

**Zoning Board of Appeals
Meeting Minutes
One Court Plaza
May 12, 2025**

Present: A. Coates, K. Kucinski. B.Natoli, D. DuFour, A. Perry, B. McCracken

Alternates:

Absent:

Staff: A. Donnison

I. Call to Order

Chairman A. Coates called the meeting to order at 7:01 PM. Chairman A. Coates stated that the Zoning Board of Appeals is made up of volunteer members. In order to approve a request, 4 yes votes are required. 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 requirements. The Common Council has the authority to change the Zoning and Sign Ordinance requirements. 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 are 2 cases before the Zoning Board this evening: a sign variance and a special use permit request.

Chairman A. Coates stated that due to a conflict of interest he will not be voting in the case of the sign variance request for 74 North Broad Street.

II. Public Hearing: Broad St. United Methodist Church – 74 North Broad Street.

The public hearing was opened at 7:03 PM. The following exhibits were entered into evidence:

1. Application from Linda Gregory dated 12/04/2024
2. Community Development report dated 4/28/2025
3. Photographs of property
4. Copy of tax map of property - current
5. Minutes from previous sign variance request April 2013
6. No phone calls received in opposition or support
7. No letters received in opposition or support

8. 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.

L. Gregory stated that the church had thought of using a flagpole but there are concerns that someone could remove it or damage it in some manner. The reason this specific flag is wanted is to let everyone know that all people are welcome there. This flag and the box it will be placed in is being completely funded by Linda Gregory. It is a stipulation that as years pass when a flag is faded there will only be flags that are exactly the same placed in this openable locking wall mounted box.

K. Kucinski asked if it will only be a flag and no verbiage of any kind. L. Gregory stated that is correct. K. Kucinski stated that if no verbiage will ever go in the box, only this flag he is inclined to believe them because it is a church stating so. Therefore, he has no issues with it with the stipulation that it will always be a flag.

B. Natoli has one concern – will this be viewed as a changeable copy sign or a flag. K. Kucinski stated if it's just a flag he is of the opinion it may not have needed ZBA approval. B. Natoli inquired can they simply approve it with a condition. A. Donnison stated yes.

A. Coates asked if there was anyone in the public that wished to be heard. There was none.

Findings and Determinations for
Broad Street United Methodist Church, 74 North Broad Street:

None.

Motion made by B. McCracken to approve the request with the condition that only a flag shall be located in the box, no verbiage. Seconded by K. Kucinski.

Motion Approved: 5 ayes; 0 nay; 1 abstained

Ayes – K. Kucinski, B. Natoli, D. DuFour, B. McCracken, A. Perry.

Abstained – A. Coates.

Public hearing closed at 7:18 pm.

III. Public Hearing: William Gomez – 134 South Broad Street

The public hearing was opened at 7:18 PM. The following exhibits were entered into evidence:

1. Application from William Gomez dated 4/1/2025
2. Community Development report dated 4/18/2025
3. Photographs of property
4. Copy of tax map of property - current
5. Special Permit regulations/requirements for ZBA
6. City of Norwich Zoning Use Table
7. No phone calls received in opposition or support
8. No letters received in opposition or support
9. 2 phone calls inquiring about the proposal but no comment
10. Public Hearing Notice

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. A. Donnison also noted that of the 90 public hearing letters that were mailed to those within 500 feet of the boundaries of 134 South Broad Street 30 of them were rentals of varying number of units.

Mr. Gomez stated that so far, they have cleared much trash and debris from the house that has been boarded up as well as clearing the yard and removing exterior debris to make the house look nicer so far.

K. Kucinski asked how many people did he anticipate to reside in the house. Mr. Gomez stated that was unknown but they were planning on both the 1st and 2nd floor to each have 3 bedrooms, kitchen, living room and bathroom. K. Kucinski asked what the square footage was or the sizes of the rooms. Mr. Gomez stated he did not know the total square footage of each floor but would guess that each floor was at least 1,000 square feet. Mr. Gomes knew that one of the bedrooms was 10' x 11'. Engineered plans had not been sought at this time until they were assured that they could move forward with the use as a two family. D. DuFour stated that per Zillow the house has a total of 2,091 square feet so his guesstimate was pretty accurate. A. Donnison noted that NYS Code dictates the size of a sleeping area for 1 person as 70 square feet and an additional 50 square feet is needed for each additional person in a sleeping area. Therefore, if a bedroom is 10' x 11' it would only be suitable for 1 person.

