



City Info <cityinfo@plattsburghcitygov.com>

Zoning Board Comment

2 messages

Timothy Palkovic <palkovtj@plattsburgh.edu>

Sun, Apr 26, 2020 at 7:26 PM

To: cityinfo@plattsburghcitygov.com

Durkee Street Drama and Covid 19

Why is the 10 million dollar state grant to Plattsburgh mired in controversy when other communities are easily moving ahead with redevelopment?

The answer may partly lay in the grant application itself. Many people have seen the Durkee Street Lot (DSL) as an empty stage on which something could be built. The Plattsburgh grant applicants were, no doubt, dreaming of possibilities.

They must have thought: "Wouldn't it be nice to have a mixed use development? We could add a green space, garden islands, perhaps even a 45 unit apartment building. How about a water feature and a skating rink? In my opinion the 3.1 acre lot is not large enough to adequately accommodate all of these features.

The DSL now is a community asset. Downtown landlords and businesses in the special assessment district (SAD) pay a portion of their taxes for the upkeep of the lot. As it stands now it does not require the depth of city services as would stores or residences.

Currently, the DSL is an indirect, though indispensable, asset to the central City. It provides long term parking for visitors, employees and residents. The lot has also evolved into a civic meeting space. The Farmers and Crafters Pavilion attracts visitors on Saturdays in the summer months with spillover effect as patrons visit restaurants and shops before or after visiting the market. Civic events are staged there on Saturdays and Sundays.

The DSL also serves as snow emergency parking for residents who must park on the street. Residents know where to take their cars when the flashing lights are on. They do not have to search various lots to find a parking space.

The open nature of the grant application made possible the hijacking of the grant application by the Prime LLC, taking over the entire DSL.

The Prime building is contentious for several reasons. Diminishing parking spaces is one of the most pressing. The City Parking Committee has not been able to find sufficient replacement parking spaces. They are using clumsy and ill advised schemes to replace the parking spaces lost by the proposed 114 unit apartment building.

Turning Durkee Street into a one way with diagonal parking is one scheme. It is both dangerous for oncoming traffic and for delivery trucks. The parking committee, additionally, has not been able to find equivalent long term off street parking to replace the spaces lost in the DSL. Tearing down the former Glens Falls Bank Building on Margaret Street is another desperate move to gain spaces. This building could be rehabbed into living space or into a hotel.

Most outrageous of all is the reintroduction of parking meters. This was tried in the early 70's but removed when the mall went up in the town of Plattsburgh. Proposed parking kiosks, similar to those in Lake Placid will discourage visitors to the City.

Many citizens have hoped to put a building on the Durkee Lot to increase the tax base. This building will actually be a drain on the city for 20 years. The project will be excused land and school taxes using a formula. In one instance, Superintendent of Schools, Jay Labrun, says that the potential influx of students in the Prime building may cost the City more than 1/3 of a million per year.

What do we get in return for losing the Durkee Street Lot? The Farmers Market, an attraction for both tourists and community, gets moved to Green Street next to the sewage treatment pools. While the citizens get burdened with a private enclave in the historic downtown core.

The situation downtown will certainly continue changing as the Covid 19 pandemic grows and businesses downtown become more and more desperate for rejuvenation. A large apartment building in the City core is not the way to bring about recovery from a Covid 19 disaster. The City needs to rethink how it can best use the State Grant funds.

City Info <cityinfo@plattsburghcitygov.com>
To: mcmahonj@cityofplattsburgh-ny.gov

Mon, Apr 27, 2020 at 8:54 AM

[Quoted text hidden]



City Info <cityinfo@plattsburghcitygov.com>

May 4th, 2020 ZBA Special Durkee Street Meeting

3 messages

Naomi Bradshaw <n17omi@gmail.com>

Fri, Apr 24, 2020 at 6:04 PM

To: cityinfo@plattsburghcitygov.com

I live in Plattsburgh, 107 Maryland Rd, since 2006.

My opposition to the Prime plan for replacing parking with the proposed apartment building and retail space needs to be registered now before it's too late.

Please, NO NO NO to the Durkee Street project.

Respectfully,

Naomi Bradshaw

Naomi Bradshaw <n17omi@gmail.com>

Fri, Apr 24, 2020 at 6:31 PM

To: cityinfo@plattsburghcitygov.com

Done. Sent to Keitha and Carol and Fran.

[Quoted text hidden]

City Info <cityinfo@plattsburghcitygov.com>

Mon, Apr 27, 2020 at 8:45 AM

To: mcmahonj@cityofplattsburgh-ny.gov

[Quoted text hidden]



City Info <cityinfo@plattsburghcitygov.com>

May 4th, 2020 ZBA Special Durkee Street Meeting

2 messages

Carol Shuttleworth <specmtn25@gmail.com>

Sat, Apr 25, 2020 at 11:50 AM

To: cityinfo@plattsburghcitygov.com

To Whom it May Concern,

I have lived in Plattsburgh since 1992. My current address is 25 Kansas Avenue, and I have lived at this address since 2006.

I am totally opposed to the Durkee Street Project — for many reasons, including the loss of off-street parking (on street is much less safe), the size of the building, and the potential disastrous effect this would have on downtown businesses such as the North Country Co-op. I also have numerous logistics and safety concerns, such as the parking plan for Durkee Street, entrance/exit plan for the building etc. The building sounds like it would be a monstrosity — way out of scale with the rest of the buildings downtown.

To be honest, I cannot believe this terrible idea is still even being considered. I predict very few will want to live in the building, and the lack of parking will destroy the downtown. Older people especially will stay away.

Besides, why is such a frivolous and disastrous use of money even being considered at a time like this? In most places, coronavirus is causing fiscal disaster, and I'm sure Plattsburgh is no exception. Money need to be saved for necessities!

In summary, with this message, I am registering my total opposition to the Prime plan for replacing parking with the proposed apartment building and retail space. In fact I have yet to meet ONE PERSON who is in favor of it!!!!

Please, NO NO NO to the Durkee Street project.

