

The Mechanicville Zoning/Planning Board held a meeting at the Mechanicville Public Works Building, 4 Industrial Park Road, Mechanicville, New York on September 12, 2017. 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
	Keith Johnson	- present
	Ed Morcone	- absent
	Raymond Martin	- present
	Chris Boyark	- absent
	Sam Carabis	- arrived late

Frank Scirocco: Let the record show we have a quorum.

Frank Scirocco: Has everyone had a chance to read the minutes from the last meeting, I know I haven't. There are some questions in regards to the minutes so I am going to ask we table them until we have a chance to review them.

Motion to table the minutes made by: Raymond Martin

Seconded by: Robert Chase

All in Favor: Ayes: 5 Nays: 0

Frank Scirocco: First on the agenda tonight is a change in tenancy application. Let the records show the neighbors have all been notified. Michelle would like to put a Bridal Shop on Park Avenue, three (3) employees, trash is going to be by the owner, parking will be on the street, no exterior lighting, snow removal will be with the owner and City. Are there any questions?

Richard Delaney: Is the entrance the front only? Is there a back entrance?

Michelle Sgambati: There is a side entrance and a lift for wheel chairs on the side.

Richard Delaney: Will the customers be using all entrances?

Michelle Sgambati: They will use the front unless they are in a wheelchair.

Richard Delaney: Parking will be on the street.

Michelle Sgambati: Parking will be on the street on in the plaza.

Richard Delaney: Where will the trash bins be placed? Do you plan on any bins being placed on the street?

Michelle Sgambati: I have no idea, I haven't signed the contract yet I was waiting to see if I was approved, but I do not plan on having them on the street.

Richard Delaney: What type of signage will you have?

Michelle Sgambati: Probably just something in the window. I think it is allowed to have a bi-fold sign I see the tenants next door have it, I am not sure if I will do that.

Richard Delaney: That's all I have.

Raymond Martin: With the trash, how much trash do you usually generate?

Michelle Sgambati: Probably two (2) bags a week.

Raymond Martin: Is it recyclable?

Michelle Sgambati: Some of it is cardboard so yes.

Raymond Martin: In that first floor space how much of it are you going to occupy?

Michelle Sgambati: Half of the one side.

Raymond Martin: Do you know how long the psychiatrist has been there?

Michelle Sgambati: I do not know.

Raymond Martin: Do you know if she actually practices there?

Michelle Sgambati: I have never seen her.

Raymond Martin: Just a heads up on the kind of signs Ralph and Minette have, make sure you take them in at night because people like to have fun with them.

Michelle Sgambati: Thank you, I really don't think I am going to have one but I appreciate it.

Raymond Martin: What are the hours of operation?

Michelle Sgambati: Well they are probably going to increase a little bit but right now I am there Mondays and Thursdays 12-4, Tuesdays and Fridays 1-5, Saturday 11-3, and one evening a week. It will increase a little bit being in a bigger spot, and possible prom season.

Frank Scirocco: You can stay open as you want.

Raymond Martin: I have no other questions.

Frank Scirocco: Any other questions. I will close this part of the hearing, and open it up to the floor. Is there anyone here who would like to speak in favor for or against the application? No, ok I will close that part of the hearing
Do you have a motion to accept the change in tenancy application as submitted with no stipulations?

Frank Scirocco: Motion by: Bob Chase
Second by: Raymond Martin

Frank Scirocco	-	yes
Bob Chase	-	yes
Richard Delaney	-	yes
Keith Johnson	-	yes
Raymond Martin	-	yes

Application is passed, good luck.

Frank Scirocco: Next on the agenda is Philip DiSiena. Phil tell us what you want to do.

Philip DiSiena: I want to put up a 50 x 80 building.

Anthony DiSiena: It is a building to store most of our stuff inside, we are not planning on keeping anything outside, I am not saying there won't be a truck parked out there.

Frank Scirocco: Let the records show everyone was notified.

John Pickett: I am with them and we did some renderings if you want to see them. Here is the existing and the second page is the proposed.

Bob Chase: Frank, are your return mailing labels blank?

Frank Scirocco: We are a little confused on the return mailing labels. I do see the delivery information to Delanson, Waterford, Mechanicville, Ballston Spa so someone received them.

Gina Kenyon: I have them at the office, what happens is that is just a receipt for the person who mails them I have the originals and it shows where they are mailed to. This is just for the mailer to keep on record there is a large green card that gets returned after the addressee signs for the letter.

