the Daily Gazette, according to the law. Before we get started I have a couple of things, the purpose of tonight's hearing is a special permit so if you could direct your questions to the criteria for the special permit and try to keep construction that we have no jurisdiction over, like the building department and the fire marshal limited as possible. Also, since we have some new members, I want to go over how the meeting is run, each member will be called on to ask questions. I would hope that no one interrupts because the meetings are recorded and if someone interjects with a question then Gina doesn't know who is speaking and we really don't know who is on the record. So, for the purpose of accurate minutes each person will have as much time as they need and if you feel you have the need for a question, raise your hand, I will call on you that way there Gina will know who is talking and we will get an accurate record. So, tell us what you want to do.

Cathy Morin: Well, we have three (3) floors in the building that we have on 211 Park Avenue, presently we have retail tenants on the first (1st) floor and two (2) actually, there is one (1) one space. On the second (2nd) floor we have small offices; we have two (2) tenants on that floor with small business offices. On the third (3rd) floor we are in the process of building an apartment for ourselves, my husband and I and that would occupy approximately half the floor including the stairwell and we have vacant space in the back of that floor that we felt would be conducive of possibly making some apartments, so we were thinking of making one (1) bedroom apartments and there is room for four (4) of them. So, I'd make that third (3rd) space living area and then the first two (2) floors, as I mentioned, are already commercial and retail but we all know right now that retail is not a hot commodity. We have been wanting to make it commercial since we purchased the building in 2006 but we have come to face the facts that since the building is 10% occupied since we've owned it that maybe we should think about doing something different on that third (3rd) floor. Since we are already putting in an apartment for ourselves we would like to have other people that are living there verses commercial. That is really the purpose to just make the building a useful space on the third (3rd) floor. We do have a building permit right now for the front space which is in process and we were kind of hoping to do the other space to limit the dust and noise before we move in if we could pertinent on approvals and such.

Frank Scirocco: I am going to open it up to the board now for questions and remember the main criteria for this special permit is whether or not there will be an adverse effect or change of character of the neighborhood. Martin, would you like to start if off.

Martin Doyle: Sure, part of it has to do with the parking issue, you talked about public parking along the railroad tracks, that is pushing the 400 foot distance to available parking so chances are the tenants will most likely park on the street or in the plaza parking lot and you probably won't have control over that but chances are parking is going to be in the street or in the plaza parking lot, they are not going to make their way up to public parking. There is a statement saying there is parking on the east side of the building, is that statement correct, is there parking available on the east side of the building?

Cathy Morin: We do have eight (8) feet on the east side of that building that you could park three (3) cars the length of that space. Between the bakery and our building there is a little building that used to be Rose Insurance there before well we actually have a section of our building, the building isn't a rectangle is actually shifts, there is a section along where it shifts that has space where we could attempt

to put parking spaces if we needed to. There is space on the street; I would have to agree with what you said about parking on the street which it is never jammed packed on that street anyways. Again, it is only going to be four (1), one (1) bedroom I don't think it will have a significant impact necessarily. As far as the plaza, I mean that is not for me to advertise that as parking space but if they decide to leave their vehicle there it is beyond my control. There is space on the street and again if I need to do something on the east side of the building which does have the space there we could put three (3) or four (4) parking spaces there if we needed to.

Martin Doyle: There is no indication of fire protection in the building or sprinkler systems in the building.

Cathy Morin: When we did the remodeling on the first (1st) and second (2nd) floor we were exempt from the sprinkler system because there is a two (2) hour firewall between each tenant. The only space the City had requested a sprinkler system was in the stairwell where we do have a sprinkler head there. Everything else has firewalls and there is a centralized fire alarm in the building and fire extinguishers in cabinets. There is another stairwell in the back of the building that also has the two (2) hour firewall which we put in for safety purposes as another way out of the building, and that is what we have in place. We did meet with the fire inspector, Mr. Alonzo, and once we are in position to obtain a certificate of occupancy he will be stopping in to make sure we have all the safety measures in place to comply. We have already met with him informally to go over the space.

