

S T A T E O F N E W Y O R K
COUNTY OF JEFFERSON

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#604

Use variance to allow a multiunit dwelling in
a residential district

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#605

Area variance to increase the maximum unbuilt
frontage

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#606

Area variance to reduce the required façade
transparency

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#608

Use variance to allow a self-storage facility
in a commercial district

-----x

S T A T E O F N E W Y O R K
COUNTY OF JEFFERSON

-----x
ZONING BOARD OF APPEALS

PUBLIC HEARING

#609

Use variance to allow an accessory use in a
front yard

-----x
ZONING BOARD OF APPEALS

Memorandum from the City Code Enforcement
Bureau -- calculating sign area

-----x
245 Washington Street
Watertown, New York 13601
Wednesday, July 16, 2025

B E F O R E:

Chairperson: Samuel S. Thomas

Board Members: Adam Ruppe
James Corriveau
Molly Farrell
Lance Evans

Senior Planner: Geoffrey Urda

City Planner: Joseph Albinus

City Attorney: (Not present)

REPORTED BY: Tiffany-Jo Ponce, RPR
Court Reporter

ZONING BOARD OF APPEALS

1 CHAIRPERSON THOMAS: We're going to begin
2 by calling the Zoning Board of Appeals meeting to
3 order.

4 Attendance, please answer yes.

5 Mr. James Corriveau?

6 MR. CORRIVEAU: Here.

7 CHAIRPERSON THOMAS: Mr. Adam Ruppe?

8 MR. RUPPE: Here.

9 CHAIRPERSON THOMAS: Ms. Molly Farrell?

10 MS. FARRELL: Farrell.

11 CHAIRPERSON THOMAS: Mr. Lance Evans --

12 MR. EVANS: Here.

13 CHAIRPERSON THOMAS: -- who is a new
14 member, we welcome to the zoning board of appeals.

15 I, Samuel Thomas, am present. Geoffrey
16 Urda is here, and Joseph Albinus will be with us.
17 He's a planner also.

18 I'd like to take a moment just to read
19 the Notice of Public Hearing, Request for Variance
20 of the Zoning Ordinance of the City of Watertown,
21 New York.

22 Notice is hereby given that the Zoning
23 Board of Appeals of the City of Watertown,
24 New York, will meet at 7:00 p.m. on Wednesday,
25 July 16, 2025, in the City Council Chambers on the

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1 Third Floor of City Hall for the purpose of hearing
2 two variance requests.

3 Variance Request Number 608 is for the
4 property located at 144 Eastern Boulevard, being
5 Parcel Number 5-16-320.110, submitted by Randolph
6 Soggs to allow a self-storage facility in a
7 commercial district. Variance Request Number 609
8 is for the property located at 165 Arsenal Street,
9 being Parcel Number 9-16-104.000, to allow an
10 accessory use in a front yard. Both hearings may
11 be adjourned, if necessary.

12 The meeting is open to the public.
13 Copies of the above request are available for
14 public inspection by contacting the planning
15 department. The phone number is given in this
16 notice, or you can contact
17 planning@watertown-ny.gov, dated July 7, 2025,
18 authored by Geoffrey Urda, Senior Planner.

19 Mr. Evans, I believe you had questions
20 you wanted to ...

21 MR. URDA: Before we get started, I think
22 we're going to go a little bit out of order with
23 the agenda.

24 CHAIRPERSON THOMAS: Yes.

25 MR. URDA: We will get to Variance

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1 Number 604 momentarily.

2 But with Variance Number 605 and 606, as
3 we have the applicant joining us remotely, as he's
4 been waiting patiently two months through County
5 review and planning commission we would get to
6 tonight, if the Board would entertain discussing
7 605 and 606 to lead off the meeting.

8 After that, we will move to everyone who
9 is here in person.

10 CHAIRPERSON THOMAS: Okay. So we'll
11 begin with Application Number 605, area variance to
12 increase the maximum unbuilt frontage. And we are
13 doing this differently this evening, so if you
14 would just please state your name for the record,
15 and then we'll go forward.

16 MR. MARSHALL: Yes. My name is Charles
17 Marshall. I'm the representative from Stewart
18 Shops.

19 CHAIRPERSON THOMAS: Okay. Good. Are
20 there further questions by board members?

21 MS. FARRELL: No, I don't have questions.

22 MR. EVANS: Not on this one, no.

23 CHAIRPERSON THOMAS: The planning
24 commission is the lead agency here so, therefore,
25 they will be --

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1 MR. URDA: They already did adopt a
2 negative declaration. They adopted it at their
3 last meeting, July 10th, six days ago. The County
4 reviewed this at its meeting in May. This board is
5 free to vote on both variances.

6 CHAIRPERSON THOMAS: And so we'll have to
7 have separate votes on each variance. And the
8 first one is area variance to increase the maximum
9 unbuilt frontage located at 319 Coffeen Street,
10 which is presently 229 Massey Street North and will
11 be 319 Coffeen Street, 327 Coffeen Street, and a
12 section of 203 Massey Street North.

13 Although variance request to increase the
14 maximum unbuilt frontage by the assemblage of a
15 parcel required for the Stewart's Shops rebuild is
16 including a new gas pump island and will utilize
17 several pumps. The site requiring an area variance
18 of 916.7 percent increase or 70 -- they only need
19 to use 70 feet of the 290-foot frontage, leaving
20 unbuilt frontage of 220 feet.

21 Although this is a substantial variance,
22 it would be difficult to achieve the desired
23 benefits by some other means. The gas pumps will
24 have a canopy, but it does not count as part of the
25 building frontage.

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1 Furthermore, the placements of the pumps
2 create a two-way drive-out arraignment. The
3 granting of this variance will not alter the
4 character of the neighborhood or be a detriment to
5 nearby properties. I do not view this as a
6 self-created hardship. It will be a vast
7 improvement for the Stewart's Shop, which has
8 enjoyed this location for many years.

9 Mr. Ruppe?

10 MR. RUPPE: I agree with everything you
11 just said.

12 CHAIRPERSON THOMAS: Mrs. Farrell, would
13 you like ...

14 MS. FARRELL: I second that. I agree.

15 CHAIRPERSON THOMAS: Mr. Corriveau?

16 MR. CORRIVEAU: It's okay with me.

17 CHAIRPERSON THOMAS: Okay. Very good.

18 So now we're going on to area --

19 Oh, sorry, Mr. Evans. I didn't mean to
20 leave you out.

21 MR. EVANS: And I agree also on this one.

22 MR. URDA: So five yes votes.

23 CHAIRPERSON THOMAS: Okay. Now we're
24 going to go on to Case Number 606.

25 I just had a question. I was reviewing

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1 the minutes, and it said in the area that you want
2 a 20 percent transparency, but on that north side
3 of the building, the front that faces Coffeen
4 Street, am I correct in assuming from the minutes
5 that you're using that space for refrigeration and
6 restrooms?

7 MR. MARSHALL: Sorry. I tried to un-mute
8 myself.

9 Yeah. So the -- I guess what ends up
10 being the most western side of the building is the
11 refrigeration and restroom side. So that's why we
12 were unable to add any transparency there.

13 CHAIRPERSON THOMAS: Okay. Thank you.

14 Okay. So we'll need, again, a separate
15 area variance vote to reduce --

16 MR. EVANS: I did have another question.

17 CHAIRPERSON THOMAS: Oh, sure. I'm
18 sorry.

19 MR. EVANS: I guess I was concerned
20 because it requires a 50 percent variance -- or
21 50 percent transparency --

22 MR. URDA: Yep. So --

23 MR. EVANS: -- in an urban mixed use, so
24 that's telling me 20 percent. So this would be --

25 MR. URDA: Urban mixed use requires 40 in

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1 the front now. That was actually amended in March.
2 There was a huge slate of amendments in March that,
3 although they're updated on the E-code, they
4 haven't made their way to the PDF yet.

5 So the reduction is from 40 percent to
6 20 percent. And in this case, the -- they're using
7 Coffeen Street as the front so that they can push
8 the building out towards the sidewalk within
9 12 feet like the zoning requires. So in the -- the
10 current Stewart's there has a Massey Street
11 address, but this will have a Coffeen Street
12 address.

13 So the Coffeen Street front, yeah, it
14 will be -- the requirement would have been 40. It
15 comes down to 20, and then the Massey Street side
16 will -- will meet it. It requires 25. It will
17 have 29.

18 MR. EVANS: I read the explanation, but I
19 still don't understand why they can't come closer
20 to the 40 percent, then. I thought it was 50,
21 but ...

22 MR. MARSHALL: We can't come closer to
23 the 40 percent because if we rotate the building
24 and the -- call it the western point remains the
25 same, we push the entrance closer to the

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1 intersection, and that's less desirable from an
2 overall planning perspective. So we actually went
3 through an iteration of that at the last meeting
4 where we showed why we couldn't rotate the
5 building.

6 MR. EVANS: And I read that in the
7 transcript. You seemed to have rotated the Flower
8 Avenue East Stewart's, so that's why I didn't
9 know -- you rotated towards Flower Avenue East and
10 not the --

11 MR. MARSHALL: No. The -- actually, the
12 orientation is the exact same in both instances.
13 The short side of the building is the -- the short
14 side of the building in both matters is actually on
15 the -- for lack of a better -- you know, it's
16 where -- it's the exact same orientation.

17 MR. EVANS: So where would the short side
18 of the building be, then? On the -- on the --

19 MR. MARSHALL: What?

20 MR. EVANS: Where would the short side of
21 the building be, facing Coffeen or facing Massey?

22 MR. MARSHALL: Coffeen.

23 MR. EVANS: Okay. So the same way it is
24 now, basically.

25 MR. MARSHALL: Yep. Yeah.

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1 MR. EVANS: Okay.

2 CHAIRPERSON THOMAS: Further questions?

3 MS. FARRELL: Uh-uh.

4 CHAIRPERSON THOMAS: Comments by the
5 planning department?

6 MR. URDA: (Shaking head side to side.)

7 CHAIRPERSON THOMAS: Very good, then.

8 We'll begin with the vote for area
9 variance to reduce the façade transparency.

10 Although the 40 percent transparency
11 requirement cannot be met on the north-facing
12 façade or front portion of the building and they're
13 requesting a 20 percent is significant; however, I
14 feel it will not alter the character of the
15 neighborhood. It will be difficult to achieve the
16 desired benefits by some other means.

