

CITY OF OSWEGO

PLANNING BOARD

June 4, 2019

MEMBERS PRESENT: Matthew Bacon, Daniel Breitweg, Noreen Ruttan, James Scanlon, Justin Rudgick, George Koenig, and Chairman Freeman.

MEMBERS ABSENT: Mike Leszczynski and Brit Hallenbeck.

Chairman Freeman called the meeting to order at 6:25 p.m., Tuesday June 4, 2019. Roll call was duly noted.

A motion to approve the minutes of the May 2019 meeting was made by Matthew Bacon and seconded by James Scanlon; minutes unanimously approved.

Mr. Caraccioli said Noreen Ruttan and George Koenig, the two alternates, will be voting members tonight.

Chairman Freeman made a motion that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated. Motion seconded by Matthew Bacon, unanimous approval.

NEW BUSINESS:

1. Review & Approval – Signage for J & J Cafe – 18 West Bridge Street, Case 19-80; Section 280-62.

DISCUSSION: Alyssa Flynn was present for the discussion. Ms. Flynn said she has a vinyl sticker that is on the window now. She said she was not aware of the rules. She said she has another sticker that she is adding that goes above her door. Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: George Koenig made a motion for signage approval. Motion seconded by James Scanlon, unanimous approval.

2. Site Plan Review & Approval – 264 East Eighth Street, Case 19-100; To allow for proposed new paved 10'x16' driveway extension and apron extension, Section 280-54(B).

DISCUSSION: John Sheldon was present for the discussion. Chairman Freeman said he needs front yard parking and asked if he applied for the permit. Mr. Sheldon said he has only done what they have told him so far and that was to come to this meeting. He said it is just an addition on the sides of the existing driveway. He said he is not going all the way to the road because there is a sewer drain that is below ground level. He said he has asked to have that raised up. Jeff McGann said he needs excavation of public space. He said he has an existing driveway and he is looking to widen the apron a little bit outside of his property. Chairman Freeman asked if he will need a special permit for that. Jeff McGann said he needs a special permit for front yard parking because it is within the first 25 feet. He said in the past when they have widened aprons they haven't gotten use of public space for that. He said they have done excavation of public space because they are working in the apron. Mr. Caraccioli said often that permit is issued by Bob Johnson. Jeff McGann said yes. He said Mr. Sheldon knows he will need to get this permit. He said there is a drain there that is lower than his driveway. He said the engineer's office is aware of this. He said they are going to coordinate lifting that up with his paving project. Mr. Caraccioli said he doesn't have a problem with the approval of this subject to what Bob Johnson says. He said it is technically use of public space. Jeff McGann said it is not creating a parking space. He said in the past when they were just altering the apron, they generally just did excavation of public space. Councilor Tesoriero said he has no problem with this. He said it won't impede on anything. He said none of the neighbors have an issue with it. Mr. Sheldon said it will give him a little more parking space when he has more people around and his boat is in the driveway. Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Matthew Bacon made a favorable motion for site plan approval. Motion seconded by Daniel Breitweg, unanimous approval.

3. Advisory to the ZBA – Special Permit Use – 264 East Eighth Street, Case 19-101; To allow front yard parking, Section 280-55(B).

DECISION: James Scanlon made a motion for a favorable advisory to the ZBA for a special permit. Motion seconded by Noreen Ruttan, unanimous approval.

4. Site Plan Review & Approval – 23 NW Ninth Street, Case 19-93; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-48 thru 280-51.