Frank Scirocco: So they were notified?

Gina Kenyon: Yes they were notified; most people write it on there this particular applicant did not write them in.

Bob Chase: I would like to see it done from now on.

Frank Scirocco: Is this a rendering of the building? First question I have is that the property might be contaminated.

John Pickett: New York State DEC remediation sites everything and there are eight (8) classified sights in the City of Mechanicville that have remediation plans. Four (4) of them are the Industrial Park (which have their own site codes), Mintzer Filling Station at 92 North Main Street, the old Landfill that falls under Mechanicville even though it is on Lower Newton Road, D & H Railyard, Camarota Cleaners, and the NYSEG site. So, DEC does not show any remediation plan or any action or anything with that site. I have copies of all of that if you would like them. That is a 30 year search. We did the research and we understand the concern so we wanted to make sure we addressed it.

Frank Scirocco: What is the size of the building?

John Pickett: It is 50 x 80, 16 foot clear span.

Frank Scirocco: Set backs are all good and there are no zoning violations at all.

Bob Chase: We don't have a plot plan of the site, we don't know where the boundary lines are, we don't know how far the building is from the boundary lines, what your setbacks are, you don't show anything for greenspace, what type of parking lot are you going to have.

John Pickett: Bob the quick answer to that we understood that there may have been some DEC issues; before we invested any money into site planning any further we wanted to make sure you guys were satisfied with that. Then, it could be drawn up quickly and added for a plot plan or site plan and whatever else you require.

Bob Chase: I also noticed that your stated environmental quality review short form assessment is completely blank.

John Pickett: There are no issues.

Bob Chase: Who designed the plot plan? Who surveyed it?

Frank Scirocco: What does it have to do with the SEQR?

Gina Kenyon: The environmental Assessment form attached to the application is what he needs; it takes place of the part you are talking about.

Bob Chase: So who determines all of the answers?

Frank Scirocco: The applicant.

Bob Chase: We don't know anything about drainage.

Frank Scirocco: There is no plumbing in this building so there will be no difference whether the building was sitting there or it wasn't as far as drainage is concerned.

Bob Chase: Are you going to have concrete dust being hosed down into the City street?

Anthony DiSiena: There won't be any forms over there, just trucks.

Bob Chase: We have so little information to go by.

Anthony DiSiena: We are trying to put up a shop so we can clean up what we have, we are planning on parking our trucks inside and forms will be kept where they are now.

Bob Chase: Not to offend anyone but we have enough eyesores on Central Avenue, we don't need another one.

Anthony DiSiena: It won't be an eyesore.

Frank Scirocco: In a brief narrative, exactly what are your intentions to do with the building so everyone has a clear idea?

Philip DiSiena: We are going to put the building and there will be nothing outside.

Frank Scirocco: What are you going to do with the building, how is it going to be used?

Anthony DiSiena: We are going to park our trucks in there and when we come to work at 6:00 A.M. we will get in our trucks and be gone until roughly 3:00, 4:00, or 5:00 P.M. and come back park the equipment inside and be gone.

Frank Scirocco: You are not going to be washing anything into the street?

Anthony DiSiena: No.

Frank Scirocco: By the way Country Living next door is in favor of this.

John Pickett: Just to address this there is a storm sewer, dead center. It is actually a failing manhole in the middle of the site. The way it is pitched it will all be drained to that drain itself and nothing will go on to Central Avenue.

Frank Scirocco: Who owns the weeds? Is that part of this property?

John Pickett: Yes and that will all be gone.

Frank Scirocco: Are you going to blacktop the driveway?

Anthony DiSiena: It will be blacktopped.

John Pickett: I guess that will go to you guys also if there are any greenspace requirements there. If you look next door at Country Living and the old Modern Lumber and there is no greenspace anywhere there.

Bob Chase: But now you are building a new structure.

John Pickett: Understood, but are you looking for something on Central Avenue which will then cause a line of sight issues or maybe the side lots between them and Palmer's house there can be something but there is an existing retaining wall. Between them and Country Living there is a fence I am not sure what you would add in there that is where the lean-to is proposed off the building.

Frank Scirocco: I would lean towards not making you do anything more than anyone else has.

John Pickett: Understood, but I know a couple people feel differently, a couple of Arborvitae aren't a huge expense so we really want to do this so we will make everything work.

Frank Scirocco: Anything else Bob?

