



## Planning Board Minutes

**Monday, April 25, 2022**

**6:00 PM**

**(Work Session at 5:30pm)**

**Common Council Chambers**

**41 City Hall Place**

**Plattsburgh, NY 12901**

**Optional Zoom Link:** <https://zoom.us/j/98044675140>  
**Zoom Phone Number:** 1-646-558-8656  
**Zoom Meeting ID:** 980 4467 5140

### Pledge of Allegiance

**Roll Call:** James A. Abdallah (Chair), Rick Perry, Reg Carter, Curt Gervich, Loretta Rietsema, Abby Meuser-Herr (Alternate), Tom Cosgro (Alternate)

**Staff Present:** Shelise Marbut (Planning Assistant), Barbara Brister (Senior Clerk)

**Excused:**

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## A. Monthly Project Review

### 1. PB# 2021-05, 61 Beekman Street Site Plan Modification – Information Only

**Project Description:** Information-only update on courtyard improvements at Vilas Home. Located at 61 Beekman St; Zoned R1; Tax Map Parcel ID #207.18-6-38.

**Applicant:** Vilas Home, LLC

**Plan Preparer:** AEDA

- Jim Abdallah recused himself from application and Rick Perry served as Acting Chair.
- Eli Schwartzberg presented updates to plans for Memory Care Garden
- Shelise M. presented approved plan as well as email containing changes (Stormwater, Courtyard, removal of 2<sup>nd</sup> Opening along fence, power to water fountain). Reviewed detailed plan for court area
- Eli S. stated excited to develop geriatric outdoor spaces to include outdoor walking track and BBQ area. Welcomed feedback.
- Rick P. questioned elevation and potential trip hazard of water fountain and related potential liability. Eli S. stated fountain is more a visual/therapeutic piece, fountain is not deep and that they will carefully consider what they select.

**2. PB# 22-05, 66 Court Street Historic Site Review**

**Project Description:** Request to cover removed chimney section of house with matching cedar shingle siding to a historic building in the Court Street Historic District. Zoned RH; Tax Map Parcel ID #207.19-2-22

**Applicant:** CE Link

**Plan Preparer:** Dan Handy Construction

- SM Summary - Property is a foreclosure. Chimney non contributing

- A. Public Hearing – **No Comments**  
 B. Motion to adopt SEQRA resolution 22-05A.

Moved By Rick Perry

Seconded By: Reg Carter

Discussion:

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Abby Meuser-Herr

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

- C. Motion to adopt project resolution 22-05B.

Moved By: Rick Perry

Seconded By: Reg Carter

Discussion: It is noted that approval is limited to the following scope of work:

- In-kind replacement of red-painted cedar shingles as indicated within the application;
- In-kind replacement of soffit, fascia, and roofing limited to the area affected by the removed chimney as shown within the images in Exhibit 7; and
- Removal of the chimney foundation only as much as is needed to perform the siding placement.

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Abby Meuser-Herr

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

**3. PB# 22-06, 28 New York Road Historic Site Review**

**Project Description:** Request to perform a series of in-kind repairs to deck, stairs, ramp, and railing to a building located within the U.S. Oval Expansion District and subject to the SHPO Programmatic Agreement. Zoned RC-2; Tax Map Parcel ID #221.16-1-17.6

**Applicant:** IBEW Local 910

**Plan Preparer:** Dave Hoover

Discussion:

- Applicant - Decking will be pressure treated, Fire Escape 1975 Snowfall from roof is an issue remedied by "snow buttons", Black handrail 1998, no galvanized nails, no trip/fall hazards. Will paint decking an Antique Grey after weathering one year, handrail paint will be the same as vent cap, same as brick. Applicant will make sure color is ok and find something with a primer.
- CG questioned if any changes to railing/spindles. Applicant stated 1 on 12 pitch. Applicant believes railing ADA compliant but will seek approval from Building Inspector
- Board members discussed whether ADA requirements should "trump" historical guidelines. Will seek interpretation from Council.

A. Public Hearing – **No Comments**

B. Motion to adopt SEQRA resolution 22-06A.

Moved By: Curt Gervich

Seconded By: Tom Cosgro

Discussion:

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Tom Cosgro

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

C. Motion to adopt project resolution 22-06B.

Moved By: Curt Gervich

Seconded By: Rick Perry

Discussion: It is noted that approval is dependent upon the Building Inspector’s confirmation that the ramp does not need to be updated to comply with current building code and/or ADA regulations. If it is the determination of the Building Inspector that the ramp must be updated to meet current building code and/or ADA regulations, it shall be the Building Inspector’s determination whether or not the project shall be referred back to the Planning Board for review of the proposed improvements.

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Tom Cosgro

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

**4. PB# 22-03, Latour Subdivision**

**Project Description:** Request for a boundary line adjustment (two-lot split/merge subdivision) separating approximately .1 acre from Tax Map Parcel 221.11-2-8 to be merged with Tax Map Parcel 221.11-2-9. Located at 43 Waterhouse Street; Zoned R1; Tax Map Parcel ID #221.11-2-8.

**Applicant:** Rickey & Karen Latour

**Plan Preparer:** Dean Lashway, L.S., P.C.

Discussion:

RP questioned whether there is access to building in rear of lot. Applicant stated there is no access.

