

**Zoning Board of Appeals
Meeting Minutes
One Court Plaza
November 27, 2017**

Present: J. Wright, S. Sutton, L. Natoli, C. Birch, Jr., R. Genung

Alternates:

Absent: B. Natoli, E. Morano

Staff: Amy Donnison, Jason Lawrence

I. Call to Order

Chairperson J. Wright called the meeting to order at 7:15 PM. Chairperson J. Wright stated that the Zoning Board of Appeals is made up of volunteer members. In order to approve a request, 4 yes votes are required. (If the County 239 committee denies the request, the ZBA must have a majority plus 1, or 5 votes in order to approve.) The ZBA has up to 62 days to make a decision. All evidence must be presented during the hearing, don't assume the board knows anything. The ZBA does not write nor can it change the Zoning or Sign Ordinance. The Common Council has the authority to change the Zoning and Sign Ordinance. In the granting or denying of variances and special permits, the ZBA must substantiate the reasons for such granting or denial. A decision by the ZBA may be appealed to the court by filing an Article 78 appeal. There is 1 case before the Zoning Board this evening: a Special Permit request.

II. Public Hearing: School House Commerce – 61-63 South Broad St.

The public hearing was opened at 7:16 PM. The following exhibits were entered into evidence:

1. Application from School House Commerce dated 10/27/17
2. Community Development report dated 11/16/17
3. Photographs of property
4. Copy of tax map of property
5. No phone calls received in opposition or support.
6. No letters received in opposition or support.
7. Public Hearing Notice (mailed by the City to all property owners within 500 feet of the applicant).

A. Donnison read the Community Development report and noted that there had been no phone calls or letters received in opposition nor in support to the proposal. No response from the Chenango County 239 Review Committee was received at this time.

The applicant is not present at the meeting tonight due to unforeseen circumstances.

C. Birch asked how many units will be in the building and how many off street parking spaces will be required. J. Lawrence stated there will be 5 sleeping units which requires 5 off street parking spaces. There is currently 3 off street spaces and it wouldn't take much to add 2 more. Perhaps the removal of a shed that is by the existing driveway could be removed to make room for 2 more.

J. Wright noted that this is a great opportunity to bring new people into our community since the applicant will be using it to house scientists and other employees that come to work from out of town and out of the country. Also felt that the residents of this rooming house would be a great asset to our community.

J. Lawrence noted that the house was purchased through the RFP process from the city. This proposal was felt to be the best use of the property by the Common Council by keeping it a residential dwelling as well as bring new people to the area. There will be renovations made over the next several months such as a new roof as well as the interior being updated.

S. Sutton asked how long they have to implement the permit. J. Lawrence stated 1 year. R. Genung asked if it was known if they received any tax breaks from the city. J. Lawrence stated no tax breaks were given. Property will be fully assessed.

J. Wright read the definition of a Rooming House:

A dwelling for hire, in which more than three persons, either individually or as families, are housed or lodged with or without meals. A bed-and-breakfast, boardinghouse or furnished rooming house shall be deemed a "rooming house."

Chairman J. Wright asked if anyone present had any further questions or comments. There were none. The public hearing was closed at 7:27 pm.

III. Findings & Determinations for School House Commerce re: 61-63 South Broad Street

- Applicant purchased the property through the RFP process as the preferred purchaser from the City of Norwich.
- Proposed use is as a rooming house for employees and executives of PharmAssist Laboratory.

- The building has and will continue to have 5 sleeping units which requires 5 off street parking spaces.
- This property currently has 3 off street parking spaces available.
- Upgrades and renovations will be made and permits will be issued for same.
- Surrounding neighborhood is a combination of business and residential as it is on an adjacent corner where most downtown business locations end.
- The parcel exceeds all R-2 open space requirements.
- No opposition nor support to the proposal was received.
- It would not create an undesirable change in the character of the neighborhood or be injurious to nearby properties.
- All structures are reasonably accessible to fire and police vehicles.
- The requested Special Permit would not have an adverse impact on the physical or environmental conditions in the neighborhood.

Motion made by C. Birch to approve the request for the Special Permit as submitted with the condition that 2 (two) additional off street parking spaces be added to the existing 3 (three) and that they will be paved or concrete. Seconded by S. Sutton.

Motion Approved: 5 ayes; 0 nay.

Ayes – J. Wright, S. Sutton, L. Natoli, C. Birch, R. Genung

IV. Other:

L. Natoli moved to approve the minutes of 8/28/17. Seconded by R. Genung. Ayes all.

J. Wright stated that Ed Morano is resigning from the Zoning Board effective 12/31/2017 after many years of service and will be greatly missed. If anyone knows of someone who would be interested in serving on the Zoning Board please contact J. Wright or A. Donnison.

J. Wright then noted that a new vice-chair would be needed. C. Birch, Jr. agreed to be the vice-chair effective 1/1/2018.

V Adjournment:

There being no further discussion, the meeting was adjourned at 7:50pm on a motion made by C. Birch. Seconded by L. Natoli. Ayes All. Carried.