Frank Scirocco: That would fall under the jurisdiction of the Fire Marshal and the Code Officer. Thank you.

Martin Doyle: I am done for now.

Frank Scirocco: Ed?

Ed Morcone: I agree with the Martin about the issue with the parking, tenants parking on Park Avenue, it gets pretty congested there. I have been all through that building, there is a massive amount of space, this was a couple years back, did you have an apartment in there on one of the lower floors before?

Cathy Morin: No, I never had it, on the first floor no; there was never anything that was residential.

Ed Morcone: How about the second (2nd) floor, wasn't there an apartment there?

Cathy Morin: Not ...

Ed Morcone: I thought there was someone living there at the time the dentist office was in there.

Cathy Morin: When the dentist office was she took up that space and in the front we have Split Endz and the back of that space off the alley there is a door to go in and that was actually a psychologist and she had a satellite office there, she was there twice a week and her office hours tended to be after dinner in the evenings. We also had a recording studio on the second floor which also had business hours which tended to be late at night. They were there odd hours but they have since vacated the space. It might of seemed like someone was living there because they were there at like two (2) or three (3) in the morning but that is the type of business recording studios do they must get creative at night, I have no idea, hopefully that answers the questions.

Ed Morcone: The big windows overlooking McDonald's is that roughly where the apartments are going to be at.

Cathy Morin: The front section of the building, that is going to be the apartment that I am going to be residing in with my husband, the back end of the building, which encompasses the windows on the east side, which is overlooking the bakery, and the alley, that is where the apartments would be in the back.

Frank Scirocco: Bob Chase?

Bob Chase: It is not going to change the neighborhood in anyway because all of the buildings that surround that on the Park Avenue side already have tenants that live over the top of them.

Frank Scirocco: Do you have any questions for the applicant?

Bob Chase: No, and she has no control over parking anyway, you have the plaza parking right there and you can't stop her tenants from parking there and they can't stop them either so parking is kind of a mute issue.

Frank Scirocco: Dan?

Dan O' Connor: I have been through that building, I love the woodwork in there and I hope you keep some of that. I don't have a problem with the parking, need be down the road if you have to there is room in the back of the building for parking. Do you plan on using that little driveway, the alley to pull cars in and out of?

Cathy Morin: No, that wasn't the intent necessarily.

Dan O'Connor: It is just a blind spot for people pulling out of there, people walking down that sidewalk.

Cathy Morin: True.

Dan O'Connor: I have helped people move in that building, the dress shop.

Cathy Morin: That is a tough place to back in and out of. It is an easement so I think typically we just pull in and then out the bakery side.

Dan O'Connor: Good, I wish you luck.

Cathy Morin: Thank you.

Frank Scirocco: Richard?

Richard Delaney: You said you owned the building in 2012?

Cathy Morin: We purchased it in 2006.

Richard Delaney: Around 2012 when the board approved space in that building to be rented that you were given permission for apartments, I don't recall that, we talked about office space in the building.

Cathy Morin: I think it was 2012 because that is what my memory is telling me but it was mostly about the third (3rd) floor, we have a permit for an apartment a while ago, which is in process.

Richard Delaney: I don't remember it being brought up at the board meeting.

Cathy Morin: At that time, it must have been 2011 or 2012, but I believe, I don't even really know how it happened. I know there was some questioning about that

from what I recall, but you are right I never sat here in front of the planning board for that reason and I don't recall doing what I am doing today.

Richard Delaney: We approved a project for office space, see I don't recall that either. We approved the first (1st) and second (2nd) floor and the third (3rd) floor was going to be left for the future to do something with it.

Cathy Morin: Yeah there have been a few permits we requested in the past, since 2006. I am sorry I don't have a recollection of all the dates and everything. We did have a permit for the second floor, the second floor was actually, and they had a ceremonial hall which was twenty (20) feet and a balcony.

Richard Delaney: I went in the building today actually, no one was around and the door was opened, so I walked up to the third floor and looked around, I saw the apartment that you are working on now, which will be your own apartment, when so you expect that to be complete?

Cathy Morin: I would say March.

Richard Delaney: Seems like there is a lot of work to be done.

