

Plattsburgh, New York

Building & Zoning Department
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

ZONING BOARD OF APPEALS
CITY OF PLATTSBURGH
41 CITY HALL PLACE
(518) 563-7707

The Zoning Board of Appeals of the City of Plattsburgh will hold a Public Hearing on July 18, 2016, at 7:00 PM in the Community Room, 41 City Hall Place, to hear:

<u>APPEAL</u>	<u>APPLICANT</u>	<u>REQUEST</u>
2071	BETTY JOCK 16 ELIZABETH STREET	CLASS B VARIANCE ADD BEDROOM AND BATH TO REAR OF HOUSE WHICH ENCROACHES IN SIDE YARD SETBACK
2073	HILZACK PROPERTIES LLC 78 SOUTH PERU STREET	CLASS B VARIANCE MODIFICATION OF VARIANCE APPEAL #2047 TO CHANGE BUILDING HEIGHT FROM 13' TO 19'
2076	KATHIE CAMERON MURRAY 61 PROSPECT AVENUE	CLASS B VARIANCE REQUEST TO WIDEN DRIVEWAY IN FRONT YARD
2077	DAVID BOVER 80 STELTZER ROAD	CLASS B VARIANCE REPLACE ROTTING ROOF IN FRONT ENTRY WHICH PROTRUDES INTO FRONT YARD SETBACK
2078	MARIA ALEXANDER 58 LYNDE STREET	SPECIAL USE PERMIT REQUEST TO INSTALL 8' FENCE
2079	JAMES FRANCISCO 31 LORRAINE STREET	CLASS B VARIANCE REQUEST TO BUILD ONTO EXISTING BARN FOR CAR PORT
2080	BRUCE MARTIN 11 GRACE AVENUE	CLASS B VARIANCE REPLACE GARAGE THAT IS TOO CLOSE TO PROPERTY LINE
2081	JOSHUA KRETZER 4 MACDONOUGH STREET	CLASS B VARIANCE REQUEST FOR LESS PARKING THAN REQUIRED

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(Page 2)

2082	DAVID STONE 180 PROSPECT AVENUE	CLASS B VARIANCE REQUEST TO CREATE SUBSTANDARD SIZE LOT WHICH LACKS REQUIRED WIDTH
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NOTE: THE ORDER OF AGENDA IS SUBJECT TO CHANGE WITHOUT NOTICE. A
PRELIMINARY MEETING WILL BE HELD AT 6:30 P.M. IN THE BUILDING INSPECTORS
OFFICE AND IS OPEN TO THE PUBLIC.

Plattsburgh, New York

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41 City Hall Place
Plattsburgh, New York 12901
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Plattsburgh

 USE
CLASS A VARIANCE

 X AREA
CLASS B VARIANCE

 SUP
SPECIAL USE PERMIT

Date: 4-21-16

Appeal No.: 2073

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: HILZACK Properties, LLC

Applicant's Address: 52 Canal St

Plattsburgh NY

Telephone No.: 518-561-4347

Parcel Identification: ~~221-15~~ 221.15-3-20

Location of Request: 78 So Peru St

Property Owner: HILZACK Properties LLC

Request Description: Modification of VARIANCE Appeal # 2047 height

Zoning District: R-2

Section Appealed: 270-18

Previous Appeal: No.: 2047 Date: 8/17/15 - Access Structure & Height Variance

Identify Applicant's Right to Apply for Variance:

Ownership: X Long Term Lease: Contract To Purchase:

Other (Please Explain):

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* [Signature] member
Signature (Owner/Applicant)

Denise Bepko
DENISE S. NEPHEW
Notary Public, State of New York Notary Public
Registration No. 01NE632348
Qualified in Clinton County
Commission Expires 4/13/2019 (D) 2019

Print First and Last Name

*Signatures other than Property Owner require a Letter of Authorization to apply.

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

No

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?

No

(3) Is the requested area variance substantial?

No. Neighboring NYSDOT bldg. is ACROSS STREET with LARGE bldg. & SAL/DIET MOUND. Bldg matches main apt bldg height

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

No

(5) Has the alleged difficulty been self-created?

This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

No

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project:							
Project Location (describe, and attach a location map): <p style="text-align: center; margin-left: 100px;">70 So Park St</p>							
Brief Description of Proposed Action: <p style="text-align: center; margin-left: 50px;">Request Bldg with height of 19' when 13' was approved</p>							
Name of Applicant or Sponsor: <p style="text-align: center; margin-left: 50px;">Hilzack Properties LLC</p>		Telephone: 561-4347					
Address: <p style="text-align: center; margin-left: 50px;">52 Cornelia St</p>		E-Mail:					
City/PO: <p style="text-align: center; margin-left: 50px;">Plattsburgh</p>		State: <p style="text-align: center; margin-left: 50px;">NY</p>	Zip Code: <p style="text-align: center; margin-left: 50px;">12901</p>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		15 acres					
b. Total acreage to be physically disturbed?		.95 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		15 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input checked="" type="checkbox"/> Parkland							

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>PRIZACK INDUSTRIES LLC</u>	Date: <u>4-21-16</u>	
Signature: _____		

Zoning Board to Fill out. Applicant does not fill out Part 2.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



CLINTON COUNTY PLANNING DEPARTMENT

135 Margaret Street, Suite 124 · Plattsburgh, New York 12901-2980
Planning (518) 565-4711 • C.A.R.T. (518) 565-4713 • Facsimile (518) 565-4885

CLINTON COUNTY PLANNING BOARD DECISION ON 239M REFERRAL

TO: City of Plattsburgh

REFERRAL NUMBER: 31-16

SUBJECT: Applicant Hilzack Properties, Area Variance for building height, 78 South Peru Street.

The following action was taken by the Clinton County Planning Board regarding this zoning referral, in compliance with New York State General Municipal Law, Article 12B, Section 239M. This decision is not binding upon the local municipality, but may impact the local board's voting requirements to act contrary to the County decision. A County Decision of Disapproval or Approval With Modifications may only be overturned by the local municipal board by a majority plus one vote of the full membership of the board (4 votes for 5 member board, 5 votes for 7 member board).

DATE OF COUNTY ACTION:

5/4/16

ACTION TAKEN ON REFERRAL:

APPROVAL

APPROVAL WITH MODIFICATION

DISAPPROVAL

LOCAL ISSUE

SEE ENCLOSED COMMENTS REGARDING THIS REFERRAL

VOTE RECORDED:

5 YES

0 NO

5 ABSENT

1 ABSTAINED

5/5/16
DATE


CLINTON COUNTY PLANNING DEPARTMENT

PLEASE RETURN A COPY OF THE FINAL DECISION BY YOUR BOARD TO THE CLINTON COUNTY PLANNING DEPARTMENT WITHIN 30 DAYS OF DECISION.

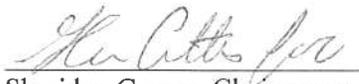
Clinton County Planning Board
135 Margaret St, Suite 124
Plattsburgh, NY 12901

May 5, 2016

Decision Regarding Referral 31-16, City of Plattsburgh ZBA, Applicant Hillzack Properties, Area Variance to height of structure, 78 South Peru Street.

The Clinton County Planning Board, at its May 4, 2016 meeting, voted 5-0 with one abstention to consider this request a local issue, but to provide the following comments to the City:

The proposal does not meet the tests for an area variance as submitted. The proposal is substantial at approximately 50% greater height than permitted, can be achieved by other methods, and is self created. A project plan was already approved by the City at the original height.



Sheridan Garner, Chairperson

cc: County Planning Department Files

74 78-80
~~72-74~~ South Peru St.

221, 15-3-20

#6671-11/24/70-Issued to owner, Leonard & Stanley
Bordeau, Agway, Contr. Const. office
and garage. Cost \$13,700.

VARIANCE - 5/23/88 Bouyea Baking Co. to establish a thrift store
#831 at an existing non-conforming use location in an
R-2 dist. **VARIANCE NOT NECESSARY**

#15517 - 9/23/88 issued Bouyea Baking Co. - convert
existing garage to bakery thrift store. \$25,000

Sign Permit #1413 - 12/8/88 issued James Bird for Bouyea Baking
Co. - 4'x5' wall sign. \$15.00

U-35 10/9/92 Street Access, Bldg. Permit - Bouyea-Fassettes,
Ed Garrow & Sons Cont. \$35.00

Sign 1594-7/16/93 issued modern Neon Sign Co. for
Bouyea Bakery - free standing sign 12 sq. ft.
\$700

Sign 1726-9/25/96 issued Joyce Bloomquist-22"x44" freestanding sign
"The Uniform Shoppe" \$300

U-08-2015 ISSUED 7/8/15 HILZACK PROPERTIES STREET OPENING & INSTALL
WATER LINE. 2". \$1506.

BP#1192 ISSUED 10/21/15 JAMES LATINVILLE DEMOLISH EXIST. BUILDING.
VARIANCE APPEAL #2047 HILZACK PROPERTIES REQUEST TO ERECT AN ACCESS.
STRUCTURE IN SIDE YARD SETBACK & GREATER THAN HEIGHT
ALLOWED. GRANTED 8/17/15 ZBM

PLANNING BOARD APPROVAL DATED 2/23/15 FOR HILZACK PROPERTIES TO
CONSTRUCT NEW 18,815 SF 24 UNIT APARTMENT BUILDING.

