

ZONING BOARD OF APPEALS

JULY 20, 2020 MEETING OF ZONING BOARD OF APPEALS
REMOTE ZOOM MEETING

MINUTES

Present: Chairman Ron Nolland, Kathleen Insley, Kellie Porter, Meghan Weeden, Elizabeth Jent (alt), Peter (PJ) Whitbeck (alt)
Joseph McMahon, Building Inspector
Kyle Burdo, Housing Code Inspector

Absent: Scott Demane

Also present: Denise Nephew
Alina Feller
Richard Jarrette
James Abdallah

Mr. Nolland called the meeting to order at 7:00 PM.

APPEAL	APPLICANT	REQUEST
2243	DENISE NEPHEW 24 SMITH STREET	SPECIAL USE PERMIT REQUEST TO PLACE A FENCE THAT EXCEEDS 6 FEET IN REAR YARD
2244	ALINA FELLER 33 LEONARD AVENUE	SPECIAL USE PERMIT REQUEST TO PLACE A FENCE THAT EXCEEDS 6 FEET IN REAR YARD
2245	RICHARD JARRETTE 17 BAILEY AVENUE	CLASS B AREA VARIANCE REQUEST TO CONSTRUCT A DETACHED GARAGE WITHIN THE REAR YARD SETBACK
2246	JAMES A. ABDALLAH 55 PROSPECT AVENUE	CLASS B AREA VARIANCE REQUEST TO CONSTRUCT A FRONT PORCH WITHIN THE SIDE YARD SETBACK AND TO EXPAND PAVEMENT WITHIN THE SIDE YARD SETBACK

Appeal 2232 has been withdrawn from this evening's agenda.

The agenda will be heard in the following order:

- Appeal 2243
- Appeal 2244
- Appeal 2245
- Appeal 2246

The **first** item heard was Appeal #2243, Denise Nephew, 24 Smith Street, Special Use Permit for a fence in rear yard exceeding 6 feet.

Plans and application presented by Denise Nephew.

Board and applicant discussion regarding height and location of 8 foot fencing in rear yards.

Public Comment: Kathleen Insley provides statement that resident Patricia Hoffman submitted a written comment in opposition to the request and reads the letter into the record.

MOTION:

By: K. Insley, seconded by K. Porter

IN REGARD TO APPEAL #2243, AFTER REVIEW OF THE SHORT ENVIRONMENTAL ASSESSMENT FORM WE DETERMINE THAT NO OR SMALL ENVIRONMENTAL IMPACT WILL RESULT FROM THE PROPOSED ACTION.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

MOTION:

By: K. Insley, seconded by E. Jent

FOR APPEAL #2243, SPECIAL USE PERMIT FOR 76 PARK AVENUE, TO ALLOW A FENCE EXCEEDING 6 FEET IN REAR AND SIDE YARDS BASED ON THE DIAGRAM SUBMITTED.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

The **second** item heard was Appeal 2244, Alina Feller, 33 Leonard Avenue, Special Use Permit to place a fence exceeding 6' in rear yard.

Board and applicant discussion regarding height and location fencing in rear and side yards.

Public Comment: None.

MOTION:

By: K. Porter, seconded by M. Weeden

IN REGARD TO APPEAL #2244, AFTER REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM WE DETERMINE THAT NO OR SMALL ENVIRONMENTAL IMPACT WILL RESULT FROM THE PROPOSED ACTION.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

MOTION:

By: K. Porter, seconded by E. Jent

FOR APPEAL #2244, SPECIAL USE PERMIT FOR 33 LEONARD AVENUE, TO ALLOW TO PLACE A FENCE EXCEEDING 6' IN REAR AND SIDE YARDS.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

The **third** item heard was Appeal 2245, Richard Jarrette, 17 Bailey Avenue, Class B Area Variance to construct a garage located within the rear yard setback.

Board and applicant discussion regarding the location and height of the garage.

Public Comment: None

MOTION:

By: K. Insley, seconded by M. Weeden

IN REGARD TO APPEAL #2245, AFTER REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM WE DETERMINE THAT NO OR SMALL ENVIRONMENTAL IMPACT WILL RESULT FROM THE PROPOSED ACTION.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

MOTION:

By: K. Insley, seconded by. K. Porter

FOR APPEAL #2245, CLASS B AREA VARIANCE FOR 17 BAILEY AVENUE, TO ALLOW CONSTRUCT A GARAGE WITH AN AVERAGE HEIGHT OF 14' HIGH AND TO APPROVE AN EXACERBATION OF EXISTING ENCROACHMENT ON SIDE YARD 2' BY 7'.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

The **fourth** item heard was Appeal 2246, James Abdallah, 55 Prospect Avenue, Class B Area Variance to construct a front porch within the side yard setback and to expand pavement within the side yard setback.

Board and applicant discussion regarding the location of the porch and pavement.

Public Comment: None

MOTION:

By: M. Weeden, seconded by E. Jent

IN REGARD TO APPEAL #2246, AFTER REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM WE DETERMINE THAT NO OR SMALL ENVIRONMENTAL IMPACT WILL RESULT FROM THE PROPOSED ACTION.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

MOTION:

By: K. Insley, seconded by. K. Porter

FOR APPEAL #2246, CLASS B AREA VARIANCE FOR 55 PROSPECT AVENUE, TO ALLOW TO CONSTRUCT A FRONT PORCH WITHIN THE SIDE YARD SETBACK 7 FEET WHERE 7'-8" ARE REQUIRED AND TO EXPAND PAVEMENT 1'-4" INTO REQUIRED 3' SIDE YARD WHERE 3' IS REQUIRED AS PER THE DRAWING.

ALL IN FAVOR: 5

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting)

MOTION:

By: K. Insley, seconded by. K. Porter

TO FORMALIZE AND RATIFY THE AGREEMENT WITH THE LEGAL COUNSEL, COREY AUERBACH OF BARCLAY DAMON LAW FIRM PER THE AGREEMENT SIGNED BY THE CHAIRMAN ON LETTER OF ENGAGEMENT SIGNED ON APRIL 24, 2020.

ALL IN FAVOR: 4

OPPOSED: 0

MOTION PASSED
(E. Jent (alt) voting, Scott Demane absent, Meghan Weeden abstained)

All written public comments submitted to City of Plattsburgh Cityinfo email are entered into record and may be seen in their entirety on the City of Plattsburgh Website at <http://www.cityofplattsburgh.com/AgendaCenter>.

MOTION to adjourn:

By: M. Weeden, seconded by E. Jent

Adjourned at 8:14 PM

For the purpose of this meeting, this meeting was audio and video recorded. This is a true and accurate copy and transcription of the discussion and for a more detailed discussion, see the recording.

Shelise Marbut
Temporary Secretary
Zoning Board of Appeals