- A. Public Hearing – **No Comments**
- B. Motion to adopt detailed subdivision plan resolution 22-03A (Type II Action – No SEQRA Resolution)

Moved By: Reg Carter

Seconded By: Rick Perry

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Abby Meuser-Herr

Discussion: It is noted that in regard to Paragraph D(c) of the Resolution, there are no easements deemed necessary to be filed for this proposal.

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

**5. PB# 22-04, Frontier Property Management Subdivision**

**Project Description:** Request for a minor subdivision of Tax Map Parcel ID # 207.74-2-22 creating an approximately .12 acre new buildable lot to be retained and an approximately .12 acre lot with existing improvements to be sold. Buildable lot to be merged with parcels 207.74-2-23 and 207.74-2-21. Located at 30 Brinkerhoff Street. Zoned C. Tax Map Parcel ID # 207.74-2-22. Area variance needed.

**Applicant:** Frontier Property Management

**Plan Preparer:** Dean Lashway, L.S., P.C.

- A. Public Hearing – **No Comments**
- B. Motion to adopt SEQRA resolution 22-04A

Moved By: Rick Perry

Seconded By: Reg Carter

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Tom Cosgro

Discussion:

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

- C. Motion to adopt detailed subdivision plan resolution 22-04B

Moved By: Rick Perry

Seconded By: Tom Cosgro

Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Tom Cosgro

Discussion: It is noted that the draft easement provided for Lot 1 shall be updated with language stating that unobstructed egress shall be conveyed providing a pathway from the rear door of the building to legal open space.

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

**6. PB# 22-01, Arizona Avenue Self Storage Units**

**Project Description:** Request to construct six (6) self-storage structures totaling 32,000 sq. ft. and related site improvements. Located at the corner of Arizona Avenue and So. Peru Street; Area and Use variances achieved; Zoned R2; Tax Map Parcel ID #233.6-1-6.2

**Applicant:** WJB Properties, LLC

**Plan Preparer:** Aaron Ovios, RMS, PC

**Project Representative:** Thomas M. Murnane, Esq.

- A. Public Hearing – **No Comments**
- B. Motion to adopt SEQRA resolution 22-01A

Moved By: Curt Gervich    Seconded By: Rick Perry  
Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Abby Meuser-Herr  
Discussion:

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

- C. Motion to adopt detailed site plan resolution 22-01B

Moved By: Reg Carter    Seconded By: Rick Perry  
Roll Call: Jim Abdallah, Rick Perry, Reg Carter, Curt Gervich, Abby Meuser-Herr

Discussion: The board and applicant discussed leases to include language stating no hazardous materials may be stored on site. The applicant clarified there is no power to the units. The applicant has provided new plantings along the So. Peru Street roadway and in the rear of the property adjacent the neighboring residential street as shown on the landscaping plan.

The applicant agrees to install a “no smoking on premises” sign.

It is noted that the applicant must comply with comments from Laberge Group regarding stormwater management as noted within the Resolution

**ACTION TAKEN:** Adopted  Defeated  Withdrawn  Tabled

**B. Other Business**

- A. Status Updates by Staff (if applicable)

**C. Adjournment**

James A. Abdallah, Chairperson

## Resolution No. 22-05A

WHEREAS, the City of Plattsburgh's Planning Board has before it a project known as:

66 Court Street: Request to cover removed chimney section of house with matching cedar shingle siding to a historic building in the Court Street Historic District. Zoned RH; Tax Map Parcel ID #207.19-2-22; Applicant: Celink; Plan Preparer: Dan Handy Construction

**SEQR DETERMINATION;** and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

WHEREAS, said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

WHEREAS, public comment opportunity was provided in consideration of this Project on April 25, 2022; and

WHEREAS, the City's Community Development Office received and reviewed the Historic Site Review application, supplemental documentation, and SEQRA Part 1 Short EAF; and

WHEREAS, the City's Planning Board reviewed the information filed with the application for the Project, including but not limited to the EAF Part 1 and additional information provided to supplement and clarify the same; and

WHEREAS, the City's Planning Board conducted a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

Now, therefore, be it

RESOLVED, that the City's Planning Board does hereby determine that the project is an Unlisted ACTION in accordance with said Environmental Review procedures and a coordinated review will not be done; and, be it further

RESOLVED, that the City's Planning Board acting as the "Lead Agency" in a SEQRA Review does hereby receive and place on file the Historic Site Review applications, supplemental documentation, completed EAF and other related material submitted; and, be it further

RESOLVED, that the City Planning Board has reviewed the Community Development Office's recommendations and supplemental documents referenced above and does hereby find and determine that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large quantities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the City's current plans or goals for the area where the project is located
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area; and, *it is further*

RESOLVED, that the City Planning Board of the City of Plattsburgh after review of the said Historic Site Review application, completed EAF, and related materials does hereby determine as "Lead Agency" for the SEQRA Review process that the "Project" will not have a significant effect on the environment. Therefore, the preparation of a DEIS is not required; and, be it further

RESOLVED, that the City Planning Board does hereby declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

RESOLVED, that a copy of this resolution be forwarded to other involved agencies who may be reviewing the Project for their records and files, and that the attached negative declaration be filed accordingly.