Respectfully,

Carol Shuttleworth
25 Kansas Avenue
Plattsburgh, NY 12903

City Info <cityinfo@plattsburghcitygov.com>

Mon, Apr 27, 2020 at 8:34 AM

To: mcmahonj@cityofplattsburgh-ny.gov

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City Info <cityinfo@plattsburghcitygov.com>

Zoning Board Comment 5-4-2020-Appeal 2232-SUP Durkee St. to amend boundaries & 1st floor apts of PUD

1 message

Carol CJK <carolcjk@gmail.com>

Mon, Apr 27, 2020 at 11:45 AM

To: cityinfo@plattsburghcitygov.com

To all Zoning Board members and Chairperson

Please see attached April 27, 2020 letter asking the ZBA to deny both of the special use permits listed under appeal no. 2232: city of Plattsburgh-Durkee Street application for a special use permit to amend the boundaries of an existing planned unit development and a special use permit for the use of apartments on the first floor of a multi-story building within a PUD.

I plead with the members of ZBA to carefully read all public comments in their entirety and to review oral comments prior to making any decision. Furthermore, it does not seem reasonable to vote on either of these SUP requests until the city has provided compensatory 1-to-1 replacement for all 289 free parking spots currently available to the public off street in Durkee Street parking lot. City residents and downtown property owners and employers still are missing 150 free off street parking spaces adjacent to the center of downtown.

Prime has also failed to provide sufficient parking for all its 300 residential tenants on its PUD site at [22 Durkee street](#) lot. it is ludicrous to even consider Prime's request for first floor apartments in its 5 story 115 apartment complex without having detailed parking diagrams for all 317 parking spaces required by city zoning code. if the ZBA grants this request it will further exasperate the shortage of off street parking downtown and open up the door for other property owners in the city to convert 1st floor commercial space into residential apartments which will lead to crime and additional vacant store fronts.

City residents and people who work, live and recreate downtown hope that ZBA members think about the long term negative impact that such a decision will have on our community and downtown.

Respectfully, Carol Klepper

[17 couch Street, Plattsburgh, NY](#)

**Klepper-4-27-2020-ZBA comments-Durkee Street SUP to ammend boundary + 1st floor Apts.pdf**

1606K

Mr. Ronald Nolland, Chairman
City of Plattsburgh Zoning Board of Appeals
cityinfo@plattsburghcitygov.com

Re: April 20, 2020 ZBA comments: Appeal 2232-Durkee St-SUP-amend boundaries + 1st floor Apts

April 27, 2020

Dear Zoning Board members and Chairperson:

Words can NOT express my extreme frustration and sheer disgust with the manner in which the Zoning Board conducted April 20, 2020's meeting and **last minute decision NOT to read all written Public comments into the minutes and failure to permit all residents their right to actively participate in this process.** Not only is this highly irregular and illegal, but it is contrary to the procedures stated in April 14, 2020 letter to the public, whereby ZBA promised to *"read aloud at least three (3) minutes of all written comments during the public hearing."* As of April 27, 2020, I have yet to see mine or any letter posted on line in its entirety. **ZOOM meetings are NOT the way to conduct public hearings of this importance!** This is quite evident given the fact that only a few people were able to actually participate remotely at 11:30 PM during this ZOOM meeting due to technical difficulties, time constraints and the fact that most residents lack the technical resources or are consumed with both financial, emotional and medical problems created by the Covid 19 pandemic.

Prime should be held to the same time limits as the Public. It is one-sided to permit any applicant to have endless time to speak. Furthermore, it is biased to allow city employees such as Matt Miller to comment on any aspect of Prime's project. Furthermore, it is also inappropriate and presents a conflict of interest to allow Prime's legal counsel to speak during any meeting without objective legal counsel present to protect the rights of the public.

Limiting any individual to speak for only three short minutes once at a prescribed time during the entire meeting, prevents people sufficient time to comment on Prime's requested variances and proposed boundary changes to the Durkee Street parking lot and NOT enough time or opportunity to respond to false statements made by the applicants.

The fact that Prime's legal counsel, team of experts and city representatives had access to Public written comment prior to 7 PM on April 20, 2020 ZBA meeting and unlimited time to offer their rebuttal and arguments as to why the Board should vote in favor of granting all of their requests is criminal. Even Prime acknowledged the fact that there have been continued opposition to their project and proposed takeover of the Durkee Street public parking lot. Please refer to my April 20, 2020 letter and attachments offering written documentation that the majority of downtown business owners and over 6,151 petitioners have asked the Board NOT to approve Prime's current site plan and the Mayor's attempt to gift our entire Durkee Street free off street parking Lot to Prime.

62 proposed layoffs of city employees is evidence that Plattsburgh along with all cities throughout our state and nation are faced with significant loss in revenue. Now is NOT the time to vote on future residential & commercial development in downtown Plattsburgh. **The Zoning Board's decision to continue to move forward with voting on any variance requested by Prime and the City is ludicrous given the state of our economy and is unfair & unjust to all city residents and people who work, live and visit downtown.** Concerned citizens have repeatedly asked both ZBA and PB members to postpone any decisions regarding Prime's proposal to take over ownership of Plattsburgh's most valuable asset in the center of our downtown business district until everyone can attend all meetings in person.

The Board has a duty to our community to guarantee that the Public's right to freely & fully participate in all meetings is honored! **As members of Plattsburgh City Zoning Board you have a responsibility to ensure that any variance you grant Prime Development does NOT have any adverse effect to our downtown, city and county and that it meets all 5 SUP criteria and zoning code requirements, which it clearly does NOT!** Prime's project and the loss of 289 free off street public parking spaces in the center of our downtown will most definitely have a negative impact on our downtown, city and county for years to come. The Covid 19 pandemic is having a profound effect on everyone. Downtown business owners and property owners like myself are especially struggling to survive this economic crisis, which is expected to last into 2022. Voting on any aspect of Prime's project and change in boundary lines at 22 Durkee Street should wait until everyone can participate in all meetings in person.