Cathy Morin: Yeah, I mean it seems like a lot but we haven't really been at it since February or March because of stuff happening and we were working out of town and everything but we will shortly be getting back on it. We do have a building permit that I will probably have to renew before we get done with it. It has been a process but I sold my home so I am going to have to move in the eventually. Hopefully things will get back to normal.

Richard Delaney: You said you put a set of stairs at the back, I didn't see those stairs but I probably didn't go far enough, do the stairs go all the way to the third floor.

Cathy Morin: They do, they are all the way in the back in the corner, if you were up there you would see...

Richard Delaney: I didn't open any doors.

Cathy Morin: Unless you stayed only in the lobby area, actually I saw you on my camera so I am glad I know who it is.

Frank Scirocco: These are building code questions that are more of their jurisdiction than ours, so if there is an issue with entrance.

Richard Delaney: I just want to make sure the apartments have two (2) entrances for egress.

Cathy Morin: Of course, yes, be assured I want that for myself as well, I want to be safe.

Richard Delaney: You mentioned Mr. Alonzo casually inspecting the building I know when you came before the board last time there were questions about fire trucks getting into that little alley especially if it needed to raise the truck to target the upper part of the building, did you talk with Jeff Alonzo about that at all, the fire access?

Cathy Morin: I think his main concern was having the fire alarms and extinguishers and such but we didn't talk about logistics about how they would set up in case there was a fire.

Richard Delaney: The size of that alley way is quite narrow.

Cathy Morin: I know they are old buildings back there.

Richard Delaney: Could a truck fit back there?

Cathy Morin: A normal vehicle, I don't know about, a pickup truck goes back there.

Richard Delaney: There was talk about a larger truck if need be to get to the third floor, you will have to talk with Jeff, he would have to approve that. With the access to the parking lot, they couldn't come in that alley way to come into the parking lot; is that correct?

Cathy Morin: Well right now as it is set up it is actually a shared use by myself and Bagnoli, the attorney's next door and their tenant's use that access, actually one of his tenants is the one that always plows that space. They come in and out of there and it has really never been an issue. We actually go out by the Golden Krust.

Richard Delaney: Is that a right away, would your tenants be able to come past Golden Krust?

Cathy Morin: It is my understanding there is an easement right there, it is an easement because the garbage trucks go through there to get the dumpster from the Chinese restaurant which is a couple of buildings down, so there needs to be access there. Golden Krust has their dumpster next to Bagnoli's garage I mean it is the only way back there for the trucks, I guess that is an easement at that point because there is no other way. I think it is in the deed as well, as far as I can understand.

Richard Delaney: Do you have any plans to use that parking lot.

Cathy Morin: Believe me if I had the money to do everything I wanted to do I would pave, I would put a roof on, there is a ton of stuff I would like to do but for that to be feasible it needs to generate some income which I am hoping to do if I get some tenants in there, because as I mentioned earlier we have had the building since 2006 and we have never had it filled with tenants and I don't see that happening in the near future as far as I have the bridal shop and the hair salon.

Richard Delaney: Where do those people park

Cathy Morin: On street parking.

Richard Delaney: That block can be filled up at times.

Cathy Morin: I have honestly never seen it, the fitness center closed, it used to be little more congested when the fitness center was open and that was in the early morning but that whole building is vacant now and there is nothing happening there so that street doesn't really get filled up like it used to.

Richard Delaney: People being at the Endzone kind of take up that block.

Cathy Morin: They were using their parking lot at the Endzone for table and seating with the COVID stuff happening so that took up their parking space but the Endzone has parking on the side.

Richard Delaney: What about the plowing of that area in the winter like the parking lot in the back of your building.

Cathy Morin: The way the whole thing is set up the lot is in front of the building except for the east side of the building where it jets out so I have a foot in the back of the building, I can certainly work something out with the people who own the Golden Krust building perhaps.

Richard Delaney: There would be four (4) to eight (8) cars?

Cathy Morin: Ideally I would hope to not have that many vehicles but in the worst case scenario if it is a couple.

Richard Delaney: In that area there would be no recreation space or open space for tenants with children.

