



Department of Planning, Housing, & Community Development

Mayor, Richard C. David
Director, Dr. Juliet Berling

STAFF REPORT

Date: October 15, 2015
Subject: 168 Susquehanna St; Use Variance
Applicant: Thomas B. DeAngelo – Empire Property Management
Tax ID #: 160.50-2-42
Case: 2015-22

A. SUMMARY:

The applicant seeks a Use Variance to establish a Business Office and a Warehouse in an existing 3,275 sq ft building the R-3, Multi-Unit Residential District. The subject parcel is located on Susquehanna Street in between Stuyvesant and Fayette Streets in a predominantly residential area. The lot is approximately 6,230 sq ft. There will be no construction or changes to the property.

No other reviews are currently underway.

B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

142 Susquehanna Street:

- In 1979, the ZBA granted area variances for rear yard setback and buffer requirements to Chenango Supply Inc. to construct an addition on an existing building.

144 Susquehanna Street:

- In 1984, the ZBA granted area variances for rear yard setback and buffer requirements.

149 Susquehanna Street:

- In 1996, the ZBA granted a use variance to convert a vacant garage into an auto repair shop and used car dealership.
- In 2002, the ZBA granted permission for expansion of a non-conforming use to construct and addition and expand the area in which vehicles are permitted to park, with the condition that the eastern half of the property must remain clear of all vehicles.

C. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **UNLISTED** Action. The Zoning Board of Appeals may be the lead agency to determine any environmental significance.

Motion to determine what type of action:

- a. Type I
 - b. Type II
 - c. Unlisted**
2. Determine Lead Agency and other involved agencies.
 3. Motion to schedule a public hearing.
 4. After the Public Hearing, Determination of Significance. (See EAS Part 2 & Part 3)

	NO, OR SMALL IMPACT MAY OCCUR	MODERATE TO LARGE IMPACT MAY OCCUR
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
Will the proposed action result in a change in the use or intensity of use of land?	X	
Will the proposed action impair the character or quality of the existing community?		
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
Will the proposed action impact existing: <ul style="list-style-type: none"> A. public / private water supplies? B. public / private wastewater treatment utilities? 	X	
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

Will the proposed action result in an increase in the potential for erosion, flooding or drainage Problems?	X	
Will the proposed action create a hazard to environmental resources or human health?	X	

F. STAFF COMMENTS

1. Unique Circumstances

- a. It is a non-residential structure in a district surrounded by residential buildings. It was never used for residential purposes.

2. Neighborhood Character

- a. There will be no construction or alterations to the property. The site is adjacent to a highway ramp, so the site/neighborhood already endures high-level traffic.

3. Self-created Hardship

- a. The ZBA must determine if the hardship is self-created.

H. ENCLOSURES

Enclosed are copies of the site plan, the application and site photos.