

ZONING BOARD OF APPEALS

SEPTEMBER 20, 2021 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairman Scott DeMane, Ron Nolland, Elizabeth Jent, P.J. Whitbeck, Justin Stearns
Joseph McMahon, Building Inspector
James Welch, Housing Code Inspector

Absent: Meghan Weeden
Kellie Porter

Also present: Ed Davis, JLM Real Estate Investments, LLC
Lee and Jody Emery, C&E Fencing
James Reidy

Mr. DeMane called the meeting to order at 7:05 PM.

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
2291	TRAVIS BRUCE 98 SHARRON AVENUE	CLASS B AREA VARIANCE REQUEST TO CONSTRUCT AN ADDITION INTO SIDE AND REAR SETBACKS AND CREATION OF DEFICIENCY IN OPEN SPACE
2292	JLM REAL ESTATE INVESTMENTS, LLC 23 ST. CHARLES STREET	CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT – LOT #1 BUILDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE
2293	JLM REAL ESTATE INVESTMENTS, LLC 23 ST. CHARLES STREET	CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT – LOT #2 BUILDING WITHIN REAR YARD SETBACK
2294	JAMIE RABIDEAU 162 BROAD STREET	CLASS B AREA VARIANCE REQUEST TO INSTALL FENCING GREATER THAN 30 INCHES IN HEIGHT WITHIN THE 30 FT X 30 FT TRIANGLE FORMED BY STREET LOT LINES OF A CORNER LOT
2295	APRIL KASPER 26 SANBORN AVENUE	CLASS B AREA VARIANCE REQUEST TO REMOVE EXISTING COVERED PORCH AND CONSTRUCT COVERED

DECK WITHIN FRONT YARD SETBACK

2296

JAMES REIDY
36 HILLCREST AVENUE

CLASS B AREA VARIANCE REQUEST
TO CONSTRUCT FRONT PORCH DECK
WITHIN FRONT YARD SETBACK

The agenda will be heard in the following order:

Appeal 2291
Appeal 2292
Appeal 2293
Appeal 2294
Appeal 2295
Appeal 2296

Mr. DeMane explained that a full board consists of 5 voting members and that only 4 voting members are in attendance. Mr. Stearns will be abstaining from voting at this meeting, as it is his first zoning board meeting as an alternate. Any motion to be carried requires 3 positive votes. Applicants were given the option to postpone at any point on their behalf and await a 5-member board, or to proceed with a 4-member board. The board also reserves the right to postpone on their behalf.

The **first** item heard is appeal #2291, Travis Bruce, 98 Sharron Avenue, Class B Area Variance request to construct an addition into side and rear setbacks and creation of deficiency in open space.

Travis Bruce was not in attendance.
Appeal #2291 postponed on applicant's behalf.

The **second** item heard is appeal #2292, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B Area Variance request to subdivide lot – Lot #1, building within rear yard setback and deficiency in open space.

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2293, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
- Board and C&E Fencing discussion of proposed 4 foot fencing located within the 30 foot x 30 foot triangle formed by street lot lines of a corner lot.
- Discussion of alternate fence placement plan which would not require a variance.

Public Comment: None.

MOTION:

By: R. Nolland, seconded by: E. Jent

*IN REGARD TO APPEAL #2294, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF UNTIL
OCTOBER 18, 2021 ZONING BOARD OF APPEALS MEETING*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fifth** item heard is appeal #2295, April Kasper, 26 Sanborn Avenue, Class B Area Variance request to remove existing covered porch and construct covered deck within front yard setback.

April Kasper was not in attendance.

MOTION:

By: R. Nolland, seconded by: E. Jent

IN REGARD TO APPEAL #2295, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF AS APPLICANT IS NOT IN ATTENDANCE

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(J. Stearns (alt) abstained)

The **sixth** item heard is appeal #2296, James Reidy, 36 Hillcrest Avenue, Class B Area Variance request to construct front porch deck within front yard setback.