RESOLVED, that the Planning Board of the City of Plattsburgh does hereby authorize and direct the Chairman of the Planning Board to have prepared and to execute a "Notice of No



Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

RESOLVED, that the "Notice of No Significant Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the City of Plattsburgh and all related material shall be maintained on file at the City Hall Offices of the Planning Board and available for Public Inspection.

Motioned by: Richard Perry

Seconded By: Reginald Carter

**Discussion & Conditions (Not Verbatim):** None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Roll Call:				
Jim Abdallah	X			
Rick Perry	X			
Reg Carter	X			
Curt Gervich,	X			
Abby Meuser-Herr (Alt)	X			

Carried: 5-0-0

## **Resolution No. 22-05B**

WHEREAS, the City Planning Board has received and reviewed a request for Planning Board approval of a historic site modification for:

66 Court Street: Request to cover removed chimney section of house with matching cedar shingle siding to a historic building in the Court Street Historic District. Zoned RH; Tax Map Parcel ID #207.19-2-22; Applicant: Celink; Plan Preparer: Dan Handy Construction;

### **HISTORIC SITE REVIEW; and**

WHEREAS, the site is in the Court St. Historic District and is subject to historic site review per Zoning Code Section 360-32; and

WHEREAS, the historic site review application and associated materials have been reviewed by the City's Public Works, Building Inspector, Environmental Services, Emergency Services and Municipal Lighting Departments who did not have any additional comment; and

WHEREAS, the historic site review application and related materials have been reviewed by the City's Community Development Office which has submitted a staff report dated April 22, 2022 to the Planning Board for the Planning Board's consideration; and

WHEREAS, public hearing for the said project was held on April 25, 2022 in accordance with the City of Plattsburgh's *Zoning Code* Section 360-56; and now, therefore be it

RESOLVED, that the City of Plattsburgh Planning Board does hereby:

- A. Receive and place on file the said Community Development Office's staff report dated April 22, 2022; and
- B. Concur with the said items and recommendations contained in the said Community Development Office's staff report dated April 22, 2022; and be it further

RESOLVED, that unless otherwise extended by the Planning Board this historic site review decision shall expire upon the following occurrences:

- A. The applicant fails to undertake the proposed action or project; and be it further

RESOLVED, that the Planning Board does hereby establish the following additional conditions of approval:

- A. Subject to the project complying with all Permit requirements; and
- B. Subject to the applicant complying with any requirements of the Planning Board noted in the Planning Board Resolution discussion; and

RESOLVED, that upon the applicant completing all of the above requirements the City's Community Development Office is hereby authorized to transmit one copy of the executed Historic Site Review Approval notice to the applicant and a copy to the City's Building Inspector informing him that the application and supporting materials are in compliance with the City's Planning Board requirements, including any comments noted within the "Discussion" below;

Motion by: Richard Perry

Seconded By: Reginald Carter

**Discussion & Conditions (Not Verbatim):**

It is noted that approval is limited to the following scope of work:

- In-kind replacement of red-painted cedar shingles as indicated within the application;
- In-kind replacement of soffit, fascia, and roofing limited to the area affected by the removed chimney as shown within the images in Exhibit 7; and
- Removal of the chimney foundation only as much as is needed to perform the siding placement.

It is recommended that the applicant coordinate with the Building Inspector and Community Development Offices to develop a comprehensive scope of work and application for future repairs in lieu of phased repair projects.

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Roll Call:				
Jim Abdallah	X			
Rick Perry	X			
Reg Carter	X			
Curt Gervich,	X			
Abby Meuser-Herr (Alt)	X			

Carried: 5-0-0

## Resolution No. 22-06A

WHEREAS, the City of Plattsburgh's Planning Board has before it a project known as:

28 New York Road: Request to perform a series of in-kind repairs to deck, stairs, ramp, and railing to a building located within the U.S. Oval Expansion District and subject to the SHPO Programmatic Agreement. Zoned RC-2; Tax Map Parcel ID #221.16-1-17.6; Applicant: IBEW Local 910; Plan Preparer: Dave Hoover

**SEQR DETERMINATION;** and

WHEREAS, Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

WHEREAS, said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

WHEREAS, public comment opportunity was provided in consideration of this Project on April 25, 2022; and

WHEREAS, the City's Community Development Office received and reviewed the Historic Site Review application, supplemental documentation, and SEQRA Part 1 Short EAF; and

WHEREAS, the City's Planning Board reviewed the information filed with the application for the Project, including but not limited to the EAF Part 1 and additional information provided to supplement and clarify the same; and

WHEREAS, the City's Planning Board conducted a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

Now, therefore, be it

RESOLVED, that the City's Planning Board does hereby determine that the project is an Unlisted ACTION in accordance with said Environmental Review procedures and a coordinated review will not be done; and, be it further

RESOLVED, that the City's Planning Board acting as the "Lead Agency" in a SEQRA Review does hereby receive and place on file the Historic Site Review applications, supplemental documentation, completed EAF and other related material submitted; and, be it further

RESOLVED, that the City Planning Board has reviewed the Community Development Office's recommendations and supplemental documents referenced above and does hereby find and determine that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large quantities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the City's current plans or goals for the area where the project is located
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area; and, *it is further*

RESOLVED, that the City Planning Board of the City of Plattsburgh after review of the said Historic Site Review application, completed EAF, and related materials does hereby determine as "Lead Agency" for the SEQRA Review process that the "Project" will not have a significant effect on the environment. Therefore, the preparation of a DEIS is not required; and, be it further

RESOLVED, that the City Planning Board does hereby declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

RESOLVED, that a copy of this resolution be forwarded to other involved agencies who may be reviewing the Project for their records and files, and that the attached negative declaration be filed accordingly.