17 This area of the building will house
18 refrigeration units and restrooms; therefore,
19 windows at these transparency requirements are not
20 feasible. There are no environmental impacts, and
21 I do not feel this is a self-created hardship.

22 I vote yes.

23 Mr. Ruppe?

24 MR. RUPPE: Again, I agree and also vote
25 yes.

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1 CHAIRPERSON THOMAS: Mrs. Farrell?

2 MS. FARRELL: I vote yes as well. I
3 think reengineering that Stewart's will make it a
4 lot easier to drive through than it is now.

5 CHAIRPERSON THOMAS: Mr. Corriveau?

6 MR. CORRIVEAU: Yes.

7 CHAIRPERSON THOMAS: And Mr. Evans?

8 MR. EVANS: No.

9 CHAIRPERSON THOMAS: Okay. Very good.
10 Thank you.

11 So there's one no vote and four yes
12 votes; therefore, your area variance has been
13 granted.

14 And, likewise, in the other vote, I
15 failed to mention, for the unbuilt frontage, that
16 is unanimous yes vote, five. And, therefore, your
17 area variance has been granted for that, too.

18 MR. MARSHALL: I appreciate the
19 consideration, especially not allowing me to -- or,
20 you know, not requiring me to drive out there and
21 back. I know that's a consideration, so thank you
22 for that.

23 And I appreciate the consideration on the
24 variances, and I'm sorry that we couldn't achieve
25 the one no vote, but we did several iterations and

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1 understand the difference.

2 But thank you-all very much and look
3 forward to another good project in the city.

4 CHAIRPERSON THOMAS: Thank you.

5 MR. URDA: Chuck, I'll get decision forms
6 out to you in the mail in the morning, but I'll
7 scan them to you, too, so you're not waiting on the
8 US mail.

9 MR. MARSHALL: Okay. Great. Thank you,
10 guys, all very much.

11 MR. URDA: Thanks for joining us.

12 MR. MARSHALL: Have a good night.

13 MR. URDA: You, too.

14 CHAIRPERSON THOMAS: Thank you.

15 So now we're backtracking to Case
16 Number 604. It's a use variance to allow multiunit
17 dwelling in a residential location for 510 Curtis
18 Street. Mr. Aladin Umar will present.

19 Please state your name for the record and
20 the address of your where you reside.

21 MR. UMAR: Yeah. My name -- is it on?
22 My name is Aladin -- my name is Aladin Umar, and
23 I'm the landlord of 510 Curtis Street. I was here
24 two months ago, so I'm happy to be back. And I
25 want to appreciate the board for opening my case

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1 while I was away at training. I appreciate it.
2 Thank you.

3 CHAIRPERSON THOMAS: Mr. Umar is -- we
4 did receive information that you sent to the city
5 about, especially regarding financial piece and
6 things that you needed to purchase for your home.

7 If you want or would like to go over that
8 or add additional pieces, you're very welcome to.

9 MR. UMAR: Thank you, sir.

10 Honorable members, I got this property in
11 2021. Do you want me to go over, like, just a
12 brief summary?

13 CHAIRPERSON THOMAS: Yeah. I think that
14 would be helpful.

15 MR. UMAR: Oh, okay. Thank you.

16 My name is Aladin Umar. I'm writing
17 respectfully, you know, to request the approval of
18 the use variance for my property situated at
19 510 Curtis Street. When I purchased the property,
20 I did so under the understanding that it was a
21 three-apartment building. My intentions was to
22 rent out the two units to help cover the mortgage
23 and maintenance and utility expenses.

24 Unfortunately, after finalizing the
25 purchase, I was informed by a friend -- he was

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1 supposed to be here, but he's running late -- that
2 property was legally classified only as a duplex.
3 This misunderstanding has had significant financial
4 consequences for me and my family.

5 An inability to realize a reasonable
6 return. Since the purchase of the property, I face
7 overwhelming financial hardship. Last year, we had
8 a major flood in my basement, cost extensive
9 damages leading to the replacement of water
10 heaters. And I just got back four days ago. I
11 guess there was a storm as well. Those two water
12 heaters, which, actually, were replaced around
13 earlier this year, I also had to buy new ones.
14 Also, I brought a receipt here. I bought two water
15 heater replacing it for the same flood issues.

16 Shortly after that, part of my roof had
17 additional water damage. My insurance company only
18 partially covered, you know, some of the expenses,
19 leaving me to finance the balance with my credit
20 card, which I'm struggling to still pay off.

21 Moreover, I had a tenant who fell behind
22 on rent nearly seven months and later vacated the
23 unit without notice or repayment, in addition to
24 the ongoing maintenance cost, mortgage payment, and
25 mostly utility bills.

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1 And I also got a letter from the city. I
2 have -- I didn't send that because I just got this.
3 So, apparently, when the tenant -- I was out
4 training. So, apparently, when the tenant moved
5 out, they left some of their stuff, like, on the
6 front. So I just found this, like, laying around
7 from the mail that the city's charging me \$729 for,
8 I think, moving their stuffs out of the porch of
9 the house.

10 The monthly utility bills are between 650
11 and about \$1,000. My financial situations has
12 become unsustainable. Without the ability to rent
13 the third existing unit, I cannot realize a
14 reasonable return to maintain the property and
15 avoid significant financial distress.

16 Hardship is -- is the hardship unique to
17 the property? The hardship is unique to the
18 property. The third unit, previously an old
19 garage, had already been remodeled into the
20 separate apartment by the prior owner before I
21 purchased the property. I made no modifications or
22 new constructions. This condition existed when I
23 bought the home.

24 A few properties in the neighborhood
25 share this unit situation, making my hardship

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1 distinct and not general to the area. No
2 alteration to the neighborhood character. Renting
3 this variance will not alter the essential
4 character of the neighborhood. The third unit is
5 already built and fully integrated into the
6 property. No physical changes or expansions or new
7 construction would take place.

8 Approving this application will simply
9 allow me to legally rent an already existing
10 apartment without impacting the looks, feel, or
11 density of the surrounding community.

12 Hardship is not -- the hardship is not
13 self-created. The hardship was not self-created.
14 I acted in good faith at the time of the purchase,
15 based on the information available to me. It was
16 only after the closing that I learned of the legal
17 classification issue. The additional hardships
18 from the flooding, tenant's default, and high
19 ongoing expenses were completely beyond my control.

20 Today, I serve in the US Army, and
21 although it is a great honor to serve, my income is
22 modest. My wife currently stays home full time to
23 care for our two young children, age eight and --
24 eight months and two years. We are a family of
25 four relying solely on my military income.

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1 Approval of this variance would provide critical
2 financial relief and stability for my family. The
3 rent is very difficult time.

4 I humbly request that you approve my
5 application, taking into consideration the
6 significant financial hardship, the unique
7 circumstances of my property, and the lack of
8 impact on the neighborhood, and the fact that my
9 hardship was not self-created. I'm simply seeking
10 the opportunity to legally rent an existing unit
11 and preserve my family's home.

12 God bless you for your time and service
13 to our community. Thank you.

14 CHAIRPERSON THOMAS: Questions?

15 You did state earlier that you were not
16 aware, when you purchased the property, that the
17 third apartment was not permitted and, if I am
18 correct, that the zoning ordinance was approved in
19 2023, which -- which states you're a residential
20 district, which now only allows for two units.

21 MR. EVANS: I had a question. I think,
22 if I read the transcript correct, you purchased the
23 property in 2021?

24 MR. UMAR: Yes. About 2021.

25 MR. EVANS: So prior to the rezoning,

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1 Geoff, would that have been allowed in 2021?

2 MR. UMAR: 2021.

3 MR. URDA: Joseph here will take it
4 quickly.

5 MR. ALBINUS: I'll double-check.

6 MR. URDA: It depends on what the
7 previous zoning was. If it was Resident C limited
8 or higher, it would have been, but the -- really,
9 what's at issue is that has been assessed as a two
10 in perpetuity. And it's been assessed as a two in
11 perpetuity, even if there was a third unit there,
12 it wasn't assessed as that, so it was always
13 classified as a two.

14 MR. EVANS: Got you.

15 CHAIRPERSON THOMAS: Now, that third unit
16 that you have -- request to have an apartment would
17 be a one-bedroom?

18 MR. UMAR: Yes, it's going to be a
19 one-bedroom and -- yeah, a full one-bedroom.
20 There's an extra room, like I explained at the last
21 board meeting. There's an extra room where it can
22 just be used for like probably a small space, like
23 storage, but it should be -- it's a one-bedroom.

24 CHAIRPERSON THOMAS: It's equipped with a
25 kitchen and so forth?

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1 MR. UMAR: Yeah. Kitchen, toilet, and
2 bedroom.

3 CHAIRPERSON THOMAS: When you were
4 looking at that house, say -- you know, I
5 understand the purchase was in 2021. When you were
6 there, was that -- was that an occupied
7 apartment -- do you recall? -- the third unit that
8 you're looking at?

9 MR. UMAR: No, it was not occupied. I
10 believe the previous owner had his wife doing day
11 care with it, so that's why they -- I believe
12 that's why they didn't have anyone in there.

13 CHAIRPERSON THOMAS: Mm-hmm.

14 Other questions?

15 MR. RUPPE: Yeah. New York State offers
16 grants for energy that can help you find ways to
17 reduce your utility bills. Is that something that
18 you're aware of and have looked into?

19 MR. UMAR: No, I've not, sir.

20 MR. RUPPE: I suggest you look it up at
21 New York State Energy Research & Development
22 Authority. It might help you.

23 MR. UMAR: Thank you, sir.

24 MS. FARRELL: It's through NYSERDA.
25 There's lots of different programs. And through

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1 those programs, you can get insulation, you can get
2 your house air sealed, you can sometimes get
3 upgrades to appliances. Like, I recently went
4 through a grant program that paid a portion of the
5 cost for a heat pump water heater for my house, and
6 I got insulation in my attic. So there's a bunch
7 of different programs.

8 There's also a program through Neighbors
9 of Watertown, which is income based, which will pay
10 for -- I think it's upgrades that bring houses up
11 to code. I know my neighbor just went through
12 that, and she got -- they got a new front door and
13 some new windows. So there are lots of programs
14 around in the area that might also be of assistance
15 to you.