BP#243-15 TO EXCAVATE AND CONSTRUCT NEW 24 UNIT APARTMENT BUILDING
PER ABOVE PB APPROVAL & ZBA APPROVAL, RESIDENTIAL,
18,815 SF. \$900,000.

The **first** item heard was Appeal #2047, Hilzack Properties, 78 South Peru Street for a Class B Variance to request to erect an accessory structure in the side yard setback and greater than the height allowed.

Ms. Latinville moved to the audience for this appeal.

[Meter 6:36]

Mr. Nolland asked if Mr. Ovios wanted to proceed with 3 people. Mr. Ovios said yes.

Mr. Ovios stated his office represents Hilzack Properties at 78 South Peru St directly across the street from the NYSDOT maintenance building adjacent to the Clinton County Nursing Home. When we developed that plan we went before the Planning Board to construct 24 rental units in a single structure. With that development plan they were looking to reuse the existing building on site to utilize that as a maintenance building.

This project did receive site plan approval with the Planning Board but after approval, the Building Inspector discovered that the Planning Board erred by not requiring the applicant to get a variance to allow the accessory structure to exist in the side yard. The ordinance reads that an accessory structure is to be located in the rear behind the building. This was obviously not the case. The way Mr. Ovios wrote the request was he looked at the maximum height of the building, which is slightly over 16' but the ordinance states the average height to the peak is what determines the height of the structure so when you look at eaves they vary from 9-1/2 off the ground to 10-1/2 around the grade of the building with the peak being a little over 16', which puts the average of about 13' 1". The ordinance reads the structure has to have an average height of 12' to be an accessory structure. So the existing structure is about 1' taller than what the ordinance allows.

Mr. Ovios continued saying the 2 requests before you are to allow the existing structure to be re-used with the planning board approved process. The front porch is coming off the existing and the building will be resided and reroof to match the principle structure so it all blends together for 1 development project.

The building will be adequately landscaped and screened.

This lot is less than 5 acres so a Planned Unit Development was not needed.

Mr. DeMane asked if they should approve the SEQR since the Planning Board has already approved it. Mr. Nolland said probably not. Mr. Ovios added it wouldn't hurt to do it. The Planning Board determined it to be an unlisted action but in the application to them the Zoning Board is not identified as involved. The cleanest way is to deal with it as an uncoordinated review.

PUBLIC COMMENT:

There being no comments, Mr. Nolland then closed the public hearing portion of the meeting for this appeal. [Meter 13:21]

SHORT FORM SEQ:

Page 1 of 3: 2. Add "Building Permit."

Mr. Ovios spoke about the additional traffic on Peru St.

MOTION SHORT FORM SEQ:

By Mr. DeMane, seconded by Ms. Porter

FOR APPEAL #2047 THAT AFTER REVIEW OF THE SEQ THAT THERE IS LITTLE OR NO ENVIRONMENTAL IMPACT AS A RESULT OF THIS PROJECT

ALL IN FAVOR: 3

MOTION ON CLASS B VARIANCE:

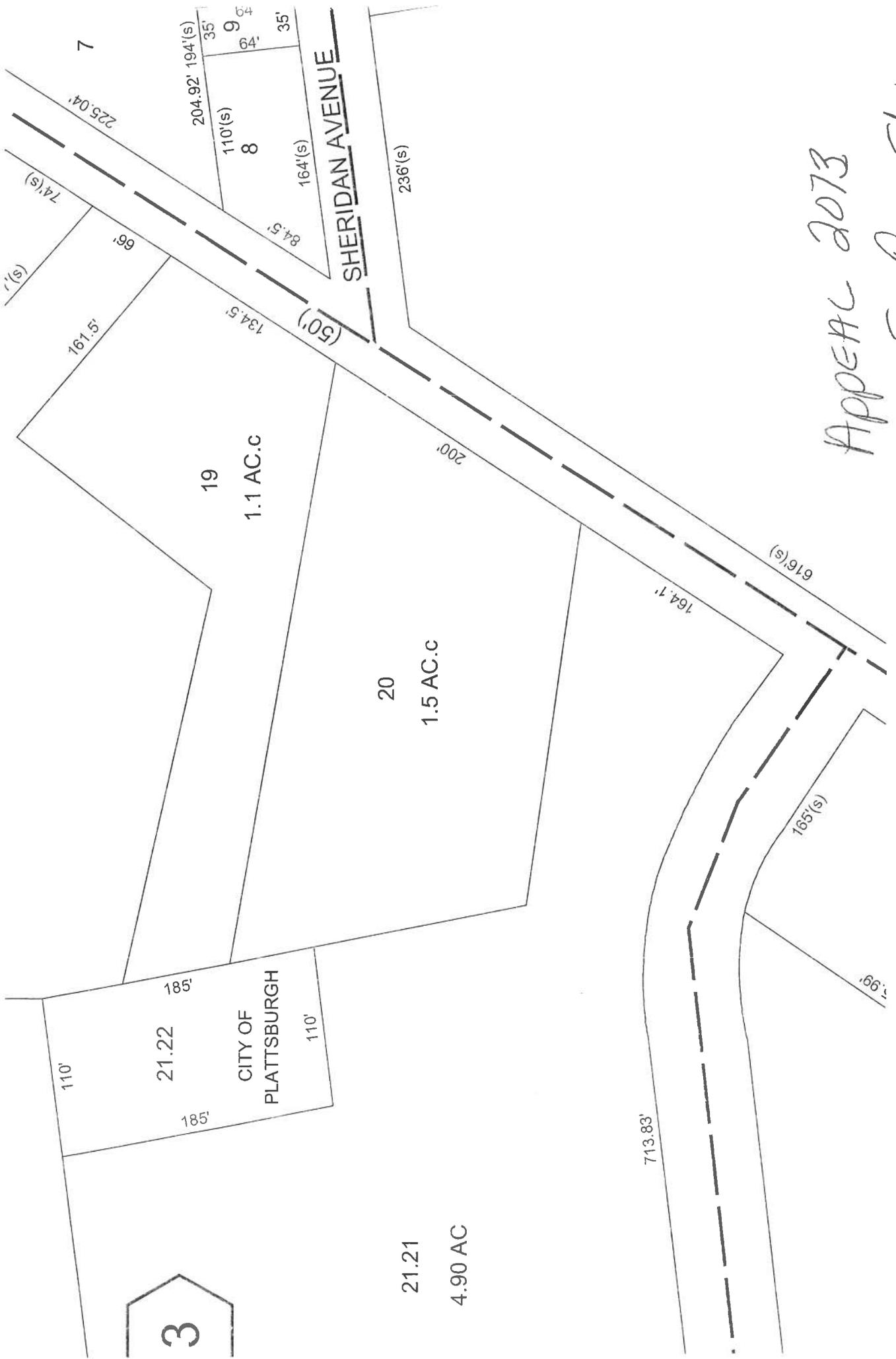
By Mr. DeMane, seconded by Ms. Porter

TO APPROVE APPEAL #2047 FOR HILZACK PROPERTIES AT 78 SOUTH PERU STREET FOR A CLASS B VARIANCE TO ERECT AN ACCESSORY STRUCTURE IN THE SIDE YARD SETBACK AND GREATER THAN THE 12' HEIGHT ALLOWED WITHIN AN AVERAGE HEIGHT 13' 1"

ALL IN FAVOR: 3

OPPOSED: 0

MOTION PASSED



APPEAL 2073
 78 So. Beru St

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

Plattsburgh

USE
CLASS A VARIANCE

AREA
CLASS B VARIANCE

SUP
SPECIAL USE PERMIT

Date: 5/20/16

Appeal No.: 2077

App# 1718

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: David Bover

Applicant's Address: 80 Steltzer Rd
Plattsburgh NY 12901

Telephone No.: 796 3470

Parcel Identification: 221.7-1-44.1

Location of Request: 80 Steltzer

Property Owner: David Bover

Request Description: Replace rotting roof with a gable roof
that covers the front entry

Zoning District: R2

Section Appealed: 270-18 accessory structures

Previous Appeal: No.: see att. Date: _____

Identify Applicant's Right to Apply for Variance: Caril

Ownership: Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): _____

- Applications for Zoning Variances must be accompanied by:
- 13 copies of existing and proposed site plan plus original application.
 - 13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* David Bover
Signature (Owner/Applicant)
David Bover
Print First and Last Name

Denise S. Repke
DENISE S. REPKEN Notary Public
Notary Public, State of New York
Registration No. 01NE6322848
Qualified in Clinton County
Commission Expires 4/13/19

*Signatures other than Property Owner require a Letter of Authorization to apply.

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

No

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?

No

(3) Is the requested area variance substantial?

No

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

No

(5) Has the alleged difficulty been self-created? *No*

This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Front Porch Roof</i>			
Project Location (describe, and attach a location map): <i>80 Steltzer Rd Plattsburgh NY</i>			
Brief Description of Proposed Action: <i>Replace rotted roof with new gable roof to cover entry</i>			
Name of Applicant or Sponsor: <i>David Bover</i>		Telephone: <i>518 796 3470</i>	
		E-Mail: <i>dbover@charter.net</i>	
Address: <i>80 Steltzer Rd</i>			
City/PO: <i>Plattsburgh</i>		State: <i>NY</i>	Zip Code: <i>12901</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>City of Plattsburgh Building Permit</i>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>.560</i> acres	
b. Total acreage to be physically disturbed?		<i>60 sq ft</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.56</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David Bover</u>	Date: <u>5/31/16</u>	
Signature: <u>[Signature]</u>		

Zoning Board to Fill out. Applicant does not fill out Part 2.