RESOLVED, that the Planning Board of the City of Plattsburgh does hereby authorize and direct the Chairman of the Planning Board to have prepared and to execute a "Notice of No

Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

RESOLVED, that the "Notice of No Significant Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the City of Plattsburgh and all related material shall be maintained on file at the City Hall Offices of the Planning Board and available for Public Inspection.

Motioned by: Curt Gervich

Seconded By: Tom Cosgro

**Discussion & Conditions (Not Verbatim):** None

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Roll Call:				
Jim Abdallah	X			
Rick Perry	X			
Reg Carter	X			
Curt Gervich,	X			
Tom Cosgro (Alt)	X			

Carried: 5-0-0

## **Resolution No. 22-06B**

WHEREAS, the City Planning Board has received and reviewed a request for Planning Board approval of a historic site modification for:

28 New York Road: Request to perform a series of in-kind repairs to deck, stairs, ramp, and railing to a building located within the U.S. Oval Expansion District and subject to the SHPO Programmatic Agreement. Zoned RC-2; Tax Map Parcel ID #221.16-1-17.6; Applicant: IBEW Local 910; Plan Preparer: Dave Hoover

### **HISTORIC SITE REVIEW; and**

WHEREAS, the site is in the Court St. Historic District and is subject to historic site review per Zoning Code Section 360-32; and

WHEREAS, the historic site review application and associated materials have been reviewed by the City's Public Works, Building Inspector, Environmental Services, Emergency Services and Municipal Lighting Departments who did not have any additional comment; and

WHEREAS, the historic site review application and related materials have been reviewed by the City's Community Development Office which has submitted a staff report dated April 22, 2022 to the Planning Board for the Planning Board's consideration; and

WHEREAS, public hearing for the said project was held on April 25, 2022 in accordance with the City of Plattsburgh's *Zoning Code* Section 360-56; and now, therefore be it

RESOLVED, that the City of Plattsburgh Planning Board does hereby:

- A. Receive and place on file the said Community Development Office's staff report dated April 22, 2022; and
- B. Concur with the said items and recommendations contained in the said Community Development Office's staff report dated April 22, 2022; and be it further

RESOLVED, that unless otherwise extended by the Planning Board this historic site review decision shall expire upon the following occurrences:

- A. The applicant fails to undertake the proposed action or project; and be it further

RESOLVED, that the Planning Board does hereby establish the following additional conditions of approval:

- A. Subject to the project complying with all Permit requirements; and
- B. Subject to the applicant complying with any requirements of the Planning Board noted in the Planning Board Resolution discussion; and

RESOLVED, that upon the applicant completing all of the above requirements the City's Community Development Office is hereby authorized to transmit one copy of the executed Historic Site Review Approval notice to the applicant and a copy to the City's Building Inspector informing him that the application and supporting materials are in compliance with the City's Planning Board requirements, including any comments noted within the "Discussion" below;

Motion by: Curt Gervich

Seconded By: Richard Perry

**Discussion & Conditions (Not Verbatim):**

It is noted that approval is dependent upon the Building Inspector's confirmation that the ramp does not need to be updated to comply with current building code and/or ADA regulations. If it is the determination of the Building Inspector that the ramp must be updated to meet current building code and/or ADA regulations, it shall be the Building Inspector's determination whether or not the project shall be referred back to the Planning Board for review of the proposed improvements.

Roll Call:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Jim Abdallah	X			
Rick Perry	X			
Reg Carter	X			
Curt Gervich,	X			
Tom Cosgro (Alt)	X			

Carried: 5-0-0



## **City of Plattsburgh Planning Board Resolution No. 22-03A**

**WHEREAS**, the City Planning Board has received and reviewed a final minor subdivision map and plan for:

### **LATOUR SUBDIVISION 2022**

Request for a boundary line adjustment (two-lot split/merge subdivision) separating approximately .1 acre from Tax Map Parcel 221.11-2-8 to be merged with Tax Map Parcel 221.11-2-9. Located at 43 Waterhouse Street; Zoned R1; Tax Map Parcel ID #221.11-2-8. Applicant: Rickey & Karen Latour. Plan Preparer: Dean Lashway, L.S., P.C.