16 MR. UMAR: Yeah. Thank you very much. I
17 didn't know that.

18 CHAIRPERSON THOMAS: Neighbors of
19 Watertown might be a good place to start because
20 then they could look at all the different kinds of
21 programs that might be available for you --

22 MR. UMAR: Okay.

23 CHAIRPERSON THOMAS: -- including, you
24 know, energy assistance. And that's only going up.

25 Other questions?

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1 City's position?

2 MR. ALBINUS: We hold no position.

3 CHAIRPERSON THOMAS: Were there any calls
4 or comments on this variance request since it's
5 been a couple of months?

6 MR. ALBINUS: No calls or requests.

7 CHAIRPERSON THOMAS: Thank you.

8 So then we'll need to go through and do
9 the Short Environmental Assessment Part 2 form, and
10 if you'll just answer yes or no, and then we'll
11 proceed to vote. Okay? Then we'll close the
12 hearing and then begin the vote.

13 Will the proposed action create a
14 material conflict with an adopted land use plan or
15 zoning regulations? No.

16 MS. FARRELL: No.

17 CHAIRPERSON THOMAS: Will the proposed
18 action result in a change in the use or intensity
19 of use of land?

20 MR. EVANS: No.

21 CHAIRPERSON THOMAS: Will the proposed
22 action impair the character or quality of the
23 existing community? No.

24 MS. FARRELL: No.

25 CHAIRPERSON THOMAS: Will the proposed

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1 action have an impact of the environmental
2 characteristics that cause the establishment of a
3 Critical Environmental Area (CEA)? No.

4 Will the proposed action result in an
5 adverse change in the existing level of traffic or
6 affect existing infrastructure for mass transit,
7 biking, or walkway? No.

8 MS. FARRELL: No.

9 CHAIRPERSON THOMAS: Will the proposed
10 action cause an increase in the use of energy and
11 it fails to incorporate reasonably available energy
12 conservation, renewable energy opportunities?

13 MR. EVANS: No.

14 CHAIRPERSON THOMAS: No.

15 MS. FARRELL: No.

16 CHAIRPERSON THOMAS: Will the proposed
17 action impact existing public/private water
18 supplies? No.

19 MR. EVANS: No.

20 CHAIRPERSON THOMAS: B, public/private
21 water -- wastewater treatment utilities?

22 MS. FARRELL: No.

23 MR. EVANS: No.

24 CHAIRPERSON THOMAS: Will the proposed
25 action impair the character or quality of important

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1 historic, archaeological, architectural, or
2 aesthetic resources?

3 MS. FARRELL: No.

4 MR. EVANS: No.

5 CHAIRPERSON THOMAS: No.

6 Will the proposed action result in an
7 adverse change to natural resources? Example,
8 wetlands, waterbodies, groundwater, air quality,
9 flora and fauna?

10 MS. FARRELL: No.

11 CHAIRPERSON THOMAS: No.

12 MR. EVANS: No.

13 CHAIRPERSON THOMAS: Will the proposed
14 action result in an increase in the potential for
15 erosion, flooding, or drainage problems? No.

16 Will the proposed action create a hazard
17 to environmental resources or human health?

18 MS. FARRELL: No.

19 CHAIRPERSON THOMAS: No.

20 Okay. I just need a moment. I'll find
21 my script. Well, I would just ask that you -- in
22 this short form environmental impact, I'm making a
23 motion that there are no environmental impacts.

24 And may I have a motion to second that?

25 MS. FARRELL: I second it.

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1 CHAIRPERSON THOMAS: And all in favor?

2 MR. EVANS: Aye.

3 MS. FARRELL: Aye.

4 MR. URDA: If you need it for the record,
5 it's a motion to make a negative declaration
6 pursuant to the requirements of SEQRA.

7 CHAIRPERSON THOMAS: Thank you.

8 Okay. So we'll begin with the voting
9 process for Curtis Street, and I believe that --
10 again, we're kind of backtracking here -- is
11 Number 604, use variance request to allow multiunit
12 dwelling in a residential district, 510 Curtis
13 Street.

14 Several expense items were listed by
15 Mr. Umar and require that the applicant cannot
16 yield a reasonable return from any permitted use
17 and zoning. I calculated approximately \$7,700 or
18 more. But then, today, you were also mentioning
19 there's some roof damage, and you have to replace
20 water heaters and so forth because of a recent --
21 I'm assuming that's from that storm --

22 MR. UMAR: The storm, yeah.

23 CHAIRPERSON THOMAS: -- that occurred in
24 June. So those are, again, added expenses.

25 But it's my opinion that the property

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1 still can maintain a reasonable return because
2 those expenses don't add up to the cost of the --
3 of the property. We also keep in mind their annual
4 taxes and other things that just come up, including
5 utility costs.

6 However, I do not feel that the granting
7 of this variance will alter the essential character
8 of the neighborhood. This home was purchased 2021.
9 The updated zoning amendments were approved in
10 2023, labeling that Curtis Street being
11 residential. The homeowner realized this after the
12 purchase, so, therefore, I do not feel it is a
13 self-created hardship and is requesting that third
14 apartment.

15 There are homes on the western side of
16 Curtis that do present that density of three
17 apartments, but not so on the east side. But then
18 there are more -- there are other developments,
19 apartment complexes that are nearby, so I do not
20 feel the granting of the variance will present
21 adversity for the neighborhood or neighbors, and I,
22 therefore, vote yes to the requested variance --
23 use variance for 510 Curtis Street.

24 Mr. Ruppe?

25 MR. RUPPE: Yeah. You have demonstrated

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1 that you're unable to show a reasonable return on
2 your investment, and it's going to be very
3 difficult when you have an existing structure like
4 that that's already been modified to make any value
5 of that without a variance. So I do think that you
6 have made that requirement and that, yes, the
7 hardship is also unique, and it won't alter the
8 essential character of the neighborhood because, as
9 Mr. Thomas said, there are already several
10 buildings nearby like that.

11 And I do think you could have looked up
12 the legal -- the legal classification of the
13 property before purchasing it, but you're still not
14 responsible for the other statement of the -- of
15 the property.

16 So I think you've made the requirement
17 and, therefore, I vote yes as well.

18 CHAIRPERSON THOMAS: Very good. Thank
19 you.

20 Mrs. Farrell?

21 MS. FARRELL: I agree with everything
22 Adam said. I also vote yes.

23 CHAIRPERSON THOMAS: Mr. Corriveau?

24 MR. CORRIVEAU: Yes.

25 MR. EVANS: Yes. I'll make it unanimous.

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1 CHAIRPERSON THOMAS: So we have five yes
2 votes. Your use variance has been granted for that
3 third apartment, and you'll need to speak with City
4 Planning about the follow-up pieces for the permit
5 processes.

6 MR. UMAR: Thank you so much, honorable
7 members of the board. This means a lot for me and
8 my family, so I appreciate you guys, so thank you.

9 CHAIRPERSON THOMAS: Well, thank you for
10 serving. It's a hard job.

11 MR. UMAR: Thank you. Thank you.

12 CHAIRPERSON THOMAS: Okay. Moving right
13 along ...

14 MR. ALBINUS: And I'll be in touch with
15 you tomorrow with the letter.

16 MR. UMAR: Okay. Thank you, sir.

17 MR. EVANS: Good luck.

18 CHAIRPERSON THOMAS: We're going on to
19 Case Number 608, use variance to allow a
20 self-storage facility in a commercial district. I
21 remind board members that we are not able to vote
22 on this until there's a County review, which will
23 be, I believe, on the last Tuesday of July, but we
24 can entertain questions.

25 MR. SOGGS: Good evening. How are you?

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1 My name is Randy Soggs, and I really rarely need a
2 microphone for people to hear me. But I appreciate
3 having the opportunity to make a presentation
4 before you relative to a use variance.

5 I gave everybody a copy of a consultant's
6 analysis that I had done relative to this project.
7 The property is currently zoned commercial. It's
8 used -- this is 144 Eastern Boulevard. This is the
9 shopping center that sits over there (indicating).

10 Just the ability to make any sort of
11 return or even break even on retail property in the
12 current market, not only in Watertown, but
13 throughout much of the US, is -- is incredibly
14 difficult or nonexistent. You know, when you --
15 when you drive around, things have just --
16 unfortunately, the world has changed.

17 And I remember when I bought this
18 property 20 years ago, and I was able to put
19 packets in and it was able to be full at the same
20 time everything on Arsenal Street was full and the
21 mall was doing well and retail was still -- was
22 still surviving. And, unfortunately, the retail,
23 particularly for what would be a secondary or
24 tertiary location as 144 Eastern Boulevard is, is
25 really horrible.

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1 We have -- and as you're seeing in the
2 report, I've retained a broker for the last two
3 years. We've gone out -- and it's not that we
4 don't try to solicit people in order to come in.
5 It's just there isn't a market. There aren't
6 people. And whatever happens when you have a
7 compression in the number of tenants or a pullback,
8 people could step up in class. So a tenant that
9 might have been -- I might have had a chance to get
10 on the east side of town can now go on Arsenal
11 Street in a location that has higher traffic and
12 better demographics than what I can offer them.

13 I know the report is rather voluminous
14 and rather long. It makes an effort -- and I won't
15 read it for you because I don't want to bore
16 everybody that badly tonight. But I did put
17 together just a little memo that I wrote today,
18 just talking about a couple of the tenants and a
19 couple of the problems that you have.

20 The little memo is kind of freestanding
21 on the front. And, basically, if you read it --
22 and it gives three examples of three tenants that
23 I've recently put in the property and the lack of
24 economic viability of them. We've spent more on
25 build-out on one of the tenants than they were

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1 paying me in the term of their lease, but I have to
2 have them in there because I have to have a certain
3 amount of activity or the entire property will
4 cascade down into difficulty.

5 Right now, once we lose the tenant that's
6 in liquidation, we're going to be a little over
7 40 percent vacant, which is not even close. When
8 you combine that with the fact that my operational
9 cost alone -- taxes, insurance, utilities, and
10 maintenance -- cost me about \$3 a foot for the
11 building, or roughly \$275,000 a year. This is
12 without any guest service. This is without
13 anything. I can't -- half the tenants -- and I've
14 listed in your brochure, you know, all my tenants
15 and what they're paying in rent. I don't -- you
16 know, we struggle to even just keep up with those
17 pieces, so that's why we look to need to use the --
18 we're really applying for the use variance.