Discussion:

- Board and applicant discussion of front porch deck into front yard setback.
- Prior to decking, cement pad/stoop was present.
- Applicant states decking was an attempt to improve curb appeal.
- Applicant reminded that tonight's meeting is a 4 member board, and applicant has right to postpone until such time a full 5-member board is present.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

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ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
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MOTION:

By: P. J. Whitbeck, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, MOTION TO APPROVE CLASS B AREA VARIANCE TO CONSTRUCT FRONT PORCH DECK WITHIN FRONT YARD SETBACK WITH THE STIPULATION, PER PLANS, OF LIMITING THE SIZE OF THE PORCH.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: E. Jent, seconded by: R. Nolland

MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 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

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- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

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MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

*FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1
BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

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ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
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Public Comment: None.

MOTION:

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Public Comment: None.

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MOTION:

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MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

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By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 PM

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- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

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ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

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Discussion:

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Public Comment: None.

MOTION:

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ALL IN FAVOR: 4

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Public Comment: None.

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OPPOSED: 0

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The **second** item heard is appeal #2292, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B Area Variance request to subdivide lot – Lot #1, building within rear yard setback and deficiency in open space.

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2293, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
- Board and C&E Fencing discussion of proposed 4 foot fencing located within the 30 foot x 30 foot triangle formed by street lot lines of a corner lot.
- Discussion of alternate fence placement plan which would not require a variance.

Public Comment: None.

MOTION:

By: R. Nolland, seconded by: E. Jent

*IN REGARD TO APPEAL #2294, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF UNTIL
OCTOBER 18, 2021 ZONING BOARD OF APPEALS MEETING*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fifth** item heard is appeal #2295, April Kasper, 26 Sanborn Avenue, Class B Area Variance request to remove existing covered porch and construct covered deck within front yard setback.

April Kasper was not in attendance.

MOTION:

By: R. Nolland, seconded by: E. Jent

IN REGARD TO APPEAL #2295, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF AS APPLICANT IS NOT IN ATTENDANCE

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(J. Stearns (alt) abstained)

The **sixth** item heard is appeal #2296, James Reidy, 36 Hillcrest Avenue, Class B Area Variance request to construct front porch deck within front yard setback.

Discussion:

- Board and applicant discussion of front porch deck into front yard setback.
- Prior to decking, cement pad/stoop was present.
- Applicant states decking was an attempt to improve curb appeal.
- Applicant reminded that tonight's meeting is a 4 member board, and applicant has right to postpone until such time a full 5-member board is present.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT MAY OCCUR ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, MOTION TO APPROVE CLASS B AREA VARIANCE TO CONSTRUCT FRONT PORCH DECK WITHIN FRONT YARD SETBACK WITH THE STIPULATION, PER PLANS, OF LIMITING THE SIZE OF THE PORCH.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: E. Jent, seconded by: R. Nolland

MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 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

ZONING BOARD OF APPEALS

SEPTEMBER 20, 2021 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairman Scott DeMane, Ron Nolland, Elizabeth Jent, P.J. Whitbeck, Justin Stearns
Joseph McMahon, Building Inspector
James Welch, Housing Code Inspector

Absent: Meghan Weeden
Kellie Porter

Also present: Ed Davis, JLM Real Estate Investments, LLC
Lee and Jody Emery, C&E Fencing
James Reidy

Mr. DeMane called the meeting to order at 7:05 PM.