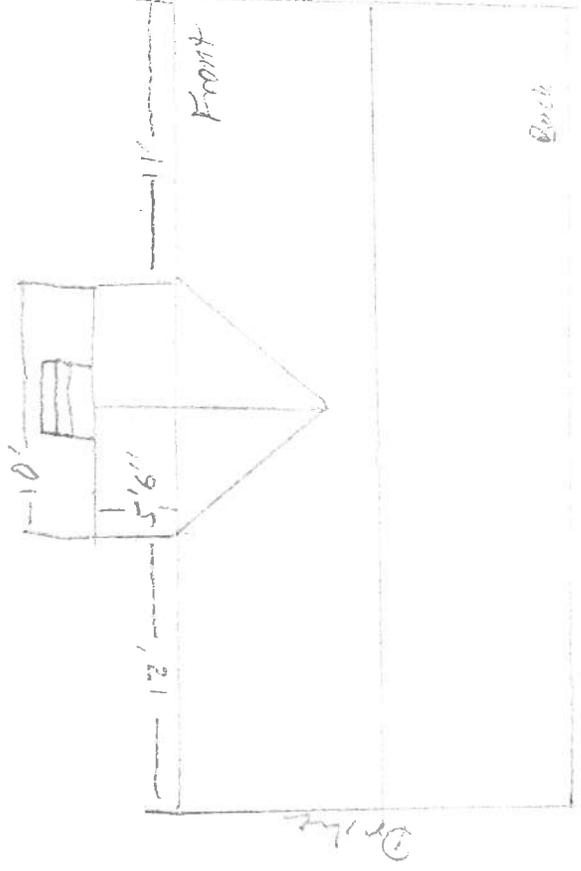
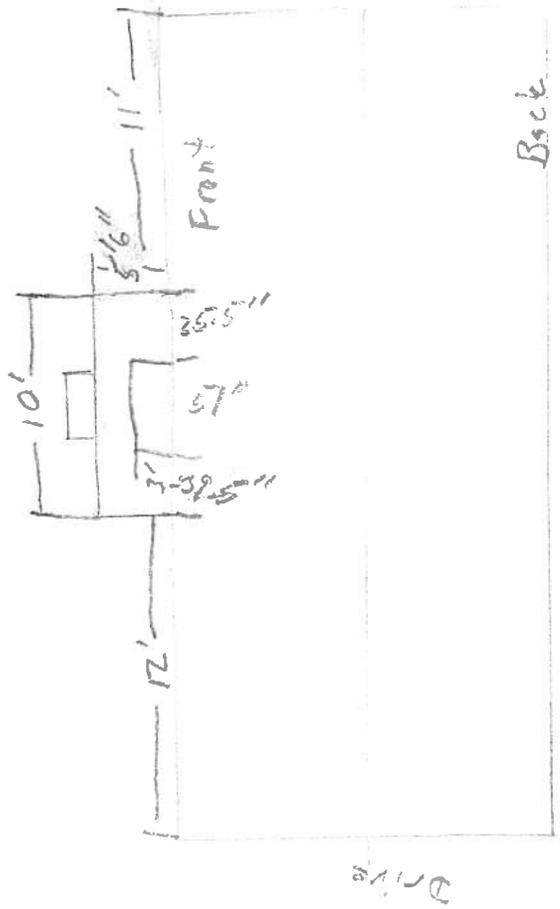
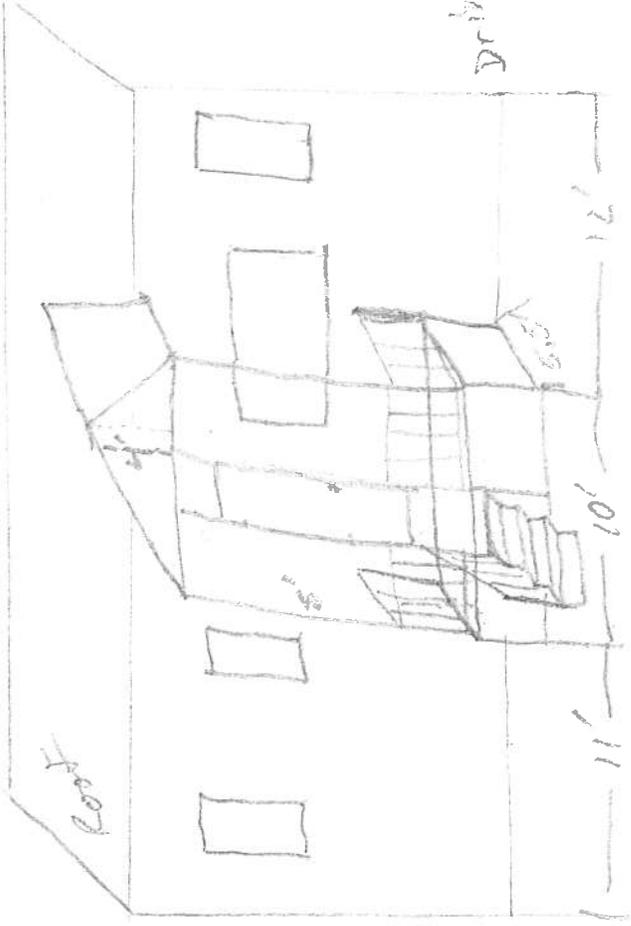
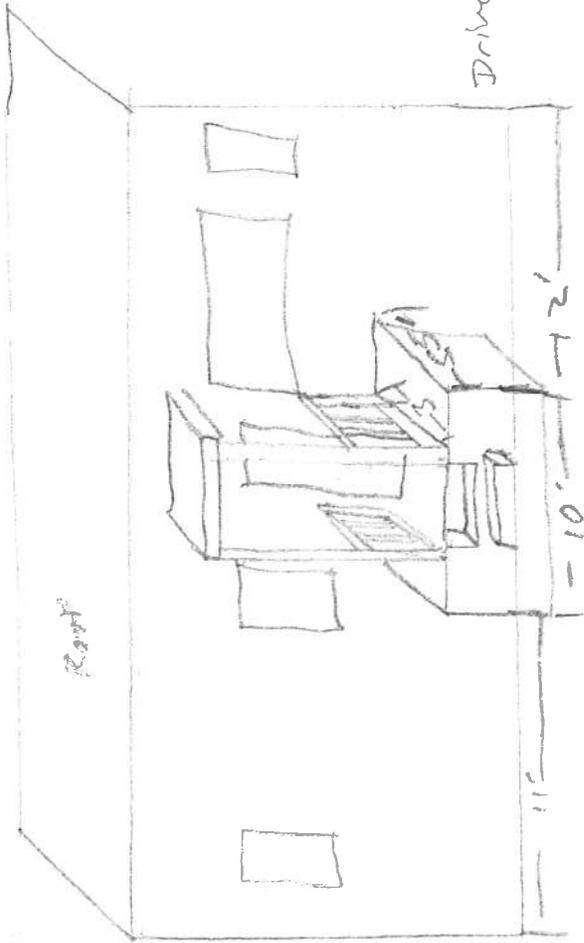
Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED
JUL 12 2016
By

APPEAL 2077

80 Steltzer



OLD

NEW

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

DISCOVER

Plattsburgh

USE
CLASS A VARIANCE

AREA
CLASS B VARIANCE

✓
SPECIAL USE PERMIT

Date: 6/14/16

Appeal No.: 2078

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: Marisa Alexander

Applicant's Address: 58 Lyndale St.
Plattsburgh N.Y. 12901

Telephone No.: 561-1525

Parcel Identification: 307.11-6-26

Location of Request: 58 Lyndale St.

Property Owner: Ray Alexander

Request Description: Put up an 8' fence on back of property

Zoning District: R2

Section Appealed: 270-28(6)4

Previous Appeal: No.: — Date: _____

Identify Applicant's Right to Apply for Variance:

Ownership: Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): _____

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* Marisa Alexander
Signature (Owner/Applicant)
Marisa Alexander
Print First and Last Name

Denise S. Nephew
DENISE S. NEPHEW Notary Public
Notary Public, State of New York
Registration No. 01NE6322848
Qualified in Clinton County
Commission Expires 4/13/19

*Signatures other than Property Owner require a Letter of Authorization to apply.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