DISCUSSION: Geoff Snyder was present for the discussion. James Scanlon asked what is there currently. Mr. Snyder said there is an existing gravel driveway from the curb to the back of the house. He said there is also a plot in front that has always been used for parking. Chairman Freeman said the picture shows room for one car in the front and one on the side. Jeff McGann said he will be paving the whole area so three cars could be stacked and one parked in front on a diagonal. Chairman Freeman asked if the blue lines are the property line. Jeff McGann said the blue lines are relatively close. He said he needs multiple variances to be able to pave it as is. Daniel Breitweg asked if they are saying there is gravel there now for all four spots. Jeff McGann said there is existing gravel across the front and a good way back. He said way in the back may be dirt where they have been parking. Daniel Breitweg asked if it is gravel now or ruts. Mr. Snyder said the gravel goes to the back of the house. Noreen Ruttan asked if you can turn around within the parameter of the driveway. Mr. Snyder said no. He said his goal is to clean up the property. Chairman Freeman asked if the property in the back of the one story addition is his or Dunsmoor's property. Mr. Snyder said he bought it from Dunsmoor. Chairman Freeman asked why he can't use that for parking. Mr. Snyder said he isn't sure they would be able to navigate a car back there. He said he would be glad to take down the trees and pave it around the back of the property but they could easily stack three cars in the existing driveway. He said in addition part of the proposal is to pave the front of the house for a fourth car. Jeff McGann said if you pulled the dimensions on that there wouldn't be enough room to navigate parking in the back. Chairman Freeman said it is the city's desire to get away from front yard parking. Mr. Snyder said he would be glad to pave the back area. He said what needs to be considered is the fact that there is no on-street parking at 23 NW Ninth Street and there are existing spaces for three cars in the existing driveway. Matthew Bacon said right now the front is gravel and the back is grass. He said he would hate to see them leave gravel in the front and start paving the backyard. Mr. Snyder said they wanted to trim the trees in the back, put some landscaping there, and have a space where the tenants can grill. He said that is the only green space available for that property. He said the neighbor's from the Eighth Street side can see that. He said he doesn't think it is realistic to have cars park past the house. He said what will happen is the tenants will crash into the house in the winter. Jeff McGann said when you bring cars into the backyard there will be lights shining in houses when turning around back there and he would suggest a fence for screening. He said he doesn't know if you solve anything by going around the back of the house. He said he thinks you create more of a disturbance. He said you would lose more green space than will be gained in the front. Mr. Snyder said he would like to take that option off of the table. Justin Rudgick said he is not in agreement with converting the backyard into parking. He said he is also not a fan of creating a legitimate front yard parking spot when the city has been adamant about not having that opportunity. He said he has no problem with paving the side of the house and stacking three cars there. Mr. Snyder said there should be special consideration due to the fact that it is a one way street with no sidewalks. He said it is a fairly unique one way street in the city. He said NW Ninth Street is barely the width of a sidewalk. He said there is no opportunity for green

space on that street to begin with. Justin Rudgick said the city council has been trying to create uniformity in the city and he would like to hear from them because they are the ones that created this new policy. Jeff McGann said the property line goes to the road so he is not in violation of the ordinance that was passed in the fall where there is no public space parking. He said he is not in public space. He said this is front yard parking and he needs a special permit for front yard parking. He said if they approve the three parking spaces then do they want gravel in the front yard or does there need to be a stipulation that it needs to be turned to green space. He said they will likely park there anyway if it remains gravel. Chairman Freeman asked if he has considered putting the fourth space in front of car #1 and leaving the rest of the backyard green. Jeff McGann said that would be nearing the back property line and getting closer to the house on the other street. Chairman Freeman said he could put up a 6' fence to block headlights. Mr. Snyder said he would be happy to put up a fence. Jeff McGann said he is proposing that he goes four deep and put a fence up in the back. Mr. Snyder said he would be happy to put a fence up across the entire property line. Matthew Bacon asked if there have been any complaints about anyone parking in the front of the house. Mr. Snyder said he has never had a complaint. He said the previous owner owned it for 10-15 years and it was always a parking space. He said he would like to pave the L and worst case scenario pave the existing driveway. He said if the recommendation is to put up a fence anywhere along the property line to protect the neighbors from the headlights he would be happy to do that. He said he would like to protect the green space in the back of the house because they have plans for that this summer. Mr. Caraccioli said with stacking four you still leave that current #4 position open to potential parking so now you have five parking spaces. He said now you are running up against the potential for a less reputable landlord to violate other portions of the code with overloading a house. He said he presumes all the houses around this are college houses. Mr. Snyder said it is a mix. Mr. Caraccioli said now you are inviting even more use of space for parking. He said the gravel parking at #4 is wholly on the property. He said it is front yard parking but not parking in public space. Justin Rudgick said if they were going to do that he would recommend turning that current #4 into green space to prevent that from happening. He said he would like to hear what the councilors think. Mr. Caraccioli said they can all speak for themselves. He said they are putting them on the spot which has caused issues in the past. He said his concern is this is not a violation of green space parking and this is not public space. He said he understands that the intention is to create more green space along the road front. Jeff McGann said if you go four deep you are taking away more green space. He said you are trading one spot for another. He said realistically they can't make him turn the front into green space. He said it has been gravel. He said do they really want a driveway and gravel. James Scanlon said this will clean it up. Mr. Snyder said they would be glad to put some flowers on the porches. He said there is no way they could fit five people in this house and he has no intention to try that. Councilor Hill said he has some concerns and he has heard from neighbors. He said he has no problem with the driveway itself. He said the front yard and the property immediately to the right does not appear to be gravel but dirt that has been driven over a significant amount of time. He said there are at least an additional six parking spaces that have torn up the area immediately next to the house. He said it is a mess right now. He said he doesn't know who owns the property to the right. He asked if they gave him permission to park there. Mr. Snyder said no. He said the previous tenants drove over his property line to park on our property.