I plead with the Board to deny collapsing the Durkee Street parking Lot into one 3.3 acre lot, but rather suggest that the City subdivide it into at least two lots, whereby the city will retain ownership of at least .5 acres for public use to provide at least 150 off-street parking spots that remain deficient in the city's replacement parking plan, which fails to provide the required 1 to 1 ratio of compensatory parking off street in the center of our downtown business district. Once ownership of the Durkee Street Parking lot is transferred to a private developer, the public will not only permanently lose all 289 free long-term, year round parking spaces in the center of downtown, but everyone working, living & visiting downtown will lose at least 275 of these 289 parking spots, while the proposed 102 spaces in the Pavone lot + 22 spaces in the Broad Street lot are constructed. Given the state of the economy throughout the nation and especially in NYS, it is suicide to the future of our downtown to give all 3.3 acres to Prime without the city retaining sufficient ownership to provide at least 150 free public compensatory parking off-street in the center of our business district. It is detrimental to Plattsburgh's economy to gift such a valuable asset to Prime development.

The Zoning Board should require that Prime provide at least 317 parking spaces required and a detailed diagram of all surface, courtyard and underground parking for its residential tenants plus additional parking for all commercial space, including the 10,000 sq. feet proposed along with outlining definite plans for commercializing the former farmers Market prior to hearing any request for permission to build any apartments on the first floor of any building. **I ask the Zoning Board to deny Prime's request to put any apartments on the first floor of any building. If the ZBA approves such a request it will set an undue & negative precedent throughout the city, because it will open the door for other property owners to convert commercial space into first floor apts. Granting such a variance will result in increased density & exacerbate the shortage of long-term year round parking downtown. Street level apartments are problematic due to safety concerns and their un-attractiveness to long term tenants.** I can attest to this fact first hand, as someone who has both owned and lived in first floor rentals. This is especially true in the center of downtown. Merely look at street level or first floor apartments in any downtown and you will notice security systems such as steel bars or small windows to prevent access from intruders, which is hardly inviting to prospective tenants. It is extremely difficult to retain tenants in street level or first floor apartments due to safety and marketability, contrary to Prime's comments.

Landlords and business owners in Plattsburgh and especially downtown are faced with the reality that they may never be able to reopen. Economists forecast that high unemployment and business closures may continue for years. Most builders have put projects on hold and the majority of lenders have retracted their financial commitments to developers. Given the fact that Plattsburgh and NYS are faced with billions of dollars in deficits and that many people will remain unemployed, while others have lost their life savings, it is unlikely that Prime will be able to complete construction and fill all 115 residential units

& 10,000 square feet of commercial space by September 1, 2021. Prime's current project will most definitely have an adverse effect on adjacent properties and surrounding neighborhoods for years to come. The future of our downtown and economic survival rests in your hands.

Hopeful that ZBA board members vote with the best interest of everyone who lives and works downtown Plattsburgh and its surrounding neighborhoods and communities. The future of our fellow neighbors livelihood rests in your hands.

Sincerely,



Carol J. Klepper

Long-time resident of Plattsburgh

17 Couch Street, Plattsburgh, NY 12901



City Info <cityinfo@plattsburghcitygov.com>

Zoning Board Comment 5-4-2020-Appeal 2232-SUP Durkee St. to amend boundaries & 1st floor apts of PUD

2 messages

Carol CJK <carolcjk@gmail.com>

Mon, Apr 27, 2020 at 11:28 AM

To: cityinfo@plattsburghcitygov.com

I have attached my letter asking Zoning Board members to deny appeal 2232 application for both a special use permit to amend the boundaries of an existing planned unit development and a special use permit for the use of apartments on the first floor of a multi-story building within a planned unit development.

As of 11:23 Am on April 27, 2020, I have yet to see my April 20, 2020 letter in its entirety posted on the city website, which I emailed on 3 separate occasions along with supporting documents and petition signatures to the city and board prior to noon on April 20, 2020. I have tried on several occasions to have my objections to both of these SUP requests and variances made known to the public.

I ask Zoning Board members and Chairperson to make sure that both my attached April 20, 2020 and April 27, 2020 letters that I submitted in accordance with guidelines put forth by the city for public comment be posted in their entirety on the city website in a format that is easy to access and easily read by all interested parties.

I have given detailed and factual information in both of the above referenced letters as to why the ZBA should deny the city and Prime Developers request to amend boundary lines at [22 Durkee Street](#), known as the Durkee Street parking lot into one 3.3 acre parcel and Prime's request to build a 5 story 115 unit apartment building with apartments on the first floor at [22 Durkee Street](#).

As both a landlord, long time city resident and someone who lives adjacent to downtown I plead with all members of ZBA to think about the negative impact that both of these SUP requests will have on our downtown business district and center city.

Sincerely, Carol J. Klepper
resident at [17 Couch Street, Plattsburgh, NY](#) 129021

2 attachments **Klepper-ZBA April 20, 2020 appeal 2232-Durkee Street-SUP_000073.pdf**
2770K **Klepper-4-27-2020-ZBA comments-Durkee Street SUP to ammend boundary + 1st floor Apts.pdf**
1606K

City Info <cityinfo@plattsburghcitygov.com>

Mon, Apr 27, 2020 at 1:22 PM

To: mcmahonj@cityofplattsburgh-ny.gov, "Beebie, Lisa" <BeebieL@cityofplattsburgh-ny.gov>

[Quoted text hidden]

2 attachments **Klepper-ZBA April 20, 2020 appeal 2232-Durkee Street-SUP_000073.pdf**
2770K **Klepper-4-27-2020-ZBA comments-Durkee Street SUP to ammend boundary + 1st floor Apts.pdf**
1606K

Mr. Ronald Nolland, Chairman
City of Plattsburgh Zoning Board of Appeals
cityinfo@plattsburghcitygov.com

Re: April 20, 2020 ZBA: Appeal 2232-Durkee Street-SUP comments

April 20, 2020

Dear Zoning Board members and Chairperson:

Once again, I ask that members of ZBA postpone all decisions regarding the Durkee Street parking lot and Prime development until everyone can attend all meetings in person. It is both irresponsible and unethical to hold any ZBA or PB meetings without all city residents and stakeholders being able to comment on Prime's project, especially those who own property adjacent to the Durkee Street Parking lot.