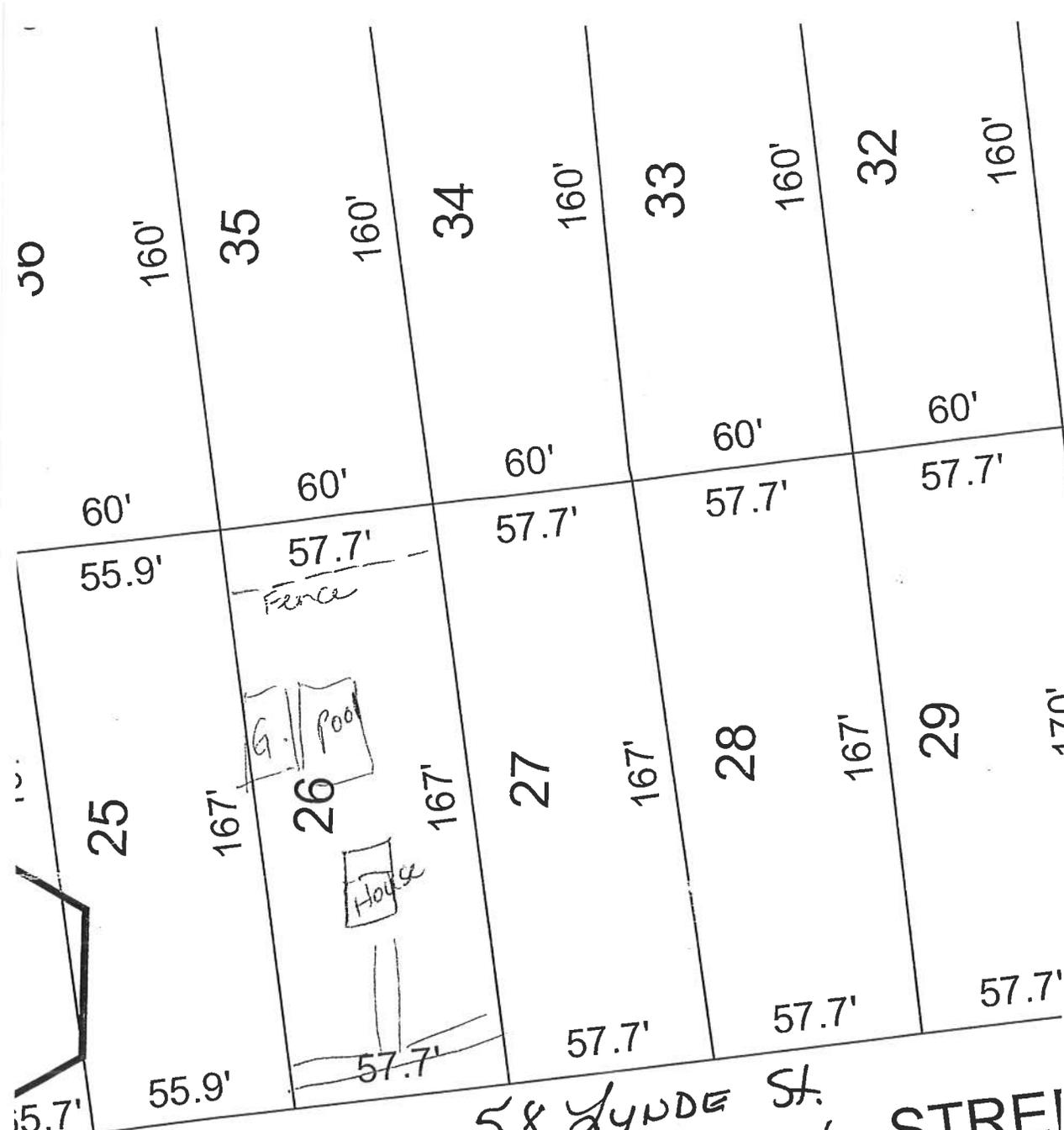
Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Install 8' fence in rear of back yard		
Project Location (describe, and attach a general location map): 58 Lynde St. Plattsburgh		
Brief Description of Proposed Action (include purpose or need): Privacy Fence for back yard		
Name of Applicant/Sponsor: Maria Alexander		Telephone: 561-1525
		E-Mail: maria@seniorcouncil.net
Address: same		
City/PO: same	State: N.Y.	Zip Code: 12901
Project Contact (if not same as sponsor; give name and title/role): same		Telephone:
		E-Mail:
Address: same		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:



★ 58 LYNDE ST.
 Appeal # 2324

STREI



YNDE



CLINTON COUNTY PLANNING DEPARTMENT

135 Margaret Street, Suite 124 · Plattsburgh, New York 12901-2980
Planning (518) 565-4711 • C.A.R.T. (518) 565-4713 • Facsimile (518) 565-4885

CLINTON COUNTY PLANNING BOARD DECISION ON 239M REFERRAL

TO: City of Plattsburgh

REFERRAL NUMBER: 52-16

SUBJECT: City of Plattsburgh, Applicant Maria Alexander, Area Variance for Fence, 58 Lynde St.

The following action was taken by the Clinton County Planning Board regarding this zoning referral, in compliance with New York State General Municipal Law, Article 12B, Section 239M. This decision is not binding upon the local municipality, but may impact the local board's voting requirements to act contrary to the County decision. A County Decision of Disapproval or Approval With Modifications may only be overturned by the local municipal board by a majority plus one vote of the full membership of the board (4 votes for 5 member board, 5 votes for 7 member board).

DATE OF COUNTY ACTION:

7/6/16

ACTION TAKEN ON REFERRAL:

- APPROVAL
- APPROVAL WITH MODIFICATION
- DISAPPROVAL
- LOCAL ISSUE

SEE ENCLOSED COMMENTS REGARDING THIS REFERRAL

VOTE RECORDED:

7 YES

0 NO

4 ABSENT

0 ABSTAINED

7/8/16
DATE

CLINTON COUNTY PLANNING DEPARTMENT

PLEASE RETURN A COPY OF THE FINAL DECISION BY YOUR BOARD TO THE CLINTON COUNTY PLANNING DEPARTMENT WITHIN 30 DAYS OF DECISION.

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

DISCOVER
Plattsburgh

____ USE
CLASS A VARIANCE

~~____~~ AREA
CLASS B VARIANCE

____ SUP
SPECIAL USE PERMIT

Date: 6/12/2016

Appeal No.: 2079

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: James P. Francisco

Applicant's Address: 31 Lorraine St. Plattsburgh NY 12901

Telephone No.: (518) 807-7365

Parcel Identification: 091300 207.16-3-23

Location of Request: Back corner of the yard off of the barn.

Property Owner: James + Katie Francisco

Request Description: Lean-to car port built on the East side of the barn.

* Zoning District: R2

Section Appealed: 270-18

Previous Appeal: N/A No.: _____ Date: _____

Identify Applicant's Right to Apply for Variance:

Ownership: Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): N/A

- Applications for Zoning Variances must be accompanied by:
- * 13 copies of existing and proposed site plan plus original application.
 - 13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* James P. Francisco
Signature (Owner/Applicant)
James Francisco
Print First and Last Name

* Denise Nephew
DENISE S. NEPHEW Notary Public
Notary Public, State of New York
Registration No. 01NE6322848
Qualified in Clinton County
Commission Expires _____

*Signatures other than Property Owner require a Letter of Authorization to apply.

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

No.

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?

No.

(3) Is the requested area variance substantial?

No.

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

No.

(5) Has the alleged difficulty been self-created?
This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

No.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <i>Barn Extension / Lean-to</i>							
Project Location (describe, and attach a location map): <i>East side of barn in the back yard.</i>							
Brief Description of Proposed Action: <i>Build a lean-to structure attached to the side of barn. A place to park a car to keep it out of the weather. Replace chicken coop that was falling down, making property look bad. * Rain water will now run off into my yard, not neighbor</i>							
Name of Applicant or Sponsor: <i>James P. Francisco</i>		Telephone: <i>(518) 802-7765</i>					
Address: <i>31 Lorraine St.</i>		E-Mail: <i>James.P.Francisco2010@hotmail.com</i>					
City/PO: <i>Plattsburgh</i>		State: <i>NY</i>	Zip Code: <i>12901</i>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? <i>0.28 or 84 x 149</i> acres							
b. Total acreage to be physically disturbed? <i>12 x 24</i> acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>approx. 0.28</i> acres							
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Not needed</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Not needed</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>James P. Francisco</u>	Date: <u>6/12/2016</u>	
Signature: <u>James P. Francisco</u>		

Zoning Board to Fill out. Applicant does not fill out Part 2.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

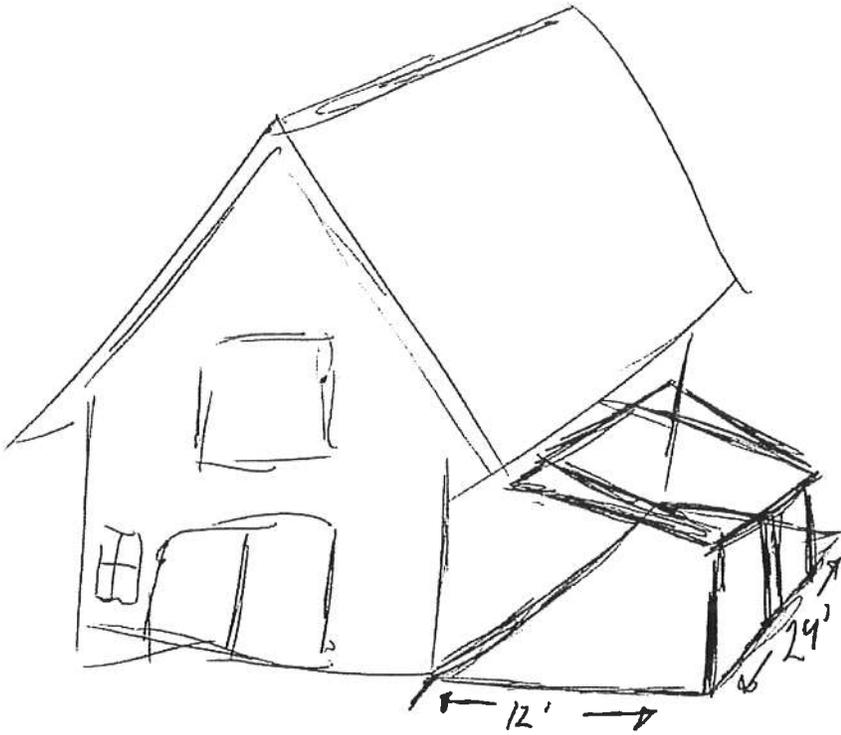
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