Bob Chase: That's all for now.

Keith Johnson: Are you paving the whole lot?

Anthony DiSiena: If we can put a 50 x 80 building up the isn't going to much left to pave, the front, the side, and the little piece in the back will be all blacktop.

Keith Johnson: Will the building be roughly even with Country Living?

Anthony DiSiena: The building will be flush with the front of Palmer's house which is roughly 45 feet off the road.

Frank Scirocco: According to the building inspector there are no problems with setbacks. Is that zoned light industrial? There are no setback requirements.

John Pickett: It is zoned light industrial.

Raymond Martin: What is the business that is going in there? What is the name of the business?

Philip DiSiena: We pour foundation walls. Ross Concrete.

Raymond Martin: Is this the same forms you have off of Penrose Avenue?

Philip DiSiena: Yes but, the forms are staying at Penrose there will be no forms at the Central Avenue location.

Raymond Martin: When you put up the building are you going to put water and heat in it?

Philip DiSiena: I don't know yet, I have to get the building up first.

Raymond Martin: I was wondering if you pour a slab if you are putting a slab with water entrances.

Philip DiSiena: I am going to put the radiant heat in the slab but I don't know if I am going to hook it up but at least it will be there.

Raymond Martin: What about signage?

Anthony DiSiena: We may put a sign on the front of the building up on the eave, but no other signs.

Raymond Martin: Is the lean-to part of the 50 x 80?

Philip DiSiena: That is separate.

Raymond Martin: So it is 50 x 80 plus the lean-to is the lean-to going to go the whole length of the building?

Philip DiSiena: Yes.

John Pickett: The lean-to was proposed to see once we knew what the setbacks where.

Raymond Martin: Is it going to be an open lean-to on three (3) sides?

John Pickett: Yes.

Raymond Martin: Has the ordinance officer ever sited you for any weed problems or lot problems there? Have you ever gotten any request to clean things up?

Philip DiSiena: A while back there was a request to clean up the back which we did.

Raymond Martin: You mentioned Harry Clements had an Oldsmobile Dealership there.

Philip DiSiena: I was just a kid when it burned down; I watched the fire out my window.

Raymond Martin: Did he have a Gulf gas station there also?

Philip DiSiena: I don't believe so.

Raymond Martin: When we get to the short form, even though we have a listing from DEC I don't know if there is anything that we get from DEC saying they have investigated that site and found it clean. This is a list of the ones they found contaminated but, I am not sure what kind of process we could go through to get it certified there are no tanks in the ground.

John Pickett: Unless it is a requirement of the City to do a Phase I or Phase II Environmental to get a building permit or zoning it is a substantial cost for the land owner to go through that. Quite honestly if you look at it from a 50 x 80 building that you are putting up it is probably cost prohibitive to run a Phase II on that site. Typically unless there has been a complaint filed you don't call and ask them for a claim, they won't come out to look at previous uses.

Raymond Martin: What about the lot address?

Frank Scirocco: We have two (2) lots in town with the same address.

Gina Kenyon: Yes, John Holland is taking care of this. He met with the Post Master at the Post Office and together with the 911 Coordinator for Saratoga County they are working to rectify this issue. There are actually a few parcels in the City that have the same issue. There is actually another one on Saratoga Avenue with the same problem.

Philip DiSiena: What is the actual address?

Gina Kenyon: Right now you are 132 Central Avenue but that is not the correct address that will not be your address. John Holland, the Post Master and the 911 Coordinator will assign new addresses and this is being worked on behind the scenes as we speak.

Richard Delaney: I really wasn't prepared to discuss this at all because we had no information to act on, no sketch plan, no pictures, and I thought 132 was across the street so I didn't know where the property was. We need to know how far back it is set, what you propose to do with the land in front of it.

Anthony DiSiena: It will be 45 feet off the road. The overhang would be 5 foot from Palmer's house on the south end of the lot. The road in the back goes on an angle so when you are coming up that side road going towards Country Living in the back once you hit that lot the corner of the building will be 20 feet off then when you get on the north end of that street it is probably going to be 15 feet, that is William Street Extension.

Richard Delaney: Have you talked to the people at Country Living?

John Pickett: They are in support of the project.

Frank Scirocco: I have spoken to Jeff he couldn't come tonight but he said to relay it to the board that he has no problem and he is happy something is going there.

Richard Delaney: Are you storing trucks in the building?