### **MINOR SUBDIVISION DETAILED PLAN REVIEW;** and

**WHEREAS** public hearings for the said subdivision were held on April 25, 2022, in accordance with the City of Plattsburgh Code Section 360-56; and

**WHEREAS** the subdivision map, plans and related material has been reviewed by the City of Plattsburgh's Community Development Office who has submitted a staff report dated April 22, 2022 for the Planning Board's consideration; and

**WHEREAS** review of the final subdivision map, plans and materials have been coordinated with the City Public Works, Building Inspector, Emergency Services, and Municipal Lighting Departments and comments were included within the Community Development staff review comments; and

**NOW, THEREFORE**, be it

**RESOLVED** that the City Planning Board of the City of Plattsburgh does hereby:

- A. Receive and place on file the said Community Development Office Staff Report dated April 22, 2022; and
- B. Concur with the said letter and ALL items listed therein; and
- C. Determine this project to be a minor subdivision as outlined in City of Plattsburgh Zoning Code Article II
- D. Grant and approve the said final minor subdivision plat subject to and under the following conditions:

**Resolution No.: 22-03A**

Latour Subdivision 2022 | 43 Waterhouse Street

- a. The applicants have their surveyor/engineer submit a final digital plan and related material to the Community Development Office showing compliance with all items in the said list of recommendations and PB discussion items; and
  - b. Approval is conditioned upon the City Chamberlain confirming that the project parcel is not delinquent any prior year tax obligation to the City; and
  - c. The applicant file and note on the plan any final reciprocal easement agreement that outlines site access, parking, utilities, stormwater, and other site management as deemed necessary.
  - d. The applicant must merge the proposed Lot 2 with Tax Map Parcel ID 221.11-2-9.
- E. Require that upon the Community Development Office certifying via electronic mail delivery or in writing that the revised digital subdivision (final) plans and related materials are in compliance with all the items requested, the applicant is required to submit the following:
- a. Five (5) sets of paper copies of the accepted subdivision (final) plan plus any additional copies requested to be executed by the applicant; and further require
- F. Upon receipt of the said final plans and other related materials, the Chairman of the City of Plattsburgh's Planning Board is authorized to execute, as a Final Minor Subdivision Plat Approval, the paper copies of the subdivision maps and plans; and
- G. Require that the applicant shall file the said executed Final Subdivision maps and plans in the Clinton County Real Property Office in accordance with the City of Plattsburgh subdivision regulations; and
- H. Require that the applicant return three (3) executed copies to the Community Development Office.

**AND LET IT FURTHER BE**

**RESOLVED**, that upon the submittal of the "Final" subdivision plan duly filed in the Clinton County Clerk's Office, the Building Inspector shall then be notified and authorized to issue any building permits for parcels within the said subdivision.

**Motioned by:**           **Reginald Carter**

**Seconded By:**         **Richard Perry**

**Resolution No.: 22-03A**

**Discussion & Conditions:** (Not Verbatim)

It is noted that in regard to Paragraph D(c) of the Resolution, there are no easements deemed necessary to be filed for this proposal.

Yes   No   Abstain

Roll Call:

James A. Abdallah	X
Rick Perry	X
Reg Carter	X
Curt Gervich	X
Abby Meuser-Herr (Alt)	X

Carried:      5-0-0

**ACTION TAKEN:**    Adopted     Defeated     Withdrawn     Tabled     No Action

## **City of Plattsburgh Planning Board Resolution No. 22-04A**

**WHEREAS**, the City Planning Board has received and reviewed a final minor subdivision map and plan for:

### **FRONTIER PROPERTY MANAGEMENT SUBDIVISION 2022**

Request for a minor subdivision of Tax Map Parcel ID # 207.74-2-22 creating an approximately .12 acre new buildable lot to be retained and an approximately .12 acre lot with existing improvements to be sold. Buildable lot to be merged with parcels 207.74-2-23 and 207.74-2-21. Located at 30 Brinkerhoff Street. Zoned C. Tax Map Parcel ID # 207.74-2-22.

### **SEQR DETERMINATION; and**

**WHEREAS** Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

**WHEREAS** said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

**WHEREAS** public comment opportunity was provided in consideration of this Project on April 25, 2022; and

**WHEREAS** the City's Community Development Office received and reviewed the Minor Subdivision application, supplemental documentation, and SEQRA Part 1 Short EAF; and

**WHEREAS** the City's Planning Board reviewed the information filed with the application for the Project, including but not limited to the EAF Part 1 and additional information provided to supplement and clarify the same; and

**WHEREAS** the City's Planning Board conducted a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

**NOW, THEREFORE, BE IT**

**Resolution No.: 22-04A**

Frontier Property Management Subdivision 2022 | 30 Brinkerhoff Street

**RESOLVED** that the City's Planning Board does hereby determine that the project is an Unlisted ACTION in accordance with said Environmental Review procedures and a coordinated review will not be done; and, be it further

**RESOLVED** that the City's Planning Board acting as the "Lead Agency" in a SEQRA Review does hereby receive and place on file the Minor Subdivision application, supplemental documentation, completed EAF and other related material submitted; and, be it further

**RESOLVED** that the City Planning Board has reviewed the Community Development Office's recommendations and supplemental documents referenced above and does hereby find and determine that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large quantities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the City's current plans or goals for the area where the project is located
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area; and, it is further

**RESOLVED** that the City Planning Board of the City of Plattsburgh after review of the said Minor Subdivision application, completed EAF, and related materials does hereby determine as "Lead Agency" for the SEQRA Review process that the "Project" will not have a significant effect on the environment. Therefore, the preparation of a DEIS is not required; and, be it further

**RESOLVED** that the City Planning Board does hereby declare that the Project and environmental review process considered for the development does adequately and

**Resolution No.: 22-04A**

sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

**RESOLVED** that a copy of this resolution be forwarded to other involved agencies who may be reviewing the Project for their records and files, and that the attached negative declaration be filed accordingly.