I, along with 42 downtown business owners and over 6,151 petitioners (see attached signatures) ask that you deny all current appeals, special use permits and variances requested by the city of Plattsburgh and Prime Development LLC on grounds that all such requests regarding the development of the Durkee Street Lot have NOT been reviewed as part of the entire DRI project but rather in isolation. And, Prime's current proposal fails to meet both zoning code & all criteria found in zoning ordinance section 360-31 B for standards of such special use permits, in which all 5 criteria for ZBA SUP must be satisfied.

I ask that the Board deny the proposed boundary changes for the Durkee Street parking Lot into one 3.3 acre lot, but rather suggest that the City subdivide it into at least two lots, whereby the city will retain ownership of at least .5 acres for public use to provide at least 150 off-street parking spots that remain deficient in the city's replacement parking plan, which fails to provide the required 1 to 1 ratio of compensatory parking off street in the center of our downtown business district. Once ownership of the Durkee Street Parking lot is transferred to a private developer, the public will not only permanently lose all 289 free long-term, year round parking spaces in the center of downtown, but everyone working, living & visiting downtown will lose at least 275 of these 289 parking spots, while the proposed 102 spaces in the Pavone lot + 22 spaces in the Broad Street lot are constructed. Given the state of the economy throughout the nation and especially in NYS, it is suicide to the future of our downtown to give all 3.3 acres to Prime without the city retaining any ownership. It is detrimental to Plattsburgh's economy to gift such a valuable asset to Prime development.

I also implore the members of the ZBA to deny Prime's request to put any apartments on the first floor of any building. If the ZBA approves such a request it will set an undue and negative precedent throughout the city, because it will open the door for other property owners to convert commercial space into first floor apts. Granting such a variance will result in increased density and exacerbate the shortage of long-term year round parking for all tenants living downtown. Street level apartments are problematic due to safety concerns and their un-attractiveness to long term tenants. I can attest to this fact first hand, as someone who has both owned and lived in first floor rentals. This is especially true in the center of downtown. Merely look at street level or first floor apartments in any downtown and you will notice security systems such as steel bars or small windows to prevent access from intruders, which is hardly inviting to prospective tenants. It is extremely difficult to retain tenants in street level or first floor apartments due to safety and marketability, contrary to Prime's comments.

Landlords and business owners in Plattsburgh and especially downtown are faced with the reality that they may never be able to reopen. Economists forecast that high unemployment and business closures

may continue for years. Most builders have put projects on hold and the majority of lenders have retracted their financial commitments to developers. Given the fact that Plattsburgh and NYS are faced with billions of dollars in deficits and that many people will remain unemployed, while others have lost their life savings, it is unlikely that Prime will be able to complete construction and fill all 115 units & 10,000 square feet of commercial space by September 1, 2021. Prime's current project will most definitely have an adverse effect on adjacent properties and surrounding neighbor-hoods for years to come. The future of our downtown and economic survival rests in your hands.

I beseech all ZBA members to include all comments made by everyone into any decision you make, even if their comments exceed the 3-minute recording threshold you have set as a board. As members of Plattsburgh City Zoning Board you have a duty to ensure that any variance you grant Prime Development does NOT have any adverse effect to our downtown, city and county and that it meets all 5 SUP criteria and zoning code requirements. The following points outlined within explains why Prime's project should be denied.

1. **General Character, height and use of the structure.** Prime's current design is not in keeping with our historic downtown due to its mammoth size, building design and use of metal and clapboard. The majority of the buildings downtown are made of brick or sandstone and are less than 4 stories in height. I ask that the board deny Prime's request to build a 5-story 115-apartment complex with 10,000 square feet of commercial space in the center of downtown, which is in actuality 6 stories above ground along the river and is 2-3 stories above any other building adjacent to the Durkee Street Lot. Prime's building will tower 65 feet above ground on the North side and will be 180 feet high along Bridge Street spanning more than 200 feet along the riverside. Prime's colossal complex will consume the entire North and East corners of the Durkee Street Lot, which will block off sunlight and discourage pedestrian circulation. Even members of the Clinton County Planning Board expressed their concern with having such a massive structure on top of the Saranac River Walk and right against the sidewalk on Bridge Street. The intent of the DRI is to revitalize our downtown by inviting people to recreate, shop and eat in our downtown business district. Granting such a height variance would detract rather than invite people from visiting our downtown.

2. **Provision of surrounding open space and the treatment of grounds.** Prime's current plan fails to provide any green space for its tenants and therefore does NOT meet criteria 2 of SUP. And in fact, if Prime is given all 3.3 acres of 22 Durkee Street there will be NO guaranteed open green space for public use on site. Access is not ownership and therefore public use will be controlled at the whim of the developer. It is a slap in our face to have Prime merely offer public access to the Saranac River with a walk way through the center of its project. Prime needs to downscale its project and the city needs to retain at least 25 feet along Bridge Street and 50 feet rather than 14 feet along the East side of Durkee Street parking lot in order to provide a green buffer zone between Prime's tenants and city residents and visitors. Prime's current Durkee Street project fails to provide any dedicated green space for its tenants, unlike Prime's Saratoga project and lacks sufficient green space for guaranteed public use. 3.

Prime's current project also fails to meet **"general fitness of the structure or use to its proposed location."** Prime's current proposal to build one contiguous structure for up to 293 residential tenants and 10,000 square feet of commercial space not to mention the future transformation of the former farmers market into additional commercial space is NOT a good fit for this site or viable at this time. I suggest rather that Prime rework its design to build a smaller size project in multi-phases that has a better chance of surviving our current economy.