Anthony DiSiena: Yes, a couple of pick-up trucks and our big crane truck will be in the building. A couple of guys that work for us will park out back and they will get in the work truck in the morning.

Richard Delaney: How do they access the back of the building?

Anthony DiSiena: Through William Street.

Richard Delaney: So there is a driveway from William Street?

Anthony DiSiena: I want to pave that section in the back it will be a pie shape then we will be able to park a couple trucks there.

John Pickett: There is an existing curb cut off William Street.

Richard Delaney: How much room is there in the back of the building?

Anthony DiSiena: Roughly around 15 feet and it goes to about 30 – 35 feet.

Richard Delaney: So 15 x 30.

Anthony DiSiena: No, it's a pie shape it gets wider.

Richard Delaney: How many cars can it accommodate?

Anthony DiSiena: Two (2), you can fit more than that but we will only have two (2) at a time.

Richard Delaney: You said you are going to pave the front of it, all the way out to Central Avenue.

Anthony DiSiena: Yes, we are going to come straight out all the way to Central Avenue.

Richard Delaney: How high is the building?

Philip DiSiena: 16 foot ceilings inside.

Richard Delaney: This is like a pre-fab

John Pickett: Total building height will be just under 38 feet. It is not pre-fab; the proposed building is wood frame and door.

Richard Delaney: There is a lean-to there, what type of door is on it?

John Pickett: There is no door it is open.

Richard Delaney: Why did you situate the building the way it is?

John Pickett: I am far from an architect; it was just a quick rendering so you can see what was there.

Richard Delaney: You could of come closer to the street, if you are 45 feet you could of come closer.

Anthony DiSiena: I want to be able to back my truck in and not have any problems doing it and not disrupt traffic.

Richard Delaney: Did you hear from any of the other neighbors in the area.

Gina Kenyon: We have not, Mr. D'Ambro came in with the address issue but that is being tended to.

Richard Delaney: Do you have to grade that before you do any work?

Anthony DiSiena: Yes we have some work to do first but I was told there is a City sidewalk going up that side of the road so I will not blacktop until that is in.

Attorney Val Serbalik: I am not 100% were this is going but I believe the City applied for and did receive a \$500,000 grant and there is a streetscape program going up Central Avenue and that is probably what you are talking about. The grant is for sidewalks and there were some renderings done by B&L the City Engineers and I don't know how it affects your decision but more importantly how it may affect your access to Central Avenue. I don't know what the plans are I only know there is something going on and there is an entire streetscape program to shape that area up.

John Pickett: Not knowing how you would proceed with approvals, it could be pave within 30 of the road, wait until this is done, then tie it back in for final CO or make it contingent upon what the City does but that project could be two (2) or three (3) years out and that would hold something like this up.

Richard Delaney: Will you have any sign to identify what your building is?

Anthony DiSiena: I will put a sign up on the building but no sign on the ground.

Richard Delaney: Will there be exterior lighting?

Anthony DiSiena: Yes I will have motion sensor lighting.

Sam Carabis: At one time there was a street that is abandoned that went through the property. On that street there were storm sewer lines and water lines and so forth. I think what we may want to do is have you take a look at where those lines are. I think there may 50-75 in from Central Avenue going into your property. We have the drawings and it might be helpful to find out where those lines are. They were not $\frac{3}{4}$ inch lines I think they were bigger.

Philip DiSiena: If they were 75 feet in from Central Avenue that would be right in the building.

Sam Carabis: I am not sure maybe you remember it.

Philip DiSiena: I remember, like I said I watched the fire from my mother's kitchen window.

Sam Carabis: We should get an idea where those lines come down through. Give me a call someday and I will get them out for you.

Bob Chase: I am confused with the height of the building.

Keith Johnson: It is 16 feet inside the building; the whole building will be 38 feet.

John Pickett: To the ceiling inside, from cement floor to the bottom of the truss is 16 feet.

Bob Chase: And you get that big truck in there?

John Pickett: Yes you can't be over 13'6 with the truck that is New York State law for trucking.

Raymond Martin: What is your time span as to when you want to get started?

Anthony DiSiena: I would like to start as soon as I can I want to get the concrete in before it gets too cold.

Raymond Martin: So you are ready to pull the trigger on it real soon, as soon as you can get approvals.

Anthony DiSiena: Once we get the go ahead we will get everything drawn up and bring you down whatever you need.

Sam Carabis: Is there going to be heat in the building?

Anthony DiSiena: Yes.