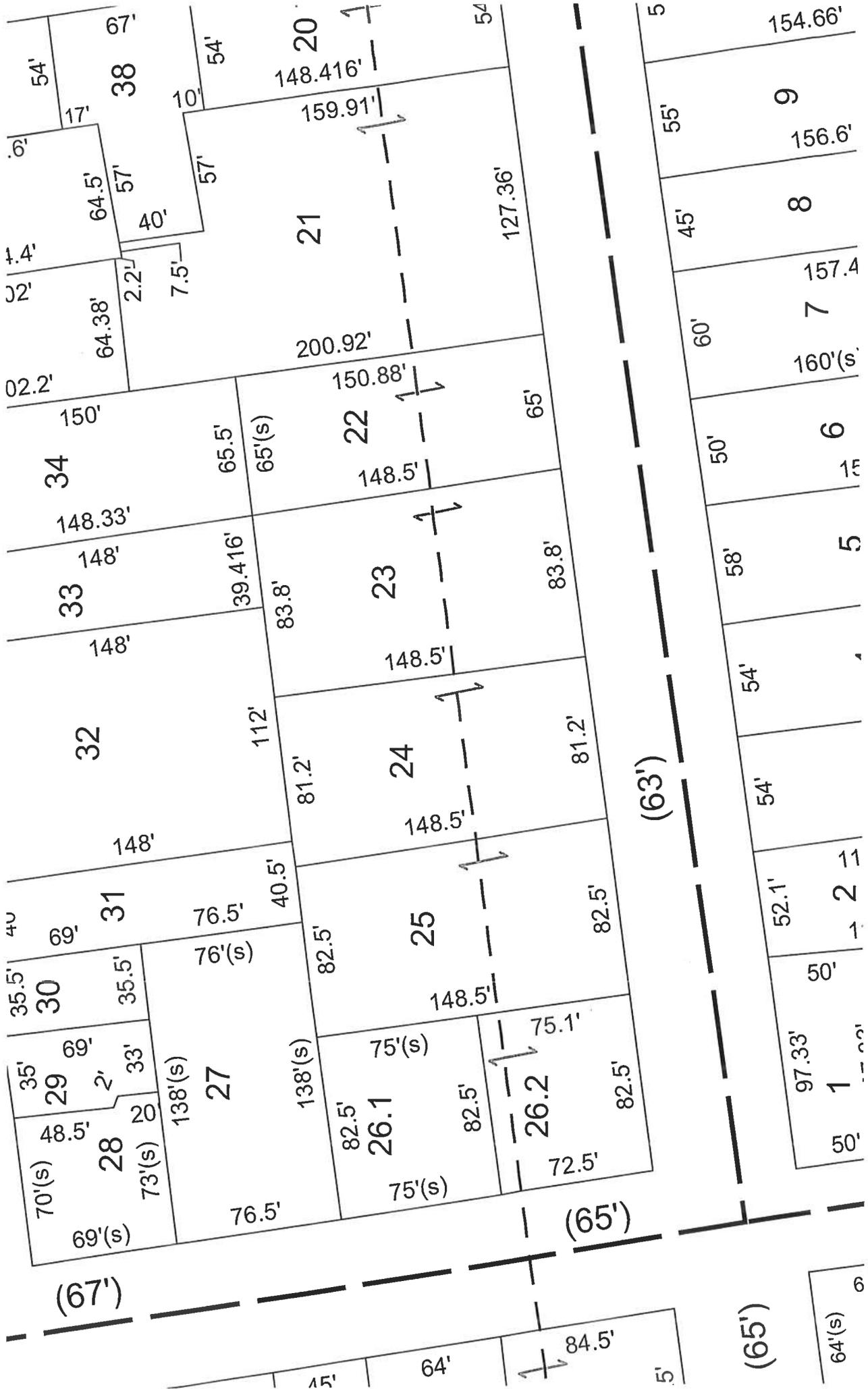
Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



App. #1757
31 Lawrence St



31 Lorraine St. Appeal 2079

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

Plattsburgh

USE
CLASS A VARIANCE

X
AREA
CLASS B VARIANCE

SUP
SPECIAL USE PERMIT

Date: 6/22/2016

Appeal No.: 2080

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: BRUCE MARTIN

Applicant's Address: 11 GRACE AVE

PLATTSBURGH, NY 12901

Telephone No.: (518) 726-0231

Parcel Identification: 207.18-6-11

Location of Request: 11 GRACE AVE

Property Owner: BRUCE AND ANNE MARTIN

Request Description: TEAR DOWN EXISTING GARAGE IN POOR

CONDITION AND REBUILD TWO CAR ON EXISTING SLABS TO MATCH HOUSE

Zoning District: R1

Section Appealed: 270-18-A(2) Accessory Structure

Previous Appeal: No.: ~~1508~~ 1508

Date: 5/20/2002 - Class B -
addition w/in side yard
setback.

Identify Applicant's Right to Apply for Variance:

Ownership: X Long Term Lease: _____ Contract To Purchase: _____

Other (Please Explain): bmartin924@gmail.com

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* [Signature]

Signature (Owner/Applicant)
BRUCE MARTIN
Print First and Last Name

[Signature]
DENISE S. NEPHEW
Notary Public, State of New York
Registration No. 01NE6322848
Qualified in Clinton County
Commission Expires 4/13/19
Notary Public

*Signatures other than Property Owner require a Letter of Authorization to apply.

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance? **NO - THE GARAGE WILL BE SIDED WITH THE SAME SIDING AS THE HOUSE.**

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance? **NO - IN 2002 A SLAB WAS ADDED TO THE EXISTING GARAGE WHEN VARIANCE FOR ADDITION TO HOUSE WAS GRANTED.**

(3) Is the requested area variance substantial?

NO - THERE IS A SHARED PAVED DRIVEWAY WITH NEIGHBOR AT 9 FEET TO MOVE BUILDING FROM PROPERTY LINE WOULD REQUIRE SUBSTANTIAL PAVING AND REMOVE GREEN SPACE (FLOWER BED)

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

NO - IT WILL IMPROVE THE LOOKS OF NEIGHBORHOOD BY REMOVING OLD GARAGE IN POOR CONDITION AND REPLACING IT WITH GARAGE TO MATCH HOUSE

(5) Has the alleged difficulty been self-created?

This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

NO - GARAGE WAS EXISTING FOR BOTH LOCATIONS

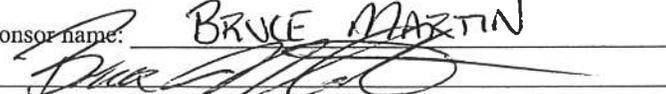
617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information SELF			
Name of Action or Project: DECONSTRUCT AND REBUILD GARAGE			
Project Location (describe, and attach a location map): 11 GRACE AVE - PLATTSBURGH NY 12901			
Brief Description of Proposed Action: TEAR DOWN EXISTING GARAGE IN POOR CONDITION AND REPLACE ON EXISTING PAD WITH NEW 2 CAR GARAGE			
Name of Applicant or Sponsor: BRUCE MARTIN		Telephone: 518-726-0231	
		E-Mail: bmartin924@gmail.com	
Address: 11 GRACE AVE			
City/PO: PLATTSBURGH		State: NY	Zip Code: 12901
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: CITY OF PLATTSBURGH BUILDING PERMIT			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1 acres	
b. Total acreage to be physically disturbed?		1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>BRUCE MARTIN</u>	Date: <u>6/22/2016</u>	
Signature: 		

Zoning Board to Fill out. Applicant does not fill out Part 2.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

PROPERTY LINE April 1789

N →
NOT TO
SCALE

PROPERTY LINE

73'

PROPERTY LINE

YELLOW HIGHLIGHT IS
PROPOSED GARAGE

NEIGHBORS GARAGE

EXISTING GARAGE

EXISTING
GARAGE w/
SLAB
(1998)

EXISTING
SLAB
(ADDED 2000)

EXISTING
13' 11" GARAGE

23' 9" EXISTING SLAB

33'

* ORG. GARAGE EXTENDED 3 1/2 TOWARDS
PROPERTY LINE

SHARED DRIVEWAY

DRIVEWAY

FLOWER
GARDEN

11 GRADE AVE

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

Plattsburgh

USE
CLASS A VARIANCE

X
AREA
CLASS B VARIANCE

SUP
SPECIAL USE PERMIT

Date: June 23, 2016

Appeal No.: 2081

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: Joshua Kretser

Applicant's Address: 65 Court Street Plattsburgh, NY 12901

Telephone No.: 646-224-8986

Parcel Identification: 207-20-2-8

Location of Request: 4 Maidenough Street Plattsburgh, NY 12901

Property Owner: Richard Johnson

Request Description: Parking Variance for three parking spaces

Zoning District: R-2

Section Appealed: 270-25

Previous Appeal: No.: 105 Date: 6/2/75 - Const. Incl. Story

Identify Applicant's Right to Apply for Variance:

Ownership: _____ Long Term Lease: _____ Contract To Purchase:

Other (Please Explain): _____

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* [Signature]
Signature (Owner/Applicant)
Joshua Kretser
Print First and Last Name

Denise Reshew
DENISE S. RESHEW
Notary Public, State of New York
Registration No. 01926322848
Qualifies in Clinton County
Commission Expires 11/3/2016
Notary Public

*Signatures other than Property Owner require a Letter of Authorization to apply.