Councilor Hill said it appears to be more significant and longstanding than just driving over the property. Mr. Snyder said they were driving over it and parking diagonally which they are not allowed to do. Councilor Hill said the condition of that area is identical to the area in front of the house. He said there is no gravel in either area. He said it appears there is a lot more parking going on than just four cars. He said this has generated complaints in the past. Mr. Snyder said his solution to that would be to put up a fence along that property line to protect the adjacent property from having his tenants drive over that property. He said it was never their intention for the tenants to park like that. He said the solution would be to pave their property and put up a fence along the property line which would force whoever owns the property in the future to make the tenants to park the way they are supposed to park. He said there is no way to park diagonally if there is a fence there. Councilor Hill said he opposes this based on the work they are doing to protect front yards. He asked if there is something on the books that gives him permission to park in the front yard. Mr. Snyder said no. Councilor Hill said it is illegal to park in the front yard without a special permit. He said whether he put gravel down or not it is an illegal parking space. Mr. Snyder said he did not put gravel down in that spot. He said they want to make sure it at least looks better than it did. He said the spot he is referring to has been a parking space probably since that property has been there. He said he did not gravel that spot but it has been graveled many times before by previous owners. Councilor Hill said he thinks this is in opposition of what they are trying to do. He said this is a single family unit. He asked how many tenants he usually has in there. Mr. Snyder said 3 to 4. Councilor Hill said this is contrary to what they are trying to do. He said because of the stacking he believes they are parking in that side area. Mr. Snyder asked when there is a complaint regarding his property is he supposed to notify him. Councilor Hill said not necessarily. He said they notify the police or code enforcement. Mr. Caraccioli said this is a single family dwelling that was built in 1900. He said there are four bedrooms on record, one bathroom, one kitchen, a full basement and two stories. Matthew Bacon made a motion for site plan approval. Justin Rudgick asked if there would be a stipulation to add a fence. Matthew Bacon said no. James Scanlon seconded the motion, motion passed 4-3 (nay votes from Justin Rudgick, Daniel Breitweg, and George Koenig). After questions about this case during the discussion of Case #19-94, Mr. Caraccioli said a motion was made in Case #19-93. He said it may be rescinded or modified by the person making it or someone who voted in favor of it. Chairman Freeman made motion to modify the motion for Case #19-93 to include a fence along the south side of the property.

DECISION: Matthew Bacon made a favorable motion for site plan approval. Motion seconded by James Scanlon, vote 4-3 (nay votes from Justin Rudgick, Daniel Breitweg, and George Koenig). Chairman Freeman made a motion to modify this motion to include a fence 65' along the south side of the property with a bush across the back. Motion seconded by Noreen Ruttan, unanimous approval.

5. Off-Street Parking Plan/Modification Review & Approval – 23 NW Ninth Street, Case 19-94; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-53(A)(1) & 280-54(B).

