



City Info &lt;cityinfo@plattsburghcitygov.com&gt;

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**Zoning Board of Appeals Comment 4/20/2020**

2 messages

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**Maureen Martin** <mamesq@vermontel.net>  
To: cityinfo@plattsburghcitygov.com

Wed, Apr 15, 2020 at 12:51 PM

Appeal 2198 **61 Beekman St Class B**                      **AND**  
Appeal 2199 **61 Beekman St Special Use Permit**

Dear Members of the City of Plattburgh Zoning Board of Appeals:

I am the Trustee for the residential property located at [71 Beekman Street, Plattsburgh, New York](#).

I have been informed by a neighbor of this property, that there is a re-scheduled Zoning Board of Appeals meeting set for 4/20/2020, which effects my property.

I am entitled to receive direct notification from the Zoning Board of any proceedings that effect my property.

I never received any such legally required notice for the previously scheduled meeting in these matters set for 4/6/2020. I sent an email letter to your office setting out my objections to the meeting and the meeting was subsequently cancelled.

Now, after notifying the Board of it's failure to provide legally sufficient notice, I have once again not received legal notice for a meeting. As such and pursuant to your own Rules, I do not believe that a Zoning Board of Appeals meeting in this matter can be legally held on 4/20/2020.

As I previously notified this Board, my contact information is freely available to the Board within the City Chamberlains's Office as I directly receive billing for all utilities and taxes assessed to the property by the City to my legal address. As Trustee, my address is also the legal address of the Trust and thereby this property.

Additionally, and arguably most significant, the Notice that I have now seen appears to be fatally flawed by it's failure to include any notice/mention of Appeal # 2199.

Further, on the issue itself, I believe that by long standing legal precedent, zoning variances should be the exception not the rule.

In order for a Zoning Board of Appeals to make a determination in this matter, the Board must consider the following criteria:

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?
2. Can the benefit sought by the applicant be achieved by some method other than an area variance?
3. Is the area variance requested substantial?
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Has the alleged difficulty been self-created?

The subject property is currently a nonconforming user in an R-1 district.

I strongly object to any development whatsoever on this Historic Site, in this historic residential neighborhood.

I find it very disturbing that the variance applicant has apparently chosen not to be forthright in it's application by it's failure to provide mandated responses and explanations, thereby leaving the application fatally incomplete.

Given that the subject property is located in a residential neighborhood, it is hard to imagine that there will not be a devastating effect upon neighboring property values by the creation of a large commercial addition on the site. The neighborhood will be forever transformed into a business district and an historic property unrecognizably transformed into a commercial monstrosity.

Further, I understand that the current owner is already experiencing deficiencies in the payment of it's property taxes at 61 Beekman as it stands.

I also understand that the current facility continues to have vacancies thereby demonstrating the lack of need of any such expansion.

As a Trustee/property owner who will be negatively effected by the grant of a non-conforming use variance in this circumstance, I have the right to demand that the Zoning Board of Appeals deal with this situation equitably and in transparency to the satisfaction of all parties who are legally concerned with any determination that may be made.

Respectfully,

Maureen A. Martin, Esq., Trustee of the Diana M. Cron Living Trust UTD 10/16/13  
Re: [71 Beekman Street, Plattsburgh, N.Y.](#)  
P.O. Box 329  
Hartland, Vermont 05048  
1-802-436-3191

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**City Info** <cityinfo@plattsburghcitygov.com>  
To: mcmahonj@cityofplattsburgh-ny.gov  
Cc: "Beebie, Lisa" <BeebieL@cityofplattsburgh-ny.gov>

Wed, Apr 15, 2020 at 1:38 PM

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City Info <cityinfo@plattsburghcitygov.com>

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**Fw: Zoning Board of Appeals Comment 4/6/2020**

2 messages

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**wedad eltaher** <eltaherwedad@yahoo.com>

Thu, Apr 16, 2020 at 4:04 PM

To: "Cityinfo@plattsburghcitygov.com" <Cityinfo@plattsburghcitygov.com>

Appeal 2198 [58 Beekman St](#) **Class B** **AND**

Appeal 2199 [58 Beekman St](#) **Special Use Permit**

Dear Members of the Zoning Board of Appeals:

I am the Trustee for the residential property located at [58 Beekman Street](#), Plattsburgh, New York.

I have today been informed by a neighbor that there is a Zoning Board of Appeals proceeding in play which effects my property.

I am entitled to receive direct notification from the Zoning Board of any proceedings that effect my property.

As I have not received any such legally required notice, a Zoning Board of Appeals meeting in this matter can not be legally held on 4/6/2020.

My contact information is available to the Board from the City Chamberlains's Office as I receive billing and also issue payment for all utilities and taxes assessed to the property by the City.

Further, on the issue itself, I believe that by long standing legal precedent, zoning variances should be the exception not the rule.

In order for a Zoning Board of Appeals to make a determination in this matter, the Board must consider the following criteria:

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?
2. Can the benefit sought by the applicant be achieved by some method other than an area variance?
3. Is the area variance requested substantial?
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?
5. Has the alleged difficulty been self-created?

The subject property is now a nonconforming user in an R-1 district.

I strongly object to any development whatsoever on this Historic Site.

I find it very disturbing that the variance applicant has apparently chosen not to be forthright in it's application by failing to provide the mandated responses., and thereby making his application incomplete.

As a Trustee/property owner who will be negatively effected by the grant of a non-comforming use variance in this circumstance, I have the right to demand that the Zoning Board of Appeals deal with this situation equitably and in transparency to the satisfaction of all parties who are legally concerned with any determination that may be made.

Respectfully,

Wedad El-Taher-Ahmed El-Taher and Hanan El-Taher

Re: [58 Beekman Street, Plattsburgh, N.Y. 12901](#)

[518-314-7167](tel:518-314-7167)

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**City Info** <[cityinfo@plattsburghcitygov.com](mailto:cityinfo@plattsburghcitygov.com)>  
To: [mcmahonj@cityofplattsburgh-ny.gov](mailto:mcmahonj@cityofplattsburgh-ny.gov)  
Cc: "Beebie, Lisa" <[BeebieL@cityofplattsburgh-ny.gov](mailto:BeebieL@cityofplattsburgh-ny.gov)>

Fri, Apr 17, 2020 at 7:47 AM

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