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

NO

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?

NO

(3) Is the requested area variance substantial?

NO

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

NO

(5) Has the alleged difficulty been self-created?

This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

NO

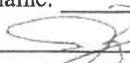
617.20
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Short Environmental Assessment Form

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Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map): 4 (Maldonado) Street Plattsburgh, NY 12901			
Brief Description of Proposed Action: Contract to purchase with renovation for residence on the second floor and liquor store and convenience store on the first floor which lacks required parking.			
Name of Applicant or Sponsor: Joshua Kretzer		Telephone: 1-46-224-8986	
		E-Mail: Kretz@nycool.com	
Address: 65 Court Street Plattsburgh, NY 12901			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Class B Variance and Building Permit			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5.1 acres	
b. Total acreage to be physically disturbed?		2.1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		< 1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Joshua Kretzer</u>	Date: <u>6-23-16</u>	
Signature: 		

Zoning Board to Fill out. Applicant does not fill out Part 2.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
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11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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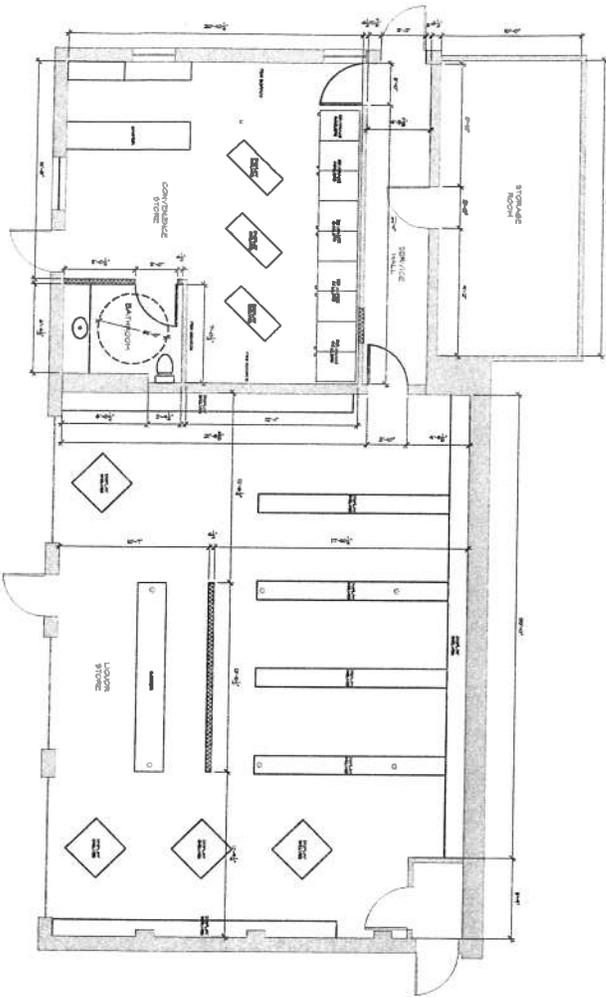
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

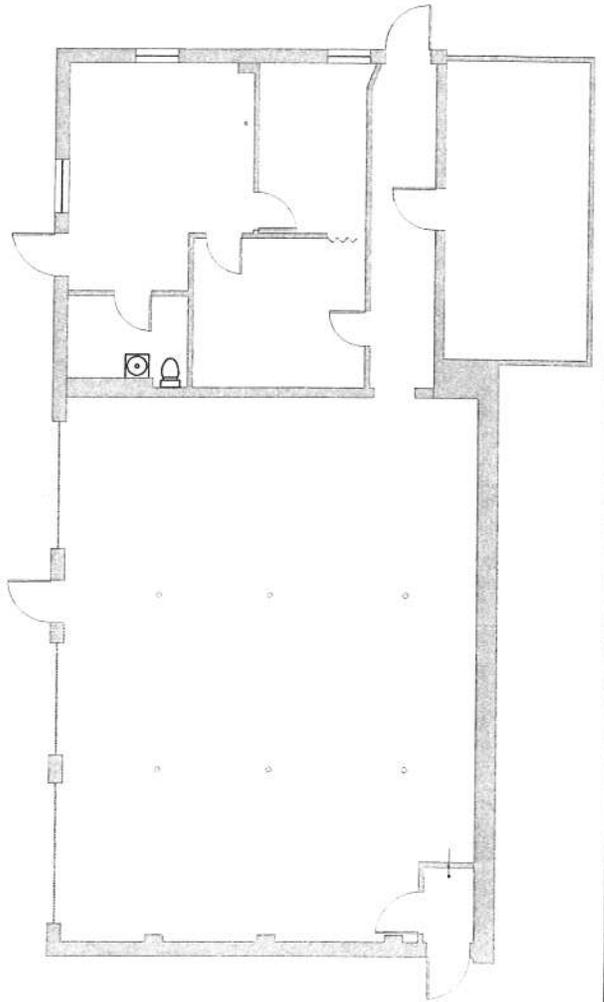


4 MacDonough St

71 FLOOR PLAN LOWER LEVEL - PROPOSED
SCALE: 1/4" = 1'-0"



72 FLOOR PLAN LOWER LEVEL - EXISTING
SCALE: 1/4" = 1'-0"



KRETSER PROJECT
4 MACDONOUGH STREET
PLATTSBURGH, NEW YORK 12901

p.o.d. studio

88 COURT STREET
PLATTSBURGH, NEW YORK 12901
(518) 862-9874 (TWP)

IP 2.1

FLOOR PLAN -
LOWER LEVEL -
PROPOSED
PRELIMINARY AND
NOT FOR CONSTRUCTION
SCALE: SEE T1A6
SHEET NUMBER

DATE: 10/20/11
DRAWN BY: [unintelligible]

Plattsburgh, New York

Building & Zoning Dept.
41 City Hall Place
Plattsburgh, New York 12901
Ph: 518-563-7707
Fax: 518-563-6426

City of
Plattsburgh

 USE
CLASS A VARIANCE

 X AREA
CLASS B VARIANCE

 SUP
SPECIAL USE PERMIT

Date: 10/24/2016

Appeal No.: 2082

An application is hereby made to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to allow the property use as herein described.

Applicant: David A Stone & Jean Ann Hunt

Applicant's Address: 180 Prospect

Plattsburgh NY 12901

Telephone No.: 709 805 4352

Parcel Identification: 207.10-3-4.1

Location of Request: 180 Prospect Plattsburgh NY

Property Owner: David A. Stone

Request Description: Variance to have a lot 62' wide which is less than required by the city; new lot = 62' x 153'

Zoning District: R-1

Section Appealed: 27D-10 Schedule Area + Buck Corners

Previous Appeal: No.: Date:

Identify Applicant's Right to Apply for Variance:

Ownership: X Long Term Lease: Contract To Purchase:

Other (Please Explain):

Applications for Zoning Variances must be accompanied by:
13 copies of existing and proposed site plan plus original application.
13 copies of existing and proposed floor plan.

The Zoning Board of Appeals may impose reasonable conditions and restrictions on the grant of area and use variances provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

* David A. Stone & Jean Ann Hunt
Signature (Owner/Applicant)

Denise Nepheu
DENISE S. NEPHEU Notary Public

Notary Public, State of New York
Registration No. 01NE6322848
Qualified in Clinton County
Commission Expires 4/3/19

Print First and Last Name

*Signatures other than Property Owner require a Letter of Authorization to apply.

ZONING BOARD OF APPEALS

CITY HALL

PLATTSBURGH, NEW YORK 12901

STANDARDS OF PROOF - AREA VARIANCE

A. The applicant for an area variance is not entitled to an area variance unless he has furnished competent proof to satisfy the "practical difficulty standard" and that the variance, if granted will not alter the essential character of the neighborhood.

In order to satisfy the practical difficulty standard, the applicant must prove that the Zoning Ordinance as it applies to his land creates significant economic injury and that the variance, if granted, will not produce a substantial change in the character of the neighborhood. The courts of this state hold that "significant economic injury cannot be established except by dollars and cents proof which includes:

1. The original purchase price of the premises.
2. The current market value of the premises without an area variance.
3. The projected market value of the premises with the variance having been granted."

"Projected market value" in item 3 does not include any cost of valuation for the proposed construction. It includes only the current market value without any variance plus the "value of the right to build." The "value of the right to build" may be said to be the "value of the building permit". How much more valuable is the entire property with a building permit allowing the future construction of the proposed work? Projected market value which includes the value of the work to be constructed will be rejected.

Projected market value can be best shown by the in-person testimony of a real estate appraiser who is present at the hearing. Written appraisals may be less satisfactory because the writer is not present to answer any questions.

The difference between the current market value without the variance and the projected market value with the variance is the amount of economic injury. If the Zoning Board of Appeals determines that this economic injury is significant, then the applicant may be entitled to the area variance.

However, if a town official comes forward at the hearing with testimony establishing that it is important in this particular instance to enforce the Zoning Ordinance as it is written, in order to protect the health, safety and welfare, then the application must be denied. It is important to note that such testimony must be by a town official or someone hired by the town to give the testimony. If the Zoning Board of Appeals agrees with the Town Official that it is important in this case to enforce the Zoning Ordinance as written, then the applicant is not entitled to the area variance, unless he presents further testimony that the enforcement of the ordinance as written will deprive him of any reasonable use of his land. If applicant proves that, then he is entitled to the area variance.

