

Zoning Board of Appeals
City of Cortland
November 14, 2011

A regular meeting of the Zoning Board of Appeals was held on Monday, November 14, 2011, at 5:00 p.m. in the Mayor's Conference Room at City Hall.

Present: Chair Hickey, Comm. Brown, Dailey, McGinley, Place and Wickman

Staff: Zoning Officer Bruce Weber, Capt. William Knickerbocker and Cheryl Massmann, Deputy City Clerk

Chair Hickey noted that the following two (2) agenda items would not be discussed at this meeting indicating that the applicants had requested that they be tabled to the December 2011 meeting.

Item No. 2 – 5 Lauder St. – (Bible Baptist Church)(R1) – Area Variance, Special Use Permit and Use Variance – School Expansion and Playground

Item No. 3 – 19 W. Court St. – (DeVecchio)(R4) – Interpretation of Zoning Officer's Determination

Item No. 1 – 111-113 Pendleton St. – (Truman)(GI) – Area Variance – Parking

Atty. Patrick Snyder was present. He gave the history that the Planning Commission had approved the site plan for this project and he is now asking for a waiver for the requirement to pave the parking area. He noted that it was going to be a relatively small area that will be used for parking indicating that it was a better area than the one currently being used for parking at the site because it's less visible. He noted that it was going to be a quarter (1/4) acre in the rear of the building. He noted that he had submitted some information from DEC indicating that it is environmentally preferable not to pave that area.

Chair Hickey asked him to indicate where the new parking area would be on a map and for the dimension. Atty. Snyder stated that it was in the rear and that the area would be approximately two hundred (200) feet by fifty-four (54) feet and would be used for the storage of trailers and miscellaneous equipment.

Comm. Place asked why they didn't want to pave it. Atty. Snyder indicated that his client had a short term lease, it was very expensive and he felt that it was environmentally preferable not to pave the area. Comm. Place noted that equipment could have undesirable run off. Atty. Snyder noted that the State DEC also was recommending not paving to prevent run off. He did concede that equipment and trailers might have some occasional drops of oil. Comm. Place noted that the reason paving was required was because that prevented percolation into the soil and that

curbing was also put in to contain hazardous materials. Comm. Place noted that the regulations were put there for a reason and just because his client didn't want to spend the money to pave, didn't mean that he didn't have to do the paving. Atty. Snyder noted that the DEC wouldn't be encouraging not to pave if there was an environmental hazard. Comm. Place asked to see information from the DEC. Zoning Officer Weber noted that he did not have information from the DEC about their stance. Atty. Snyder noted that he had submitted information from the NYS Storm Water Management Design Manual and that it had been given to the Planning Commission. Atty. Snyder noted that his client has now renewed his lease for another six (6) months.

Comm. Place noted that paving would increase the value of the property and not paving decreases the value and she thought that the property owner would want things to always be improving in the City and not allow parking in an undefined gravel lot full of weeds. Chair Hickey noted that this was not for general parking. Comm. Place noted that this was even worse and that they might want to make it look nice and that's part of why the regulation is there. Atty. Snyder noted that whether it was a long term improvement or not was dependent upon what the long range use of the property was. He noted that at one time, there was almost an agreement to sell it for housing, so who knows what is going to happen in the future. He also noted that there was no environmental need to pave.

Chair Hickey stated that they could ask for a temporary variance and if they were going to use the property long-term, they could reapply. Various commissioners thought that was a good idea. Comm. Wickman thought that certain aspects weren't clear. Comm. Brown noted that the only difference from last time was that the applicant had defined the area.

Anne Doyle spoke noting that a neighbor from 115 Pendleton Street had come to a previous public hearing indicating that they were upset about the current parking of trucks and the overall situation with the parking at this property. She noted that the neighbor was also upset that the property owner had not paid the taxes on this property in quite some time.

Comm. Brown noted that this was an industrial site.

There was no one further to speak, therefore the public hearing was closed.

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 111-113 PENDLETON ST. – (TRUMAN)(GI) – AREA VARIANCE – PARKING BE PLACED ON THE TABLE FOR DELIBERATION.

The criteria for an area variance were reviewed.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. Possibly, could be creating a collection spot not clearly defined. This property should be kept up and parking should not be random, but it would be better if defined and would like to see Area Variance not be renewable.
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. Where else would vehicles go or they could pave the area and comply with Code.
3. Whether the requested area variance is substantial. Yes
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. It's debatable, no DEC information presented and it's really an unknown.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance. Yes.