A. Coates asked if he or any of the family planned to reside here. Mr. Gomez stated no not at this time but they weren't; far away and they were in the process of locating a dependable property manager. A. Coates asked if they owned any other properties in the City of Norwich. Mr. Gomez stated yes. A 2 family at 31 Cortland Street which was a 2 family at the time of purchase and occupied. Also 34-36 Silver Street which is vacant at this time. This structure has been vacant since a fire in the building several years ago. It was gutted and has been partially reconstructed inside by a previous owner.

B. Natoli stated he would like to see building plans and that he felt he would not vote to approve the special use permit without plans. B. Natoli asked if there was parking available. Mr. Gomez stated yes, parking was accessible on Morse since this is a corner lot. It was noted that if the driveway needed to be wider a curb cut request could be sought by the Common Council.

A. Coates asked if there was anyone from the public that wished to be heard.

Laura Grady, Town of Norwich. Ms. Grady stated she and her family used to own and live in this house and they spent a lot of time and money making renovations to the home of which they were proud of. Ms. Grady prefers to see this remain a single-family home as she is familiar with every nook and cranny of the house and does not feel it suitable for a two-family home. Parking is also a concern because the current space for parking 2 cars is one behind another, which isn't ideal. Ms. Grady feels badly that they were given bad information when they purchased the house. A. Donnison stated that the new owners had not contacted the codes department to discuss their plans for the property until they had already purchased the house so any information they had received was from other sources.

Jeanie Barnes, 17 Division Street. Ms. Barnes stated that as a younger person she is aware that many don't want to purchase a large house, nor can it often be afforded especially if it needs extensive renovation work. Rental properties for many are ideal and much needed. Ms. Barnes stated her only question is does the proposal meet the requirements to approve. Ms. Barnes also noted that many retirees do not want to own and maintain homes any longer. Ms. Barnes doesn't care either way as long as public opinion and comments doesn't sway the board.

Jason Miller, 127 South Broad Street. Mr. Miller appreciates the investments Mr. Gomez has already put into the property. When he first heard it had a new owner, he was happy and hopeful that it would be restored to its original beauty. Mr. Miller stated upon learning it was being considered to be used as a 2-family home he had concerns based on the history of the previous occupants and all the issues the neighbors had with them – many problems even though even then it was a single-family home. Currently the neighborhood are all families that plan to stay and are concerned that making this a rental would erode the character of the neighborhood. It is also his understanding that the process to remove the option of a special permit in an R-1 zone is being removed.

Robert Jeffrey, 17 York Street, Supervisor Ward 6. Thank you to the Zoning Board for their time in this matter. Mr. Jeffrey stated more of the city is zoned R-2 than R-1 and would like to see more single-family homes preserved in the R-1 areas which is why there is pending amendment to the zoning use table before the Common Council. Mr. Jeffrey stated he hoped the new owner of this property would take pride in it and keep it a single-family home.

Elizabeth Petrie, 132 South Broad Street. Lives next door to this property in a 6-bedroom house. Previous occupants were terrible and doesn't want it to fall back to that condition and so doesn't want to see it become a rental at all.

Richard Jackson, 133 South Broad Street. This property is located within the gateway to the city and used to be a beautiful single-family home. Mr. Jackson also noted that he owns rental property and knows how much work is involved in the upkeep.