B. The second question to be determined by the Zoning Board of Appeals is whether the the propose will alte the essential character of the neighborhood. Will a substantial detriment to adjoining properties be created? If it will, then the variance may be denied.

C. Other Grounds for Denial:

1. Whether the variance applied for is the minimum variance that is necessary.
2. Is the variance sought one that is merely desirable for the greater enjoyment of the property, as opposed to one that is necessary for continued practical utilization of the premises? (Bielak v. Zoning Board of Appeals, 78 AD 2d 435).

ZONING BOARD OF APPEALS

CITY HALL

PLATTSBURGH, NEW YORK 12901

-2-

STANDARDS OF PROOF - AREA VARIANCE

3. Is this hardship self-created? An area variance cannot be denied solely on the ground of self-created hardship, but is a factor to be considered.
4. Is the plight of the owner due to personal problems of the owner as opposed to matters dealing with the land or buildings? While an area variance may not be denied solely on this basis, it is a factor to be considered.

Area Variances Standards

The state statutes define area variances as: "the authorization by the zoning board of appeals for the use of land in a manner which is not allowed by dimensional or physical requirements of the applicable zoning regulations."

General City Law, 81-b(1)

The state statutes then go on to provide the zoning board with the standards for granting the area variances;

"(b) In making it's determination, the zoning board shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

(1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

(2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

(3) whether the requested area variance is substantial;

(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district; and

(5) whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The board of appeals , in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community."

General City Law, 81-b(4)

Area or Dimensional Variances

Area variances may be granted where setback, frontage, lot size or yard requirements of this Code cannot be reasonably met. In making it's determination the ZBA shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determinations the board shall also consider the following criteria:

Please give a written response to each section.

(1) Will an undesirable change be produced to the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

3rd Prospect No it will NOT. This is consistent with many others' homes between Cornelia and Tom Miller Rd.

(2) Can the benefit sought by the applicant be achieved by some method, feasible to the applicant to pursue, other than an area variance?

No, we hope in the future to build our retirement home on this 62' x 153' lot.

(3) Is the requested area variance substantial?

No, our property is .69 acres. Front 197' line will be reduced to 135' and rear property line will be reduced to 170'

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

No, lot will be maintained in good order

(5) Has the alleged difficulty been self-created?

This information shall be relevant to the decision of the board but shall not necessarily preclude granting of the variance.

Yes, it is self created by our plans for retirement.

Variations

One of the basic powers given by law to a zoning board of appeals is called the "variance" power. The board has the authority to "vary," or modify, the strict letter of a zoning ordinance or local law in cases where this strict interpretation could cause practical difficulties or unnecessary hardships for an individual.

Appeals boards are frequently confronted with requests for variances. There are two types of requests that come before the board, and the standards by which they are judged differ. A use variance is a request to utilize property for a use or activity which is not permitted by the zoning ordinance, and the applicant must demonstrate "unnecessary hardship." An area variance is a request for relief from dimensional standards contained in the zoning ordinance, and it requires a demonstration of "practical difficulty."

The basic standards for determining unnecessary hardship and practical difficulty have been established and refined by the courts in numerous cases.

Use Variance

An individual who wants to utilize property for a use that is not permitted by the zoning ordinance must apply for a use variance. An applicant for a use variance must demonstrate unnecessary hardship by satisfying each of the following three tests:

1. Uniqueness

The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone AND that these features make it impossible to earn a reasonable return without some adjustment. If the features or conditions are generally applicable throughout the district, a variance should not be granted. In those situations where the difficulty is shared by others, the relief should be accomplished by an amendment to the zoning ordinance, not a variance.

2. Reasonable Return

The applicant must demonstrate an inability to realize a reasonable return under any of the uses permitted by the zoning ordinance. There must be a "dollars and cents" proof of the applicant's inability to realize reasonable return; speculation or qualitative assessment is inadequate. Failure to realize the highest return is not considered a hardship.

3. Character

The applicant must prove that the requested modification will not change the character or quality of the neighborhood. In addition, the "spirit" of the ordinance or local law should be preserved.

The applicant for a use variance must meet all three tests before the appeals board may grant relief. A use variance should not be granted if the "unnecessary hardship" was created by the applicant. If the appeals board grants a use variance to an applicant who has failed to meet each of the tests, it runs the risk of assuming the function of the legislative body and making a decision contrary to the legislative intent of the zoning ordinance.

An increasing number of use variance requests is often the sign of an "aged" zoning regulation. The appeals board should not circumvent the legislative process by granting use variances. Instead, the appeals board should advise the governing body of the need to reexamine and amend the zoning ordinance.

Area Variance

In the case of an area variance, the applicant is seeking modification of dimensional standards, such as yard requirements, set-back lines, lot coverage, frontage requirements or density regulations, so that the property may be utilized for one of the uses permitted by the zoning ordinance. The appeals board may grant relief if the applicant can demonstrate that strict compliance with the regulations would cause practical difficulty.

The determination of practical difficulty is a three-step process.³

1. First, the applicant must demonstrate that the application of the zoning ordinance to his property causes significant economic injury.
2. Once the applicant has demonstrated economic injury, then the municipality must show that the regulation in question is reasonably related to a legitimate exercise of the police power.
3. Last, assuming the municipality has met its burden of proof, the applicant must demonstrate that the restrictions, as strictly applied in his case, are unrelated to the public health, safety or welfare of the community and that granting the variance will not adversely affect the community.

In making a determination of practical difficulty, the appeals board may consider:⁴

1. How substantial the variation is in relation to the requirement;
2. The potential effect of increased density on available municipal, county and state facilities and services;
3. Whether the variance will cause a substantial change in the character of the neighborhood;
4. Whether the difficulty can feasibly be mitigated by some other method; or
5. Whether the interests of justice will be served in granting the variance.

The appeals board should grant the minimum relief necessary to allow reasonable use of the land in question. Not every applicant for an area variance is automatically entitled to receive relief. Each application should be carefully considered against the requirement for proof of practical difficulty.

Summary

The major difference between a use variance and an area variance involves the use of the property. An area variance results in a modification of physical restrictions so that an allowable use may be established on the property. By contrast, a use variance permits the establishment of a use which is prohibited by the zoning ordinance and the zoning map. It is for this reason that the standards for a use variance are more stringent than the standards established for an area variance.

Frequently, the appeals board is encouraged to make legislative decisions under the guise of use variance requests. The appeals board should exercise caution when confronted with a request for a use variance, and only grant those which meet the tests established for determining unnecessary hardship. The appeals board should resist the inclination to correct deficiencies in the zoning ordinance through the exercise of its variance power. If particular provisions of the zoning ordinance are inappropriate or unjust, the appeals board should recommend that the legislative body (City Council, Town Board, Board of Trustees) take the necessary steps to amend the ordinance or local law.

¹Otto v. Steinhilber, 282 NY 71 (1939), Village of Bronxville v. Francis, 150 NYS 2d 906 (1956); Jayne Estates v. Raynor, 22 NY 2d 417 (1968); Douglaston Civic Association, Inc. v. Klein, 51 NY 2d 963 (1980).

²Fayetteville v. Jarrold, 53 NY 2d 254 (1981).

³Fulling v. Palumbo, 21 NY 2d 30 (1967); National Merrit, Inc. v. Werst, 41 NY 2d 438 (1977).

⁴Waschsberger v. Michalls, 19 Misc 2d 909 (1959).

Department of Planning



Note:

This Tech Memo was prepared by the
publication for municipal governments.

Department of Planning as an informational
It is not intended to be a legal opinion.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
<p style="font-size: 1.2em; margin: 0;">Zoning variance for creating a lot which is less than 75' wide, w</p>							
<p>Name of Action or Project: 180 Prospect Plattsburgh</p>							
<p>Project Location (describe, and attach a location map):</p>							
<p>Brief Description of Proposed Action:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> </div> <div style="width: 50%;"> <p style="font-size: 1.2em;">Requesting a zoning variance to create a lot 62' x 153'</p> </div> </div>							
<p>Name of Applicant or Sponsor: David A. Stone & Jean Ann Hunt</p>		<p>Telephone: 708 805 4357</p>					
<p>Address: 180 Prospect</p>		<p>E-Mail: huntstone@verizon.net</p>					
<p>City/PO: Plattsburgh NY 12901</p>		<p>State:</p>	<p>Zip Code:</p>				
<p>1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.</p>			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<p>2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: But it does need zoning board approval</p>			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<p>3.a. Total acreage of the site of the proposed action? _____</p>		<p style="text-align: right;">.69 acres</p>					
<p>b. Total acreage to be physically disturbed? _____</p>		<p style="text-align: right;">.26 acres</p>					
<p>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____</p>		<p style="text-align: right;">.69 acres</p>					
<p>4. Check all land uses that occur on, adjoining and near the proposed action.</p> <p> <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland </p>							

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David A. Stone - Jean Ann Hunt</u>	Date: <u>6/24/16</u>	
Signature: <u>[Signature]</u>		

Zoning Board to Fill out. Applicant does not fill out Part 2.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