Frank Scirocco: Anymore questions?

Bob Chase: What is the lean-to for on the outside?

Philip DiSiena: We have some plowing equipment and stuff we want to keep undercover, salt and stuff like that.

Anthony DiSiena: I want to see how much room I have on the Country Living side, that probably won't even go on there I don't think I have the room for it.

Richard Delaney: If you have utilities do you have any utility boxes on the building?

Anthony DiSiena: Yes, I don't know what side they have to go on.

Richard Delaney: No access except for the front of the building.

John Pickett: There is a man door on the side and one on the back.

Sam Carabis: Are you going to exit off on Williams Street?

Anthony DiSiena: Yes.

Richard Delaney: Are you going to use the front for parking?

Anthony DiSiena: No, I need to keep it open to pull the trucks in and out.

Frank Scirocco: Is the building going to be at the rear end of the property?

John Pickett: Yes it is, it is the pie shape corner so if you take the southernmost rear and take the setback of 15 or 20 and square it up with Palmers and Country Living that will come forward from there and that is what gives you the pie shape for 3 to 4 parking spots in the back because it goes from 15 to 30-40 on the northern side.

Sam Carabis: You are going to be parking in the back coming off William Street?

John Pickett: Yes, just for two (2) or three (3) employee's cars.

Frank Scirocco: Any other questions. I am going to close this part of the hearing, and open it up to the floor. Is there anyone here who would like to speak in favor for or in opposition of the application? State your name and your address please.

Ed Hildreth: 132 Sixth Avenue, I would just like to congratulate them for keeping the business within Mechanicville and not looking to leave we appreciate it.

Frank Scirocco: Anyone else? I am going to close that part of the hearing and send it back to the board members. Are there any other questions?

Bob Chase: We are not going to vote on this until they get all the information right?

Frank Scirocco: Well here is the thing, it is now September and we can meet again in October then there is a very small window to be able to blacktop and get work done. If the board is comfortable with the application the way it is someone can make a motion to approve the application as submitted or not.

Sam Carabis: I will make a motion that we accept the proposal

Frank Scirocco: Is there are second?

Richard Delaney: I will second.

Frank Scirocco: Motion by: Sam Carabis
Second by: Richard Delaney

Frank Scirocco	-	yes
Bob Chase	-	no
Richard Delaney	-	yes
Keith Johnson	-	yes
Raymond Martin	-	no
Sam Carabis	-	yes

Frank Scirocco: Motion is passed. Site plan has been approved.

Richard Delaney: They should look at the sewer lines and make sure it is ok before they proceed. Could you do that?

Sam Carabis: I will pull those drawings.

Attorney Val Serbalik: The sewer lines, certainly municipal sewer lines, I know there are sewer lines going parallel on Country Living's so called property which isn't even theirs it is the old canal. There are sewer lines going through there and if there are sewer lines in the old City street the City would have an easement on it so building would be at your own risk.

Frank Scirocco: This part of the hearing is over.

Frank Scirocco: The next application is Dana DeFelice-Hobb. It is for an area variance at 123 North Seventh Avenue. I am going to read the criteria for an area variance for you as well as for the board so everybody is familiar. In making a determination the Zoning Board of Appeals should take into consideration 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. In making such determination the Board shall also consider the following:

- (a) Where an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance;
- (b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance;
- (c) Whether the requested area variance is substantial;
- (d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

The Board of Appeals, in the granting of the area variances, shall grant the minimum variance that shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Those are the laws set down by the legislature on approving an area variance. Just so we are all clear. So now tell us what you are going to do.

Dana DeFelice-Hobb: We are going to put a shed on the back corner of the property.

