

**CITY OF OGDENSBURG
ZONING BOARD OF APPEALS**

**APPROVED MINUTES FOR
OCTOBER 25, 2016**

Members Present: William Flynn, Chair, Bonnie Franz Patricia Redden Sargent, Malcolm Casselman, Scott Thomas, Steve Schlieter, Jamie Amo, and Chris Lalone

Members Absent:

Staff Present: Andrea Smith, Director Planning & Development, Gregg Mallette, Code

Applicants Present: None

Press: None

THIS MEETING WAS DIGITALLY RECORDED. ALL RECORDS ARE KEPT ACCORDING TO NYS STATUES BY THE CITY CLERK.

4:34 PM Mr. Flynn called the **Regular (rescheduled) Meeting** of the ZBA to order. All members present introduced themselves along with Ms. Smith and Mr. Mallette. Mr. Flynn provided an overview of the meeting noting that if the Applicant does not show up, the application will not be acted on.

1. Approval of Previous Minutes

a. September 20, 2016, Regular Meeting

Motion by Mr. Schlieter to accept the minutes as presented, second by Mr. Amo.

Discussion – none

Motion to approve the minutes as submitted received unanimous support, motion to approve minutes is henceforth approved, 7/0.

2. Correspondence –

a. Ex Parte Communication – Mr. Flynn asked the board if there was any ex-parte communication to be disclosed. There was none.

3. Variance Application Requests –

a. 515 Caroline Street: Applicant, Mr. Ryan Frary was not present. No action was taken.

4. New Business –

a. 2017 Calendar: Ms. Smith presented the Board with the proposed meeting dates for 2017 and 2018. She noted that this is also when the Board typically discusses the day and time the meetings are held to make any adjustments that may be warranted. Chairman Flynn asked if the proposed December 26, 2017 meeting could be moved 1 week earlier, all others agreed that would be preferable and to adjust the submission date accordingly. Further the calendar will read, 2017 Approved meetings and the addition of proposed shall precede 2018.

Motion to approve the 2017 calendar as amended by Mrs. Franz, second by Mr. Casselman.

Motion to approve the calendar as amended received unanimous support, motion to approve 2017 calendar is henceforth approved, 7/0.

1 The approved calendar is attached with these minutes.
2

3 **5. Old Business –**

- 4 a. Special Use/Conditional Use Permits. Ms. Smith stated that she and Mr. Mallette have
5 meet to discuss how to better address special uses, including, but not limited to Mr.
6 O’Grady’s request for temporary storage units. Ms. Smith provided a handout that
7 defined special/conditional use permits to provide clarity to the Board on what and how
8 this type of tool is used and incorporated into zoning language. She noted that after much
9 discussion, it was determined by staff that amendments should be made to the code to
10 allow for special use permits which is still in the process of development; and that
11 amends to §221-54 Temporary Uses and Structures should also be made. Specifically,
12 Ms. Smith noted that §221-54 does address emergency situations including house fires
13 and flooding that might require a second residence on a lot for a limited time.
14 Discussion ensued, not action was taken.
15

16 **6. Member Comments –**

- 17 a. Mr. Lalone asked Mr. Mallette to explain why Mr. O’Grady’s request differs from that of
18 Mr. John Gardner on an adjacent lot. Mr. Mallette explained that under a previous
19 Director of Planning, it was determined that the adjacent lot to Mr. Gardner’s in which
20 Mr. Gardner requested to erect a pole barn, would be permissible as an accessory to the
21 existing business. He continued, in this instance Mr. O’Grady does not have a permitted
22 use for which the proposed storage units are an accessory to. Several Board members
23 agreed that this was a substantial difference noting that if there was a principal permitted
24 use, this would not be an issue. Mr. Mallette noted that a notice to remedy had been sent
25 to Mr. O’Grady allowing him 30 days to remove the units following the determination of
26 the ZBA in September.
27 b. Mr. Schlieter asked if he could have an accounting of his credit hours. Ms. Smith replied
28 yes, she intended to have them for everyone at this meeting.
29

30 **7. Adjournment –**

31 Being that the Applicant has not arrived, motion by Mr. Amo to adjourn the meeting was made,
32 second by Mr. Casselman.

33 **Vote** – The board voted in favor 7/0, meeting adjourned at 4:52 PM.

2017 Approved Calendar of Zoning Board of Appeals Activity
2018 Proposed Calendar

VARIANCE REQUESTS

2017 Submission Deadline

Monday, Jan 9, 2017
" , Feb 13, 2017
" , Mar 13, 2017
" , Apr 10, 2017
" , May 8, 2017
" , Jun 12, 2017
" , Jul 10, 2017
" , Aug 7, 2017
" , Sep 11, 2017
" , Oct 9, 2017
" , Nov 6, 2017
" , Dec 4, 2017

2018

Monday, Jan 8, 2018
" , Feb 12, 2018
" , Mar 12, 2018
" , Apr 9, 2018
" , May 7, 2018
" , Jun 11, 2018
" , Jul 9, 2018
" , Aug 13, 2018
" , Sep 10, 2018
Tuesday, Oct 9, 2018
" , Nov 12, 2018
" , Dec 3, 2018

ZBA MEETINGS

2017 Meeting Dates

Tuesday, Jan 24, 2017
" , Feb 28, 2017
" , Mar 28, 2017
" , Apr 25, 2017
" , May 23, 2017
" , Jun 27, 2017
" , Jul 25, 2017
" , Aug 22, 2017
" , Sep 26, 2017
" , Oct 24, 2017
" , Nov 21, 2017
" , Dec 19, 2017

2018

Tuesday, Jan 23, 2018
" , Feb 27, 2018
" , Mar 27, 2018
" , Apr 24, 2018
" , May 22, 2018
" , Jun 26, 2018
" , Jul 24, 2017
" , Aug 28, 2018
" , Sep 25, 2018
" , Oct 23, 2018
" , Nov 27, 2018
Wednesday, Dec 18, 2018 *

All Zoning Board meetings are held at 4:30 p.m. in the City Council Chambers unless otherwise noted.

*Regular meeting scheduled one week earlier due to conflict with holiday.

NOTE: All matters and/or materials which require Zoning Board of Appeals consideration or action must be submitted by the submission deadline.