

**OLD METAIRIE COMMISSION (OMC) MINUTES
PUBLIC HEARING
September 1st, 2022 9:00 a.m.**

In Attendance

Old Metairie Commission Members	Present	Absent
Thomas McAlister, Chair	√	
David Webber, Vice-Chair	√	
Dr. Monica Monica	√	
Peter Waring	√	
Adele Lafaye		√

Planning Department

Shane Yokum, Zoning Administrator
Cinthya Chacon, Typist Clerk III
Carrie MacKay, Planner II

Others

Hanlon deVerges, Sr. Asst. Parish Attorney
Rick Hollier, Inspection and Code Enforcement

Mr. McAlister, Chairman, introduced himself, other members of the Commission, and the Parish staff.

The Old Metairie Commission (OMC) conducted the September 1st, 2022 Public Hearing at the Joseph S. Yenni Building in the Council Chambers, located on the 2nd Floor, 1221 Elmwood Park Blvd., Jefferson, LA 70123. Mr. McAlister proceeded to the agenda and opened the meeting at 9:02 a.m.

OM-11-22 235 Friedrichs Ave., A request to place a generator in the required corner side yard, on Lot 27-A, Fairview Court Subdivision, Jefferson Parish, LA, bounded by Fairview Court (Private Street), Orpheum Ave., and Avenue E, zoned R-1B Suburban Residential/ OMNCD Old Metairie Neighborhood Conservation District. (Council District 5)

Ms. MacKay reported the findings of the case: The Planning Department recommends the following:

Approval for the following reasons:

- The location in the corner side yard will not impact abutting properties.

- The proposed location is within an already fenced portion of the corner side yard providing screening for the generator.

Mr. McAlister opened the floor for the applicant/representative to speak.

Tara Buonagura, property owner at 235 Friedrichs Ave., stated she and her husband work as first responders for Jefferson Parish. Ms. Buonagura stated for Hurricane Ida they evacuated to the Northshore and were working to replace glass in vehicles, homes and buildings. Mr. Buonagura stated she asked her husband exactly why they didn't have a generator. Ms. Buonagura stated this had been a long process trying to acquire one and get approved. Ms. Buonagura stated she decided to place the generator on that side of the house because it is concealed, it's away from her neighbors, all of her gas and electrical hookups are all right there. Ms. Buonagura added if you're familiar with her house you would know that she would never put anything that was not esthetically pleasing because she takes quite a lot of pride in her gardening and the way her house looks.

Mr. McAlister opened the floor for any proponents to speak. There were none.

Mr. McAlister opened the floor for any opponents to speak. There were none.

Mr. McAlister opened the floor for comments from the commissioners.

Mr. Waring asked how often test cycle does Ms. Buonagura plans on this generator? Mr. Waring added it's typically once a week.

Ms. Buonagura stated whatever is required. Ms. Buonagura stated she was told to check it monthly.

Mr. Waring stated weekly is better. If they can run for an hour a week, that's the preferred approach to them to make sure that they're functional and operational when you need them. Mr. Waring stated he would be very sensible of her neighbors when they do select a time.

Ms. Buonagura stated she's very friendly with her neighbors and she has actually invited them to come over and see where she was placing the generator, letting everybody know what was happening. Ms. Buonagura stated they did have questions with all of the signs in front of her house, but they're all very aware and whenever they do lose power, everyone's generators are on. Ms. Buonagura stated there have been some of her neighbors testing their generators and she's personally never been bothered by it, but she will be taking that into consideration and will be testing at a time that is convenient to everybody.

Mr. Waring stated the only other real concern is carbon monoxide. Mr. Waring asked Ms. Buonagura if they had carbon monoxide detectors?

Ms. Buonagura stated they do. She added she had somebody from safety board come out and check and make sure it was an appropriate place. She stated she does not have any operable windows in the area, distance from the house, enough footage on each side.

Mr. Waring stated he just wanted to make sure she was in full compliance with the manufacturer's instructions and with the parish's enhanced requirements.

Dr. Monica asked if somebody could remind her on the fenced-in part which is the side yard? What was the previous when this house was built?

Ms. MacKay stated the house had been built in a docket number from 2000 and the fence was approved in a separate docket in 2001.

Dr. Monica asked if there was anything inside the fence?

Ms. MacKay stated no, it was just approval for the fence.

There was a small discussion between the commissioners regarding when the fencing had been approved.

Mr. Webber stated she just wanted to let the commissioners know he had met with the applicant and their neighbors last night, and he added it is the best place, they do not offend the neighbors, the people across the street who are most affected are aware and acknowledge that. Mr. Webber stated it is a pretty good location because it is behind some vines.

Commissioners agreed.

There was a small discussion between the commissioners about the pros and cons about possibly consider placing the generator on the roof.