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
2291	TRAVIS BRUCE 98 SHARRON AVENUE	CLASS B AREA VARIANCE REQUEST TO CONSTRUCT AN ADDITION INTO SIDE AND REAR SETBACKS AND CREATION OF DEFICIENCY IN OPEN SPACE
2292	JLM REAL ESTATE INVESTMENTS, LLC 23 ST. CHARLES STREET	CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT – LOT #1 BUILDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE
2293	JLM REAL ESTATE INVESTMENTS, LLC 23 ST. CHARLES STREET	CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT – LOT #2 BUILDING WITHIN REAR YARD SETBACK
2294	JAMIE RABIDEAU 162 BROAD STREET	CLASS B AREA VARIANCE REQUEST TO INSTALL FENCING GREATER THAN 30 INCHES IN HEIGHT WITHIN THE 30 FT X 30 FT TRIANGLE FORMED BY STREET LOT LINES OF A CORNER LOT
2295	APRIL KASPER 26 SANBORN AVENUE	CLASS B AREA VARIANCE REQUEST TO REMOVE EXISTING COVERED PORCH AND CONSTRUCT COVERED

DECK WITHIN FRONT YARD SETBACK

2296

JAMES REIDY
36 HILLCREST AVENUE

CLASS B AREA VARIANCE REQUEST
TO CONSTRUCT FRONT PORCH DECK
WITHIN FRONT YARD SETBACK

The agenda will be heard in the following order:

Appeal 2291
Appeal 2292
Appeal 2293
Appeal 2294
Appeal 2295
Appeal 2296

Mr. DeMane explained that a full board consists of 5 voting members and that only 4 voting members are in attendance. Mr. Stearns will be abstaining from voting at this meeting, as it is his first zoning board meeting as an alternate. Any motion to be carried requires 3 positive votes. Applicants were given the option to postpone at any point on their behalf and await a 5-member board, or to proceed with a 4-member board. The board also reserves the right to postpone on their behalf.

The **first** item heard is appeal #2291, Travis Bruce, 98 Sharron Avenue, Class B Area Variance request to construct an addition into side and rear setbacks and creation of deficiency in open space.

Travis Bruce was not in attendance.
Appeal #2291 postponed on applicant's behalf.

The **second** item heard is appeal #2292, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B Area Variance request to subdivide lot – Lot #1, building within rear yard setback and deficiency in open space.

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2293, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
- Board and C&E Fencing discussion of proposed 4 foot fencing located within the 30 foot x 30 foot triangle formed by street lot lines of a corner lot.
- Discussion of alternate fence placement plan which would not require a variance.

Public Comment: None.

MOTION:

By: R. Nolland, seconded by: E. Jent

*IN REGARD TO APPEAL #2294, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF UNTIL
OCTOBER 18, 2021 ZONING BOARD OF APPEALS MEETING*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fifth** item heard is appeal #2295, April Kasper, 26 Sanborn Avenue, Class B Area Variance request to remove existing covered porch and construct covered deck within front yard setback.

April Kasper was not in attendance.

MOTION:

By: R. Nolland, seconded by: E. Jent

IN REGARD TO APPEAL #2295, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF AS APPLICANT IS NOT IN ATTENDANCE

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(J. Stearns (alt) abstained)

The **sixth** item heard is appeal #2296, James Reidy, 36 Hillcrest Avenue, Class B Area Variance request to construct front porch deck within front yard setback.

Discussion:

- Board and applicant discussion of front porch deck into front yard setback.
- Prior to decking, cement pad/stoop was present.
- Applicant states decking was an attempt to improve curb appeal.
- Applicant reminded that tonight's meeting is a 4 member board, and applicant has right to postpone until such time a full 5-member board is present.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT MAY OCCUR ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, MOTION TO APPROVE CLASS B AREA VARIANCE TO CONSTRUCT FRONT PORCH DECK WITHIN FRONT YARD SETBACK WITH THE STIPULATION, PER PLANS, OF LIMITING THE SIZE OF THE PORCH.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: E. Jent, seconded by: R. Nolland

MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 PM

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Lisa Beebie
Secretary
Zoning Board of Appeals

ZONING BOARD OF APPEALS

SEPTEMBER 20, 2021 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairman Scott DeMane, Ron Nolland, Elizabeth Jent, P.J. Whitbeck, Justin Stearns
Joseph McMahon, Building Inspector
James Welch, Housing Code Inspector

Absent: Meghan Weeden
Kellie Porter

Also present: Ed Davis, JLM Real Estate Investments, LLC
Lee and Jody Emery, C&E Fencing
James Reidy

Mr. DeMane called the meeting to order at 7:05 PM.

