

**City of Schenectady  
Board of Zoning Appeals  
Meeting Minutes  
January 6, 2021**

**I. CALL TO ORDER**

Mr. Gleason called the meeting to order at 6:35 p.m.

*Due to the closure of City Hall because of the Covid-19 Virus, the meeting was conducted online via WebEx.*

After calling the meeting to order Mr. Gleason explained to the members of the public present how the consideration of the applications would proceed. He stated that the applicants would have an opportunity to make their presentation to the Board, followed by any members of the public who would like to speak in favor of the application. Next any members of the public in opposition to the application would be invited to speak, followed by any further discussion or questions the Board Members wished to put forth prior to the vote. He added that after the initial presentation of the proposal the applicant would not be given another opportunity to comment unless directly questioned by a Board Member.

**II. ATTENDANCE**

**PRESENT:** James Gleason, Chair; David Connelly; Brendan Keller; Helene Lester; Avi Epstein, Neighborhood Stabilization Coordinator; Jennifer Mills, Secretary

**ABSENT:** Fred Clark; Mary D'Alessandro-Gilmore

**III. CONFLICT OF INTEREST CHECK**

None.

**IV. APPROVAL OF MEETING MINUTES**

Motion by Mr. Keller, seconded by Mr. Connelly, to approve the Minutes of the December 2, 2020 meeting as submitted.

*Motion carried unanimously.*

**V. NEW BUSINESS - APPLICATIONS**

**A. BENJAMIN WEISEL on behalf of NIAGARA MOHAWK POWER CORPORATION requests area variances for 49.80-138, located in the C-2 Mixed Use Commercial Zoning District, to allow for an 8' tall security fence with an additional foot of barbed wire to be placed above (total of 9') which is prohibited pursuant to Schedule D and §264-32 (D) respectively.**

Benjamin Weisel, attorney for Niagara Mohawk Power Corporation, and Michael Quinn, project manager, presented the application.

Mr. Weisel briefly reviewed the application and explained that this existing substation, which has been in operation at this location for over 70 years, will be upgraded and expanded to meet the growing power needs of the City. He stated that it is important that the facility remain secure both to protect the power supply but also the safety of any potential trespassers. Mr. Weisel stated that when there is significant snow cover on the ground the current fence height could potentially be scalable by an intruder, and the applicants feel that the added height will eliminate this possibility.

Mr. Weisel reviewed the criteria for the area variance and explained why the applicants feel that they meet those standards.

**PUBLIC COMMENTS IN FAVOR**

None.

**PUBLIC COMMENTS IN OPPOSITION**

None.

**CONTINUED DISCUSSION**

The Board Members indicated that they had no objections to the application and agreed that the criteria for an area variance had been met by the applicants. They noted that the higher fence would improve the security and safety of both the site and the surrounding residents.

**SEQR**

Motion by Mr. Keller, seconded by Mr. Connelly, for the Schenectady Board of Zoning Appeals to act as Lead Agency for the SEQR process. All involved and interested parties have been notified and consented to the BZA acting as Lead Agency.

*Motion carried unanimously.*

Motion by Mr. Keller, seconded by Mr. Connelly, to adopt the Negative Declaration on this unlisted action pursuant to SEQRA based upon the review and assessment of the Environmental Assessment Forms Parts 1 and 2, with the Negative Declaration being set forth in Part 3 of the Form.

*Motion carried unanimously.*

**AREA VARIANCE APPROVAL**

Motion by Mr. Connelly, seconded by Mr. Keller, to approve the Area Variances based on the following findings of fact:

- 1. No undesirable change would be produced in the neighborhood.

2. The benefit sought by the applicant cannot be achieved by another method.
3. The variance is not substantial.
4. There will be no adverse effect on physical or environmental conditions in the neighborhood.
5. The alleged hardship is not self-created.

*Motion carried unanimously.*

**VII. MOTION TO ADJOURN**

Motion by Mr. Connelly, seconded by Ms. Lester, to adjourn the meeting.

*Motion carried unanimously.*

The meeting was adjourned at 7:10 p.m.