Prime's current plan adds up to 293 tenants living at the northeast corner of Durkee Street Parking lot, which is right on the Saranac River Trail. Cramming such a large population next to the Saranac River trail hardly promotes visitors and city residents from enjoying the river. Members of Clinton County Planning Board have also expressed their concern of the proximity of Primes 5 story 115

unit apartment complex being built right against the Saranac River Trail and only 14 feet away from the river bank. Prime's current plan fails to provide even it tenants any green space adjacent to the river or any green buffer zone next to any city sidewalk. Even Prime's Saratoga project provides open green space on site. 4.

Provision for automobile and parking or storage. I ask the board to deny Prime's request to only provide 226 parking spaces rather than the 317 required by Plattsburgh's zoning code, because Prime cannot compare its Saratoga Springs project, known as "the Hamlet," to its proposed Plattsburgh development, because "the Hamlet" is several miles from the center of downtown Saratoga Springs and is therefore not equivalent to Prime's Plattsburgh project, which will be built in the center of our business district. Permitting Prime to build a 115 apartment complex with more than 10,000 square feet of commercial space will most definitely create a hardship to our downtown, because Prime's tenants and city residents and patrons will be competing for the 100 parking spots that Prime is failing to provide for its tenants and the 150 deficient parking spaces off street that the city has failed to provide the public. Prime should be required to provide at least 317 parking spaces on site, given the fact that Plattsburgh's zoning parking requirements are antiquated, and Plattsburgh does not have public transportation and everyone owns a car. The reality is that Prime should provide 441 parking spaces on site to accommodate full occupancy of both Prime's residential and commercial usage, which doesn't even account for the additional parking needed for Prime's future conversion of the former's farmers market to commercial space. As someone who owns an apartment building near downtown, I am well aware of how important onsite year round parking is to my tenants. What is even more problematic is that Prime has yet to present detailed parking plans that are current and up to date.

Prime has also failed to provide any concealed storage for its tenants' bicycles, outdoor equipment, etc. Plattsburgh zoning and Planning boards have insisted that developers provide such storage on site and adjacent to their units for security, convenience and esthetic purposes. As an apartment owner, I know how important adequate on-site storage is in attracting long-term tenants. Most importantly, ZBA members need to insure that Prime's project is reviewed as part of the entire DRI. Equally important is that all 289 parking spaces currently provided for free to the public off street in the Durkee Street parking lot is replaced with compensatory parking, which the city has failed to do. One of the most critical points to be considered by ZBA regarding parking is that the Durkee Street parking lot provides free and convenient parking for everyone working, living and visiting downtown. Businesses such as; Social Services, JCEO, doctors, counselors, chiropractors, etc. all need convenient and handicap accessible parking close by. Unfortunately, the city's replacement parking plan only provides 125 public parking spaces off street in the center of downtown, which results in 165 deficient off street compensatory parking spots. Even the city notes that they are unable to replace all 289 off street public parking spaces. Furthermore, the city's plan to convert all free downtown street parking to paid parking will create an additional hardship to downtown businesses and property owners struggling to survive. I remind the board that you can NOT count the off street parking that was created by the county at the Government center, because these parking spaces are primarily used by government employees and is not adjacent to the center of downtown businesses. The 15 angled parking spaces that the city anticipates providing on Durkee Street is not off-street and therefore is not considered compensatory replacement parking. DEIS states that parking lots should have less than 85% of the spaces filled and that the Durkee street lot often has 87% usage, thereby showing its importance to downtown. Over 200 employees who work at Social services, JCEO & other offices currently park in the Durkee Street Lot, which would quickly fill the Pavone Parking lot once built, because street parking would be metered. According to Carl Walker Plattsburgh needs to replace "equal" amount of year round off street parking to its community.

5. **Street capacity and use.** Prime's proposed mixed use development will bring close to over 300 additional vehicles to the Northwest corner of Bridge and Durkee Street. This increased vehicular

traffic along with the poor redesign of Durkee Street will result in increased pedestrian, bicycle and vehicular traffic accidents, congestion and bottlenecks, especially during peak delivery times. The city has failed to provide any designated pull offs or tested the viability of such a drastic change to one of downtown's major arteries and unloading zones for local businesses. The City's plan to make Durkee Street one-way along with angled parking on the east side of the street will prevent contiguous flow of traffic and impede delivery trucks from servicing downtown businesses and restaurants. Angled parking that requires drivers to back up into traffic is extremely dangerous and almost impossible during winter months and in climate weather due to poor visibility and limited turning ability.

I remind the Board that Bridge Street is a continuation of US route 9, which is to provide safe travel for all delivery trucks, automobiles, motorcycles and bicycles. According to Ken Bibbins, Regional Traffic Engineer (DOT) analysis of the city's proposed changes to Durkee Street, Mr. Bibbins states the following: it *"does not appear to me that the right of way that Bridge Street falls within has sufficient width to allow angled parking without severely impacting its lane widths."* And *"multiple studies" ... have shown that "angled parking causes an increase in accidents."* *Backing-up maneuverability is "particularly dangerous if the roadway in question has a significant volume of bicycle traffic, such as this one. There is also an increase in accidents due to the stop-go nature of drivers searching for an open space, which is more difficult with angled parking because the empty spaces are harder to see."* ... *"based on the concept and its traffic safety implications, I would use the strongest language possible to discourage the institution of this change."*

Furthermore, Prime has failed to include any parking plans for its 10,000 square feet of commercial space, future conversion of former farmers market for commercial use, designated loading and unloading areas and a detailed diagram with site elevations and dimensions of all surface and underground parking for its 115 apartment complex.

In conclusion, Primes current proposal fails to meet city zoning code parking, height and building requirements, along with its failure to satisfy all 5 Special Use Permit (SUP) criteria and the objectives of the DRI plan set forth by NYS. Primes project is deficient in providing onsite parking for its tenants, visitors and patrons, lacks designated green space for its tenants, fails to provide guaranteed sufficient onsite public parking, and will result in increased vehicular and pedestrian traffic accidents, traffic congestion and additional hardships to our downtown businesses who are struggling to survive the economic crisis that is anticipated to continue for years. Governor Cuomo's DRI grants were intended to revitalize downtowns throughout upstate New York by providing recreation, services and joint business opportunities in the center of downtown. Converting our entire 3.3 acres of 289 public parking spaces into privately owned apartments and over 10,000 square feet of commercial space is not in the best interest of Plattsburgh and will most definitely have a negative impact on our community and Plattsburgh's downtown business district.