**RESOLVED** that the Planning Board of the City of Plattsburgh does hereby authorize and direct the Chairman of the Planning Board to have prepared and to execute a "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

**RESOLVED** that the "Notice of No Significant Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the City of Plattsburgh and all related material shall be maintained on file at the City Hall Offices of the Planning Board and available for Public Inspection.

**Motion By:**            **Richard Perry**

**Seconded By:**        **Reginald Carter**

**Discussion & Conditions** (Not Verbatim): **None**

Yes    No    Abstain

Roll Call:

James A. Abdallah	X
Rick Perry	X
Reg Carter	X
Curt Gervich	X
Tom Cosgro (Alt)	X

Carried:        5-0-0

**ACTION TAKEN:**    Adopted     Defeated     Withdrawn     Tabled     No Action

**Resolution No.: 22-04A**

## **City of Plattsburgh Planning Board Resolution No. 22-04B**

**WHEREAS**, the City Planning Board has received and reviewed a final minor subdivision map and plan for:

### **FRONTIER PROPERTY MANAGEMENT SUBDIVISION 2022**

Request for a minor subdivision of Tax Map Parcel ID # 207.74-2-22 creating an approximately .12 acre new buildable lot to be retained and an approximately .12 acre lot with existing improvements to be sold. Buildable lot to be merged with parcels 207.74-2-23 and 207.74-2-21. Located at 30 Brinkerhoff Street. Zoned C. Tax Map Parcel ID # 207.74-2-22.

### **MINOR SUBDIVISION DETAILED PLAN REVIEW;** and

**WHEREAS** public hearings for the said subdivision were held on April 25, 2022, in accordance with the City of Plattsburgh Code Section 360-56; and

**WHEREAS** the subdivision map, plans and related material has been reviewed by the City of Plattsburgh's Community Development Office who has submitted a staff report dated April 22, 2022 for the Planning Board's consideration; and

**WHEREAS** review of the final subdivision map, plans and materials have been coordinated with the City Public Works, Building Inspector, Emergency Services, and Municipal Lighting Departments and comments were included within the Community Development staff review comments; and

**NOW, THEREFORE**, be it

**RESOLVED** that the City Planning Board of the City of Plattsburgh does hereby:

- A. Receive and place on file the said Community Development Office Staff Report dated April 22, 2022; and
- B. Concur with the said letter and ALL items listed therein; and
- C. Determine this project to be a minor subdivision as outlined in City of Plattsburgh Zoning Code Article II
- D. Grant and approve the said final minor subdivision plat subject to and under the following conditions:

**Resolution No.: 22-04B**

Frontier Property Management Subdivision 2022 | 30 Brinkerhoff Street

- a. The applicants have their surveyor/engineer submit a final digital plan and related material to the Community Development Office showing compliance with all items in the said list of recommendations and PB discussion items; and
  - b. Approval is conditioned upon the City Chamberlain confirming that the project parcel is not delinquent any prior year tax obligation to the City; and
  - c. The applicant file and note on the plan any final reciprocal easement agreement that outlines site access, parking, utilities, stormwater, and other site management as deemed necessary.
  - d. The applicant shall merge the proposed Lot 2 with Tax Map Parcels 207.74-2-23 and 207.74-2-21.
  - e. The applicant shall file the proposed parking easement for Lot 1 with the County Clerk and shall inscribe the filing index number upon the final plat.
- E. Require that upon the Community Development Office certifying via electronic mail delivery or in writing that the revised digital subdivision (final) plans and related materials are in compliance with all the items requested, the applicant is required to submit the following:
- a. Five (5) sets of paper copies of the accepted subdivision (final) plan plus any additional copies requested to be executed by the applicant; and further require
- F. Upon receipt of the said final plans and other related materials, the Chairman of the City of Plattsburgh's Planning Board is authorized to execute, as a Final Minor Subdivision Plat Approval, the paper copies of the subdivision maps and plans; and
- G. Require that the applicant shall file the said executed Final Subdivision maps and plans in the Clinton County Real Property Office in accordance with the City of Plattsburgh subdivision regulations; and
- H. Require that the applicant return three (3) executed copies to the Community Development Office.

**AND LET IT FURTHER BE**

**RESOLVED**, that upon the submittal of the "Final" subdivision plan duly filed in the Clinton County Clerk's Office, the Building Inspector shall then be notified and authorized to issue any building permits for parcels within the said subdivision.

**Resolution No.: 22-04B**



**Motioned by:**        **Richard Perry**

**Seconded By:**      **Tom Cosgro**

**Discussion & Conditions** (Not Verbatim):

It is noted that the draft easement provided for Lot 1 shall be updated with language stating that unobstructed egress shall be conveyed providing a pathway from the rear door of the building to legal open space.