Cathy Morin: No, children these are just one (1) bedroom, simple that is why we are doing one (1) bedrooms we don't necessarily want families.

Richard Delaney: Where would the tenants put the trash.

Cathy Morin: We have containers on the side of the building right now so they would utilize those.

Richard Delaney: Would you have a removal company come in?

Cathy Morin: That is correct.

Richard Delaney: There is really no accessibility for handicap people.

Cathy Morin: No there isn't, you would see in the building there is an elevator shaft in place already and we have the shaft go to the third floor and are hoping at some point to put an elevator in again that depends, it depends how much juice you can get out of the lemon.

Frank Scirocco: There are no requirements for ADA's.

Richard Delaney: There is some lighting in the front is there any in the back, and security lighting?

Cathy Morin: There is in the alley, there is a light and in the back because we had some kids doing graffiti and stuff.

Richard Delaney: So the tenants will most likely come into the building through the back?

Cathy Morin: There is an entrance through the alley way, a door which leads right to the stairs.

Richard Delaney: I notice the masonic temple sign in the front, are the plans to remove that or replace it.

Cathy Morin: I really haven't given it any thought, perhaps at some point if we have the luxury of having a crane there to take it down, conducive to something else but I really haven't give it any thought.

Richard Delaney: That is all I have.

Frank Scirocco: What is the square footage of the third floor?

Cathy Morin: 5800 square feet.

Frank Scirocco: This in progress is your apartment?

Cathy Morin: Yes.

Frank Scirocco: How many square feet is that?

Cathy Morin: About 1800 or 2000 square feet.

Frank Scirocco: So we have about 2500 square footage, what is the square footage of each apartment, do you know?

Cathy Morin: I don't.

Frank Scirocco: If it is a commercial building theoretically you could break this down into three (3) businesses which wouldn't need review by the board because they would be under 1200 square feet and would generate five (5) times the traffic that four (4) apartments that could be done legally. That is the only point I am trying to make. In regards to signage if it falls under the code you would go to the building department and give them whatever sign but if it exceeded the code you would have to come back to the board. With that being said I am going to close this part of the hearing and open it up to those wishing to speak in favor of the

applicant's request. Please state your name and your address; you don't have to stand up though.

Dave Hicks: 241 First Avenue I just have a few questions, I haven't seen the prints and I don't know if there is going to hallway there and is it going to be wide enough to be swinging beds in and also security of those rooms, the walls should be lined with plywood on the outside to prevent someone from breaking in, sheetrock doesn't stop it. Next, from what I hear the building codes and fire marshal has looked over all the entrances I don't if there is a ----- between one entrance and another entrance is there going to be individual sanitary facilities for each apartment?

Frank Scirocco: Do you mean is there going to be a bathroom?

Dave Hicks: Individual sanitary facilities, toilet, bath for each apartment.

Frank Scirocco: Yes there are, everything would have to be to code or they will not get a building permit. Most of those questions should be directed at any time to the Building Department but yes everything will be followed according to the New York State Building Codes, so there has to be a toilet and sink in each apartment and a shower.

Dave Hicks: I didn't know what the rules were because 221 has seven (7) rooms and one facility.

Frank Scirocco: That would be a rooming house, which is a different story.

Dave Hicks: That is it.

Frank Scirocco: Anyone else?

Kim Dunn: 250 South Main Street, I have a couple quick questions. When one of your board members was asking about the approval over the original apartment I am just curious, was it approved or was it not approved, and then to address the parking, obviously you can't control what in there obviously if it is a business or apartments with the traffic but from someone who does utilize many businesses on Park Avenue there parking is very tough at times and I just had a question also, there is not much space behind the building so no one can just go over and use the plaza, is that correct, I mean obviously if you are going to Walgreens or

McDonalds whatever but as far as someone parking there overnight that is not allowed right?

Frank Scirocco: That would be a question for the Jim.

Jim Herkel (Code Enforcement): I honestly don't know.

Kim Dunn: I mean that is considered private property, correct?

Jim Herkel: You would have to contact Park Plaza management to answer that question.