Chair Hickey noted that a number of things had come up noting the temporary nature of the variance to store equipment. She noted that they could have a condition that a shed or structure be built to house equipment or in terms of protecting the ground from runoff, they are probably looking at paving with a drainage basin and connecting to the storm sewer, which would be the ultimate protection.

Comm. McGinley noted that a quarter (1/4) acre was not very large and wouldn't have that many trucks. Comm. Place noted that they could have twenty (20) to thirty (30) trucks on the property and that is a lot. Chair Hickey noted that historically that has not been the case. Atty. Snyder stated that to his knowledge, that was correct. Comm. Place asked for the DEC information. Atty. Snyder stated that he would see that it was received. Chair Hickey asked if that information was reviewed and discussed at the Planning Commission meeting. Comm. Wickman asked if there was any opposition by the Planning Commission. Atty. Snyder noted that there was not much discussion about it and the Site Plan was approved unanimously by the Planning Commission.

Comm. Place stated that there are regulations, but if the applicant doesn't want to spend the money, does that make it okay for them to do that. She noted that it was not clear in her mind and she stated that she would be more comfortable having the DEC information to refer to.

Chair Hickey asked how long Mr. Truman had been using the property. Atty. Snyder stated that he had been there for about a year and prior to that the property had been

vacant. He noted that it was important to move the vehicles to the rear of the property. Comm. Wickman stated that he would like to see Mr. Truman return in six (6) months. Comm. Brown thought that July 1, 2012 was a good date to return if Mr. Truman wanted to use the property longer.

Chair Hickey asked Atty. Snyder to present the DEC information. Comm. Brown noted that it was good to define the area and to have the Zoning Officer and the Code Office check on that.

On the motion of Comm. Brown, seconded by Comm. Dailey, voted and approved to allow a temporary Area Variance as requested for a two hundred (200) foot by fifty-four (54) foot, approximately a quarter (1/4) acre (as indicated in diagram submitted with the application) area behind the building for storage of vehicles and equipment until July 1, 2012 and request more information regarding environmental impact.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 111-113 PENDLETON ST. – (TRUMAN)(GI) BE APPROVED TO ALLOW A TEMPORARY AREA VARIANCE AS REQUESTED FOR A TWO HUNDRED (200) FOOT BY FIFTY-FOUR (54) FOOT, APPROXIMATELY A QUARTER (1/4) ACRE (AS INDICATED IN DIAGRAM SUBMITTED WITH THE APPLICATION) AREA BEHIND THE BUILDING FOR STORAGE OF VEHICLES AND EQUIPMENT UNTIL JULY 1, 2012 AND REQUEST MORE INFORMATION REGARDING ENVIRONMENTAL IMPACT.

Item No. 2 – 5 Lauder St. – (Bible Baptist Church)(R1) – Area Variance, Special Use Permit and Use Variance – School Expansion and Playground

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried to table.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE, SPECIAL USE PERMIT AND USE VARIANCE – SCHOOL EXPANSION AND PLAYGROUND BE TABLED UNTIL THE DECEMBER 2011 MEETING.

Item No. 3 – 19 W. Court St. – (DeVecchio)(R4) – Interpretation of Zoning Officer’s Determination

On the motion of Comm. Wickman, seconded by Comm. Dailey, voted and carried to table.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT 19 W. COURT ST. – (DELVECCHIO)(R4) - INTERPRETATION OF ZONING OFFICER’S DETERMINATION BE TABLED UNTIL THE DECEMBER 2011 MEETING.

Item No. 4 – 51-53 Clinton Ave. – (Pierce/Bombard)(R4) – Area Variance – Driveway

Karen Pierce was present. She stated that they were requesting an Area Variance at the uppermost part of the driveway. She described that there is no greenspace at the two (2) property lines whatsoever at the upper end and she is requesting a reduction in her required greenspace at the very end. She asked to be allowed to decrease her greenspace at the uppermost end of the driveway from four (4) feet to two (2) feet so that two (2) cars can be parked there. Comm. Wickman asked if they planned to pave the driveway. Ms. Pierce stated that if this was approved, they would do the asphalt on the driveway tomorrow. She explained that it once was concrete.