Christine Carnrike, 29 Jones Avenue. Ms. Carnrike requests that the board does not approve this request. Ms. Carnrike also stated that she doesn't care who the owners are her thoughts on this matter are the same. Also stated that she did not receive a public hearing letter as she lived outside of the 500 foot boundary but also wished to state that she believed there are property owners that did get a letter that are not in a R-1 zone even if they were within the 500 feet. Ms. Carnrike stated she lives in her family home on Jones Ave where the family of 8 were in it and at the time it didn't seem small, now when people come to her home and learn there were so many in it they are amazed because the house isn't that large. The City of Norwich is her home and will always be her home. Some rental properties have little green space. A current 2 family home on Jones Ave is always a mess, tenants come and go yet it has been a 2 family for many years. Ms. Carnrike stated she recalled a newspaper article when the previous occupants were removed by police that it was a meth house. Where are the contamination reports or the clean up reports?

David Petrie, 132 South Broad Street. Stated this place has been a mess for a long time and is glad they are cleaning it up. No one wants to buy a house next to a messy rental property.

Unknown speaker: Is proud of our community and hopes it is used as a 1 family home.

Mrs. Gomez stated that she would have loved to grow up in place such as Norwich and can see the love that those here has for the community and they have no plans to do anything that would destroy the community. They do not wish to upset anyone and where they live this (ZBA approval) is not required so they are feeling intimidated. They are not trying to create an unsafe area. Mrs. Gomez stated that she grew up in rentals, a family of 5 in 1 bedroom rentals. They are only trying to help others get a nice home with reasonable priced rental units. Housing is in very short supply everywhere. Mrs. Gomez states she appreciates the support for the neighborhood. It is a beautiful area and they plan to give back to the community. Mrs. Gomes stated that she can also feel the anger from those that are present and wants them to know that they don't just buy up properties and slap a few boards on it and call it good to go. They do quality work.

There are no additional public comments.

K. Kucinski stated he has conflicting thoughts as it is very clear to him that they meet the criteria needed to be approved yet he understands the neighbors' concerns.

A. Coates stated that just because it is allowed with a special permit doesn't mean it should get approved. South Broad Street is a gateway to the city and there is a foundation that is investing \$1M to \$2M on a new park. A. Coates also noted that the common council has an amendment on the use table pending that would remove the option of a 2 family in a R-1 zone. K. Kucinski responded to the statement of A. Coates that if he wished to deny the request, then he must specify exactly how conditions are not met but that he would vote to approve. A. Coates noted that this was of course his right and it must also be considered the number of people that are here tonight that are opposed.

D. Dufour stated that there are already rentals in R-1 zones and doesn't feel these applicants should be punished because of pending changes or public opinion. A. Coates asked what will it look like if it's a multi family? D. DuFour stated the request is not for a multi family which is 3 or more units and also believed at this time that conditions were met. D. DuFour stated that they can agree to disagree.

A. Perry stated the appearance of the house lends itself to look like a single-family home.

B. Natoli would like to see plans and doesn't want to vote in support as a 2-family house would definitely change the character of the neighborhood.

B. McCracken noted that single family use was created in a time when rentals weren't common or plentiful. B. McCracken stated that he owns multi family rentals himself yet doesn't have any issues and is aware that any rental property needs to be properly maintained on a regular basis. However, also is compelled to believe this parcel should remain a single-family home. B. McCracken also stated that the City has a local Ordinance in place in which rental property owners are required to get a rental inspection at each change of tenancy.

B. McCracken inquired if they thought people would feel different if conditions were applied such as less bedrooms planned, hence less occupants, yet the appearance would continue to look like a single-family home. A. Coates stated he did not believe that changing the number of bedrooms would change the neighbor's opinion.

Findings and Determinations for
William Gomez, 134 South Broad Street:

None.

*Motion made by A. Coates to approve the Special Permit request. Seconded by
D. DuFour.*

Motion Denied: 2 ayes; 4 nays;

Ayes – K. Kucinski, D. DuFour.

Nays – A. Coates, B. Natoli B. McCracken, A. Perry.

The public hearing was closed at 8:20 pm.

III.

V Adjournment:

There being no further discussion, the meeting was adjourned at 8:21 pm on a motion made by K. Kucinski. Seconded by D. Dufour. Ayes All. Carried.