

**City of Schenectady
Board of Zoning Appeals
Meeting Minutes
June 14, 2021**

I. CALL TO ORDER

Mr. Gleason called the meeting to order at 6:32 p.m.

Due to the closure of City Hall for public meetings 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; Mary D'Alessandro-Gilmore; Helene Lester; Avi Epstein, Neighborhood Stabilization Coordinator; Jennifer Mills, Secretary

EXCUSED: Fred Clark; Brendan Keller

III. CONFLICT OF INTEREST CHECK

None.

IV. APPROVAL OF MEETING MINUTES

Minutes of the June 2, 2021 meeting will be considered at the regularly scheduled July meeting.

V. NEW BUSINESS - APPLICATIONS

A. HAMILTON HILL II LIMITED PARTNERSHIP requests an area variance for 736 Albany Street (49.24-5-23.11), located in the C-4 Downtown Mixed Use Zoning District, to allow for a mural to be placed on the front of the building which is prohibited pursuant to Section 264-61 (H) of the Zoning Ordinance.

Kristen Holler of the Albany Barn and Janis Stewart, Project Manager for Community Builders presented the application.

Ms. Stewart briefly reviewed the history of the new apartment building, which is a part of a larger seven building residential development by Community Builders. She explained that when the building was designed there was a hope that the two blank front panels on either side of the entrance could be used for a mural. She stated that the goal of the mural is to be a positive entrance to the community and to help bridge the transition from the downtown area to Hamilton Hill. She noted that the mural will be completed by two local artists, one from Schenectady and one from Albany.

Ms. Holler discussed the proposed design and the artists' intention of symbolizing that from difficult circumstances beautiful things can grow, hence the large vibrant flowers rising from the cracked concrete. The Board Members asked for further information regarding the lifespan of the mural and future plans for the space beyond that lifespan. The applicants explained that the mural should last ten to fifteen years, and that after fifteen years Community Builders typically evaluates their properties and carries out any major capital improvements that are needed at that time.

PUBLIC COMMENTS IN FAVOR

David Hogenkamp of Metroplex Development Authority spoke in favor of the application. He stated that he believes that the project will have only a positive effect on the community and the City as a whole.

Tony Iadicicco, design leader for the project, spoke in favor of the application. He stated that he believes that the project will be a very important positive contribution to the neighborhood.

PUBLIC COMMENTS IN OPPOSITION

None.

CONTINUED DISCUSSION

The Board Members further discussed the project and concluded that while they had no objections to granting the variance for the mural it must be absolutely clear that the variance is for the mural as presented as a work of art and that no advertising would be allowed on the space in question at any time. Mr. Epstein stated that the definition of mural in the City Code makes it clear that no advertising is allowed. He indicated that the Board could also include a specific condition in their decision stating such.

SEQR RESOLUTION

Motion by Mr. Connelly, seconded by Ms. Lester, to declare the project a Type 2 SEQR action, with no significant impact on the environment.

Motion carried unanimously.

AREA VARIANCE APPROVAL

Motion by Mr. Connelly, seconded by Ms. Lester, to approve the Area Variance 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.

And with the following condition:

1. The variance is limited to the installation of a mural as defined in the City Code. All advertising of any kind at any time on or within the mural is prohibited.

Motion carried unanimously.

VII. MOTION TO ADJOURN

Motion by Mr. Connelly, seconded by Ms. D’Alessandro-Gilmore, to adjourn the meeting.

Motion carried unanimously.

The meeting was adjourned at 6:57 p.m.