Andrew Swedick: I took pictures all around the house, and if you are looking at the front of the house from the street, the right hand side of the house has a deeded storm sewer easement for the City of Mechanicville. There is a drainage pipe that runs straight back along the property, that whole side we can't do anything with. (Going through the pictures) that first on the right hand side we can't do anything because of the trees all the way back and along that back fence is the Hildreth property because that is a storm sewer easement and drainage that the City has the right to access and maintain if necessary. I actually maintain it, I actually cleaned out the ditch, lined it with fabric so it stays clean. It used to clog up and back up Mrs. Sullivan's lot, our lot, and Mary Grace's lot. It still does it when there are extreme storms but not as bad as it used to be. So the other pictures as you proceed are just pictures across the house, and then when you get to the one looking down the left hand side of the house, the house is actually five (5) feet off of that line we actually own 6 inches of that grass off the sidewalk so we really can't do anything down the left hand side of the house. Another picture just walking down the back sidewalk towards the back, and a picture across the back where we built the patio a couple of years ago, another picture of the patio, and there where I just put in the retaining wall to level up the area to build a shed. Obviously I stopped because I needed a variance before I put the shed there. I built the wall out of the same retaining block that I built the patio out of that is all number 1 stone aggregate that is being used as a sub base for the Elementary School that I am building at Turnpike Elementary School for the Lansingburgh School District so underneath there is fabric I put under the highways that I built. There is another picture standing in Mary Grace Izzo's lot looking the other way of the retaining wall and then looking off to the left where you can see the cobblestone ditch that I maintain that the City is supposed to maintain. So I basically took pictures all around the house so everyone could see everything. Then obviously the last picture is showing you how it floods when the City's system backs up. That retaining wall is built so that the shed will be one (1) foot above the worst case I have ever seen of water.

That in the picture is Mary Grace's shed and she has lost everything in that shed.

Frank Scirocco: So that is Mary Grace's shed? So this is her property here?

Andrew Swedick: That corner of that block retaining wall there is a property pin right there is the property corner. The only person it actually borders in Mary Grace Izzo.

Frank Scirocco: Does she have a problem with this?

Andrew Swedick: She has no issues; she said every time she looks out her window she thinks she is living in a resort looking at our patio.

Frank Scirocco: I am generally reluctant to allow someone to allow someone right on the property line.

Andrew Swedick: It is not going to be right on the property line it is going to be like seven (7), eight (8) inches off.

Frank Scirocco: My question would be how will you maintain that side without being on her property?

Andrew Swedick: Well I mow it now.

Frank Scirocco: Let's say a new neighbor bought the house.

Andrew Swedick: That will be no different if I put up a fence how would I maintain it. That person would have to give me permission.

Frank Scirocco: Well normally we would ask you to be a foot away.

Andrew Swedick: The code is six (6) inches. So I still have to ask them to be able to walk around to weed whack as I do now.

Frank Scirocco: Fences are allowed. That was the big concern I had but, if she has no problem. What is the size of the shed?

Andrew Swedick: 8 x 12 and here is a picture of what the shed is very similar to, it is going to match the house, the siding and the shingles.

Dana DeFelice-Hobb: It is going to look esthetically very, very nice.

Andrew Swedick: As everything else there does as so we are told.

Frank Scirocco: It does look really nice. I would expect nothing less.

Andrew Swedick: 60,000 pounds of stone, I did probably 60% of all the concrete in Global Foundaries.

Sam Carabis: What is the reason you couldn't set it back a few more feet from the property line?

Andrew Swedick: Honestly, we still wanted to have somewhat of a yard and I was basically putting it back and I am going to pour a concrete slab there and we wanted to keep somewhat of a yard.

Sam Carabis: You have a big yard there now anyways.

Andrew Swedick: Not really, there isn't much of a yard with the patio, and then it floods.

Dana DeFelice-Hobb: I wouldn't want to infringe on Mrs. Sullivan, Mrs. Sullivan has a beautiful yard and I would not want to block her view of anything.

Andrew Swedick: Well we couldn't go on that side anyway because of the City sewer drain.

Dana DeFelice-Hobb: We go Mary Grace's blessing before we did anything.

Sam Carabis: I am just wondering if you have to paint it or repair it you have to go on someone else's property.

Andrew Swedick: It is manufacture stone, the shed is vinyl siding.

Keith Johnson: He is saying if a piece rips off because of the wind.

Andrew Swedick: Yes, if I we get a hurricane up here and it blows off of course I am going to have to get someone's permission to repair it.

Sam Carabis: Does the water get very deep back there.

Dana DeFelice-Hobb: Very deep, my son swam in it, the boys across the street and my son swam in it.

Frank Scirocco: The biggest concern is if the adjoining property owner, one of the big issues.

Sam Carabis: If she sells the property and you get another neighbor in there and you won't know if they are going to be agreeable.

Frank Scirocco: If the siding comes off it will have to stay off.

Dana DeFelice-Hobb: We also spoke with Mary Grace's son who will probably be inheriting the property and he too is on board.

Sam Carabis: You are going to put a slab there?

Andrew Swedick: I am going to pour a six (6) inch concrete slab there.