Chair Hickey noted that the plan was to have two (2) parking spaces at the very end of the driveway.

There was no one further to speak, therefore the public hearing was closed.

On the motion of Comm. Dailey, seconded by Comm. Wickman, voted and carried.

RESOLVED THAT THE AREA VARIANCE – 51-53 CLINTON AVE. – (PIERCE/BOMBARD)(R4) – AREA VARIANCE – DRIVEWAY BE PLACED ON THE TABLE FOR DELIBERATION.

The criteria for an area variance were reviewed.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. None demonstrated.
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. No.
3. Whether the requested area variance is substantial. No.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. No.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance. Yes.

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried to approve to allow the decrease of greenspace of two (2) feet at the rear of the driveway from Clinton Avenue.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 51-53 CLINTON AVE. – (PIERCE/BOMBARD)(R4) – AREA VARIANCE – DRIVEWAY BE APPROVED TO ALLOW THE DECREASE OF GREENSPACE OF TWO (2) FEET AT THE REAR OF THE DRIVEWAY FROM CLINTON AVENUE.

Item No. 5 – 13 Charles St. – (Barbieri)(R4) – Area Variance – Garage Conversion

Al Barbieri and Paul Gallow were present. Mr. Barbieri explained that they were requesting to convert the garage to a single family dwelling. He explained that they had the parking approved last month by the Planning Commission. Mr. Gallow stated that when they purchased the property, they were under the assumption that it was a three (3) unit and it had been used as a three (3) unit for a long period of time. He further explained that they had wanted to improve the garage unit and obtained a building permit to side it and install new windows. They then received a Stop Work Order on the project when it was discovered that it was never a legal three (3) unit. He explained that he had spoken to the tax assessor and he presented paperwork to prove that it has been used as a three (3) unit since 1994 and assessed as a three (3) unit, but it had never been a legal unit.

Comm. Brown asked them to explain the location of the units on the property. Mr. Gallow stated that there were two (2) units in the house and one (1) unit in the garage. He noted that they had not just decided to make another unit in the garage, it had been a unit for quite sometime and they just wanted to make it legal and to improve it. They plan to put on a new roof, new windows, etc.

Comm. Wickman asked how much the owners planned to put into the property. Mr. Gallow thought it would be about twenty thousand (20,000) to thirty thousand (30,000) spent on it.

Zoning Officer Weber stated that a previous owner had applied for an Area Variance to convert the garage to a living unit in the 1980's and that had been denied and evidently he had gone ahead and done the conversion without the permit or the approval. He noted that it was done illegally.

Mr. Gallow explained that the issue had been the parking and they had received the permission for the parking and there was now sufficient parking for the third unit and the area has been paved for years. Zoning Officer Weber explained that there was no increase in the lot coverage and that the Planning Commission approved the Site Plan for parking. He noted that this was a matter of the conversion of the garage into an apartment, noting that this is strictly a setback issue.

Comm. Place stated that the buyers should have done due diligence and their realtor should've done due diligence before purchasing the property. She noted that the problem is that the City departments don't talk to each other and the City has to send out notices to realtors that they need to do their due diligence in informing buyers or this will happen again. Mr. Gallow stated that this property had been sold before in another transaction before they purchased it and it was overlooked a couple of times.

Comm. Place noted that it was incredible that this stuff occurs and the City has to give more notice and to back up what they say.

Chair Hickey noted that if the Area Variance is approved the third (3rd) unit will be an approved legal unit. Zoning Officer Weber noted that was correct. Chair Hickey asked Zoning Officer Weber to walk through the setback issues, so that it was clear.

Zoning Officer Weber noted that the required side yard setback is seven (7) feet and the rear yard is twenty-five (25) feet. The owner only has four (4) feet. Zoning Officer Weber explained that the garage was probably there prior to the Code, but is okay if it was a garage.

Chair Hickey noted that on the northside it looked like five (5) foot six (6) inches and on the south side it is six (6) feet tapering to two point five (2.5) or three (3) feet. She noted that the rear space is four (4) feet.

Comm. Wickman noted that the owner should number the buildings as he could not locate 13 Charles Street. He suggested that the rear apartment could be 13 ½ Charles Street.

There was no one further to speak, therefore the public hearing was closed.