Mr. MacAlister stated his personal opinion is although he's not inclined to being in support of these variances, he's much more flexible when it comes to generators particularly after the fact that when these houses were built, these kinds of technology really didn't exist and it is a quality of life issue for them and the neighborhood. And regarding Ms. Buonagura, Mr. MacAlister stated he has no issue with its placement, it's the logical place, there's really no other good spot in the yard to put it. Mr. MacAlister stated his only concern was its proximity to the house itself and whether that's a carbon monoxide issue.

Ms. Buonagura stated they came and double-checked all that. And the French doors are not operable.

Mr. Hollier stated starting somewhere around February of this year, all generators, the building department does an onsite inspection for code compliances for all generators. Mr. Hollier stated hers was done and she's in a good location.

Dr. Monica asked if the neighbor on the other side have a generator?

Ms. Buonagura stated he does not. Ms. Buonagura stated he's been trying to put one in but he's been having trouble finding where to put it because all of his windows are operable.

There was a small discussion between the commissioners regarding Ms. Buonagura’s neighbor trying to place a generator. Ms. Buonagura added when he received the letter with the notice of public hearing he emailed her husband twice questioning. Ms. Buonagura stated she actually took him over to her house and showed him where she’s putting it.

Mr. MacAlister stated where she places the generator, as long as it complies with code for the proximity to the house, it’s the best place to put the generator.

Mr. Waring added it looks like she has climbing Asiatic Jasmines on those fences, he suggested he keeps those Jasmines trimmed closely so it still ventilates.

Mr. Buonagura stated she has a weekly gardener who takes care of that.

Mr. Waring made a motion to recommend approval on OM-11-22 for a variance to allow a generator to be placed at 6.0 ft. 2 in. from the side property line instead of the required 10 ft. Mr. Webber seconded the motion.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Thomas McAlister, Chair	√		
David Webber, Vice-Chair	√		
Dr. Monica Monica	√		
Peter Waring	√		
Adele Lafaye			√

The ayes have it by a vote of 4 to 0 With 1 absent. Motion of approval approved.

Minutes

Dr. Monica was not in attendance on the May 5th, 2022 OMC Meeting. The June 2nd, 2022 meeting minutes show she motioned to adopt the May 5, 2022 OMC minutes. Mr. Webber was not in attendance on the June 2nd, 2022 OMC Meeting. The August 4th, 2022 meeting minutes show he motioned to adopt the June 2nd, 2022 OMC minutes. Let the record reflect they are unable to motion to adopt due to their absence on the May 5th, 2022 and June 2nd, 2022 OMC Meeting.

Mr. Waring made a motion to adopt May 5, 2022 minutes. Seconded by Mr. Webber.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Thomas McAlister, Chair	√			
David Webber, Vice-Chair	√			
Dr. Monica Monica				√
Peter Waring	√			

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Adele Lafaye			√	

The ayes have it by a vote of 3 to 0 With 1 absent and 1 abstain. Motion of approval approved.

Dr. Monica made a motion to adopt June 2, 2022 minutes. Seconded by Mr. MacAlister.

Ms. Chacon called the roll on the motion:

<u>OMC Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Thomas McAlister, Chair	√			
David Webber, Vice-Chair				√
Dr. Monica Monica	√			
Peter Waring	√			
Adele Lafaye			√	

The ayes have it by a vote of 3 to 0 With 1 absent and 1 abstain. Motion of approval approved.

Adoption of the August 4, 2022 minutes have been deferred to the October 13th, 2022 OMC meeting.

Administrative Approvals & Follow-up of previous cases.

There were no administrative approvals.

Mr. Yokum followed-up on previous cases:

OM-10-22 574 Woodvine Ave., A request to construct a new dwelling, garage, pool, and cabana with variances to the setback requirements for a private detached garage located in front of the principal structure, a legislative exception to the OMNCD massing angle regulations, and the installation of mechanical equipment on Lot 14, Square P, Metairie Club Gardens Subdivision, Jefferson Parish, Louisiana, bounded by Metairie Golf Club & Golf Course and Falcon Rd., zoned R-1D Rural Residential/ OMNCD Old Metairie Neighborhood Conservation District.
(Council District 5)

Mr. Yokum stated the applicant withdrew from BZA. The applicant has submitted two plans. With the first one they noticed the primary house has shifted a couple of inches. Mr. Yokum stated the garage has been removed, now they're just showing the footprint of the primary dwelling and to Planning Department's knowledge, that's all they're going to do now. Mr. Yokum stated it is unknown if in the future there will be another petition with the garage showing somewhere else on the site.

Planning: Approval
OMC: Mixed 8/4/2022
BZA: Withdrew from BZA

Mr. MacAlister asked if there were any additional business to come before the commission. There were none.

Dr. Monica made a motion to adjourn. Seconded by Mr. Waring. Meeting adjourned at 9:24 am.