



Plattsburgh, New York

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

USE
CLASS A VARIANCE

 X AREA
CLASS B VARIANCE

SUP
SPECIAL USE PERMIT

Date: 05/24/2017

Appeal No.: 2139

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: 15 Champlain, LLC

Applicant's Address: 62 Brinkerhoff St
Plattsburgh, NY 12901

Telephone No.: _____

Parcel Identification: 207.15-05-4.1

Location of Request: 25 Elm Street Plattsburgh, NY 12901

Property Owner: 15 Champlain, LLC

Request Description: Proposed muliti-family use in a B-1 zone

Zoning District: B-1

Section Appealed: Schedule I, Schedule of permitted uses

Previous Appeal: No.: X 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:

15 copies of existing and proposed site plan

15 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.

Thomas J. [Signature]
Signature (Owner/Applicant)

15 Champlain LLC

[Signature]
Notary Public

JOCELYN P. BOMBARD
Notary Public, State of New York
#01B05072115
Qualified in Clinton County
My Comm. Expires 01-21-19

August 25, 2017

City of Plattsburgh Zoning Board
City of Plattsburgh
41 City Hall Place
Plattsburgh, NY 12901

RE: 15 Champlain LLC
25 Elm Street Special Use Permit & Area Variance

Dear Members of the Zoning Board:

The owners of 25 Elm Street are looking to convert portions of an existing mixed-use building from office use to residential use. The proposed project will convert approximately 4,300 square feet, along with a proposed approximately 1,400 square foot addition into 8 new one-bedroom apartments. The addition would square off the back portion of the building and be constructed completely over an existing asphalt area.

The building is already served with public utilities with no new services being required. The proposed use would require 16 parking spaces compared to the existing office use that required 17.5 spaces. This reduction in required parking would bring the overall site closer to compliance, and historically would not result in the need for an amendment to the existing variance that exists for the parcel.

The surrounding area to the project consists of a mix of commercial and residential use, with several multi-family uses. Although the parcel is Zoned B-1, it is the last parcel on the street that is zoned business, with multifamily being permitted on the adjacent parcel to the west. In fact, prior to the most recent re-write of the zoning map, this parcel was zoned R-2 where multi-family would have been permitted without a Special Use Permit.

The existing building is located approximately 5.9 feet from its westerly boundary line. With the proposed addition squaring off this back corner, the addition will also be placed approximately 5.9 feet from the side property line. The current zoning would require this setback to be zero, or if one is provided, 12 feet. Therefore, a variance will be required for said addition.

With regards to the State guideline for granting an area variance, we offer the following:

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;

The reduction in setback already exists, and would not alter the character of the neighborhood, and would be better than placing the addition with a zero setback from the property line.

Whether the benefit sought by the Applicant can be achieved by some method; feasible for the Applicant to pursue, other than an area variance;

The addition could be placed with a zero lot line setback and would not require a variance, but the applicant feels that matching the existing building would result in a more aesthetically pleasing condition.

Whether the requested area variance is substantial;

The proposed request would be approximately 50% reduction from the 12-foot requirement, but substantially greater than the zero number.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

With the site being fully developed and the area in question being currently paved, it is our opinion that the variance will not have an adverse effect on the environmental conditions in the neighborhood.

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: Elm Street | | | |
| Project Location (describe, and attach a location map): 25 Elm Street, Plattsburgh, NY 12901 | | | |
| Brief Description of Proposed Action: The owner of 25 Elm Street are interested building an addition in the south west corner of the existing building on their property. Along with utilizing a portion of the existing building for multi-family usage. | | | |
| Name of Applicant or Sponsor: 15 Champlain, LLC | | Telephone: | |
| | | E-Mail: | |
| Address: 62 Brinkerhoff St. | | | |
| City/PO: Plattsburgh | | State: New York | 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 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: City of Plattsburgh Building Permit | | | YES <input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? | | 1.18 acres | |
| b. Total acreage to be physically disturbed? | | .03 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 1.18 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 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>Aaron Quas, Agent</u> | Date: <u>2/25/17</u> | |
| Signature: _____ | | |

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

To Whom It May Concern:

I/We, Tom Latinville of 15 Champlain LLC, hereby authorizes Robert M. Sutherland, P.C. to represent our interests before the City of Plattsburgh Zoning Board with regards to our proposed Special Use Permit Application for 25 Elm Street.

Signature:

 8/25/17

Date