DISCUSSION: Matthew Bacon asked when it says parking requirement of 2 parking spaces for every dwelling, is that a limitation. Mr. Caraccioli said it is a minimum requirement. Matthew Bacon said if he is asking for four which would exceed the two, is it a requirement for him to get approval for that. Jeff McGann said he is asking for four parking spaces and he only needs two. He said he is trying to provide a parking space for each tenant because there is no off-street parking. Matthew Bacon said he thought he would need approval if he wanted one but needed two. Jeff McGann said he would then ask for a reduction. He said they are cleaning up the numbers. Mr. Caraccioli read from Section 280-54(B) of the code regarding parking. He said he is requesting more than two so he is coming before the Planning Board. Councilor Tesoriero said the law says you have to have enough parking for every tenant. Jeff McGann said it is a single family home and he can put up to four people in it. He said the requirement is two parking spaces. Councilor Tesoriero asked where this falls with what they passed regarding public space. Jeff McGann said it doesn't have anything to do with this. He said green space is always an issue. He said the resolution passed in the fall doesn't apply to this because he owns right to the road so there is no public space involved. Justin Rudgick said the rest of the Board may have been more agreeable to allowing the pavement to be put down if there was a stipulation that there be a fence all the way down the side of the property to minimize the disruption to the side yard. He said that would show they are trying to mitigate that impact. He said if the Board would still have the same position then everything would be the same. He said if not then they need to take a moment to step back and say maybe they do need that clarification and revise the vote for the fence line. Daniel Breitweg said he is in agreement. Mr. Snyder said his concern is people driving over the adjacent property. He said he doesn't want that to happen. Councilor Hill said the concern was to allay the argument that they need to do this to prevent additional people going into the house. He said that argument was put on the table and what he is saying is there is already sufficient additional parking for that to happen whether or not that fourth parking space comes into play. Mr. Snyder said he is completely open to putting up a fence which will force people to not drive over the lawns. Mr. Caraccioli said a motion was made in the last case. He said it may be rescinded or modified by the person making it or someone who voted in favor of it. Chairman Freeman made motion to modify the motion for Case #19-93 to include a fence along the south side of the property. Justin Rudgick said the motion would also have to include any additional variances needed. Matthew Bacon said he is already going to zero. Jeff McGann said it wouldn't require any additional variances as long as he goes 4' for the first 25'. Mr. Snyder asked how long the fence needs to be. Jeff McGann said for the first 25' can only be 4' high, after the first 25' it can jump up to 6' and it wouldn't require any variances. He said it would only require a permit. Mr. Caraccioli said the fence would go along the southwest boundary line that measures 18.8'. Jeff McGann said he thinks Justin Rudgick is talking about it going the full 65'. Mr. Snyder said there are large trees in the backyard. Mr. Caraccioli said to discourage a parking creep in the back there should be a hard stop at the end to keep them from driving in the back. Mr. Snyder asked if a bush would work and was told yes.

DECISION: Justin Rudgick made a favorable motion for off-street parking plan approval with the same stipulations as Case 19-93. Motion seconded by James Scanlon, unanimous approval.

6. Advisory to the ZBA – Special Permit Use – 23 NW Ninth Street, Case 19-95; To allow front yard parking, Section 280-54(C)(1) & 280-55(B).

DECISION: Justin Rudgick made a motion for a favorable advisory to the ZBA for a special permit with the same stipulations as previous cases. Motion seconded by George Koenig, unanimous approval.

7. Advisory to the ZBA – Area Variance – Side Yard Setback (North) – 23 NW Ninth Street, Case 19-96; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-55(A).

DECISION: Justin Rudgick made a motion for a favorable advisory to the ZBA for a Side Yard Setback (North) Variance with the same stipulations as previous cases. Motion seconded by Chairman Freeman, unanimous approval.

8. Advisory to the ZBA – Area Variance – Side Yard Setback (South) – 23 NW Ninth Street, Case 19-97; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-55(A).

DECISION: Noreen Ruttan made a motion for a favorable advisory to the ZBA for a Side Yard Setback (South) Variance with the same stipulations as previous cases. Motion seconded by Justin Rudgick, unanimous approval.

9. Advisory to the ZBA – Area Variance – Maximum Paved Coverage – 23 NW Ninth Street, Case 19-98; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-54(B).

DECISION: Justin Rudgick made a motion for a favorable advisory to the ZBA for a Maximum Paved Coverage Variance with the same stipulations as previous cases. Motion seconded by George Koenig, unanimous approval.

10. Advisory to the ZBA – Area Variance – Rear Yard Setback – 23 NW Ninth Street, Case 19-99; To allow for proposed new asphalt driveway and front yard pavement for four (4) car parking, Section 280-55(A).

DISCUSSION: Jeff McGann said there was a mistake made on this next case. He said if you look at his survey, he is not going within 3' of the property line so he doesn't need a variance.

DECISION: This application was withdrawn.

11. Lead Agency's Review of Full Environmental Assessment Form and Determination of Significance – 220 East First Street, Case 19-73; To allow for the construction of a 4 story, 80 unit multi-family dwelling.

