

**PUBLIC SAFETY COMMITTEE
MARCH 26, 2020
CITY OF PLATTSBURGH COMMON COUNCIL CHAMBERS
AGENDA
4:30PM**

Roll Call: Chair Councilor Gibbs, Councilor Barbell and Mayor Read

Others Present:

Absent:

1. REPORTS FROM DEPARTMENT REPRESENTATIVES AND DISCUSSION WITH COUNCILORS:

2. AGENDA ITEMS BROUGHT FORWARD FROM DEPARTMENTS TO BE APPROVED BY COMMITTEE AND RECOMMENDED TO COUNCIL:

1. Request from City Planner Malana Tamer for the following:

ORDINANCE 2020-8A; AUTHORIZATION FOR DRIVEWAY CONNECTING TWO STREETS (Beekman St and Cornelia St.)

The Common Council of the City of Plattsburgh hereby ordains as follows:

1. **Findings:** The Common Council finds:

- i. City Code §360-22 Dⁱ prohibits driveways that connect two City streets except by ordinance adopted by the Common Council
- ii. There is an application pending for site plan approval and a building permit to construct a 94 unit addition and related site improvements on Tax Map Parcel ID # 206.-1-26.113 known as the Samuel F. Vilas Home assisted living facility.
- iii. The application site plan entitled “Samuel F. Vilas Home Site Plan 2019” dated February 27, 2020 shows a driveway that connects Cornelia St. and Beekman St. In addition, a sketch plan traffic analysis dated, March 3, 2020 is provided as a detailed plan of the proposed exit only driveway to Cornelia St.
- iv. The City Planner has coordinated with the Building Inspector, Fire Department, Police Department, and the Department of Public Works and the proposed the site plan with driveway will not adversely impact traffic movement on Cornelia St. and Beekman St. and will not foster a “shortcut” access point.
- v. The primary purpose of City Code §360-22 D is to prohibit private drives that connect parallel streets and permit motorists to take a “shortcut” to their destination. In this case, the

driveway only allows exit to Cornelia St through a traffic controlled parking lot and is unlikely to be used by anyone other than persons patronizing the facility to be constructed on the lot.

2. **Authorization and Waiver:** Based upon the foregoing findings, the Common Council does hereby approve the construction of a private driveway that connects Cornelia Street and Beekman Street as shown on “Samuel F. Vilas Home Site Plan” dated 2/27/20 and Sketch Traffic Analysis dated 3/3/20 and hereby waives the requirements of City Code §360-22 D with respect to the proposed private driveway.
3. **Effective Date:** This ordinance shall take effect immediately upon approval by the Mayor and publication of the ordinance, or a summary thereof, one time in the official newspaper of the City of Plattsburgh and on the City website.
 2. Request from Director of Community Development Matthew Miller that the Mayor is authorized to sign a Construction Access License Agreement with St. John’s Church to allow the City to construct improvements to a section of the sidewalk at the northwest corner of St. John’s Church’s property on Margaret Street as part of the larger improvements associated with construction of the Arnie Pavone Memorial Parking Plaza.
 3. Request from City Planner Malana Tamer that the Mayor be authorized to enter into a waiver agreement with the Clinton County Planning Board pursuant to General Municipal Law 239-m(3)(c) which waiver agreement provides that certain proposed actions set forth in the agreement are of local, rather than inter-community or county-wide concern, and are not subject to referral under General Municipal Law 239-m.
 4. APPROVING ABANDONMENT OF DIVISION STREET FOR ARNIE PAVONE MEMORIAL PARKING PLAZA PORTION OF DOWNTOWN AREA IMPROVEMENT PROJECTS

WHEREAS, the City of Plattsburgh revitalization efforts will involve several downtown area improvement projects known as the Downtown Area Improvement Projects (DAIP); and

WHEREAS, the City of Plattsburgh Common Council determined to conduct comprehensive review of the DAIP through preparation of a Generic Environmental Impact Statement (GEIS) pursuant to the State Environmental Quality Review Act (SEQRA) and Section 617.10 of Title 6 of the New York Compilation of Codes, Rules and Regulations; and