Yes    No    Abstain

Roll Call:

James A. Abdallah	X
Rick Perry	X
Reg Carter	X
Curt Gervich	X
Tom Cosgro (Alt)	X

Carried:        5-0-0

**ACTION TAKEN:**    Adopted     Defeated     Withdrawn     Tabled     No Action

## City of Plattsburgh Planning Board Resolution No. 22-01A

**WHEREAS**, the City Planning Board has received and reviewed a detailed site plan for:

**ARIZONA AVENUE SELF STORAGE UNITS SITE PLAN:** Request to construct six (6) self-storage structures totaling 32,000 sq. ft. and related site improvements. Located at the corner of Arizona Avenue and So. Peru Street; Area and Use variances achieved; Zoned R2; Tax Map Parcel ID #233.6-1-6.2 Owner/Applicant: WJB Properties, LLC; Architect/Engineer: Aaron Ovios, RMS, P.C.; Project Representative: Thomas M. Murnane, Esq.

### **SEQR DETERMINATION; and**

**WHEREAS** Part 617 of the Environmental Conservation Law - "State Environmental Quality Review Act" (SEQRA), provides for the review of any "ACTION" to determine the effect of the action on the environment, along with any related administrative procedures for the implementation, authorization or approval of the action; and

**WHEREAS** said Part 617 of the Environmental Conservation Law provides for an involved agency to review any action for the purpose of determining the effect of the action on the environment; and

**WHEREAS** public comment opportunity was provided in consideration of this Project on April 25, 2022; and

**WHEREAS** the City's Community Development Office received and reviewed the Historic Site Review application, supplemental documentation, and SEQRA Part 1 Short EAF; and

**WHEREAS** the City's Planning Board reviewed the information filed with the application for the Project, including but not limited to the EAF Part 1 and additional information provided to supplement and clarify the same; and

**WHEREAS** the City's Planning Board conducted a detailed and comprehensive environmental review of the Project to determine whether there was a significant impact which would require the preparation of a Draft Environmental Impact Statement (DEIS);

### **NOW, THEREFORE, BE IT**

**RESOLVED** that the City's Planning Board does hereby determine that the project is an Unlisted ACTION in accordance with said Environmental Review procedures and a coordinated review will not be done; and, be it further

### **Resolution No.: 22-01A**

**RESOLVED** that the City's Planning Board acting as the "Lead Agency" in a SEQRA Review does hereby receive and place on file the Detailed Site Plan applications, supplemental documentation, completed EAF and other related material submitted; and, be it further

**RESOLVED** that the City Planning Board has reviewed the Community Development Office's recommendations and supplemental documents referenced above and does hereby find and determine that the Project does not:

- a) involve a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, solid waste production, potential for erosion, flooding or drainage problems;
- b) involve the removal or destruction of large quantities of vegetation or the interference with plant or animal life or impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of plant or animal, or the habitat area of such species, or other significant adverse impacts to natural resources,
- c) conflict with the City's current plans or goals for the area where the project is located
- d) impair the character or quality of the neighborhood;
- e) represent a major change in the use of energy;
- f) create any hazards to human health;
- g) represent a substantial change in the use of the land;
- h) significantly increase the number of people who would come to the site absent such development; or
- i) impair the environmental characteristics of the area; and, it is further

**RESOLVED** that the City Planning Board of the City of Plattsburgh after review of the said Detailed Site Plan application, completed EAF, and related materials does hereby determine as "Lead Agency" for the SEQRA Review process that the "Project" will not have a significant effect on the environment. Therefore, the preparation of a DEIS is not required; and, be it further

**RESOLVED** that the City Planning Board does hereby declare that the Project and environmental review process considered for the development does adequately and sufficiently satisfy the requirements of the State Environmental Quality Review Act for the Project; and be it further

**Resolution No.: 22-01A**

**RESOLVED** that a copy of this resolution be forwarded to other involved agencies who may be reviewing the Project for their records and files, and that the attached negative declaration be filed accordingly.

**RESOLVED** that the Planning Board of the City of Plattsburgh does hereby authorize and direct the Chairman of the Planning Board to have prepared and to execute a "Notice of No Significant Environmental Impact" (NEGATIVE DECLARATION) for this "Project"; and, be it further

**RESOLVED** that the "Notice of No Significant Impact" (NEGATIVE DECLARATION) shall be disseminated to those involved Agencies and Governmental Units as required by said Environmental Conservation and Local Law of the City of Plattsburgh and all related material shall be maintained on file at the City Hall Offices of the Planning Board and available for Public Inspection.

**Motion By: Curt Gervich**

**Seconded By: Richard Perry**

**Discussion & Conditions** (Not Verbatim): None

Yes    No    Abstain

Roll Call:

James A. Abdallah	X
Rick Perry	X
Reg Carter	X
Curt Gervich	X
Abby Meuser-Herr (Alt)	X

Carried: 5-0-0

**ACTION TAKEN:**    Adopted     Defeated     Withdrawn     Tabled     No Action

**Resolution No.: 22-01A**

## **City of Plattsburgh Planning Board Resolution No. 22-01B**

**WHEREAS**, the City Planning Board has received and reviewed a detailed site plan for:

**ARIZONA AVENUE SELF STORAGE UNITS SITE PLAN:** Request to construct six (6) self-storage structures totaling 32,000 sq. ft. and related site improvements. Located at the corner of Arizona Avenue and So. Peru Street; Area and Use variances achieved; Zoned R2; Tax Map Parcel ID #233.6-1-6.2 Owner/Applicant: WJB Properties, LLC; Architect/Engineer: Aaron Ovios, RMS, P.C.; Project Representative: Thomas M. Murnane, Esq.