Sincerely,


Carol J. Klepper, 17 Couch Street, Plattsburgh, NY

Mr. Ronald Nolland, Chairman
City of Plattsburgh Zoning Board of Appeals
cityinfo@plattsburghcitygov.com

Re: April 20, 2020 ZBA comments: Appeal 2232-Durkee St-SUP-amend boundaries + 1st floor Apts

April 27, 2020

Dear Zoning Board members and Chairperson:

Words can NOT express my extreme frustration and sheer disgust with the manner in which the Zoning Board conducted April 20, 2020's meeting and **last minute decision NOT to read all written Public comments into the minutes and failure to permit all residents their right to actively participate in this process.** Not only is this highly irregular and illegal, but it is contrary to the procedures stated in April 14, 2020 letter to the public, whereby ZBA promised to *"read aloud at least three (3) minutes of all written comments during the public hearing."* As of April 27, 2020, I have yet to see mine or any letter posted on line in its entirety. **ZOOM meetings are NOT the way to conduct public hearings of this importance!** This is quite evident given the fact that only a few people were able to actually participate remotely at 11:30 PM during this ZOOM meeting due to technical difficulties, time constraints and the fact that most residents lack the technical resources or are consumed with both financial, emotional and medical problems created by the Covid 19 pandemic.

Prime should be held to the same time limits as the Public. It is one-sided to permit any applicant to have endless time to speak. Furthermore, it is biased to allow city employees such as Matt Miller to comment on any aspect of Prime's project. Furthermore, it is also inappropriate and presents a conflict of interest to allow Prime's legal counsel to speak during any meeting without objective legal counsel present to protect the rights of the public.

Limiting any individual to speak for only three short minutes once at a prescribed time during the entire meeting, prevents people sufficient time to comment on Prime's requested variances and proposed boundary changes to the Durkee Street parking lot and NOT enough time or opportunity to respond to false statements made by the applicants.

The fact that Prime's legal counsel, team of experts and city representatives had access to Public written comment prior to 7 PM on April 20, 2020 ZBA meeting and unlimited time to offer their rebuttal and arguments as to why the Board should vote in favor of granting all of their requests is criminal. Even Prime acknowledged the fact that there have been continued opposition to their project and proposed takeover of the Durkee Street public parking lot. Please refer to my April 20, 2020 letter and attachments offering written documentation that the majority of downtown business owners and over 6,151 petitioners have asked the Board NOT to approve Prime's current site plan and the Mayor's attempt to gift our entire Durkee Street free off street parking Lot to Prime.

62 proposed layoffs of city employees is evidence that Plattsburgh along with all cities throughout our state and nation are faced with significant loss in revenue. Now is NOT the time to vote on future residential & commercial development in downtown Plattsburgh. **The Zoning Board's decision to continue to move forward with voting on any variance requested by Prime and the City is ludicrous given the state of our economy and is unfair & unjust to all city residents and people who work, live and visit downtown.** Concerned citizens have repeatedly asked both ZBA and PB members to postpone any decisions regarding Prime's proposal to take over ownership of Plattsburgh's most valuable asset in the center of our downtown business district until everyone can attend all meetings in person.

The Board has a duty to our community to guarantee that the Public's right to freely & fully participate in all meetings is honored! **As members of Plattsburgh City Zoning Board you have a responsibility to ensure that any variance you grant Prime Development does NOT have any adverse effect to our downtown, city and county and that it meets all 5 SUP criteria and zoning code requirements, which it clearly does NOT!** Prime's project and the loss of 289 free off street public parking spaces in the center of our downtown will most definitely have a negative impact on our downtown, city and county for years to come. The Covid 19 pandemic is having a profound effect on everyone. Downtown business owners and property owners like myself are especially struggling to survive this economic crisis, which is expected to last into 2022. Voting on any aspect of Prime's project and change in boundary lines at 22 Durkee Street should wait until everyone can participate in all meetings in person.

I plead with the Board to deny collapsing the Durkee Street parking Lot into one 3.3 acre lot, but rather suggest that the City subdivide it into at least two lots, whereby the city will retain ownership of at least .5 acres for public use to provide at least 150 off-street parking spots that remain deficient in the city's replacement parking plan, which fails to provide the required 1 to 1 ratio of compensatory parking off street in the center of our downtown business district. Once ownership of the Durkee Street Parking lot is transferred to a private developer, the public will not only permanently lose all 289 free long-term, year round parking spaces in the center of downtown, but everyone working, living & visiting downtown will lose at least 275 of these 289 parking spots, while the proposed 102 spaces in the Pavone lot + 22 spaces in the Broad Street lot are constructed. Given the state of the economy throughout the nation and especially in NYS, it is suicide to the future of our downtown to give all 3.3 acres to Prime without the city retaining sufficient ownership to provide at least 150 free public compensatory parking off-street in the center of our business district. It is detrimental to Plattsburgh's economy to gift such a valuable asset to Prime development.

The Zoning Board should require that Prime provide at least 317 parking spaces required and a detailed diagram of all surface, courtyard and underground parking for its residential tenants plus additional parking for all commercial space, including the 10,000 sq. feet proposed along with outlining definite plans for commercializing the former farmers Market prior to hearing any request for permission to build any apartments on the first floor of any building. I ask the Zoning Board to deny Prime's request to put any apartments on the first floor of any building. If the ZBA approves such a request it will set an undue & negative precedent throughout the city, because it will open the door for other property owners to convert commercial space into first floor apts. Granting such a variance will result in increased density & exacerbate the shortage of long-term year round parking downtown. Street level apartments are problematic due to safety concerns and their un-attractiveness to long term tenants. I can attest to this fact first hand, as someone who has both owned and lived in first floor rentals. This is especially true in the center of downtown. Merely look at street level or first floor apartments in any downtown and you will notice security systems such as steel bars or small windows to prevent access from intruders, which is hardly inviting to prospective tenants. It is extremely difficult to retain tenants in street level or first floor apartments due to safety and marketability, contrary to Prime's comments.