WHEREAS, the Common Council, as duly designated Lead Agency pursuant to SEQRA, conducted a thorough SEQRA review of the DAIP, including conducting scoping, preparing Draft and Final Generic

Environmental Impact Statements (EIS), conducting a Public Hearing and adopting a SEQRA Findings Statement; and

WHEREAS, the Findings Statement determined, among other things, that given the demonstrated public need and benefit of the DAIP, its lack of significant adverse environmental impacts and its avoidance of such impacts by project design, location and mitigation, the decision to proceed with the Project as proposed gave due consideration to and represented a reasonable and proper balancing of environmental considerations with social, economic and other relevant considerations; and

WHEREAS, the Findings Statement further determined and certified that, consistent with social, economic and other essential considerations from among the reasonable alternatives available, the DAIP avoids or minimizes adverse environmental impacts to the maximum extent practicable and incorporates as conditions to the Board’s decision those mitigation measures that were identified as practicable; and

WHEREAS, approval from the Common Council is now needed for the abandonment of Division Street, which is required to enable the Arnie Pavone Memorial Parking Plaza (APMPP) to proceed; and

WHEREAS, to maximize the amount of public parking in the APMPP, Division Street will need to be converted to publicly accessible parking spaces and sidewalks; and

WHEREAS, written notice of proposed abandonment of Division Street was sent by certified mail to both adjoining landowners, Community Bank and St. John’s Church on or about March 9, 2020, and public notice duly published; and

WHEREAS, St. John’s Church does not use or rely on Division Street for ingress or egress to their property and Community Bank has requested that a means of egress be provided through the APMPP from their property; and

WHEREAS, notice of a public hearing was duly announced regarding a potential change to the official map of the City of Plattsburgh and the public hearing was completed on March 26, 2020; and

WHEREAS, the City Planner, with input and comments from the City Planning Board, has provided a report to the Common Council regarding the potential abandonment of Division Street.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Common Council has reviewed the proposed abandonment of Division Street and finds that it constitutes an integral component of the APMPP portion of the DAIP which was thoroughly reviewed under SEQRA.
2. The potential environmental impacts of the abandonment of Division Street were adequately addressed as an essential component of the APMPP portion of the DAIP in the GEIS and the

Findings Statement and the proposed abandonment of Division Street is not likely to result in any new or different environmental impacts than those previously considered during SEQRA review of the DAIP. Therefore, no further SEQRA review is necessary.

3. Pursuant to Chapter 295 of the City Code, that the Common Council of the City of Plattsburgh finds that Division Street provides partial access only to a single lot or parcel of land and the City Planner advises, and the Common Council concurs and finds that Division Street, to the extent it is used as a vehicular thoroughfare, is not likely to be needed for a public purpose, including access, now or at any time in the foreseeable future and is therefore abandoned as a City Street, and the official map of the City should be changed to reflect this abandonment.
 4. That the former footprint of Division Street will retain a public use to the extent the parking spaces and adjoining sidewalk will be open and utilized by the public.
 5. That Community Bank, or their assigns, shall retain a means of egress from their parcel through the APMPP.
 6. That, since the former footprint of Division Street will be utilized for a proper public purpose, the City will retain all rights and title to the former footprint of Division Street.
 7. The Common Council authorizes and directs the Mayor, City Clerk, Director of Community Development, City Attorney and/or Special Legal Counsel to take such further actions as may be necessary to effectuate the intent of this Resolution.
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5. Request from Environmental Manager Jon Ruff that the Council agrees to and authorizes the execution of Amendment No. 3 to the agreement with CDM Smith for work on a time and expense basis for a not to exceed fee of \$19,600, thereby increasing the upper limit from \$666,900 to \$685,500.
 6. Request from Environmental Manager Jon Ruff that Council agrees to and authorizes the execution of a March 2, 2020 agreement with Schnabel Engineering for “Mead Reservoir Hazard Classification Study” for the lump sum fee of \$20,500.

By Councilor _____; Seconded by Councilor _____
(RC) Roll call: Chair Councilor Gibbs, Councilor Barbell and Mayor Read

3. OLD BUSINESS:

4. NEW BUSINESS:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____
(RC) Roll call: Chair Councilor Gibbs, Councilor Barbell and Mayor Read
MEETING ADJOURNED: _____