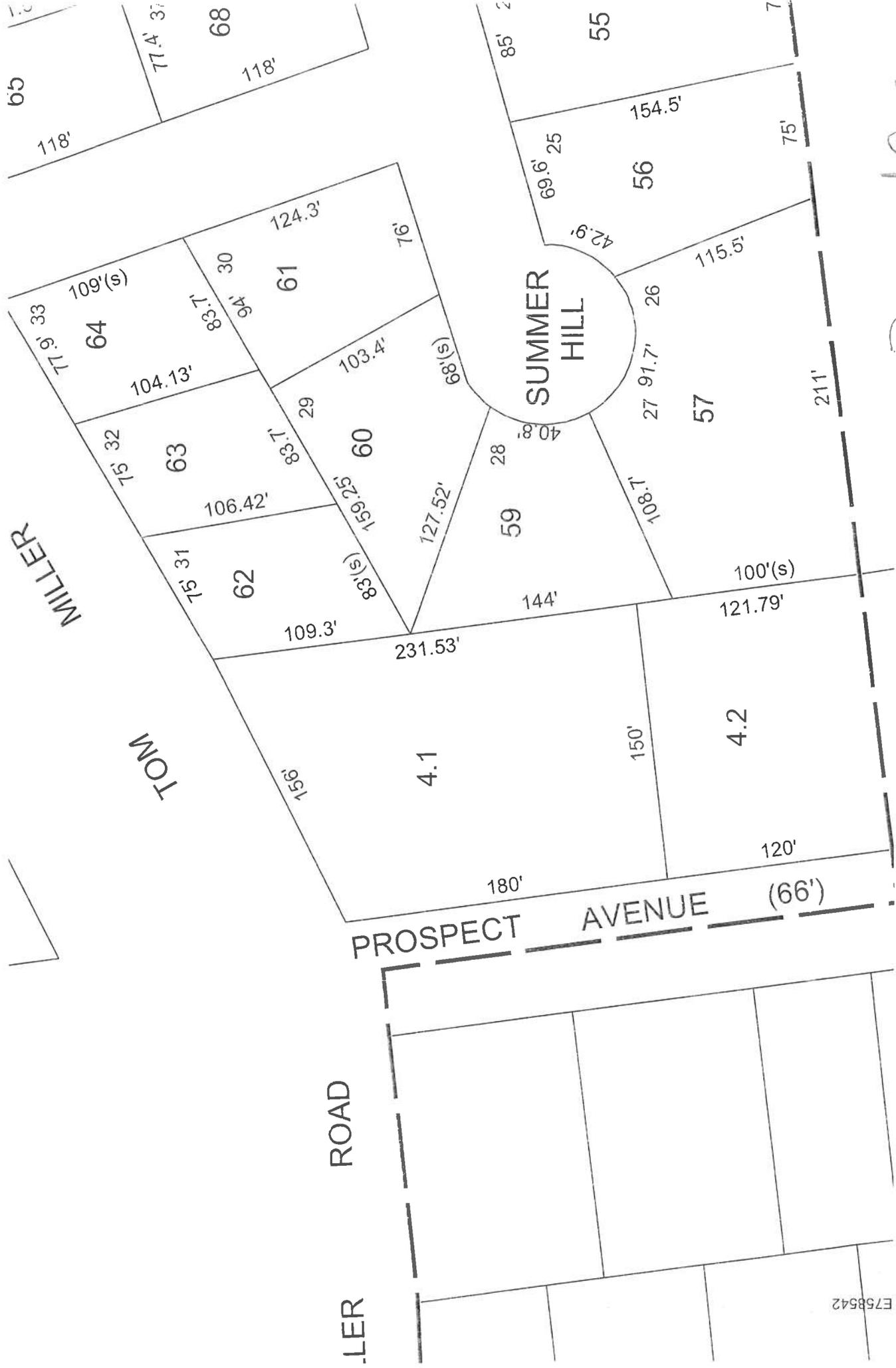
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

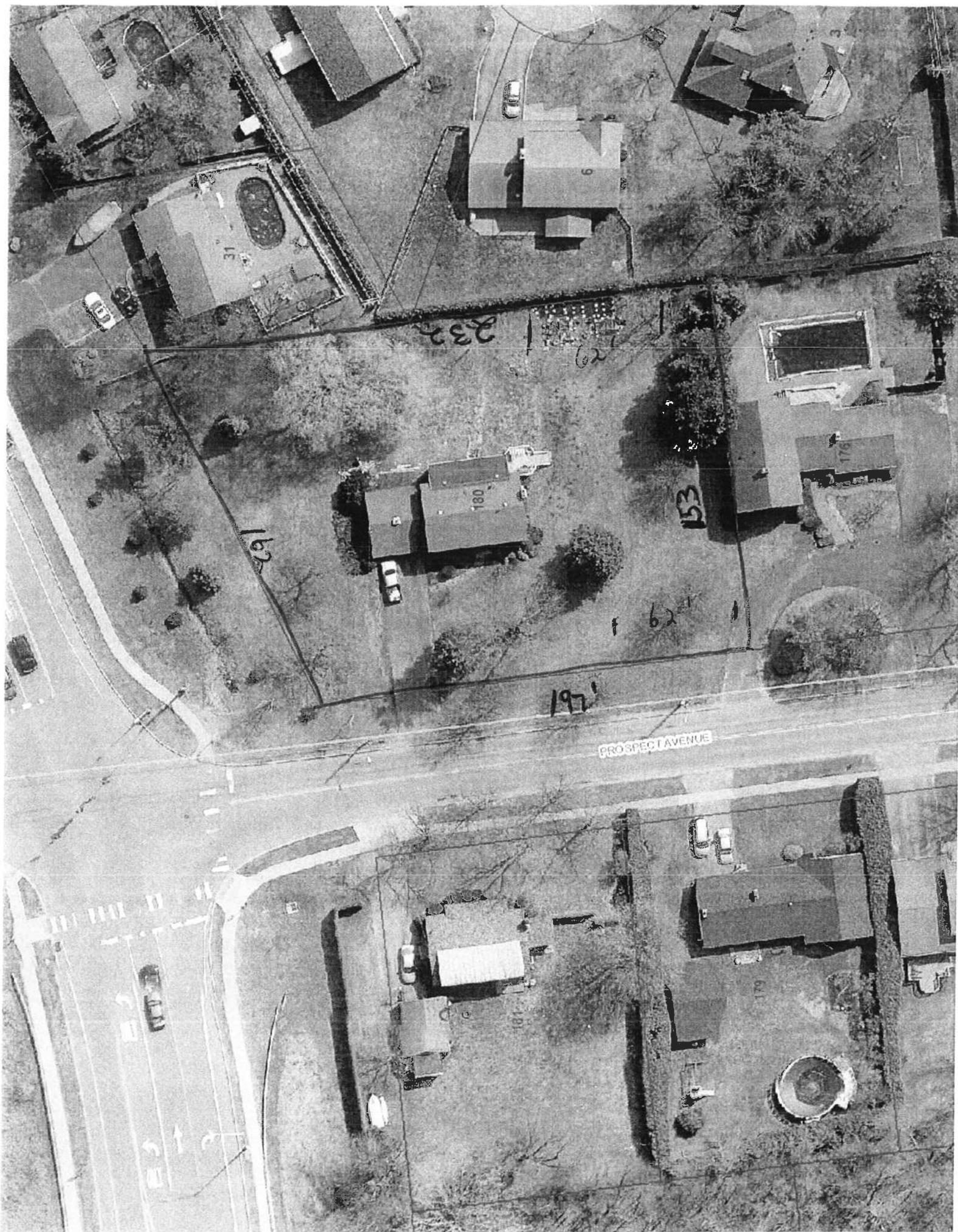
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



APPEAL # 2082

180 Prospect Ave



162

232

180

153

176

197'

62'

PROSPECT AVENUE

181



CLINTON COUNTY PLANNING DEPARTMENT

135 Margaret Street, Suite 124 · Plattsburgh, New York 12901-2980
Planning (518) 565-4711 • C.A.R.T. (518) 565-4713 • Facsimile (518) 565-4885

CLINTON COUNTY PLANNING BOARD DECISION ON 239M REFERRAL

TO: City of Plattsburgh

REFERRAL NUMBER: 53-16

SUBJECT: City of Plattsburgh, Applicant David Stone, Area Variance for Lot, 180 Prospect Ave.

The following action was taken by the Clinton County Planning Board regarding this zoning referral, in compliance with New York State General Municipal Law, Article 12B, Section 239M. This decision is not binding upon the local municipality, but may impact the local board's voting requirements to act contrary to the County decision. A County Decision of Disapproval or Approval With Modifications may only be overturned by the local municipal board by a majority plus one vote of the full membership of the board (4 votes for 5 member board, 5 votes for 7 member board).

DATE OF COUNTY ACTION: 7/6/16

ACTION TAKEN ON REFERRAL:

- APPROVAL
 APPROVAL WITH MODIFICATION
 DISAPPROVAL
 LOCAL ISSUE

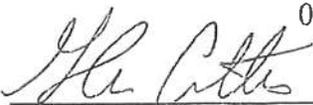
SEE ENCLOSED COMMENTS REGARDING THIS REFERRAL

VOTE RECORDED:

7 YES
0 NO
4 ABSENT
0 ABSTAINED

DATE

7/8/16


CLINTON COUNTY PLANNING DEPARTMENT

PLEASE RETURN A COPY OF THE FINAL DECISION BY YOUR BOARD TO THE CLINTON COUNTY PLANNING DEPARTMENT WITHIN 30 DAYS OF DECISION.