Landlords and business owners in Plattsburgh and especially downtown are faced with the reality that they may never be able to reopen. Economists forecast that high unemployment and business closures may continue for years. Most builders have put projects on hold and the majority of lenders have retracted their financial commitments to developers. Given the fact that Plattsburgh and NYS are faced with billions of dollars in deficits and that many people will remain unemployed, while others have lost their life savings, it is unlikely that Prime will be able to complete construction and fill all 115 residential units

& 10,000 square feet of commercial space by September 1, 2021. Prime's current project will most definitely have an adverse effect on adjacent properties and surrounding neighborhoods for years to come. The future of our downtown and economic survival rests in your hands.

Hopeful that ZBA board members vote with the best interest of everyone who lives and works downtown Plattsburgh and its surrounding neighborhoods and communities. The future of our fellow neighbors livelihood rests in your hands.

Sincerely,



Carol J. Klepper

Long-time resident of Plattsburgh

17 Couch Street, Plattsburgh, NY 12901

Mr. Ronald Nolland, Chairman
City of Plattsburgh Zoning Board of Appeals
cityinfo@plattsburghcitygov.com

Re: April 20, 2020 ZBA comments: Appeal 2232-Durkee St-SUP-amend boundaries + 1st floor Apts

April 27, 2020

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Carol J. Klepper

Long-time resident of Plattsburgh

17 Couch Street, Plattsburgh, NY 12901

**Janson's Zoning Board comment 5/4/2020-appeal 2232-SUP-Durkee st. + 1st floor apts PUD**

1 message

Carol CJK <carolcjk@gmail.com>
To: cityinfo@plattsburghcitygov.com

Mon, Apr 27, 2020 at 11:48 AM

J.M. JANSON
to cityinfo, bcc: me

11:18 AM (29 minutes ago)

Dear ZBA,

Had you asked me one week ago if I thought the Board should postpone any meetings dealing with the Durkee Street Project, I would have said, "no, I'm fine with a Zoom meeting." But after the overly long and absolutely unfair meeting of April 20th, I can now firmly state, **THIS PROCESS IS NOT FAIR, AND MEETINGS SHOULD BE POSTPONED UNTIL YOU CAN CONDUCT THEM WITH ALL INTERESTED PARTIES PRESENT.**

Chairman Noland, I know you tried to preside over a fair meeting, but you asked Board members if they were ok with process and procedures, and you asked Applicants if they were ok with process and procedures, but the system would not allow you to ask US, the public.

Furthermore, the Applicants can hold the floor for as long as they wish to speak. And when they wish to speak, they are recognized. The public can speak only during one segment of the meeting, and for only three short minutes. This is barely enough time to make two points, and not enough time to counter the multitude of false statements being made by the Applicants.

In addition, the Applicants and the Board have the ability to toggle back and forth to put graphics and images on the screen. If we, the public, wish to show the Board something, we have to hold it up to the camera on the computer. It certainly does not put us on equal footing with the City and Prime.

Another reason Zoom meetings do not work for the public is because not all members of the public who will be impacted by this project have adequate tech resources to participate. I know of one person who was not able to join because he does not have internet service, and I know another whose computer is so outdated, that she could not participate. Not everyone is tech savvy, not everyone can afford internet service, and some of us still have dumb phones and not smart phones. This creates a built-in bias which acts to discourage public participation.

When the board finally was able to get to live comments, there were only six of us who spoke. What happened to the other 11 people who had raised their hand when the meeting started? Well, we don't know. What I do know is that the Board heard from fewer than half of the people who wanted to speak. Is this fair? I think not.

The Board decided there was not adequate time to read everyone's comments into the record. (The fact that you had an overwhelming number should tell you how people feel about both the process and the project.) Although I see the efficiency of doing it this way, there is also a problem involved. You have left it up to the City to post these, and as of Thursday night, April 23rd, 2020, they are either not posted, or have been buried so deeply, that I can't find them. The City has no incentive to post these in a timely and forthright manner, quite the opposite.

On Friday, April 24th the City provided details, (to me) as to how to find the letters. Yes, they were buried. But perhaps even worse, some people submitted their comments via a link to a document, and the link did not get activated when posted to the City's website. This renders their comments unreadable.

IT HAS BEEN DEMONSTRATED, THAT, no matter how hard you try,
THIS MANNER OF MEETING IS INHERENTLY UNFAIR.

Now, on to concerns about this project.

One of the first requests is to change the boundaries of the lot so that Prime becomes the sole owner of a 3.3 acre parcel in the middle of downtown. My concern here is that by allowing them to own the parking space adjacent to their building, it will allow them to act in their own best interests. The City and Prime have not met the need for off-street parking in downtown Plattsburgh, therefore creating high demand for the spaces that exist. When Prime discovers their formula of 1.3 parking spaces per apartment is inadequate, and there is no accommodation for the commercial space, there is nothing to prohibit Prime from issuing special permits to allow tenants to park in the "south lot." That, in combination with setting the price of parking above the rates the City is planning to charge, will enable Prime to assure tenants there will always be an open parking space for them in this area. Another option for Prime may be to have gated parking, with tenants issued a passcard. In that case, there will be zero public parking, and it is likely that the parking area will be fenced off. How will this add to the open space and green space that Prime is supposed to provide? At this point, it's their land, and they can proceed as they wish. If we are trying to attract visitors to downtown, if we are trying to promote the businesses that already exist, why would we make parking increasingly difficult? Why would we put Prime in charge of a portion of that parking, which should be for the good of the whole City, not just for the good of Prime? Please vote no for the consolidation of the Durkee Street parcel. Do not relinquish this space, as we will lose any control, no matter the assurances Prime gives the City regarding their future behavior.