On the motion of Comm. Dailey, seconded by Comm. Wickman, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 13 CHARLES ST. – (BARBIERI)(R4) – AREA VARIANCE – GARAGE CONVERSION BE PLACED ON THE TABLE FOR DELIBERATION.

The criteria for an area variance were reviewed.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. None demonstrated.
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. No.
3. Whether the requested area variance is substantial. Yes.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. No.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance. Yes and No. It was there when they bought it, but they didn't have a good history.

On the motion of Comm. Wickman, seconded by Comm. Dailey, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 13 CHARLES ST. – (BARBIERI)(R4) – AREA VARIANCE – GARAGE CONVERSION TO A SINGLE FAMILY DWELLING BE APPROVED.

Item No. 6 – 34 Cleveland St. – (Davis)(R2) – Area Variance – Fence

Stephen Davis explained that the problem with his little landscaping fence that he built in the front of his house was the board ratio. He built it with the boards spaced too close together and complying with the board ration would defeat the purpose of the look of the fence. He explained that the fence is only three (3) feet tall at its highest point and goes down to about two (2) feet at the lowest point and the ends are wide open. He wants a variance on the board ratio requirement.

Comm. Place asked for a definition of what constitutes a fence as opposed to considering it as a landscape feature. Zoning Officer Weber read the definition of a fence and the Zoning Board members agreed that this met the definition of a fence.

Chair Hickey read letters of support received from two (2) neighbors. Mr. Davis noted that the highest point was thirty-six (36) inches at the posts.

There was no one further to speak, therefore the public hearing was closed.

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 34 CLEVELAND ST. – (DAVIS)(R2) – AREA VARIANCE – FENCE BE PLACED ON THE TABLE FOR DELIBERATION.

The criteria for an area variance were reviewed.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. No.
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. Yes, build the fence correctly.
3. Whether the requested area variance is substantial. Yes.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. No.
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board, but shall not necessarily preclude the granting of the area variance. Yes.

Zoning Officer Weber stated that the fence was within the height limitation and that this was strictly an issue of the board ratio. There was some discussion as to what is and isn't a fence. Zoning Officer Weber stated that the Code Office makes the interpretation and the applicant has the ability to challenge that interpretation if they disagree with that interpretation and you then make a decision on their request for a variance.

On the motion of Comm. Dailey, seconded by Comm. McGinley, voted and carried.

Chair Hickey	Aye	Comm. Brown	Nay
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 34 CLEVELAND ST. – (DAVIS)(R2) – AREA VARIANCE – FENCE BE APPROVED.

Item No. 7 – 17 Randall St. – (Whalen/Andersen)(R1) – Area Variance – Driveway

No one was present to answer questions regarding this application. Comm. Wickman noted that he would like more information on this application.

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 17 RANDALL ST. – (WHALEN/ANDERSEN)(R1) – AREA VARIANCE – DRIVEWAY BE TABLED.

Item No. 8 – 165 ½ Homer Ave. – (Thoman)(GB) – Use Variance – Conversion to Single Family

Diann Potter, real estate broker for Heritage Realty was present. She explained that this building had been Dr. Thoman's dental office for many years and that this property had been listed since 2008 and there had been no luck with sales even though the price had been reduced. She explained that she had spent significant money advertising and trying to market this property and there had been no luck. She stated that another agent, Corey Ousted, has an offer from a purchaser to buy the property and use it as a single family residence. She stated that Dr. Thoman had a new survey done.

Comm. Wickman noted that he was very familiar with the property and he thought that it would remain a professional building. He was surprised that it had not sold as a professional office. Ms. Potter stated that she had contacted the hospital, accountants, she even tried to auction it off and the only bid was below ten thousand (\$10,000) dollars and it was assessed at eighty-five thousand (\$85,000) dollars at the time. She further explained that the assessment had recently been reduced to sixty-five thousand (\$65,000) dollars. She explained that the asking price is now fifty-nine thousand nine hundred (\$59,900) dollars and there is an interested buyer. Comm. Wickman noted that he saw financial hardship being shown.

Corey Ousted, realtor, explained that the prospective buyer has been to the bank and all the issues to purchase the house as a single family have been worked out. She explained that this would improve the area and that the interested buyer could afford the mortgage and the building only needed minor modifications to convert to a single family house. She noted a shower is all that is lacking.