DISCUSSION: Dan Brock from LaBella Associates was present for the discussion, as well as Joe Gibbons from SWBR Architects, Gillian Conde from DePaul, and Brian McKinnon. Mr. Brock said the last time they were here, the Board declared themselves Lead Agency for SEQR. He said they are proposing a four story unit with 80 units. He said it will be affordable housing with an underground parking garage. He said there is a parcel of 2.1 acres. He said DePaul is requesting to purchase approximately one acre of the property and have it subdivided. He said there would be minimal parking on the exterior and a small raised patio. He said the site is limited. He said they have an existing building foundation that takes up a large percentage of the site. He said there is a very steep bluff. He said they have an existing water service, storm and sewer connection. He said the site is a brownfield site and is currently under remediation. He said the goal is to have remediation completed this year. He said they currently show 57 underground parking spaces with 17 on the exterior. He said they are willing to reduce the exterior parking. He said this project was originally designed under a B3 zone which had very non-stringent setback requirements. He said they were notified that it is now TD which is a little more strict. He said they have 25' setback requirement in the front and rear, 6' on the side, a restriction on the number of stories, and a height requirement. He said a 25' front and rear setback on this site would make it unbuildable. Justin Rudgick asked the rationale for putting the building further away from the intersection. Mr. Gibbons said the building is at the corner. Jeff McGann said due to the elevation drop off they can't cheat south. Mr. Brock said the site works well with the first floor being at road level. Councilor Tesoriero asked if they have had conversions with the state about egress in and out. Mr. Brock said State DOT will dictate exactly where that falls. He said they have reached out to DOT to get the process rolling. He said they will submit plans to them once they have input from the city. Councilor Tesoriero said they recently had a similar situation on 104 where they denied an access to a convenience store. Jeff McGann said part of the situation of the other case he is talking about is they had two different entrances and this was the third. He said the State will dictate where they want that entrance to be. He said he doesn't foresee them saying they can't have any entrances. Councilor Tesoriero said this is a very busy road. He said he has tried to get the speed limit lowered there. Justin Rudgick asked the project timeline. Mr. Brock said once they get the city's approval they will be able to push harder into the funding process. He said it will be proposed to be built next year with construction sometime next summer and it depends on funding. Justin Rudgick asked if it will be a bond deal. Mr. Gibbons said yes. He said they are planning to close the end of the year and start construction next summer. Ms. Conde said they were originally going to do this as a 9% which means it would take 1-3 years to get funded. She said they decided to re-prioritize and do it as a bond deal instead to move it quicker. Mr. Caraccioli said there was staff review of Part 2 of SEQR. He said there is nothing that triggers a moderate to large impact that would further trigger an Environmental Assessment Form. He said the staff recommends a negative declaration. He said they found there was an impact to land clearly because it is going to involve construction but it is all within the permitted and accepted requirements. He said there is an impact to surface water but all can be mitigated or

are part of the design standard. He said there is an impact to plants and animals and that is because the applicant did the legwork of looking at the habitat maps and identified bald eagles in the area. He said this is nothing that this project would impact in a negative way. He said there is an impact on historic and archeological resources because this is next to the historic canal. He said the project does not physically impact the district in any way. Matthew Bacon asked if SHPO weighed in on it. Mr. Caraccioli said yes. He said Mr. Brock said they sent a letter that there was no adverse impact. Justin Rudgick asked if SHPO requires any archeological studies. Mr. Brock said no. Mr. Caraccioli said it says that based on their review it is their opinion that the proposed project will have no adverse impact on historic resources. He said the other impact that the staff identified is impact on noise, odor and light. He said based on the response of the applicant there is going to be some noise during construction but it falls into the no or small impact. He said in Part 3 they are proposing a negative declaration. He said it states in Part 3 "The projects design and use of existing landscape minimizes the potential impacts on important historic assets of the State of New York and City of Oswego. Multiple state agencies are involved in the review of this project. The project will re-purpose a brownfield site into a residential complex supporting an under-served population of the City of Oswego. No significant negative impacts on the environment are noted. Any low impacts are mitigated through the design and construction process implemented by the project developer."

DECISION: George Koenig made a motion for a negative declaration. Motion seconded by Justin Rudgick, unanimous approval.

12. Revised Site Plan Review & Approval – 220 East First Street, Case 19-74; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-48.

DISCUSSION: Chairman Freeman asked if there were any questions from the public and no one came forward.

DECISION: Justin Rudgick made a favorable motion for site plan approval. Motion seconded by Matthew Bacon, unanimous approval.

13. Off-Street Parking plan/Modification Review & Approval – 220 East First Street, Case 19-75; To allow parking for a 4 story, 80 unit income based multi-family dwelling – targeting 20 units for the frail elderly, Section 280-53.