There is also a request by Prime to allow residential space on the first floor of the building. Zoning in Plattsburgh denies ground-level residential space in the downtown for very good reasons. With residential space on the ground level, security becomes an issue. No tenant will pay "luxury" pricing for an apartment in which they do not feel secure. The apartments on the ground floor become the least attractive to potential renters, and could end up as "un-rentable." Also, my main concern is that Prime will "enhance" security with bars on windows and lots of cameras. Although they may be able to make their cameras fairly discrete, there is no way to create aesthetically pleasing bars on windows. You do not see these depicted in any of the renderings Prime has provided, but just imagine that you did. Someone I know looked at the drawing of the south wing of the proposed building and commented, "looks a lot like Dannamora." Great, all we need are bars on the windows of the north wing... Please vote no for residential space being allowed on the first floor of the Prime building.

The proposed building is not in keeping with the general character of the downtown. The height of the building is substantially above other roof lines in the downtown. The suggested building materials are not appropriate given the neighboring buildings. The building itself is massive, and will create canyons of Bridge Street and Durkee Street. Open space is minimal, at best. The project has not taken either commercial deliveries nor snow removal into account. The need for a high retaining wall right next to the river walkway makes it unsuitable for its proposed location. There is inadequate provision for automobile parking. Street capacity is already strained at the corner of Bridge Street and Peru Street. Traffic and parking for Spectrum and G&G is currently difficult. Adding additional residents, and a new traffic pattern will simply worsen the problems at this corner. Street capacity there, in particular, is already strained.

In the drawings/renderings submitted, both Prime and Saratoga Associates have done an outstanding job of distorting the perspective, and the truth, of what is to be built. Kevin Farrington saw it, and so do I. What you see is not what we will get. But that is a discussion for another time. Will there be another time?

Finally, I ask that you consider the project as a "post-COVID" building. That said, where will Prime find either commercial or residential tenants? This is a very important question to the success of the project. The economy is shrinking. If this is built, the likelihood of failure is very high, and the costs of failure for the City are even higher. A huge empty, building in the center of our downtown is likely to sound the death knell for a small city with charm and potential.

It is for these reasons that the Zoning Board of Appeals should say no to both Prime LLC and The City of Plattsburgh. This project is not in the best interests of resident, downtown businesses, or

visitors to The Lake City.

Joan Janson, city resident and taxpayer
[29 Cogan Ave.](#)
[Plattsburgh, NY 12901](#)

BOOTH INSURANCE AGENCY

ESTABLISHED IN 1918

TEL: (518) 561-3290 • FAX: (518) 561-1203
20 BRINKERHOFF STREET • P.O. BOX 990 • PLATTSBURGH, N.Y. 12901

April 23, 2020

Email

cityinfo@plattsburghcitygov.org

Plattsburgh City Zoning Board

Subject: Opposition to Prime's Durkee Street Project

Dear Board Members,

I publicly spoke to my opposition of the subject project at the following three open public hearings:

- Monday, February 10, City Zoning Board
- Monday, February 24, City Planning Board
- Wednesday, March 4, County Planning Board

I emailed my opposition to the current "Virtual" meetings due to Covid-19. I strongly believe this needs to be a public open meeting. Here are my comments for your Monday, May 4, Video meeting:

Parking

The Prime project requires approximately 300 parking spaces for their habitational/commercial enterprise. This means the 300 current off street Durkee Street parking spaces are:

	<u>#Parking spaces</u>
Spaces lost @ Durkee Street	300*
Spaces gained @ GFNB Arnie Pavone lot	110
Spaces gained @ Durkee Street South lot	20
Lost off street parking spaces	<hr/> 170*

These 170 lost spaces are critical to the current downtown needs of existing stake holders- businesses, employees, customers, visitors, building tenants and building owners.

Proposed One Way Durkee Street

Prime proposes Durkee Street being changed to one way with angled vehicle parking. I oppose this:

- One way traffic with angled parking will create a significant pedestrian safety issue.
- The 1996 Downtown study commission clearly found one way streets adversely impact downtown, As a result Margaret Street was changed to two way.
- A one way Durkee Street will severely impair the ingress and egress across the Bridge Street and Kennedy bridges.

Open Space and Public Access and View of the Saranac River

The Prime project will visually and physically impair the public's access to one of Downtown's Valuable assets – The Saranac River. The Prime project clearly does not meet city requirements for open space. The building and parking footprints far exceed the amount of open space required.

Financials

As a businessman and taxpayer the Prime proposal flies in the face of financial fairness to Plattsburgh citizens.

- Sale price of \$1 for 3.5 acres of strategic property.
- \$3.5 Million to Prime from NYS taxpayers.
- A sweetheart PILOT agreement for 20 years affecting the current taxpayers

County Planning Board

The County Planning Board unanimously opposed the Prime Project at their March 4, meeting after open public testimony.

Alternate Site

I am not adverse to habitational/commercial development. I suggest two alternate sites which would serve the Plattsburgh citizens much better:

- The D & H Rail Yard @ Dock Street
- The newly vacant Glens Falls Bank lot on Margaret Street

Thank you for accepting my comments and thank you for your volunteer service.

Very Truly Yours,


Alan B Booth



City Info <cityinfo@plattsburghcitygov.com>

Prime project

2 messages

Daniela, Kevin and Misha Gitlin <kdmnexus@gmail.com>

Sat, Apr 25, 2020 at 5:03 PM

To: cityinfo@plattsburghcitygov.com

Please note my total opposition to this project.

It's a disaster on so many levels, the most troubling of which is the lack of transparency of the public servants involved and their many conflicts of interest. The 20 year loss of tax revenue will result in our public schools being underfunded, and they are already struggling. We don't need high end retail space when we have so much unrented retail and mall space currently available. Plattsburgh is not thriving economically. This project will gut downtown and turn it into a slum. No thank you.

Daniela Gitlin, MD
3 Cumberland Avenue
Plattsburgh, NY 12901

City Info <cityinfo@plattsburghcitygov.com>

Mon, Apr 27, 2020 at 8:47 AM

To: mcMahonj@cityofplattsburgh-ny.gov, Matthew <MillerMa@cityofplattsburgh-ny.gov>

[Quoted text hidden]