

**Zoning Board of Appeals
Meeting Minutes
One Court Plaza
June 24, 2024**

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

Absent: M. Hepfer
Staff: Amy Donnison

I. Call to Order

Andrew Coates called the meeting to order at 7:01pm. Andrew 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 is 1 case before the Zoning Board this evening: Special Permit request.

II. Public Hearing: Martha Ryan – 63 & 65 Silver Street

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

1. Application from Martha Ryan dated 05/22/2024
2. Community Development report dated 06/20/2024
3. Photographs of property
4. Copy of tax map of property – current
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.

Martha Ryan stated she has been very careful in her design and street view renovations of the property to be in keeping in the museum district. The rules for renting BNBs would be no parties and quiet time at 10pm. There is plenty of parking space for both properties and the fence that was formerly between the two parcels has been removed which allows for even more flexibility in parking.

M. Ryan stated that 63 Silver was purchased first and has been completely renovated and is currently used as a two-family rental. 65 Silver has been partially renovated after they purchased it. It was a 4-family home and when it was renovated, they reduced the number of units to 3 since it was already a multi family they were permitted by right to have it as a 3 family – reducing the number of units by 1.

A. Coates noted that quality lodging is needed in Norwich and that this does fit into the needs of the museum District. M. Ryan states that she has other BNB's and they are always booked. A. Coates asked what is the time limit someone can stay? M. Ryan stated 28 days.

K. Kucinski does not believe the proposed use would be injurious to the neighborhood and that there is adequate off-street parking. M. Ryan noted that by removing the fence it makes it even easier for guests to park.

M. Ryan stated they have applied for a grant through the museum district as well as trying to get a Restore Grant. B. McCracken asked how those grants would be used. M. Ryan stated to redo all the wiring in 65 Silver Street, painting the house and hopefully enough to pave the parking area to make it easier to clear of snow.

B. McCracken asked what the proposed use was for 63 Silver Street when it was purchased through an RFP from the City of Norwich? A. Donnison stated it was still going to remain a two family and the Ryans were going to reside there – which they did. B. McCracken stated that the Common Council decides best use of a tax property and this one was definitely a blighted property. B. McCracken also stated that some communities legislate how many BNB's there can be in a neighborhood or zone. M. Ryan had also heard of this and did some research herself and found that higher quality units do not bring a neighborhood down. B. McCracken noted that the City of Ithaca enacted a short-term rental legislation on rental properties to investigate limiting the quantity.

B. McCracken has looked at the parcels and wished to commend M. Ryan on the renovations job as he is well aware of how time consuming it is and yet has concerns about the number of BNB's in the City already. B. McCracken asked if the board could make her reapply every 2 years to prevent a different owner that may not take such good care of the properties to be denied the special permit and how many votes are needed for this permit to be approved? A. Donnison stated 4 yes votes which is the majority of the 7 member board.

D. DuFour noted there was not one member of the public present to object to the proposal and doesn't believe you can base your decision on what someone else may do with a parcel 20+ years from now as a Special Permit goes with the land.

A. Coates asked if anyone had any further questions or comments. There were none. The public hearing was closed at 7:40 pm.

III.. Findings & Determinations for Martha Ryan – 63 & 65 Silver Street

- No opposition to the proposal received
- No support for the proposal was received
- Property is in an R-2 zone
- Parking requirements will be met
- 63 Silver has remained a two family dwelling after renovations
- 65 Silver will be reduced from a 4 unit to a 3-unit dwelling after renovations are complete
- A substantial investment has been made to improve the homes and the neighborhood
- Buildings are accessible for emergency vehicles and equipment
- Property owner has a long history of operating successful BNBs in the area
- No parties will be permitted at the properties
- Quiet time is at 10pm
- The proposal will not be injurious to the neighborhood
- The neighborhood is primarily residential and is located within the Museum District
- Proposed use will not increase the existing traffic to go from apartments to BNB's

Motion made by K. Kucinski to accept the proposal as requested. Seconded by D. DuFour.

Motion Approved: 4 ayes; 1 nay.

Ayes – K. Kucinski, B. Natoli, A. Coates, D. DuFour

Nays – B. McCracken

III. Adjournment:

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