

Board of Zoning Appeals Public Workshop and Public Hearing

Date: Wednesday March 16, 2022
Location: Zoom Webinar; YouTube Livestream
Time: 6:00PM
Members Present: Barnum, Daley, Le Blan-Jeffrey, Quain, White-Lake

Public Workshop Agenda

Project #00459

Application(s) **AV #0100**
Property Address 40 Hopewell Street
Applicant Saxton Sign Corp
Zoning District Residential, Single-Family, Medium Density (R-1M)
Proposal To allow for a 9 square foot freestanding sign where the maximum permitted is 6 square feet.
Requests **Area Variance - Table 375-409.1-** to allow for a 9 square foot freestanding sign where the maximum permitted is 6 square feet.

AV #0100 No Action Taken.

Public Hearing Agenda

Project #00424

Application(s) **AV #0079, AV #0092, AV #0093**
Property Address 1053 Broadway
Applicant Druthers Brewing Company II, Inc.
Zoning District Mixed-Use, Form-Based Warehouse (MU-FW)
Proposal Construction of a 13-foot wide, 110 foot long deck in the public right-of-way.
Requests **Rehearing of Area Variance – §375-402(1)(c)(vii)(G)(4)–** to allow a front deck to extend into the right-of-way or any easement in a Mixed-Use; Form-Based zoning district.
Area Variance - §375-402(2)(c)/Table 375-402.1- to allow for the construction of a front porch, which is not permitted under the Mixed-Use Core frontage standards.
Area Variance - §375-402(2)(c)/Table 375-402.1- to allow for the porch to extend past the front build-to zone under the Mixed-Use Core frontage standards.

AV #0079 – Motion to Modify and Approved with Conditions
Vote: 5-0-0. (Jeffrey Quain Motioned; Serena Joyce White-Lake Seconded)
Motioned to modify the Board's August 11, 2021 decision conditionally granting area variance #79, conditioned upon the grant of common council of a revocable consent or easement in a form prescribed by or acceptable to the corporation counsel, and conditionally granted area variance #79, subject to the following six conditions:

CONDITION #1: The Bridge Street roadway must remain 24-feet in width; no reduction in width of the roadway is permitted.

CONDITION #2: The Applicant must satisfy all requested comments/required modifications stated in the August 27, 2021 Albany Fire Department and Albany Police Department Division of Traffic Engineering Letters.

CONDITION #3: The Applicant must reduce the length and width of the proposed deck and scale back the deck length on the Eastern end to a length that complies with the Vision Clearance and Public Safety requirements set out under USDO § 375-406(9) and is acceptable to the APD Division of Traffic Engineering to ensure that: (i) there are no sight distance or sightline concerns for vehicles traveling Westbound on Bridge St. from Mill St. or from the driveway between 1053 Broadway and 62 Mill St.; and (ii) there are no sight distance concerns for pedestrians on the South side of Bridge St. to view oncoming eastbound vehicle and pedestrian traffic.

CONDITION #4: Curb and sidewalk details shown on the plan must comply with City specifications. As such, the Applicant must construct a sidewalk 5-feet in width on Bridge St. in accordance with USDO § 375-403(5)(a)(i), which requires that "all development and redevelopment in the City" have "a sidewalk of at least five feet in width shall be installed along each street frontage."

CONDITION #5: The proposed deck must have two entrance/exit locations per the Building Code, and the two entrance/exit locations must be accessible to the sidewalk referenced in Condition #4.

CONDITION #6: The Applicant must obtain an easement, license agreement, or other valid revocable consent or agreement from the City allowing for the Applicant's use over any portion of the City right-of-way, in a form acceptable to the Office of Corporation Counsel; and if the Applicant obtains an easement from the City, such grant of municipal-owned property must be approved by the Common Council of the City of Albany.

**AV #0092 –
Approved with
Conditions**

Vote: 5-0-0. (Jeffrey Quain Motioned; Adriana Le Blan-Jeffrey Seconded)

CONDITION #1: The Bridge Street roadway must remain 24-feet in width; no reduction in width of the roadway is permitted.

CONDITION #2: The Applicant must satisfy all requested comments/required modifications stated in the August 27, 2021 Albany Fire Department and Albany Police Department Division of Traffic Engineering Letters.