19 I understand the barrier of a use
20 variance. I actually sat on a zoning board of
21 appeals for a decade, so I've kind of been around
22 it a little bit.

23 I'm not sure -- and as I was sitting
24 there, I'm not sure when self-storage was no longer
25 a permitted use, and I'm going to have to do

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1 some -- before our next meeting, I will definitely
2 do some research to determine that.

3 Geoff, do you know?

4 MR. URDA: Yeah, I can tell you -- at
5 least I can tell you, the city adopted its current
6 zoning ordinance in February of 2023. The previous
7 zoning ordinance dated to 1959, so this was the
8 first rewrite in just over 60 years.

9 MR. SOGGS: Okay.

10 MR. URDA: So the use table that's in
11 here dates to February of 2023. I can't comment
12 right now on -- I'm assuming this was zoned
13 commercial in the old zoning, but I don't want to
14 say that on the record and then be wrong.

15 MR. SOGGS: Again, we'll go through and
16 make sure that we both substantiate the position.
17 And I honestly don't know what the answer is there.

18 But I do know that I've looked at this
19 possibility since 2013. I started with
20 conversations with Mike Lumbis at that time about
21 doing it, and I think it was a special permit, but,
22 again, that's a recollection that's suspect, at
23 best.

24 Anyway, we've had just about every type
25 of tenant that's possible to get there. We have a

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1 broker, who works full time at Pavia Real Estate,
2 trying to market the property, in addition that I
3 use other folks. But, unfortunately, there isn't a
4 market out there.

5 Zoning laws always have kind of been this
6 wonderful macro approach that we go in and we set
7 up from, you know -- from airplane height. We kind
8 of create neighbors and create uses. But the
9 zoning board of appeals is what is there to buffer
10 against the arbitrary nature of zoning in its -- in
11 any capacity. Zoning always needs to be -- zoning
12 is inherently inflexible, so the board allows it to
13 have flexibility within -- within an operation and
14 within reality and within a reasonableness for
15 people.

16 I paid \$3 million for this property in
17 2005. It's not worth \$3 million anymore. I know
18 that. I know I can't make a reasonable return
19 relative to exactly what I put into it. But the
20 return that I'm able to generate right now requires
21 me paying for the opportunity of ownership and
22 that's because there -- if I can bring self-storage
23 into the facility, I can bring in revenue.

24 I had a study done relative to the market
25 and the need, and it's there. So I can bring that

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1 in. I can stabilize the property. I can pay the
2 bills and keep it maintained; otherwise, we're just
3 continuing robbing Peter to pay Paul to keep up.

4 If you would like any further detail, and
5 I know that Staff hasn't had a chance to read
6 anything because I just finished it today, so I'm
7 happy to answer any questions or, rather, any
8 concerns anyone might have.

9 CHAIRPERSON THOMAS: The hardware store,
10 I understand, is closing soon.

11 MR. SOGGS: Yes.

12 CHAIRPERSON THOMAS: Now, Real Deals just
13 closed.

14 MR. SOGGS: I'm well aware,
15 unfortunately, sir. Yeah. And Real Deals went
16 away, and this is part of what's happening. It's
17 the same thing with the hardware store. Real Deals
18 basically bought overruns and out-of-date things
19 and a lot of cheap crap from China, and that
20 business just disappeared for an ability to ship it
21 here and sell it for under a dollar. So he had to
22 buy it for under a quarter, which is Real Deals'
23 market, and that business is gone.

24 Dollar Tree, as you know when you go in
25 there, which used to be a 99-cent store, is now

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1 like a 5.99-cent store or something. You know, the
2 ability for some of these retailers to survive just
3 doesn't exist, and the fact that the market isn't
4 strong enough locally to support the number of
5 shopping centers that exist here, if you look, even
6 what is probably considered the premier shopping
7 center in town, the Watertown -- and it's in the
8 town, not in the city. But just across the Towne
9 Center there where Target and Dicks, those guys
10 are, even that's got vacancy, and that's always
11 been, really, the premier location since it was
12 constructed for retail in Watertown.

13 You know, I look at the mall, and I see
14 that Hobby Lobby has gone in, which is a great
15 store and wonderful that they are a notorious
16 low-paying second- or third-generation user. They
17 don't go in up front, and that's always a sign when
18 you see -- it's like when you see a karate studio,
19 you know that people were getting a little
20 concerned, and we're willing to put just about
21 anyone in.

22 In this property, I've done skating
23 rinks. I've done gyms. I've done barbershops,
24 churches. There really isn't a part of the market
25 that we haven't tried to meet and we haven't

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1 solicited and gone after. But there's only so much
2 I can do when I can't -- when I'm restricted by the
3 current zoning law, and I need to absorb some of
4 this space that can't be absorbed by retail by
5 using self-storage, because it allows me to
6 maintain the property, maintain traffic flow, which
7 is critical in retail in order to do it.

8 So that's my long-winded, and I apologize
9 if too long-winded, of a description.

10 MR. EVANS: I've got a couple of
11 questions.

12 So if I'm understanding correctly when I
13 looked at it -- when I went over there and looked
14 at it, it looks like it was the old Veteran's
15 Administration portion and once -- once State
16 Street Hardware leaves the Real Deals location,
17 that location will add those together into one --

18 MR. SOGGS: It's actually three -- it's
19 actually three stores. There was a gym that's been
20 vacant for three years that sits in between the VA
21 that's been vacant for three years and the
22 soon-to-be vacant former Real Deals.

23 MR. EVANS: So how many self-storage
24 units do you believe you'll maybe do?

25 MR. SOGGS: I don't know that. I don't

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1 know those numbers because those numbers won't be
2 created until they're designed, and they won't be
3 designed until I have a consultant do the second
4 step of the analysis. And that second step, I
5 don't -- I won't do until after I have a use
6 variance because I've got to spend ten grand to do
7 the second step, and I don't want to go spend the
8 time -- I don't want to spend the money on getting
9 that analysis done if I -- if it's dead on arrival
10 here.

11 MR. EVANS: If you get the use variance,
12 then, is this a definite go-ahead in your mind?

13 MR. SOGGS: If I get the use variance, am
14 I planning on doing the project? 100 percent.

15 Now, are there always question marks?
16 Sure. I don't know -- you know, we had budgets
17 based on projected cost and that sort of thing, but
18 I don't know. There was a little tariff on copper
19 the other day that may impact things. And I
20 don't -- I mean that being a little facetious, but
21 at the same time, our economy is at an interesting
22 condition right now, and it's in a state of flux,
23 particularly when you're looking for raw -- for
24 materials to do construction.

25 I -- I am a developer by trade, and I

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1 also am in the solar business, sorry to say, right
2 now that, you know, that industry just went from
3 "We couldn't get enough going on" to "I don't think
4 it's going to exist in two years."

5 CHAIRPERSON THOMAS: Solar?

6 MR. SOGGS: Solar, yeah.

7 CHAIRPERSON THOMAS: You know, the other
8 piece, too, I think we should keep in mind, the
9 population of our city is declining. It's down to
10 just above 24,000. I've been around for a long
11 time. I remember when it was well above 30,000.

12 MR. SOGGS: Yeah. And that has an
13 impact. And Fort Drum pulling more into themselves
14 than being in the city over the last few years with
15 the additional housing they've built and that sort
16 of stuff has an impact, and they're all pieces.

17 I find it amazing that this -- that this
18 country can't get enough self-storage. We all
19 collect so much junk. We need to go out and find a
20 place to keep it, you know.

21 But, again, in a perfect world, I don't
22 want to be here. I don't want to have this
23 conversation. I want pure retail like I had it.
24 Unfortunately, that market doesn't exist to allow
25 me to make any sort of return under the current

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1 zoning law.

2 CHAIRPERSON THOMAS: Have you
3 conceptually thought about -- I'm sure you have --
4 about how these self-storage facilities might work?
5 Because, to me, having it inside of an interior
6 building is new concept. You always see them, you
7 know, out on the highway.

8 MR. SOGGS: Actually, the way most of the
9 climatized stuff is done now is in a building.
10 I've put a -- or the consultant has put in here, in
11 that exciting packet, an article on the conversion
12 of retail to self-storage, and that's being done.

13 I spend part of my year in Florida, and I
14 can tell you, there, that all the self-storagers
15 are in buildings. They're in block buildings, and
16 you have hallways, and the doors are inside.

17 I live in Utica. The U-Haul just did a
18 big one of that in a giant warehouse, putting
19 multi-storage in.

20 MS. FARRELL: I remember when I lived in
21 Syracuse, there was a self-storage building. It
22 was a U-Haul one. It was in an old, brick
23 warehouse.

24 MR. SOGGS: Yeah.

25 MS. FARRELL: And I think, in all

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1 honesty, I would prefer to self-storage inside than
2 have it sprawling on the side of every county
3 highway, you know, and I think, honestly, that
4 looks nicer, but ...

5 MR. SOGGS: Yeah. There's definitely --
6 the aesthetic of a metal building is something to
7 be desired.

8 MR. EVANS: Well, it's interesting -- in
9 a large city scene, too, when you're driving along
10 or riding along, you'll see glass buildings that
11 have self-storage units in them, and they always --
12 and they can go, you know, 10, 15 stories high.
13 Sometimes, it's kind of interesting, that part.

14 But yours is only going to be one story,
15 I'm assuming.

16 MR. SOGGS: Yeah. I mean, I would be
17 really exited if I had to come back and say, "We're
18 so full. We need to add on." I don't foresee that
19 happening.

20 MS. FARRELL: But --

21 CHAIRPERSON THOMAS: That would be good
22 for the city.

23 MR. SOGGS: That is a first world
24 problem.

25 MS. FARRELL: But you believe that adding

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1 the interior self-storage units would make the rest
2 of that facility sustainable?

3 MR. SOGGS: Yes. Yes. Because what it
4 gives me is an anchor. You know, just in retail,
5 typically, you want -- you don't necessarily make
6 money on the anchor, but it's constant and it comes
7 in and you don't have to worry about it. If I own
8 it and I own the center, I can turn the business,
9 particularly if I'm -- if there's a market.

