

ZONING BOARD OF APPEALS

JANUARY 17, 2023 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairperson Scott DeMane, Kellie Porter, Meghan Weeden, P.J Whitbeck, W. Kim Hartshorn
Joe McMahon, Building Inspector
James Welch, Housing Code Inspector

Absent: Elizabeth Jent, Christine Hubbell

Also present: Father Kevin McEwan
Dean Lashway

Mr. DeMane called the meeting to order at 7:07 PM. The following item was on the agenda.

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
2340	NOTRE DAME DES VICTOIRES OF PLATTSBURGH/OUR LADY OF VICTORY CHURCH	CLASS B AREA VARIANCE REQUEST FOR SUBDIVISION OF LOT CREATING LOT #1 WITH DEFICIENCY IN OPEN SPACE, PARKNG AREA, SIZE OF PARKING SPACE (PERPENDICULAR PARKING)

The **first** item heard is appeal #2340, Nortre Dame Des Victoires of Plattsburgh/Our Lady of Victory Church, 4915-4919 South Catherine Street, Class B area variance request for subdivision of lot, creating lot #1 with deficiency in open space, parking area, size of parking space (perpendicular parking).

Chairperson, Mr. Scott DeMane, provides board updates. This evening’s board is a full board consisting of 5 voting members. Three positive votes are required to pass a motion. Mr. W. Kim Hartshorn is a new alternate member to the zoning board. As this is Mr. Hartshorn’s first meeting as an alternate to the zoning board, it is preferred by the board and he that he abstain from voting at tonight’s meeting. Regular board member, Ms. Kellie Porter, does live within 500 feet of 4915-4919 South Catherine Street. If no objection from the applicant, she is willing to be a voting member for this appeal and hear this appeal objectively.

Discussion:

- Applicant Father Kevin McEwan and consultant Dean Lashway (plan preparer) do not have any objection regarding Ms. Kellie Porter voting on this appeal.
- Mr. Lashway presented proposed subdivision plan.
- Mr. Lashway presented pre-existing deficiencies and deficiencies that subdivided lot #1 would create.
- Board and Applicant review of subdivision plan and discussion of the following:
 - Open Space, Lot #1: 50% required, 28% pre-existing condition, 17.6% with current subdivision plan.
 - Parking – number of spaces required. Multiple use building; uses described by applicant. Site plan parking table reviewed.
 - Parking – size of parking spaces
 - Parking – required easement/26 ft backup area. Planned easement into lot #2.
 - Gravel snow storage area - Area for snow storage only, no parking. Plan preparer to revise “gravel parking area” wording and indicate this area is “gravel snow storage area” on site plan. Discussion regarding type of stone used for this snow storage area.

- Department review – City Planner comments regarding 7 foot easement, and suggesting perpendicular parking be changed to parallel parking on North side of church. Easement site plan discussed and reviewed. Planned easement extends into lot #2.
- Traffic flow – Traffic flow planned to change to combination of one-way and two-way traffic flow and to be marked accordingly. Ingress/Egress noted incorrectly on site plan. Plan preparer to correct misprint. New traffic flow potential enforcement problems discussed.

Public Comment: *None.*

MOTION:

By: K. Porter, seconded by: M. Weeden

FOR APPEAL #2340, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1, THE ZONING BOARD CHAIR MAY MARK IN PART 2, QUESTIONS 1-11, THAT NO OR SMALL IMPACT MAY OCCUR, AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(W. Kim Hartshorn abstained)*

MOTION:

By: M. Weeden, seconded by: K. Porter

MOTION TO APPROVE APPEAL #2340, OUR LADY OF VICTORY CHURCH (OLVA), TO CREATE A 2 LOT SUBDIVISION TO PARCEL OFF THE FORMER CHURCH RECTORY AND INTEND TO SELL AS A RESIDENTIAL PROPERTY WITH SUBDIVISION CREATING LOT #1 WITH OPEN SPACE, PARKING AREA AND PARKING SPACE SIZE DEFICIENCIES, TO BE VALID ONLY UPON EASEMENT APPROVAL OF LOT #2 TO ALLOW LOT #1 AN AVERAGE OF 7 FEET OF EASEMENT OVER THE PROPERTY LINE.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(W. Kim Hartshorn abstained)*

MOTION:

By: M. Weeden, seconded by P.J. Whitbeck

MOTION TO APPROVE NOVEMBER 21, 2022 MINUTES AS WRITTEN

ALL IN FAVOR: 3

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: M. Weeden, seconded by K. Porter

Adjourned at 8:04 PM

For the purpose of this meeting, this meeting was audio and video recorded. This is a true and accurate copy and transcription of the discussion. For a more detailed discussion, please see the recording.

Lisa Beebie
Secretary
Zoning Board of Appeals