CONDITION #3: The Applicant must reduce the length and width of the proposed deck and scale back the deck length on the Eastern end to a length that complies with the Vision Clearance and Public Safety requirements set out under USDO § 375-406(9) and is acceptable to the APD Division of Traffic Engineering to ensure that: (i) there are no sight distance or sightline concerns for vehicles traveling Westbound on Bridge St. from Mill St. or from the driveway between 1053 Broadway and 62 Mill St.; and (ii) there are no sight distance concerns for pedestrians on the South side of Bridge St. to view oncoming eastbound vehicle and pedestrian traffic.

CONDITION #4: Curb and sidewalk details shown on the plan must comply with City specifications. As such, the Applicant must construct a sidewalk 5-feet in width on Bridge St. in accordance with USDO § 375-403(5)(a)(i), which requires that "all development and redevelopment in the City" have "a sidewalk of at least five feet in width shall be installed along each street frontage."

CONDITION #5: The proposed deck must have two entrance/exit locations per the Building Code, and the two entrance/exit locations must be accessible to the sidewalk referenced in Condition #4.

CONDITION #6: The Applicant must obtain an easement, license agreement, or other valid revocable consent or agreement from the City allowing for the Applicant's use over any portion of the City right-of-way, in a form acceptable to the Office of Corporation

Counsel; and if the Applicant obtains an easement from the City, such grant of municipal-owned property must be approved by the Common Council of the City of Albany.

**AV #0093 –
Approved with
Conditions**

Vote: 5-0-0. (Adriana Le Blan-Jeffrey Motioned; Serena Joyce White-Lake Seconded)

CONDITION #1: The Bridge Street roadway must remain 24-feet in width; no reduction in width of the roadway is permitted.

CONDITION #2: The Applicant must satisfy all requested comments/required modifications stated in the August 27, 2021 Albany Fire Department and Albany Police Department Division of Traffic Engineering Letters.

CONDITION #3: The Applicant must reduce the length and width of the proposed deck and scale back the deck length on the Eastern end to a length that complies with the Vision Clearance and Public Safety requirements set out under USDO § 375-406(9) and is acceptable to the APD Division of Traffic Engineering to ensure that: (i) there are no sight distance or sightline concerns for vehicles traveling Westbound on Bridge St. from Mill St. or from the driveway between 1053 Broadway and 62 Mill St.; and (ii) there are no sight distance concerns for pedestrians on the South side of Bridge St. to view oncoming eastbound vehicle and pedestrian traffic.

CONDITION #4: Curb and sidewalk details shown on the plan must comply with City specifications. As such, the Applicant must construct a sidewalk 5-feet in width on Bridge St. in accordance with USDO § 375-403(5)(a)(i), which requires that "all development and redevelopment in the City" have "a sidewalk of at least five feet in width shall be installed along each street frontage."

CONDITION #5: The proposed deck must have two entrance/exit locations per the Building Code, and the two entrance/exit locations must be accessible to the sidewalk referenced in Condition #4.

CONDITION #6: The Applicant must obtain an easement, license agreement, or other valid revocable consent or agreement from the City allowing for the Applicant's use over any portion of the City right-of-way, in a form acceptable to the Office of Corporation Counsel; and if the Applicant obtains an easement from the City, such grant of municipal-owned property must be approved by the Common Council of the City of Albany.

Project #00450

Application(s)	AV #0097, AV #0098, AV #0099
Property Address	276 Central Avenue
Applicant	North American Islamic Trust
Zoning District	Mixed-Use, Form-Based Central Avenue (MU-FC)
Proposal	1) Demolition and reconstruction of the existing front area of the building. 2) Extending the prayer hall, adding a water/RPZ room to first floor, adding a mechanical room to the second floor, and adding an elevator and additional exit staircase.
Requests	Area Variance – §375-407(4)(a)- to allow for the existing building materials to be changed and replaced. Area Variance - §375-407(4)(g)- to allow for the existing window and door arrangements to be changed and replaced. Area Variance - §375-407(4)(f)- to allow for the existing roof form to be changed and replaced.