10 Now, is it possible that everything falls
11 apart and the consultants I've hired were full of
12 bologna? Yeah. That's business risk, but I don't
13 think it's probable.

14 CHAIRPERSON THOMAS: How old is that
15 building or plaza that you own?

16 MR. SOGGS: Well, let's see. Michael
17 Falcone of Pyramid and Pioneer fame did the deal in
18 1972 as the original construction.

19 What do you guys got?

20 MR. URDA: 1972.

21 MR. SOGGS: Okay.

22 MR. EVANS: Ding, ding, ding.

23 CHAIRPERSON THOMAS: I mean, do you
24 anticipate having to do, you know, renovations, for
25 instance, to the roof or ...

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1 MR. SOGGS: Well, no, because the roofs
2 are watertight, so that's not an issue relative to
3 that. And what you're really building is just
4 inside the shell, so it's going to just be on four
5 walls. I don't know -- my guess -- my -- there
6 would be nothing on the front, except for entrances
7 that look like retail entrances that you'd come in.
8 I may have a couple on the back that are overhead
9 doors, but, again, that's not going to impact any
10 visual for anybody, except the kids tagging the
11 back of the building.

12 MR. EVANS: Now, my understanding is we
13 can't act on this tonight, right, Geoff, or ...

14 MR. ALBINUS: Correct. It still needs to
15 undergo County review.

16 MR. EVANS: Got you.

17 MR. SOGGS: And the -- Staff was very
18 thoughtful. They asked me originally to wait till
19 August to come in because they wanted to have a
20 chance to review the documents, and I had agreed
21 with them, if you would just let me show up today
22 to kind of at least kick the ball for the first
23 time, I'll come back in August and, you know,
24 wouldn't expect it -- because use variances require
25 deliberations for there to be, you know, an

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1 instantaneous answer.

2 MS. FARRELL: Would it be like a
3 self-help kind of self-storage, or would there be a
4 staff person there?

5 MR. SOGGS: You know, again, I don't
6 know, and it isn't something that I plan on
7 running. There's third-party management companies
8 that do that, and I don't need to make all the
9 mistakes they've already made. I just assume pay
10 them and move on.

11 MR. RUPPE: Is it possible to make
12 pedestrian access to the building a little bit
13 easier for the East Hills Apartments? I can
14 imagine tenants just walking directly over to the
15 back door and maybe using that.

16 MR. SOGGS: No. Because that's where all
17 my taggers come from and where the kids who ride
18 skateboards on the roof and, for a while, were up
19 there slashing it with knives. We'd go up there
20 and, "How is that leaking? We just put a new roof
21 in." And you'd go up and there would be these --
22 you know, someone would go up and just decide they
23 want to cut it.

24 MR. RUPPE: I see.

25 MR. SOGGS: So I actually try and keep a

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1 little buffer for the folks there. It's not that
2 they don't shop there. It's not that they're not
3 part of the -- you know, the mix. But if -- you
4 know, for them to have just -- there is a gate for
5 them to just come continually in. It gets -- it
6 leads to other things. It leads to them parking
7 their cars in my parking lot, and then that leads
8 to a problem in that you're plowing snow and you've
9 got somebody's car and you have no idea who it is
10 and you can't tow it and you can't bury it in snow,
11 which is what I would have done if I was plowing,
12 but ...

13 MR. CORRIVEAU: Hey, Geoff. There's a
14 reference, I think, in the use table -- I don't
15 have it in front of me here -- that refers to
16 supplemental regulations for self-storage.

17 Does that ring a bell?

18 MR. URDA: So I'm on page 22, and under
19 F, industrial, there's storage yard and
20 self-storage facility are considered separate uses.
21 The storage yard is allowed only in industrial, and
22 self-storage facility is allowed in planned campus
23 and industrial. I don't know if -- I can pull it
24 up on the screen.

25 MR. CORRIVEAU: Somewheres in the code,

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1 there was a reference to supplemental regulations,
2 and I don't know if that's something that --

3 MR. URDA: Oh, it might have been in
4 the -- I'm willing to bet it's going to be in the
5 waterfront.

6 MR. ALBINUS: Yeah. What, in the
7 waterfront-related district?

8 MR. URDA: So this is the regular section
9 of the use table, and here are the industrial uses.
10 Self-storage facility -- oh, he's talking about
11 right here, the extra supplemental regulations.

12 MR. EVANS: Page 66, I think he's talking
13 about.

14 MR. CORRIVEAU: No.

15 That was it right there, Geoff. Those
16 Xs, who do those refer to?

17 MR. URDA: So Lance is absolutely
18 correct. They refer to the fact that there are
19 supplemental regulations for such a use, which is
20 basically a reference to the supplemental
21 regulation section, which is Article 7 here and
22 begins on that page that Lance said, 56.

23 MR. EVANS: 66.

24 MR. URDA: 66 is probably where the
25 self-storage one is.

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1 MR. EVANS: It's only a paragraph, and it
2 talks about landscape buffering in a residential
3 district, so ...

4 MR. URDA: All lot lines abutting or
5 adjacent to the residential district shall be
6 screened on such a side by a landscape buffer that
7 may consist of evergreen trees and shrubs, a berm,
8 or a 6-foot tight board fence or combination
9 thereof. Such buffer shall be adequate to shield
10 headlights, noise, and uncontrolled access from
11 adjoining properties. No such landscape buffer
12 shall block the sight line distance for ingress and
13 egress to the property.

14 So I don't think that's really going to
15 apply here because I believe -- I don't believe
16 this abuts any residential districts, but I'll
17 call the map back up.

18 MR. SOGGS: What is the -- what's the
19 apartments right there?

20 MR. URDA: I'm sure those are planned
21 campus.

22 MR. SOGGS: Okay.

23 MR. URDA: We'll find out here in a
24 second, and if I'm wrong, I'll eat some crow,
25 but ...

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1 Yeah, that's planned campus. There's a
2 residential district here, but that is -- that's
3 shielded by all those woods, so ...

4 MR. SOGGS: It's got buffering.

5 MR. URDA: So, yeah, that's -- and then,
6 here, this is zoned residential, but that's across
7 the street, so that's not consider abutting.

8 So that supplemental regulation would
9 only come into play if you were going to build your
10 self-storage facility back here (indicating).

11 MR. CORRIVEAU: Thanks.

12 MR. URDA: Yep. No problem.

13 MR. EVANS: Now, Mr. Soggs, are you --
14 are you just -- you're just the owner of the plaza.
15 You're not the owner of the Save A Lot?

16 MR. SOGGS: No. I sold the Save A Lot.
17 So I own -- I own this piece right here
18 (indicating). That includes the credit union,
19 which -- everybody want to say it with me -- is
20 leaving.

21 MR. EVANS: Is leaving.

22 MR. SOGGS: Yeah. They bought the
23 Walgreens across the street.

24 MS. FARRELL: Oh, did they?

25 MR. SOGGS: Yeah.

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1 MS. FARRELL: That's good.

2 MR. EVANS: So not the -- not --

3 MR. SOGGS: Not this, no.

4 MR. EVANS: And not the car wash?

5 MR. SOGGS: No. That's Precision car
6 wash. That's a special -- that's a -- I think
7 that's Davidson family.

8 MR. EVANS: Okay. Thanks.

9 MR. SOGGS: Any other questions for me?

10 CHAIRPERSON THOMAS: This is quite
11 thorough and helpful and the questioning, I think,
12 added to our ability to understand the variance
13 request, which will be heard hopefully the third
14 week of Wednesday in August, which is --

15 Is that the --

16 MR. ALBINUS: The 20th.

17 CHAIRPERSON THOMAS: We meet on the third
18 Wednesday of the month. And by then, there will be
19 the County review, so we should have that.

20 MR. SOGGS: Right. But the County review
21 is your 239.

22 MR. URDA: Yeah, that's 239.

23 MR. SOGGS: And it's a nonbinding unless
24 they -- what is it, unanimous or four-fifths vote?

25 MR. URDA: There is a 99.999 percent

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1 likelihood they're going to adopt a motion finding
2 that this is of local concern only. If they come
3 to any other conclusion, Joseph or myself will be
4 in touch.

5 MR. SOGGS: Okay. No, I mean, I just --
6 I've never had the county say anything on any
7 project I've done in 35 years, so it's -- it's kind
8 of crazy.

9 So thank you for your time.

10 MR. URDA: So for the benefit of the
11 applicant, as you -- as the board members read this
12 over in the coming weeks, if there are any
13 questions that arise, I would say please feel free
14 to send them to Mr. Albinus, and then he could
15 forward them to Mr. Soggs.

16 MR. EVANS: Okay.

17 CHAIRPERSON THOMAS: We'll need to have a
18 motion to keep this public hearing open and then
19 we'll do the --

20 MR. EVANS: So moved.

21 MR. CORRIVEAU: Second.

22 CHAIRPERSON THOMAS: All in favor?

23 MR. EVANS: Aye.

24 MS. FARRELL: Aye.

25 MR. RUPPE: Aye.

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1 CHAIRPERSON THOMAS: Very good.

2 MR. SOGGS: Thank you. Have a nice
3 night.

4 MR. ALBINUS: You as well.

5 MS. FARRELL: You as well.

6 CHAIRPERSON THOMAS: We are now going on
7 to Use Variance Number 609 to allow an accessory
8 use in the front yard.

9 And the applicant, would you -- is from
10 ALDI's representing --

11 MR. McINTYRE: Well, my name's Geoffrey
12 McIntyre. I work for MasTec Network Solutions. We
13 are hired by a company called Mid-Cour to install
14 EV charging stations at ALDI's parking lots across
15 the state.

16 CHAIRPERSON THOMAS: Okay. Thank you.

17 MR. McINTYRE: So we're trying to get one
18 installed at the Arsenal Street. I brought a
19 couple of photos, just to get an idea of what we're
20 installing. I don't know if you can share.

21 So we're installing these three units at
22 the front of the property, and this is more towards
23 the back of the store, so you don't have to worry
24 about ...

25 Installing these three units at the front

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1 of the property, and this will be more towards the
2 back of the store.