Comm. Brown asked if there was a greenspace problem. Zoning Officer Weber noted that it was existing. Comm. Wickman asked if there would be any exterior changes. Ms. Potter indicated that there would be no exterior changes, only a few interior ones.

Chair Hickey noted that this was a General Business district and the area is somewhat declining. Comm. McGinley thought that approving this application might encourage

improvement. Comm. Brown stated that he liked to see properties returned to residential.

Chair Hickey asked for a further explanation of the financial hardship. Ms. Potter cited that the purchase price offer is now fifty-five thousand (\$55,000) dollars and the asking price is fifty-nine thousand nine hundred (\$59,900) dollars, which is less than the assessment of sixty-five thousand (\$65,000) dollars.

Chair Hickey noted that hardship is not just an inconvenience or a casual hardship, it must be significant. She went on to describe some examples of things that had not qualified which had been presented at a recent training session. Comm. Wickman noted that this was difficult and sometimes the determination was made by just a feeling. Comm. Brown noted that this needs to be approved as a single family in order to be eligible for a mortgage.

Comm. Place noted that this might be considered spot zoning. Chair Hickey noted that the Board could not do that. Comm. Place noted that single family homes could be in the General Business area if they were there prior to the time of zoning. Comm. Brown noted that the building could be converted back. Comm. Place wanted to know when the zoning change to General Business had occurred. She stated that in her estimation, a single family residence was a premium or desirable use.

Zoning Officer Weber stated that he didn't know when the zoning change had occurred. He further noted that a single family residence in a business district was not a premium or desirable use because areas are classified for business use and you want the highest use of that property in that area and a single family residence is contrary to the intent of the district.

Ms. Ousted noted that if the Board wanted the highest use of the property; at this time it appears to be the highest use you can get or indefinite vacancy. Comm. Wickman agreed. Comm. Place asked if they could grant a Use Variance only for this owner. Zoning Officer Weber stated that a Use Variance went with the property, not with the applicant. Comm. Wickman noted that the area has not changed in many years.

There was no one further to speak, therefore the public hearing was closed.

On the motion of Comm. Dailey, seconded by Comm. McGinley, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE AREA VARIANCE – 165 ½ HOMER AVE. – (THOMAN)(GB) – USE VARIANCE – CONVERSION TO SINGLE FAMILY BE PLACED ON THE TABLE FOR DELIBERATION.

Chair Hickey reminded the Board that the applicant must meet all four (4) prongs of the use variance test and that this was not a balancing issue.

The criteria for a use variance were reviewed.

1. The applicant cannot realize a reasonable return, as shown by competent financial evidence. The lack of return must be substantial. Demonstrated, but hard to gauge. No one wants to buy it.
2. The alleged hardship relating to the property is unique. (The hardship may not apply to a substantial portion of the zoning district or neighborhood). It is unique.
3. The requested use variance, if granted, will not alter the essential character of the neighborhood. None proven, won't alter the neighborhood.
4. The alleged hardship has not been self-created. Not self-created, great efforts have been made to market the property as commercial. The applicant has a property that can't be sold. Efforts have not been half-hearted.

There was some discussion regarding the ability to meet the criteria for a Use Variance.

On the motion of Comm. Dailey, seconded by Comm. Wickman, voted and **DENIED**.

Chair Hickey	Nay	Comm. Brown	Nay
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Nay	Comm. Wickman	Aye

RESOLVED THAT THE USE VARIANCE – 165 ½ HOMER AVE. – (THOMAN)(GB) – USE VARIANCE – CONVERSION TO SINGLE FAMILY BE DENIED.

Item No. 6 – Minutes – October 17, 2011

On the motion of Comm. Dailey, seconded by Com. Wickman, voted and approved.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

RESOLVED THAT THE OCTOBER 17, 2011 MINUTES BE APPROVED AS AMENDED.

Adjournment

On the motion of Comm. Dailey, seconded by Comm. Place, voted and carried.

Chair Hickey	Aye	Comm. Brown	Aye
Comm. Dailey	Aye	Comm. McGinley	Aye
Comm. Place	Aye	Comm. Wickman	Aye

I, MARY KAY HICKEY, CHAIRPERSON OF THE ZONING BOARD OF APPEALS FOR THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTIONS WERE ADOPTED AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE CITY OF CORTLAND, HELD ON THE 14th DAY OF NOVEMBER 2011.

MARY KAY HICKEY, CHAIRPERSON