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
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2294	JAMIE RABIDEAU 162 BROAD STREET	CLASS B AREA VARIANCE REQUEST TO INSTALL FENCING GREATER THAN 30 INCHES IN HEIGHT WITHIN THE 30 FT X 30 FT TRIANGLE FORMED BY STREET LOT LINES OF A CORNER LOT
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DECK WITHIN FRONT YARD SETBACK

2296

JAMES REIDY
36 HILLCREST AVENUE

CLASS B AREA VARIANCE REQUEST
TO CONSTRUCT FRONT PORCH DECK
WITHIN FRONT YARD SETBACK

The agenda will be heard in the following order:

Appeal 2291
Appeal 2292
Appeal 2293
Appeal 2294
Appeal 2295
Appeal 2296

Mr. DeMane explained that a full board consists of 5 voting members and that only 4 voting members are in attendance. Mr. Stearns will be abstaining from voting at this meeting, as it is his first zoning board meeting as an alternate. Any motion to be carried requires 3 positive votes. Applicants were given the option to postpone at any point on their behalf and await a 5-member board, or to proceed with a 4-member board. The board also reserves the right to postpone on their behalf.

The **first** item heard is appeal #2291, Travis Bruce, 98 Sharron Avenue, Class B Area Variance request to construct an addition into side and rear setbacks and creation of deficiency in open space.

Travis Bruce was not in attendance.
Appeal #2291 postponed on applicant's behalf.

The **second** item heard is appeal #2292, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B Area Variance request to subdivide lot – Lot #1, building within rear yard setback and deficiency in open space.

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2293, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
- Board and C&E Fencing discussion of proposed 4 foot fencing located within the 30 foot x 30 foot triangle formed by street lot lines of a corner lot.
- Discussion of alternate fence placement plan which would not require a variance.

Public Comment: None.

MOTION:

By: R. Nolland, seconded by: E. Jent

*IN REGARD TO APPEAL #2294, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF UNTIL
OCTOBER 18, 2021 ZONING BOARD OF APPEALS MEETING*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fifth** item heard is appeal #2295, April Kasper, 26 Sanborn Avenue, Class B Area Variance request to remove existing covered porch and construct covered deck within front yard setback.

April Kasper was not in attendance.

MOTION:

By: R. Nolland, seconded by: E. Jent

IN REGARD TO APPEAL #2295, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF AS APPLICANT IS NOT IN ATTENDANCE

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(J. Stearns (alt) abstained)

The **sixth** item heard is appeal #2296, James Reidy, 36 Hillcrest Avenue, Class B Area Variance request to construct front porch deck within front yard setback.

Discussion:

- Board and applicant discussion of front porch deck into front yard setback.
- Prior to decking, cement pad/stoop was present.
- Applicant states decking was an attempt to improve curb appeal.
- Applicant reminded that tonight's meeting is a 4 member board, and applicant has right to postpone until such time a full 5-member board is present.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT MAY OCCUR ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: R. Nolland

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ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: E. Jent, seconded by: R. Nolland

MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 PM

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Lisa Beebie
Secretary
Zoning Board of Appeals

ZONING BOARD OF APPEALS

SEPTEMBER 20, 2021 MEETING OF ZONING BOARD OF APPEALS

MINUTES

Present: Chairman Scott DeMane, Ron Nolland, Elizabeth Jent, P.J. Whitbeck, Justin Stearns
Joseph McMahon, Building Inspector
James Welch, Housing Code Inspector

Absent: Meghan Weeden
Kellie Porter

Also present: Ed Davis, JLM Real Estate Investments, LLC
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James Reidy

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DECK WITHIN FRONT YARD SETBACK