3 Originally, we were rejected on the
4 zoning based on the location being at the front.
5 We were asked if we could go to the side or the
6 back of the property, which we really can't do
7 because National Grid has no way of getting us
8 power to those locations without doing any massive
9 upgrade to their grid, which they're not even going
10 to entertain.

11 MR. EVANS: I guess I'm confused because
12 that's not what your -- your application showed at
13 the corner of Haney Street. This is not going to
14 be the corner of Haney Street?

15 MR. URDA: This is Haney Street right
16 here (indicating).

17 MR. EVANS: Right.

18 MR. URDA: And this is Arsenal.

19 MR. EVANS: But based on the photos he's
20 showing, this is not the corner of Haney or ...

21 MR. MCINTYRE: Well, that's -- that's
22 Pulaski. Sorry. I should have said that. That's
23 our -- we installed that at Pulaski.

24 MR. EVANS: Oh, okay. So this is what
25 you're -- that's the picture that --

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1 MR. MCINTYRE: Yeah.

2 MR. EVANS: -- you want to install.

3 MR. MCINTYRE: Yeah. So the two cabinets
4 that you see on the picture on the left would be
5 where the blue-and-white squares are. Speaking
6 with Geoff, I guess that's not a possibility, so I
7 would suggest moving those to the first parking
8 spot and then moving the two chargers down one
9 spot.

10 MR. URDA: So, to clarify his point
11 there, besides just the relief from the section
12 that prohibits accessory structures in front yards,
13 there's also a sight triangle regulation that I
14 reference in my report.

15 And I'm going to draw a very rough --
16 forgive me if this isn't exact, but the sight
17 triangle would approximate that. I don't know why
18 this measuring box is so big.

19 And the -- nothing over 3 feet is allowed
20 in that sight triangle, and that's for turning
21 movements and vehicular safety. If anyone has
22 ever -- yeah.

23 But even if he were to move them out of
24 the sight triangle, you know, to the chargers here
25 and then the cabinets here, they'd still be in the

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1 front yard (indicating). The front yard is the
2 front face of the building extrapolated to the
3 sidelines. So in that sense, the use variance is
4 still there.

5 MS. FARRELL: So the charging stations
6 right now are in that line of sight triangle?

7 MR. URDA: Everything here would be in
8 the line of sight triangle at the moment
9 (indicating).

10 MS. FARRELL: And it's not possible to
11 get it out of the line of sight triangle?

12 MR. URDA: I think he can get it out --
13 he can get it out, but even getting it out of
14 the -- this variance is not for the line of sight
15 triangle. This variance is to put accessory
16 structures in front yards. The line of sight
17 triangle came up in my review of this application
18 as a separate section of code that the --

19 MR. McINTYRE: So we could even move
20 these two power cabinets to here and then move
21 these two over to here and keep the transformer
22 back by the building, if that's -- I would have to
23 get new drawings made up, but ...

24 CHAIRPERSON THOMAS: But then you would
25 still be faced with having to prove the accessory

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1 structure in a front yard, even if you were to move
2 that.

3 MR. URDA: That's correct. Yeah.
4 They're two completely separate sections of code.
5 You know, the first one is what the variance is
6 for, and then the second one, again, was something
7 I discovered during my review.

8 MS. FARRELL: But shifting them would get
9 you out of the line of sight triangle, which I
10 think would improve the safety of them.

11 CHAIRPERSON THOMAS: And I don't believe
12 there's a traffic light on Haney -- the corner of
13 Haney and Arsenal Street. It's just a stop sign.

14 MR. MCINTYRE: Yeah, I think it's a stop
15 sign.

16 CHAIRPERSON THOMAS: I was looking the
17 other day.

18 But, still, even if it is on the line of
19 sight, as you stated before, you have to prove that
20 piece of requirement for a use variance in a front
21 yard.

22 MR. URDA: No signal. It's a stop sign.

23 MR. CORRIVEAU: Geoff, how do you draw
24 that triangle? Is it the two lanes that are
25 parallel to the streets of the property lines and

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1 what the city owns versus the private owner, and
2 then you draw the diagonal, come back 40 feet each
3 way and draw the diagonal? Is that --

4 MR. URDA: Correct. The triangle is the
5 hypotenuse, in essence, of the end of those two
6 40 foot legs.

7 MR. CORRIVEAU: Those legs were drawn
8 right on the property boundary.

9 MR. URDA: Measured from a point at the
10 inter- -- measured starting from a point located at
11 the intersection of the two street lines to the
12 points, such lines a distance from 40 feet from
13 their intersection and along connecting such
14 points. So the way this is worded, I would say,
15 unfortunately, leaves it up to some interpretation
16 and probably could be written to be more specific.

17 But planning and engineering have always
18 taken those street lines to mean the edge of the
19 right-of-way, as is drawn here.

20 MR. CORRIVEAU: Okay.

21 MR. URDA: But your point is very well
22 taken, that that could be written in a way less
23 open to interpretation.

24 MR. CORRIVEAU: My first looking at it
25 and thinking about it, is it the sidewalk? Is it

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1 the edge of the asphalt? Is it the travel lane,
2 stuff that's coming down the street, obviously.

3 The property line is pretty much a clear
4 line of demarcation, if that's what it's supposed
5 to be. But, again, the wording, as you say, is not
6 the clearest. But I don't think it's an important
7 element to this whole discussion, for sure. I
8 mean, it's a busy street, Arsenal Street, and, you
9 know, that whole business of that triangle, my
10 recollection was it's all geared towards fences and
11 hedges and sight lines of intersections, for good
12 reason.

13 MR. URDA: Absolutely. Without --

14 MR. CORRIVEAU: Yeah.

15 MR. URDA: Without putting a specific
16 address into the transcript, everyone probably is
17 familiar with an intersection about two blocks west
18 of this building where it is difficult to make a
19 right or a left or even go straight due to --

20 MR. CORRIVEAU: Yeah. To this day, it's
21 a problem. And, of course, these charging stations
22 are new on the scene, relatively speaking, from the
23 history of all that, but present the same issue.

24 CHAIRPERSON THOMAS: Is it on a corner
25 such as this --

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1 MR. URDA: Correct.

2 CHAIRPERSON THOMAS: -- that you can't
3 exceed 3 feet in height?

4 MR. URDA: Correct. The title of that
5 line of code is visibility at corners. But, again,
6 I would stress to the board, the variance in front
7 of you right now is a use variance for accessory
8 structures in the front yard. It sounds like the
9 applicant is amenable to moving everything out of
10 the sight triangle.

11 You know, if -- if there was no other way
12 to construct them, rather than in the sight
13 triangle, that would be an area variance, but it
14 would be given the safety measures, you know,
15 behind that code, a very difficult area variance to
16 prove.

17 MR. RUPPE: The zoning ordinance defines
18 an accessory structure as being a structure. A
19 structure is defined as any object constructed,
20 installed, or placed on the land or connected to a
21 shoreline, such as an antenna, building, sign,
22 tank, fence, pole, pool, wind turbine, or any
23 fixtures, additions, and alterations thereto.
24 Construction must be more than 6 inches above grade
25 or in excess of 100 square feet in gross floor area

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1 or over 100 feet in height to be considered a
2 structure.

3 Is this in excess of 100 square feet?

4 MR. ALBINUS: I think it's in A.

5 MR. URDA: No. I'm going down to the
6 definition of "structure." It's right here.

7 Well, the key here is the "or." It is
8 more than 6 inches above grade, and it does require
9 a building permit to install. And so our code
10 enforcement department, since it is issuing a
11 building permit for them, and since it meets this
12 above grade, has determined them to be structures.

13 For the past five, six years, even before
14 the adoption of this code, anything like this does
15 require a building permit -- or even before the
16 adoption of current zoning ordinance, I should say.
17 The determination was that it meets the definition
18 of a structure. And everyone that's installed one
19 to this point in time has had to get a building
20 permit there, too.

21 MR. RUPPE: Thank you for your input.

22 Thank you.

23 CHAIRPERSON THOMAS: The piece here,
24 because it is a use variance, would be that they
25 would -- I know it's an expensive project, just

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1 based upon --

2 MR. MCINTYRE: Yes.

3 CHAIRPERSON THOMAS: -- what was said.

4 Mr. Urda, would that be the information
5 that should be provided in the dollars-and-cents
6 figures or not realizing a reasonable return on the
7 property? Because, let's face it, ALDI's does well
8 over there.

9 MR. URDA: I think one thing that would
10 be worth noting is that if this were a new parking
11 lot, it would actually be required to install EV
12 chargers because you need one EV charging station
13 with two ports per every 30 spaces you construct in
14 new construction. So if this were actually a new
15 lot, it would be required to install EV charges
16 somewhere. It's grandfathered without them, but I
17 feel that is somewhat relevant to their case.

18 As far as how the applicant would prove
19 the financial piece, I think to -- to have them be
20 legal, they would have -- the EV charging stations
21 would have to be in these spaces over here, and
22 I -- I personally don't know what the cost is of
23 running electricity from the right-of-way to these
24 spaces, but my suspicion is it would be quite
25 expensive to lay that much underground cable of the

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1 excavation, cable itself, and then the repaving
2 over the top. I think a figure such as that would
3 greatly assist the board in --

4 MR. MCINTYRE: So that -- I don't know if
5 I could get that for you because National Grid pays
6 that portion of the project, and they're not very
7 forthcoming with stuff like that. I don't even
8 think they would spend the time to put a dollar
9 amount to it. They would just can the project and
10 walk away at that point.

11 MR. CORRIVEAU: How much is the value of
12 the overall project investment?

13 MR. MCINTYRE: So the equipment itself is
14 probably a half million dollars, physical
15 construction is around 75,000. What National Grid
16 does on their end, I couldn't tell you because,
17 again, they don't really have to answer to us with
18 that.

19 MR. CORRIVEAU: And when does their
20 construction end?

21 MR. MCINTYRE: They are installing the
22 transformer, the wiring from the transformer to the
23 pole, and if they have to install any additional
24 poles because theirs are maxed out, then they're
25 installing that as well, so it's sizable.