AV #0097 – **Vote: 5-0-0. (Adriana Le Blan-Jeffrey Motioned; Jeffrey Quain Seconded)**
Approved

AV #0098 – **Vote: 5-0-0. (Adriana Le Blan-Jeffrey Motioned; Serena Joyce White-Lake**
Approved **Seconded)**

AV #0099 – **Vote: 5-0-0. (Adriana Le Blan-Jeffrey Motioned; Jeffrey Quain Seconded)**
Approved



CITY OF ALBANY
DEPARTMENT OF FIRE AND EMERGENCY SERVICES
26 BROAD STREET
ALBANY, NEW YORK 12202
TELEPHONE (518) 447-7879
FAX (518) 447-7883



JOSEPH W. GREGORY
CHIEF OF DEPARTMENT

Mr. Brad Glass
Albany Planning Director
200 Henry Johnson Blvd
First Floor, Suite 3
Albany, New York 12210

August 27, 2021

Re: 1053 Broadway

Dear Brad,

In reviewing the most recent plans for the outdoor deck at 1053 Broadway, the Fire Department has several concerns. The main gas connect to the building is on the Bridge St side of the building and would need to be moved for our access, but there is no design on how this will occur. Also, the Fire Department connection is along the north wall and there is no design for where this will be relocated if the new deck is installed. Finally, due to the size of Bridge St, we would request that Bridge St does not allow any parking on either side of the street from Broadway to Mill St.

Sincerely,

Joseph W. Gregory
Chief of the Department



KATHY SHEEHAN
MAYOR

CITY OF ALBANY
POLICE DEPARTMENT
TRAFFIC ENGINEERING DIVISION
10 N ENTERPRISE DRIVE
ALBANY, NEW YORK 12204
TELEPHONE: (518) 434-5791
FAX: (518) 434-4315

ERIC HAWKINS
CHIEF OF POLICE

August 27, 2021

Bradley Glass
Planning Director
Albany Planning Department
200 Henry Johnson Boulevard
First Floor, Suite 3
Albany, New York 12210

RE: 1053 Broadway, Druthers proposed deck

Mr. Glass,

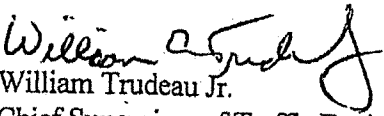
We have reviewed the most recent documents in reference to the outdoor deck proposal for the Bridge St side of 1053 Broadway and are submitting the following comments/concerns/observations:

Comments/Concerns

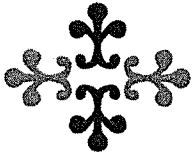
- At the eastern most end it appears that the deck will limit the view (sight distance) from a vehicle exiting the driveway from Surpass Chemical looking to the west for oncoming eastbound vehicle and pedestrian traffic.
- Also at the eastern most end, the deck could limit the view (sight distance) for pedestrians on the south side of Bridge St to view vehicles exiting Surpass Chemical.
- Delivery vehicle locations area not shown on the plans but should be noted on where deliveries are made.
- DGS Engineering Division should verify the curb and sidewalk details shown on the plans to assure compliance with City specifications
- Plans note a deviation from the twenty-four foot width of street. No reduction in width of the roadway is permitted

Should you have any questions regarding our comments/concerns or observations, please contact me at your convenience.

Sincerely,


William Trudeau Jr.
Chief Supervisor of Traffic Engineering
Albany Police Department

CITY OF ALBANY



NEW YORK

DEPARTMENT OF PLANNING AND DEVELOPMENT

Board of Zoning Appeals

MAYOR: KATHY SHEEHAN
DIRECTOR: BRAD GLASS

CONTACT:
Sam Morreale
bza@albanyny.gov

How to join the meeting using Zoom

1. Register in advance for this webinar through this link:
https://us02web.zoom.us/webinar/register/WN_ePWwYpHRFOF00Gc35OIWA
2. After registering, you will receive a confirmation email containing information about joining the webinar.

How to call into the meeting:

1. Dial one of the phone numbers listed below:

United States:	
+1 929 205 6099	+1 346 248 7799
+1 312 626 6799	+1 669 900 6833
+1 301 715 8592	+1 253 215 8782

International Numbers Available

<https://zoom.us/j/aBqVUjT4r>

2. Enter Webinar ID
874 0815 9417

You can view the hearing and meeting via livestream at:
<https://www.youtube.com/channel/UCw2w4Cdeal5sd8IQPUDlcyw>

Zoom is a digital platform that may require you to have certain capabilities, for more information please visit:
<https://support.zoom.us/hc/en-us/articles/204003179-System-Requirements-for-Zoom-Rooms>