Kim Dunn: Can we find that out at some point because I think parking is going to be an issue. On street parking is a crap shoot if you get there before I get there you are going to take that spot and with people not necessarily working at jobs, and working from home you may have more cars there especially with four (4) apartments there, realistically I think it is one and a half (1 ½) and if you have a couple living there you are going to have two (2) cars. Those are just my questions, thank you.

Frank Scirocco: Anyone else?

Dave Hicks: Can I ask another question. She made up some points, since it is four (4) bedrooms there is going to be four (4) cars minimum but it will more likely going to be six (6) because the other partner or whoever there is going to be working and possibly eight (8) cars, I kind of see her point of view on parking with businesses there. Of course they may leave in the morning and come back at night.

Frank Scirocco: Then again it could be rented to one (1) person with one (1) car or to a business where we would be seeing multiple cars at multiple hours day and night so what would be worse, I don't know; I have an opinion. Anyone else to speak that is opposed; I will close this public hearing and bring it back to the board for final questions. Bob Chase?

Bob Chase: No, I am set.

Frank Scirocco: Dan?

Dan O'Connor: No.

Frank Scirocco: Martin?

Martin Doyle: No.

Frank Scirocco: Edward?

Ed Morcone? No.

Frank Scirocco: Richard?

Richard Delaney: No.

Gina Kenyon: Frank, just a reminder that the County...

Frank Scirocco: I will get to that.

Gina Kenyon: Just wanted to make sure you remembered.

Frank Scirocco: You didn't put a copy of that; did you give me a copy?

Gina Kenyon: I emailed it to you.

Frank Scirocco: Assuming that I looked at that, this had to be sent to the County for their referral and I am going to give you their decision. With no significant County wide of inter community impact. So they looked at this project prior to the hearing just so you know. By law we had to send that out. If there are no other questions, what I would ask you now is when you do vote, if you vote yes tell us why and if you vote no tell us why so we have it on record, because every decision we make is up for judicial review. Do I have a motion?

Motion: Dan O'Connor

Frank Scirocco: Motion by Dan O'Connor to accept the application to approve the special permit and conditions?

Dan O'Connor: No

Frank Scirocco: No conditions.

Seconded by: Bob Chase

Bob Chase: Yes

Richard Delaney: Yes

Martin Doyle: Yes

Ed Morcone: Yes, I don't think there will be any significant problems

Dan O'Connor: Yes

Frank Scirocco: Yes, the board found no significant impact, adverse impact on the neighborhood so with the evidence that was presented by the applicant and the investigated thoroughness of the board so the Chair votes yes. Permit is granted.

Cathy Morin: Thank you

City Attorney Lyn Murphy: There is one matter I had submitted a resolution.

Frank Scirocco: Do we need a vote on that?

City Attorney Lyn Murphy: Yes

Frank Scirocco: Do you have a copy I never saw it.

Gina Kenyon: I don't have a copy with me I emailed it to you.

City Attorney Lyn Murphy: I can basically recite it by memory, it won't be verbatim. In order to proceed with the project on Industrial Drive that was before the Board last meeting you have to go forward with the SEQRA process in order to do so you have to declare your intent to be lead agency, then there is a thirty (30) day period that runs to see whether or not someone object to that or they can also consent early, that is part of the process that has to occur so you need to do a resolution declaring your intent to seek the lead agency status and to authorize the Chairman to sign any documentation necessary to proceed with that process.

Frank Scirocco: Is there a motion to accept the resolution.

Dan O'Connor: Motion

Frank Scirocco: Motion by: Dan O'Connor
Seconded by: Bob Chase

Bob Chase: Yes
Richard Delaney: Yes
Martin Doyle: Yes
Ed Morcone: Yes
Dan O'Connor: Yes
Frank Scirocco: Yes

Frank Scirocco: Motion to Adjourn?

Motion by: Dan O'Connor
Seconded by: Bob Chase

Frank Scirocco: All in favor

Ayes: 6

Nays: 0

Meeting adjourned @ 7:42 p.m. by: Dan O'Connor
Seconded by: Richard Delaney