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1 MR. CORRIVEAU: And that's a good size
2 piece of --

3 MR. McINTYRE: \$100,000 probably, easily,
4 just for this install alone, maybe.

5 MR. CORRIVEAU: And the rest of it is
6 financed by ALDI or only certain dollars in this or
7 someone else?

8 MR. McINTYRE: So ALDIs is paying us to
9 do the job, but National Grid is giving them some
10 kind of a rebate through some government program
11 that's going on. I don't understand that too much
12 of it.

13 MR. CORRIVEAU: Yeah. And National
14 Grid --

15 MR. McINTYRE: It's well above anything
16 I've got going on.

17 MR. CORRIVEAU: On National Grid's
18 website, it talks about up to 100 percent
19 reimbursement for --

20 MR. McINTYRE: Yeah. It's some kind of
21 program like that, but it's well above anything
22 that technically concerns me.

23 MR. CORRIVEAU: I was just curious as to
24 how many killable hours you've got to sell at 35,
25 40 cents each --

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1 MR. MCINTYRE: Yeah. It's ...

2 MR. CORRIVEAU: -- does it take to
3 recover half-a-million-dollar, upfront
4 investment --

5 MR. MCINTYRE: Yeah. It's a lot of money
6 to recoup.

7 MR. CORRIVEAU: Yeah.

8 MR. MCINTYRE: So to try to get it in the
9 middle of that parking lot, it's not even worth
10 doing.

11 MR. CORRIVEAU: Well, you know, I was out
12 there today and could see the power line National
13 Grid wants to tap into it and put the transformer
14 alongside Haney Street and all that, but never in
15 line with the three-phase line, and they want to
16 come down.

17 MR. MCINTYRE: I think they upgraded the
18 pole. So if you span this way, that pole right
19 there is brand-new.

20 MR. CORRIVEAU: Yep.

21 MR. MCINTYRE: They put that in for us
22 about -- I think in the springtime in anticipation
23 for this to be --

24 MR. CORRIVEAU: Yeah. But the power
25 line's right there, and it's a three-phase primary

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1 line.

2 Can you go back to the overall view of
3 the parking lot, Geoff?

4 There's also an overhead three-phase line
5 on the right side of that picture, right along
6 those -- along those trees. It services the retail
7 facility on that side, whatever that may be. I
8 don't know. But it's right there.

9 MR. McINTYRE: Yeah.

10 MR. CORRIVEAU: So if you wanted to put
11 all these chargers on the east side of the parking
12 lot, there is a power source there.

13 MR. McINTYRE: I think Google can take
14 you right into that parking lot or ...

15 MR. CORRIVEAU: Yeah. You can see it
16 come across right there. There's a three-phase
17 line with overhead bank that feeds that little
18 building, whatever it may be.

19 MR. EVANS: Community Bank.

20 MR. CORRIVEAU: Community Bank.

21 It's just across the grass. You know, it
22 might be an extra 50 feet or something.

23 So I know National Grid can be a
24 challenge and they want to do things their way, but
25 there is power on both sides of ALDI's property.

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1 MS. FARRELL: But you would still have to
2 run a line much farther distance to get into the
3 parking lot.

4 MR. MCINTYRE: Yeah. There would be at
5 least a couple poles that would have to be set and
6 transformers along the way and then our ground
7 transformer in the end. And walking it with them,
8 they basically said, "This is where you can go,"
9 and that was our only option.

10 MR. URDA: That comes out to about
11 112 feet right there.

12 MR. MCINTYRE: Right. Compared to
13 10 feet on the other side.

14 MS. FARRELL: It would be helpful if
15 National Grid would provide some justification for
16 their thought process because --

17 MR. MCINTYRE: I can request it.

18 MS. FARRELL: Yeah.

19 MR. EVANS: Geoff, this isn't a required
20 thing, though, right now because they are not a new
21 build; correct?

22 MR. URDA: Correct. Right now, the
23 parking lot as it is is completely legal. The EV
24 charging station requirement for parking is for new
25 parking builds.

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1 MR. EVANS: Okay.

2 MR. URDA: So this -- this would enjoy,
3 at the moment, legal nonconforming, or
4 grandfathered is the common term or status.

5 But if this were, say, undeveloped,
6 virgin land right now and you were going to build
7 this exact development, then they would need the
8 ability to put in the EV stations somewhere because
9 of the -- or keep it to 29 spaces or less.

10 CHAIRPERSON THOMAS: And there are, did I
11 hear, three EV stations that are going to be at the
12 east side of the parking lot?

13 MR. McINTYRE: There's two stations with
14 four plugs, so it will be four spots, four parking
15 spots.

16 MR. CORRIVEAU: Geoff, how do we go about
17 it? We would approve this tonight for the
18 variances here --

19 MR. URDA: Just --

20 MS. FARRELL: We can't.

21 MR. URDA: You can't because this also
22 requires County review because of the presence to
23 Arsenal Street. But go ahead with the question.

24 MR. CORRIVEAU: Hypothetically getting
25 past that, how do we approve this use variance and

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1 conditioned upon submission of a variance to deal
2 with the triangle?

3 MR. URDA: Well, I think you would
4 condition it upon not placing any of these
5 structures in the triangle.

6 MR. CORRIVEAU: Within the triangle.

7 MR. URDA: Yeah.

8 MR. CORRIVEAU: Okay.

9 MR. McINTYRE: Yeah. We can move it
10 wherever, technically. Just let me know, you know,
11 whatever works and I can make it -- I can request
12 the move, and just once I get approval, I'll
13 resubmit the prints to you and ...

14 CHAIRPERSON THOMAS: How many -- you
15 would need two in the front -- are you requesting
16 outside of that triangle?

17 MR. McINTYRE: So the blue and the white
18 are the power cabinets, and those can either go
19 into a parking spot or move them back by the
20 building. The two yellow dots are the chargers
21 themselves. Those have to go up front in the spot,
22 so ...

23 CHAIRPERSON THOMAS: Okay.

24 MR. McINTYRE: The cabinets can go either
25 way. I would rather have them closer to the

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1 chargers, that way it's all together. Plus, if we
2 ever have to service it, if you put them by the
3 building and it's wintertime, you've got to dig it
4 all out. The parking lot, it's easy to get to it.

5 MR. URDA: Hypothetically -- again, it's
6 strange for Staff to ask a question, but if you
7 were move the whole operation -- the cabinets and
8 the chargers -- a little bit to the east, you know,
9 would ALDIs really care that they would lose a
10 couple sparking spots?

11 I mean, you could plant grass potentially
12 here, put these in the grass outside the sight
13 triangle, move the chargers east. I would venture
14 to say ALDIs has so much parking, they wouldn't
15 really miss those spaces.

16 MR. McINTYRE: The only thing with that
17 area is I believe that's their online pickup area.

18 MR. EVANS: Yeah, that's their online
19 pickup.

20 MR. URDA: Got you.

21 MR. McINTYRE: I don't want to move it
22 too far down. We already have to move it down a
23 few spaces. I don't want to go too far with it,
24 but ...

25 MR. URDA: I see the door here

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1 (indicating).

2 MR. MCINTYRE: Yeah.

3 MR. EVANS: But there's no requirement
4 that ALDIs even do this, so ...

5 MR. CORRIVEAU: Why --

6 I didn't mean to interrupt.

7 Why is ALDIs doing all this?

8 MR. EVANS: Yeah.

9 MR. MCINTYRE: That, I don't know.

10 MR. CORRIVEAU: I mean, I don't own an
11 electric car. But I like to see chargers at the
12 hotels for when you spend the night after traveling
13 and you've got to charge your car up. But to go
14 and buy groceries for 15, 20 minutes doesn't seem
15 like it would be a typical charging scenario,
16 but ...

17 MR. MCINTYRE: Yeah. I know that they're
18 in high demand. The spots that we've already
19 started installing them at, there's a lot of
20 interest from people stopping by, asking questions.

21 I was trying to update one the other day,
22 and some guy started coming up and pushing buttons
23 and interrupting the process, so I had to run over
24 and stop him.

25 So there's a lot of interest in getting

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1 these installed, a lot of use, potentially. I
2 think that they see it as a money making
3 opportunity for themselves and a way to get more
4 customers to their stores, so ...

5 MR. CORRIVEAU: Yeah. There was a lot of
6 public money involved, too, whether it's from the
7 state or National Grid passing it on to --

8 MR. McINTYRE: Yeah. I know there's a
9 rebate through National Grid. I just don't have
10 any kind of details on it. It's well outside my
11 realm of understanding. I'm just charged with
12 getting these built, and that's where I try to keep
13 it.

14 MR. ALBINUS: As someone who goes to
15 ALDI's semi-frequently, I noticed a higher
16 percentage of electric or hybrid vehicles there
17 than I have at other -- like at Walmart or Target.

18 MR. CORRIVEAU: Just one other thing.
19 Looking at your drawings and all that, it's very
20 well-detailed, but that's a pretty robust average
21 kit, the size of that transformer, the size of the
22 K-1, and the size of these cabinets to convert to
23 DC and all that. This is not wiring a little
24 garage or something.

25 MR. McINTYRE: It's -- I believe it's

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1 250 watts per plug.

2 MR. CORRIVEAU: Yeah. That's quite a big
3 power, a big wire.

4 MR. McINTYRE: Yeah. They're Level 2
5 fast chargers, I think.

6 CHAIRPERSON THOMAS: A lot of information
7 to digest.

8 Do you feel -- do you understand what we
9 probably need as board members regarding the use
10 variance request piece for -- you know, if you have
11 some figures that would identify what the cost of
12 this project would be, that would be most helpful.

13 MR. McINTYRE: Yeah. I'd have to -- I
14 could request that from National Grid and my
15 higher-ups.

16 MS. FARRELL: Yeah. National Grid should
17 be able to provide justification. They do for
18 other projects --

19 MR. McINTYRE: Okay.

20 MS. FARRELL: -- I've worked with.

21 MR. URDA: Do you have a copy of the
22 report I sent you?

23 MR. McINTYRE: Yes.

24 MR. URDA: So it might help if you look
25 at page 2 of our report, there's the four hardship

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1 tests to have in italics, and I feel like the board
2 is really looking for Number 1. I think there's
3 been less discussion about 2, 3, and 4, but
4 Number 1, they are -- that financial evidence is
5 what the board's really looking for.

