

ZONING BOARD OF APPEALS

AUGUST 17, 2020 MEETING OF ZONING BOARD OF APPEALS
REMOTE ZOOM MEETING

MINUTES

Present: Chairman Ron Nolland, Scott DeMane, Kellie Porter, Meghan Weeden, Elizabeth Jent (alt),
P.J. Whitbeck (alt)
Joseph McMahon, Building Inspector
Kyle Burdo, Housing Code Inspector

Absent: Kathleen Insley

Also present: Mary Lee Ireland
Corey Auerbach(legal), Barclay-Damon
Matt Miller, Director of Community Development
Turner Bradford, McFarland-Johnson
Charles Gottlieb, Whiteman, Osterman & Hanna LLP
Debra Osterhaus, Prime Companies
Stephen Mackenzie, Mackenzie Architects
Dean DeVito, Prime Companies

Mr. Nolland called the meeting to order at 7:03 PM.

APPEAL	APPLICANT	REQUEST
2247	MARY LEE IRELAND 2 MASON DRIVE	CLASS B AREA VARIANCE REQUEST ACCESSORY STRUCTURE WITHIN 5 FEET FROM REAR LOT LINE
2232	CITY OF PLATTSBURGH 22 DURKEE STREET	SPECIAL USE PERMIT TO AMEND THE BOUNDARIES OF AN EXISTING PLANNED UNIT DEVELOPMENT AND A SPECIAL USE PERMIT FOR USE OF APARTMENTS ON THE FIRST FLOOR OF A MULTI-STORY BUILDING WITHIN A PLANNED UNIT DEVELOPMENT

The agenda will be heard in the following order:

Appeal 2247
Appeal 2232

The first item heard was Appeal #2247, Mary Lee Ireland, 2 Mason Drive, Class B area variance request for an accessory structure within 5 feet from rear lot line.

Variance appeal application presented by property owner, Mary Lee Ireland.

Board discussion of previously existing shed located within 5 feet from rear lot line, shed being there for the past 8 years. Discussion of why this has become an issue currently. Shed location to property line was discovered by neighboring property owner, who questioned the location.

Public Comment: None

MOTION:

By: S. DeMane, seconded by M. Weeden

IN REGARD TO APPEAL #2247, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1, THAT QUESTIONS 1-11 IN PART 2 BE CHECKED NO OR SMALL IMPACT MAY OCCUR, AND AS A RESULT OF THAT THAT THE CHAIR CHECK IN PART 3 THE BOX THAT WE HAVE DETERMINED THE PROPOSED ACTION WILL NOT RESULT IN ANY ADVERSE ENVIRONMENTAL IMPACT.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION: PASSED
(P.J. Whitbeck (alt) abstained)

MOTION:

By: M. Weeden, seconded by K. Porter

FOR APPEAL #2247, MARY LEE IRELAND, 2 MASON DRIVE, TO APPROVE THE CLASS B AREA VARIANCE REQUEST FOR AN ACCESSORY STRUCTURE APPROXIMATELY 2 FEET FROM THE REAR LOT LINE.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(P.J. Whitbeck (alt) abstained)

The **second** item heard was Appeal # 2232, City of Plattsburgh, 22 Durkee Street, special use permit to amend the boundaries of an existing planned unit development and a special use permit for use of apartments on the first floor of a multi-story building within a planned unit development. Public hearing has been closed for this agenda item.

Ron Nolland opens discussion for applicant to explain new revisions and answer questions regarding recent project changes.

Presentations:

Charles Gottlieb:

- Overview of the process timeline, as he sees it, going forward.
- Impact that the current project changes will have on the SEQR process, special use permit process, and findings statement.
- Economic impact of Covid-19
- Request for additional public hearing.

Turner Bradford:

- Overview of project changes
 - Setback increased on North, East, and West sides of building.
 - Pedestrian/automobile conflict at garage entrance at northeast corner of building
 - First floor residential space.
 - Building footprint reduced.
 - Open space increased.
 - Increased number of parking spaces from 286 to 290.

Steve Makenzie:

- Changes as to mitigation of comments
 - Material changes to upper level and mezzanine level/stucco finish.
 - Changes to entry for residential levels.
 - Increased setback and increased landscape buffer.

Board/applicant discussion:

- Ron Nolland: Appreciates changes of material and increased setbacks. Questions need of increased parking due to increased amount of commercial space. Spoke to concern of effect of parking on community.
- Ron Nolland, Dean DeVito, Turner Bradford: Discussion of parking plan/calculations (city code versus Prime Companies calculations)
- Scott DeMane: Has not had a chance to go through all of information provided just one week ago. Does not feel the application that was just presented to the board is complete.
- Kellie Porter: Feels a relevant number for parking needs to be addressed. Feels resolved with the parking issue and that the city has made significant changes by creating parking in close proximity to the site. Is comfortable with what is being put before the board and is ready to make a decision on this project.
- Elizabeth Jent: Has not had enough time to review paperwork. 350 pages of material presented, and does not feel prepared to have any definitive statements as yet.
- Ron Nolland: As to question of incompleteness of plans, will ask each of the board members what questions they have over the next week. As they come in, will send to Prime to help guide the application process.

Charles Gottlieb discusses GEIS statement and zoning board's jurisdiction related to parking.

Corey Auerbach asks if there has been a determination made in a study that has opined, for this specific development, that the parking is significant and adequate.

Matthew Miller updated board that Chazen parking study report has been provided today to the city, which will be provided to members of zoning board tomorrow. Scott DeMane requests the Community Development Department's recorded parking presentation be provided to zoning board. Matthew Miller will make this presentation available to the zoning board members and this will also be posted on the City of Plattsburgh's Website.

Zoning board and applicant had discussion regarding scheduling a special meeting with public hearing to discuss appeal #2232 Special Use Permit, or to hear appeal #2232 Special Use Permit with public hearing at the regularly scheduled September 21, 2020 zoning board of appeals meeting.

MOTION:

By: S. DeMane, seconded by: E. Jent

TO SCHEDULE A PUBLIC HEARING FOR THE PRIME PROJECT, APPEAL #2232, 22 DURKEE STREET
MIXED USE DEVELOPMENT ON SEPTEMBER 21, 2020, DURING NORMAL MEETING TIMES,
PREMEETING AT 6:30 PM, PUBLIC HEARING MEETING AT 7:00 PM

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(P.J. Whitbeck (alt) abstained)

Motion to Adjourn:

By: S. DeMane, seconded by E. Jent

Adjourned at 9:03 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 and for a more detailed discussion, see the recording.

Lisa Beebie
Secretary
Zoning Board of Appeals