Sam Carabis: How high is the slab going to be above the ground?

Andrew Swedick: Well right now the blocks about 18 inches to two (2) foot above the ground so the slab is another six (6) inches thick. The slab is going to be covered by the shed.

Sam Carabis: How high is the bottom of the shed going to be off the ground?

Andrew Swedick: The shed floor comes on a 4 x 4 pressure treated timber but the siding comes right down the side so you don't see any of it. I built it so the bottom of the shed would be a foot above the worst case of water.

Bob Chase: I went and saw the property and it looks to me to be good if we can give them the variance.

Richard Delaney: I looked at the site and had the opportunity to talk to Dana and I think it looks good and I think they did a nice job explaining justification for the variance so I don't have any questions.

Raymond Martin: I was there with Richard and we had a very nice tour of the yard, the yard looks great! You have done some very nice things there. My only concern is if someone comes in and wants to put a shed just like it on their property line right next to you.

Andrew Swedick: I won't complain as long as it is nice like ours.

Raymond Martin: But let's say it is after you have sold the property and it is after they have sold the property that is one of the problems we have in Mechanicville, is granting variances that if it was possible to make it a foot or more so that it would give people space to go down there if they need to either work on the new shed. If Mary Grace moves hers and maybe you can make a nice pad for her and get that shed out of that water.

Andrew Swedick: I already offered, I told them I would put down a stone pad and move that one.

Raymond Martin: My question to you is one of the criteria is if there is any way you could bend a little bit and bring it a little bit off the property line to give you space.

Andrew Swedick: I can make it a foot, right now it is actually eight (8) inches, obviously with me doing what I do, I actually set up at transit and all those blocks are stacked $\frac{1}{2}$ to $\frac{3}{4}$ an inch then there is a $\frac{3}{4}$ inch chamber at the top of the block. So, with those few blocks that are out of the ground I am probably already eight (8) inches off the line if you want me to go four (4) more inches not a problem.

Raymond Martin: You could probably squeeze between the buildings I could not. I don't know how the rest of you feel about giving yourself a little bit more breathing space.

Andrew Swedick: I would still pour the slab right on the top edge of that wall then I would just make the slab six (6) inches bigger each way so I could bring it out from that line, that is not a problem but then I would I would have a six (6) inch wide or four (4) inch wide concrete lip showing.

Keith Johnson: You're not moving the wall? He can't move the wall.

Andrew Swedick: I wouldn't move the wall if you actually looked at it, because of how the water comes up there I left the top cores of the block open so when I pour that slab all the concrete is going to go down in there like pavers. Then, the shed will be bolted with what we call wedge anchors made out of concrete a hurricane isn't taking that because it would have to take the concrete slab and the whole wall with it.

Raymond Martin: If you are willing to go another six (6) or eight (8) inches to give somebody a chance to walk through either side if things need to be done I think it would be a nice gesture on your part.

Andrew Swedick: What I would probably do then is I would probably pour the slab four (4) inches bigger or six (6) inches bigger all the way around so that it looks uniform.

Frank Scirocco: Any other questions?

Sam Carabis: Did you have the property surveyed? Do you know exactly where your property line is?

Andrew Swedick: It has actually been surveyed and actually Hildreth's just had it surveyed.

Frank Scirocco: We are just trying to determine how much of a variance we are granting here.

Andrew Swedick: I thought the setback was five (5).

Frank Scirocco: Yes it is nine (9) and five (5). It is fourteen (14) a combination of minimum of nine (9) and a minimum of five (5) one side has to meet the minimum requirement and how far are you away? You are looking for a four (4) foot variance.

Edward Hildreth: What he is trying to say is there is the right away to the City that he doesn't want to infringe on, so it is like a catch 22 he is building up there to stay away from there.

Frank Scirocco: I am going to close this part of the hearing, and open it up to the general public. Is there anyone here who would like to speak in favor for or in opposition of the application? State your name and your address please. I will close the public hearing and is there anything left? Anyone else have anything?

Is there a motion to accept and grant the area variance based on no undesirable change in the neighborhood, not substantial, with the stipulation that he shed be one (1) foot from the property line.

Motion by: Raymond Martin
Second by: Bob Chase

Frank Scirocco	-	yes
Bob Chase	-	yes
Richard Delaney	-	yes
Keith Johnson	-	yes
Raymond Martin	-	yes
Sam Carabis	-	yes

Frank Scirocco: Area variance granted!