6 MR. MCINTYRE: Yeah.

7 MR. URDA: And I think everyone up here
8 is somewhat sympathetic to National Grid's opacity,
9 but anything that you might be able to offer them,
10 I think, would assist their deliberations.

11 MR. MCINTYRE: Yep. I'll ask questions
12 and --

13 MR. EVANS: I mean, unless I
14 misunderstand it, though, I think Number 4 is also
15 germane, too. It's: Is the hardship self-created?
16 I mean, if they don't this, obviously, there's no
17 hardship, but ...

18 MR. MCINTYRE: Well, the grid being what
19 it is currently, I didn't create that. We didn't
20 create that, I guess, is my answer so that, but ...

21 CHAIRPERSON THOMAS: But I think what
22 you're alluding to is ALDI does not have to --

23 MR. EVANS: Yeah, they don't have.

24 MR. MCINTYRE: Yeah, they don't have to.
25 They want to.

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1 MR. URDA: Correct. And, again, all I
2 can really say -- and it doesn't necessarily
3 directly relate to Number 4, but as we discussed,
4 if this were being built from scratch, it would be
5 a requirement, but ALDIs enjoys the legality of
6 having been built under the former zoning
7 ordinance.

8 MR. RUPPE: But if it was being built
9 from scratch, they could move the parking spaces
10 behind the side of the building.

11 MR. EVANS: So if they moved that over
12 the way they said it -- the way he's saying now,
13 would that take care of the sight triangle issue?

14 MR. URDA: Yes.

15 MR. EVANS: All right. So then they
16 wouldn't have to worry about a variance for that.

17 MR. URDA: No. No. They wouldn't need
18 to worry about one for that.

19 MR. McINTYRE: It's just the height
20 that's issue.

21 MR. URDA: Right. It's the height within
22 the -- unless -- there's a 3-foot height threshold,
23 and I know it from reading in your application, the
24 chargers are a little over 6 feet high.

25 MR. McINTYRE: Yeah. In -- if --

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1 MR. URDA: Unless there was a way to bury
2 them half into the ground, it's --

3 MR. MCINTYRE: Yeah. Lay them on their
4 side.

5 MR. URDA: And I would say that would --
6 trying to get a variance to build up within that
7 triangle would be a far more difficult piece of
8 code to seek relief from than just the accessory
9 structure in the front yard piece.

10 I mean, the reasoning behind that bit of
11 code is, generally, accessory structures, for the
12 last century, have been sheds, detached garages,
13 aboveground swimming pools, and the like. EV
14 chargers are a relatively new thing, but they do
15 happen to meet our definition of structure.

16 MR. MCINTYRE: Right.

17 MR. URDA: But the ruling to that line of
18 code is, if ALDI's wanted to build a detached
19 storage shed outside and put it in the front, we'd
20 say, no, you would have to put that in the side or
21 the back.

22 MR. CORRIVEAU: When it comes to the
23 heighth of the kit, you know, the cabinets, the
24 white and the blue rectangles there, they're even
25 taller. They're pushing 8 feet tall. And so being

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1 inside the triangle is a real thing.

2 MS. FARRELL: Mm-hmm.

3 MR. EVANS: So, again, this has to go to
4 the County first, which is the end of this month --

5 MR. URDA: Yep.

6 MR. EVANS: -- and then back again in
7 August?

8 MR. URDA: Yep. The County planning
9 board will hear this on the final Tuesday of the
10 Monday, which I believe is the 29th.

11 MR. CORRIVEAU: Yep.

12 MR. EVANS: It is.

13 MR. URDA: And as I mentioned in the last
14 case, I'm 99.999 percent; although, not
15 100 percent, chance that they will adopt a motion
16 finding that it is of local concern only.

17 CHAIRPERSON THOMAS: Further questions?

18 Do you feel --

19 When do you want that updated
20 information, Mr. Urda?

21 MR. URDA: To get it to the board -- all
22 right. We're going to go to the cell phone.

23 The agenda would get mailed out to you
24 digitally on August 8th. I would say August 6th,
25 if that's realistic.

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1 MR. MCINTYRE: Okay.

2 MR. URDA: Wednesday, August 6th. That's
3 three weeks from tonight, so ...

4 MR. MCINTYRE: Okay.

5 CHAIRPERSON THOMAS: If there are no
6 further questions, may I have a motion to keep the
7 public hearing open, and then we will make that
8 final --

9 MS. FARRELL: I'll make the motion to
10 keep the meeting open.

11 MR. EVANS: Second.

12 CHAIRPERSON THOMAS: All in favor?

13 MS. FARRELL: Aye.

14 MR. EVANS: Aye.

15 MR. URDA: And if you have any questions
16 in the meantime, Geoff, just call or give me an
17 email. Please don't hesitate to reach out.

18 MR. MCINTYRE: Okay. I'll do that. All
19 set?

20 MR. URDA: Yep. You're all set.

21 CHAIRPERSON THOMAS: And the last on --
22 Number 6 is a memorandum from city code enforcement
23 regarding the calculation of signage area, which I
24 believe came up at our last zoning board meeting.
25 And we've all had that chance to read that, I hope.

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1 MR. URDA: So this is from City Code
2 Enforcement Supervisor Dana Aikins. As requested
3 by the board at the last meeting, I asked Mr.
4 Aikins to draft for you a memorandum on he and his
5 department interpret sign square footage and the
6 computation of sign surface area.

7 Mr. Aikins was unable to attend tonight,
8 but he and I spoke for about a half an hour, 45
9 minutes this afternoon in advance of this meeting.

10 So if there's any questions about what
11 he's written to you, I can do my best to answer
12 them or to forward any further questions to him
13 tomorrow.

14 CHAIRPERSON THOMAS: The diagrams were
15 helpful.

16 MS. FARRELL: Yeah, they were.

17 CHAIRPERSON THOMAS: They really -- I
18 thought it clearly explained the intent of the
19 signage ordinance.

20 MR. CORRIVEAU: I find it helpful, too.
21 I mean, I'm the guy that asked for it, so ...

22 MR. URDA: Mr. Aikins was very emphatic
23 when he talked about the integral part of the
24 display. And in each case -- I know this is on its
25 side, but in each case, his calculation was based

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1 on his determination of the integral part of the
2 display, and that's what he really wanted to
3 emphasize when I talked to him earlier.

4 MR. CORRIVEAU: Yep. You want to scroll
5 down to the Burlington one?

6 MR. URDA: Sure.

7 MR. CORRIVEAU: Yeah. The existing
8 signage fit into that whole package we're looking
9 at, you know, and the existing signage has the
10 little "wow" and the other "deals" and "brands" as
11 part of the signage that was on the parking lot
12 side existing?

13 MR. URDA: This was -- the one I took
14 here was the one facing 81.

15 MR. CORRIVEAU: That's the new one --

16 MR. URDA: Yep. Yep.

17 MR. CORRIVEAU: -- which was up for
18 discussion. But when the variance came forward --
19 and you've got to take all of their signs and add
20 them together to say, whatever it was, there's so
21 many square feet.

22 MR. URDA: I can't speak for him because
23 he's not here. But I can tell you, if I were
24 making the determination, the "wow" and -- what's
25 the other word on that?

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1 MS. FARRELL: Deals.

2 MR. CORRIVEAU: Deals and --

3 MR. URDA: Deals and -- yeah, I would
4 consider that to be integral, personally.

5 MR. CORRIVEAU: I would, too.

6 MS. FARRELL: Yeah.

7 MR. CORRIVEAU: But his writing is clear
8 enough going forward as to how he wants to do.

9 MR. URDA: Okay.

10 MS. FARRELL: In that case, though, if
11 you have "wow" there, would you have to make the
12 whole polygon around Burlington bigger to encompass
13 the "wow," or would the "wow" become its own --

14 MR. CORRIVEAU: No.

15 MR. URDA: Can you hold it up again?

16 MR. CORRIVEAU: No. His language is
17 clear. It's one continuous line --

18 MR. URDA: One continuous line. So I
19 think --

20 MR. CORRIVEAU: -- to encompass "wow"
21 and --

22 MR. URDA: I think, yeah, the continuous
23 line would encompass "deals" and "wow" in that
24 event.

25 MR. CORRIVEAU: Yep. Yep. I think so,

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1 too.

2 MR. URDA: I think another example that
3 he and I talked about -- and this is a little
4 older, but we kind of took it as if it were being
5 built today -- and if I can find it, I think it's
6 right here. I was hoping for Google to tell me
7 Goodyear.

8 So this Goodyear sign -- so, yeah, the
9 continuous line would have to go down to encompass
10 the boot around, and the continuous line would have
11 to go up to encompass the wing. They don't get
12 just the lettering.

13 Like, here's a case where it's sort of
14 like the first example with Jrecks or Burlington
15 with the capital and lower case letters. It's a
16 continuous line and it's an integral part. But,
17 yeah, you can't break the continuous line.

18 MR. CORRIVEAU: Yeah.

19 MR. URDA: It's ...

20 MR. CORRIVEAU: Which is more signs, I'm
21 sure.

22 CHAIRPERSON THOMAS: Thank you.

23 Further questions?

24 May I have a motion to adjourn the
25 meeting?

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1 MR. CORRIVEAU: So moved.

2 MR. RUPPE: Second.

3 CHAIRPERSON THOMAS: All in favor?

4 MS. FARRELL: Aye.

5 MR. RUPPE: Aye.

6 MR. EVANS: Aye.

7 CHAIRPERSON THOMAS: Thank you.

8 *(Proceedings concluded.)*

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REPORTER'S CERTIFICATE

I, TIFFANY-JO K. PONCE, RPR, Court Reporter
and Notary Public in and for the State of New York, do
hereby certify:

That the sworn testimony and/or proceedings, a
transcript of which is attached, was given before me at
the time and place stated therein; that the witness was
duly sworn or affirmed to testify to the truth; that the
testimony and/or proceedings were stenographically
recorded by me and transcribed under my supervision.

That the foregoing transcript contains a full,
true, and accurate record of all the testimony and/or
proceedings held on July 16, 2025.

That I am in no way related to any party to
the matter, nor to any counsel, nor do I have any
financial interest in the event of the cause.

WITNESS MY HAND this 6 day of August, 2025.



TIFFANY-JO K. PONCE, RPR
Court Reporter

TIFFANY-JO PONCE
Court Reporter