DISCUSSION: Mr. Brock said he needs to make a small adjustment to this. He said they will also have 20 units for independent adults with mental health support. Justin Rudgick asked how many parking spaces this plan has. Mr. Brock said 57 underground and 17 above ground. He said they would be more than happy to reduce the exterior. He said they find parking is not usually needed. He said they are on the bus line. Ms. Conde said they have a minivan on site to bring people to appointments or stores. Justin Rudgick asked with the services for mental health would there be any case management for that. Ms. Conde said no. She said they have housing specialists that would be either for the seniors or those that get support. She said there are no licensed services. Justin Rudgick asked how many housing specialists. Ms. Conde said they could have up to four. Justin Rudgick said he is not a fan of maximum parking. He said it would be detracting if they have more empty surface parking. He said the garage would be hidden and not seen. He said he wouldn't be opposed to eliminating the surface parking to the left of where you come in. Mr. Gibbons said they could land bank it. Daniel Breitweg said the last time they discussed this it was more for visitor parking. Mr. Gibbons said if they took that off it would leave about ten parking spaces for visitors. Justin Rudgick asked if there will be a gate when you come into the garage. Mr. Gibbons said there would be a gate or something to stop someone who is not a resident. Justin Rudgick said they would still want some surface parking. Mr. Brock said for visitors. Justin Rudgick asked how many parking spaces they would want. Ms. Conde said 10-12 parking spaces. Justin Rudgick said he would like to see more green space. He said he thinks sometimes they mandate too much parking. Mr. Caraccioli said they said they wanted 12 parking spaces but maybe ten. He asked if they want the ability to go down to as low as ten. He said he doesn't want them to have to come back. Mr. Gibbons said he would like it worded that it will be reduced to a maximum of 12 parking spaces. Justin Rudgick said he is fine with the minimum being zero and the maximum being 12.

DECISION: Justin Rudgick made a favorable motion for parking plan approval with the modification to reduce the outdoor parking to a maximum of 12 parking spaces. Motion seconded by James Scanlon, unanimous approval.

14. Advisory to the ZBA – Special Permit – 220 East First Street, Case 19-76; To allow a multifamily dwelling, Section 280-17(B).

DECISION: Matthew Bacon made a motion for a favorable advisory to the ZBA for a special permit. Motion seconded by Chairman Freeman, unanimous approval.

15. Advisory to the ZBA – Area Variance – Front Yard Setback – 220 East First Street, Case 19-88; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-17(C).

DISCUSSION: Justin Rudgick said this is because of the old zoning code versus the new zoning code.

DECISION: Chairman Freeman made a motion for a favorable advisory to the ZBA for a Front Yard Setback Variance. Motion seconded by James Scanlon, unanimous approval.

16. Advisory to the ZBA – Area Variance – Rear Yard Setback – 220 East First Street, Case 19-89; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-17(C).

DISCUSSION: Jeff McGann said on the package it stated 14’10” and it should have read 10’2”. He said the variance requested said 10’9” and it should have been 14’10”. He said they did send out a correction.

DECISION: Justin Rudgick made a motion for a favorable advisory to the ZBA for a Rear Yard Setback Variance. Motion seconded by Daniel Breitweg, unanimous approval.

17. Advisory to the ZBA – Area Variance – Side Yard Setback (North End) – 220 East First Street, Case 19-90; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-17(C).

DECISION: James Scanlon made a motion for a favorable advisory to the ZBA for a Side Yard Setback Variance. Motion seconded by Chairman Freeman, unanimous approval.

18. Advisory to the ZBA – Area Variance – Maximum Height in Stories – 220 East First Street, Case 19-91; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-17(C).

DECISION: Matthew Bacon made a motion for a favorable advisory to the ZBA for a Maximum Height in Stories Variance. Motion seconded by George Koenig, unanimous approval.

19. Advisory to the ZBA – Area Variance – Maximum Height in Feet – 220 East First Street, Case 19-92; To allow for the construction of a 4 story, 80 unit multi-family dwelling, Section 280-17(C).

DECISION: James Scanlon made a motion for a favorable advisory to the ZBA for a Maximum Height in Feet Variance. Motion seconded by Justin Rudgick, unanimous approval.

Matthew Bacon made a motion to adjourn at 8:13 p.m. Motion seconded by Chairman Freeman, unanimous approval.

Approved: _____

Richard Freeman

Planning Board Chairperson

Jeff McGann

Planning Board Secretary