2296

JAMES REIDY
36 HILLCREST AVENUE

CLASS B AREA VARIANCE REQUEST
TO CONSTRUCT FRONT PORCH DECK
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The agenda will be heard in the following order:

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Appeal 2294
Appeal 2295
Appeal 2296

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- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2292 AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2292, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #1 BULIDING WITHIN REAR YARD SETBACK AND DEFICIENCY IN OPEN SPACE

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **third** item heard is appeal #2293, JLM Real Estate Investments, LLC, 23 St. Charles Street, Class B area variance request to subdivide lot – Lot #2, building within rear yard setback

Discussion:

- Board and applicant discussion of details of proposed subdivision.
- Mr. Ed Davis presented site plan of subdivision proposal.
- Goal is to provide housing for veterans.
- Site plan will be presented to City of Plattsburgh Planning Board.

Public Comment: None

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2293, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P.J. Whitbeck, seconded by: E. Jent

FOR APPEAL #2293, MOTION TO APPROVE CLASS B AREA VARIANCE REQUEST TO SUBDIVIDE LOT #2 BULIDING WITHIN REAR YARD SETBACK

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fourth** item heard is appeal #2294, Jamie Rabideau, 162 Broad Street, Class B Area Variance request to install fencing greater than 30 inches in height within the 30 x 30 foot triangle formed by street lot lines of a corner lot.

Discussion:

- Lee and Jody Emery, C&E Fencing, present representing client Jamie Rabideau. Verbal approval obtained from Jamie Rabideau allowing Mr. and Ms. Emery to represent her appeal.
- Board and C&E Fencing discussion of proposed 4 foot fencing located within the 30 foot x 30 foot triangle formed by street lot lines of a corner lot.
- Discussion of alternate fence placement plan which would not require a variance.

Public Comment: None.

MOTION:

By: R. Nolland, seconded by: E. Jent

*IN REGARD TO APPEAL #2294, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF UNTIL
OCTOBER 18, 2021 ZONING BOARD OF APPEALS MEETING*

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

The **fifth** item heard is appeal #2295, April Kasper, 26 Sanborn Avenue, Class B Area Variance request to remove existing covered porch and construct covered deck within front yard setback.

April Kasper was not in attendance.

MOTION:

By: R. Nolland, seconded by: E. Jent

IN REGARD TO APPEAL #2295, MOTION TO POSTPONE ON THE ZONING BOARD'S BEHALF AS APPLICANT IS NOT IN ATTENDANCE

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(J. Stearns (alt) abstained)

The **sixth** item heard is appeal #2296, James Reidy, 36 Hillcrest Avenue, Class B Area Variance request to construct front porch deck within front yard setback.

Discussion:

- Board and applicant discussion of front porch deck into front yard setback.
- Prior to decking, cement pad/stoop was present.
- Applicant states decking was an attempt to improve curb appeal.
- Applicant reminded that tonight's meeting is a 4 member board, and applicant has right to postpone until such time a full 5-member board is present.

Public Comment: None.

MOTION:

By: E. Jent, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM, MOTION THAT THE BOARD CHAIR CHECK NO OR SMALL IMPACT MAY OCCUR ON QUESTIONS 1-11 AND SIGN.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: P. J. Whitbeck, seconded by: R. Nolland

IN REGARD TO APPEAL #2296, MOTION TO APPROVE CLASS B AREA VARIANCE TO CONSTRUCT FRONT PORCH DECK WITHIN FRONT YARD SETBACK WITH THE STIPULATION, PER PLANS, OF LIMITING THE SIZE OF THE PORCH.

ALL IN FAVOR: 4

OPPOSED: 0

*MOTION PASSED
(J. Stearns (alt) abstained)*

MOTION:

By: E. Jent, seconded by: R. Nolland

MOTION TO APPROVE AUGUST 16, 2021 MINUTES AS WRITTEN

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED

Motion to Adjourn:

By: E. Jent, seconded by P.J. Whitbeck

Adjourned at 7:48 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