**DETAILED SITE PLAN REVIEW;** and

**WHEREAS** public hearings for the said project was held on April 25, 2022, in accordance with the City of Plattsburgh Code Section 360-56; and

**WHEREAS** the detailed preliminary site map, plans and related material has been reviewed by the City of Plattsburgh's Community Development Office who has submitted a staff report dated April 22, 2022 for the Planning Board's consideration; and

**WHEREAS** review of the detailed preliminary site map, plans and materials have been coordinated with the City Public Works, Building Inspector, Emergency Services, and Municipal Lighting Departments and comments were included within the Community Development staff review comments; and

**WHEREAS** the Clinton County Planning Board did on April 6, 2022 hear Referral Number 29-22 and by a vote of 7-0 did approve the action without comments; and

**WHEREAS** the project has provided a stormwater management plan dated March 25, 2022 in accordance with NYSDEC and City regulations; and

**WHEREAS** the stormwater management plan has been reviewed by a third party engineer, Laberge Group, with a letter dated April 11, 2022. Approval of the plans will be conditioned upon satisfactorily complying with all third-party review comments;

**NOW, THEREFORE**, be it

**RESOLVED** that the City Planning Board of the City of Plattsburgh does hereby:

- A. Receive and place on file the said Community Development Office Staff Report dated April 22, 2022; and

**Resolution No.: 22-01B**

WJB Properties LLC Self Storage Units 2022 | So. Peru Street/Arizona Avenue

- B. Concur with the said items and recommendations contained in the said Community Development Office's Staff Report dated April 22, 2022; and be it further

**RESOLVED**, that the City Planning Board does hereby find and determine that the detailed preliminary site plan request with the proposed changes identified in the Community Development Department's recommendations letter will be in an approvable form and does hereby grant and approve the site plan changes for said project subject to the following:

- A. That the applicants have their Surveyor/Engineer submit a revised digital site plan to the Community Development Office showing compliance with the items and conditions contained in the Community Development Office's Staff Report and this Project Resolution.
- B. Require that upon the Community Development Office certifying via electronic mail delivery or in writing that the revised digital site plans and related materials are in compliance with all the items requested, the applicant is required to submit the following:
1. Three (3) paper copies of the detailed preliminary site plan signed by the applicant or applicant's designated agent to acknowledge that all site plan improvements shall be constructed in accordance with and as shown on the approved detailed preliminary site plan which plans shall also be certified by the City's Community Development Department to be in compliance with Planning Board requirements; and be it further

**RESOLVED**, that unless otherwise extended by the Planning Board this site plan review decision shall expire upon the following occurrences:

- A. The applicant fails to undertake the proposed action or project, or
- B. Fails to obtain any necessary building permits, within one year from the filing date of this decision. A site plan review decision which has become invalid or which has expired pursuant to the terms of this resolution may be renewed upon application by the applicant, payment of any applicable fee, and approval of the application by the Planning Board; and be it further;

**RESOLVED** that the Planning Board does hereby establish the following additional conditions of approval:

- A. Subject to the project complying with all Permit requirements; and

**Resolution No.: 22-01B**

- B. Subject to the applicant complying with all comments from Laberge Group for Stormwater Management;
- C. Subject to the applicant complying with any requirements of the Planning Board noted in the Planning Board Resolution discussion; and

**RESOLVED** that the Planning Board does hereby authorize and direct the Chairman of the City of Plattsburgh’s Planning Board to execute the revised detailed preliminary site plan certified by the City’s Community Development Department; and, be it further

**RESOLVED** that upon the applicants completing all of the above requirements City’s Community Development Department is hereby authorized to transmit one copy of the executed Approved Detailed Preliminary (ADP) site plan to the applicant and a copy to the City’s Codes Enforcement Officer informing him that the Certified ADP site maps and plans are in compliance with the City’s Planning Board requirements;

**Motioned by:**           **Reginald Carter**

**Seconded By:**       **Richard Perry**

**Discussion & Conditions** (Not Verbatim):

The board and applicant discussed leases to include language stating no hazardous materials may be stored on site. The applicant clarified there is no power to the units. The applicant has provided new plantings along the So. Peru Street roadway and in the rear of the property adjacent the neighboring residential street as shown on the landscaping plan.

The applicant agrees to install a “no smoking on premises” sign.

It is noted that the applicant must comply with comments from Laberge Group regarding stormwater management as noted within the Resolution.

		<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Roll Call:	James A. Abdallah	X		
	Rick Perry	X		
	Reg Carter	X		
	Curt Gervich	X		
	Abby Meuser-Herr (Alt)	X		

Carried:           5-0-0

**ACTION TAKEN:**   Adopted    Defeated    Withdrawn    Tabled    No Action

**Resolution No.: 22-01B**