

City of Norwich
Planning Commission
Meeting Minutes
Norwich City Court

November 15, 2010
7:00 PM

Present: R. Mirabito, K. Zaia, L. Bunce, S. Pelosi, D. DeForest

Absent: J. Stagliano, B. Pedersen

Staff: T. Dreyer, A. Donnison

I. Call to Order:

Chairman R. Mirabito called the meeting to order at 7:00 PM. K. Zaia made a motion to accept the minutes of August 16, 2010. Seconded by L. Bunce.

II. Historic Preservation Law:

T. Dreyer sent a copy of the proposed Historic Preservation Law draft along with letters explaining what is being proposed and requesting a response from the property owners listed in the current historic districts within the city. There were approximately 95 letters sent. T. Dreyer distributed copies of the responses – there were 6 received. 3 in support and 3 opposed. He also noted he had received a verbal response in opposition. T. Dreyer also noted that these property owners would be eligible for NYS Income tax credits for any historical improvements made. Local government could also choose to allow property tax exemptions for the value of improvements. He stated that some of the concerns centered on added costs to property owners, imposition on home owners and that the commission itself may be subjective as members change. T. Dreyer stated that the Common Council would like either a favorable, unfavorable or a neutral response from the Planning Commission.

K. Zaia inquired if the people who received the letters realized they were property owners in a historical district. T. Dreyer stated that he addressed that in the letter that went with proposed law.

D. DeForest stated that she has followed the progression of this law due to her proximity to those working on it the office. She also read all the Planning Commission minutes of the past year, the Comprehensive Plan as well as the latest proposed Historic Preservation Law. D. DeForest has also spoken with her neighbors and was unable to find one person in favor of this law. Costs to homeowners is a main concern and it seems to be something the Comprehensive Plan specifically did not want to burden homeowners with while obtaining the goals set out in it. This law would also add yet another layer of government, which is not very well received. D. DeForest stated she felt this law was very vague and therefore leaves a lot of room for interpretation. It was suggested that instead of proposing

another layer of government to obtain the goals wanted that perhaps an incentive based plan would be more acceptable.

L. Bunce likes the idea of an incentive based plan. She also expressed concerns about the costs and may be more swayed to support the law if more people had responded in support of it also.

K. Zaia stated she has been on both sides of this law – worked with the committee that created it as well as now on the Planning Commission discussing if it should move forward. In regards to the law being vague she stated it has indeed been watered down a lot due to others concerns along the way. K. Zaia stated that she had purchased a house several years ago that was considered historic and knew the consequences of such a purchase would mean the upkeep should also be in keeping with the historic character of it and is still in favor of this law.

S. Pelosi stated that she was definitely in favor of the proposed law. It is also in her opinion the least stringent one we could adopt. S. Pelosi stated that she thinks this is only minimal protection for the historical homes here. S. Pelosi stated that by sending letters to only those property owners within the current historical district is like asking smokers about smoking laws and feels the responses were skewed.

D. DeForest said it is not minimal, it is very restrictive. S. Pelosi disagreed and stated she will vote to pass this to the Common Council.

R. Mirabito stated he also does not feel this law is minimal as well as not liking the idea of another layer of government. R. Mirabito asked since right now we have 2 in support, 2 opposed and 1 member who is neutral on the subject where do we go from here.

S. Pelosi stated that she feels the Planning Commission has done their job in reviewing and analyzing this proposed law and that it now should be moved forward to the appropriate city committees for their review and that they can kill it if they so wish.

D. DeForest noted that the Common Council is looking for and will seriously consider whatever the Planning Commission recommends as they are seen as the having the expertise in this field. T. Dreyer feels that there is some complacency or negativity regarding the law and that is why we did not get more than 6 replies. T. Dreyer also stated that does not believe there is a body of support for this law.

S. Pelosi again stated that there are tax breaks available to help offset any costs to property owners. D. DeForest asked why not start with local tax breaks first and also stated that the City can not afford to hire more staff and that this law would likely cause a sizeable increase in the workload. S. Pelosi noted that it is not the job of the Planning Commission to determine the administrative costs and we should vote to pass it to committee and Common Council as they will make that determination. K. Zaia stated that if people were really against this proposal they would have responded that way.

T. Dreyer noted that taxes should not go up due to this law. D. DeForest disagreed stating that the administrative costs could be substantial. T. Dreyer notes that the Common Council passes ordinances and laws frequently without mention of costs to implement. D. DeForest stated that is not completely correct as the cost for implementing a new ordinance

is discussed in the committees that these all pass through before it reaches Common Council. D. DeForest also stated that as a citizen she feels this law would impose on her rights as well as another layer of government being put in place. S. Pelosi stated that she sees this as a benefit to people in historic homes and would preserve property values.

T. Dreyer noted that the City of Norwich already has a Zoning Ordinance telling people how far from the property line they can build, etc and this would not be that much different. S. Pelosi reminded members of a moratorium that was put on converting single family homes into multi family homes just a few years ago. The reason mainly being to further prevent old Victorian homes being carved up into apartments. D. DeForest stated that there was already zoning regulations in place to prevent that and asked A. Donnison to confirm. A. Donnison stated that no multi families are allowed by right in R-1 zones and must have a special permit issued by the zoning board for R-1A and R-2 zones.

R. Mirabito inquired if the tax credits that would be available if this law is passed is 100% of expended amount. K. Zaia stated no the way she understand how it works.

S. Pelosi made a motion to forward the Historic Preservation Law to the appropriate committee with a neutral recommendation from the Planning Commission and comments from the members via the minutes of this meeting to accompany same. Seconded by K. Zaia.

Motion Denied: 3 aye; 2 nays.

Ayes – S. Pelosi, K. Zaia, L. Bunce

Nays – R. Mirabito, D. DeForest

A. Donnison stated that there must be a vote of the majority of the Planning Commission members not the majority of those present. S. Pelosi noted that this is indeed a difficult decision and recognizes there has been a lot of time and work that has gone into this proposed law.

III. Old Business:

R. Mirabito inquired of the status of Byrne Dairy. T. Dreyer stated that as far as he knew everything is still moving forward with relocating. He placed a call to the project manager this morning to get an update but did not receive a call back yet.

L. Bunce asked if it was public information yet who the prospective buyer for 24 East Main St. will be. T. Dreyer stated that at this time the preferred buyer is Chris Hayes. K. Zaia asked what he intends to use the building for. T. Dreyer stated the 1st floor will be for commercial space and the 2nd floor will have 2 one bedroom apartments.

S. Pelosi inquired about the coal tar cleanup. T. Dreyer stated that he has read the article in the Evening Sun in which the Mayor stated the project was on schedule.

K. Zaia inquired on the status of the house on 52 Fair St and 7 Waite St. T. Dreyer noted that there have been several offers accepted over the past few months. Unfortunately today's banking regulations make it extremely difficult for many to get financing. Both houses have potential buyers going through the process as we speak and hopefully they will be successful in obtaining financing. The City was relieved of some of the original purchaser restrictions, such as first time homeowner and low/moderate income families.

K. Zaia noted that the Brown Avenue duplex units for the Norwich Housing Authority have run into additional roadblocks – they are now told that the homes must be under contract prior to construction beginning.

IV. Adjournment:

Meeting was adjourned at 7:45pm on a motion made by K. Zaia and seconded by L. Bunce. Ayes all.