



PLANNING COMMISSION

MINUTES

February 27, 2012

A regular meeting of the City of Cortland Planning Commission was held on Monday, February 27, 2012 at 5:15 PM in the Council Chambers at City Hall, 25 Court Street, Cortland, NY.

PRESENT: Chair Felix, Comm. Beckwith, Couch, Gebhardt, McMahon and Spitzer

Staff Present: Capt. William Knickerbocker, Zoning Officer Bruce Weber, and Deputy City Clerk Cheryl A. Massmann and Corporation Counsel Kelly Colasurdo

Item No. 1 – Site Plan Review & Recommendation to ZBA for Use Variance & Area Variance – 28 South Ave. – (Bennedy)(R2) – Vacant Building Renovations and Parking

Ed Bennedy was present. He explained that this property had been deemed a vacant house due to a major fire and it was zoned R2. He stated that it was once a five (5) unit house. He explained that he would like to make it a three (3) family. He noted that he could put two (2) apartments downstairs and one (1) upstairs. Comm. Gebhardt asked how long ago there were five (5) apartments in the house. Mr. Bennedy thought it was eight (8) years ago. He explained that the second floor burned and was pretty much destroyed and it would take quite a bit of money to rehab the house. He further explained that this property was an eyesore and that he owned seven (7) other properties on both sides of this property. He would like to fix up this property and then do some landscaping in the area. Chair Felix asked him how long he had owned the property. Mr. Bennedy stated that he had owned it for about five (5) years.

Comm. Spitzer asked him if he felt that eighty-nine thousand dollars (\$89,000) was enough to rehab this property. Comm. Gebhardt asked him if that estimate included enough money to do the siding on the building. Mr. Bennedy stated that amount included painting or siding. Chair Felix asked if there was another house behind this building. Mr. Bennedy state that there was and that there was a shared driveway.

Comm. Gebhardt noted that the rear house was 28 ½ South Avenue. He noted that he was somewhat confused regarding the proposed parking. Mr. Bennedy stated that he would need a variance for the parking. Comm. Gebhardt asked what the regulated turn around space was. Zoning Officer Weber stated that twenty-four (24) feet was the recommended driving aisle width was. Mr. Bennedy noted that he needed a variance for nineteen (19) feet.

Comm. Spitzer asked if the configuration of the proposed parking could be changed to allow more turn around space. Mr. Bennedy stated that he had tipped them as much as he could because there was a corner stairway. He noted that he could take that away and perhaps he could do a little bit more. He stated that his tenants were parking like that now

and weren't having any problems. Chair Felix asked what the overall distance was from the corner of the house to the proposed parking area. Mr. Bennedy noted that it was about thirty-seven (37) feet.

Chair Felix asked how many parking spots were required. Zoning Officer Weber stated that only six (6) were required. Comm. Spitzer asked why he didn't go with six (6) parking spots, instead of the proposed seven (7). Mr. Bennedy stated that he put seven (7) in there, but probably wouldn't need that many spaces, but he would still have to put two (2) in the back. He did note that many people in the area were on social services and didn't own cars.

Comm. Spitzer wanted to be clear on what they needed to do. He noted that they were going to be making a recommendation to the Zoning Board of Appeals on a Use Variance, and an Area Variance and parking. Zoning Officer Weber noted that there was a lot size, lot width, lot coverage and a required ten (10) foot landscape buffer between 28 ½ and 30 South, parking with an impervious surface and parking space size. Chair Felix asked if Mr. Bennedy planned to pave the parking area. Mr. Bennedy stated that he did not plan to pave as there was prone to flooding and that paving would make that worse unless he built a dry well. He stated that it was currently gravel.

Chair Felix asked him where he planned to store snow. Mr. Bennedy stated that he planned to push it straight back. Chair Felix noted that not only was he looking for seven (7) parking spaces, but there was also a shared driveway. Comm. Spitzer asked what the square footage of the house was. Mr. Bennedy stated that the house was forty (40) feet by forty (40) feet. Chair Felix noted that there was not much space around the house. Mr. Bennedy noted that he couldn't have the house remain vacant because every year the vacant building fine would go up. He felt that the biggest compromise would be to put in three (3) units. There was discussion regarding the configuration of the units and it was noted that it looked like two (2) units on the first floor and one (1) on the second. It was also noted that the building was partially vacant due to the fire. Capt. Knickerbocker stated that it went vacant and was now subject to the Vacant Building Registry and subsequent fines. Mr. Bennedy noted that one (1) unit was occupied.

Comm. Gebhardt asked if the second floor was structurally sound. Capt. Knickerbocker stated that he had not been in the property in some time. Mr. Bennedy noted that he has to fix the building to avoid further increasing fines. He stated that he had requested to put five (5) units back in and was denied, so he just left it. Zoning Officer Weber noted that Mr. Bennedy could make it in compliance with only two (2) units and he would not be cited for vacancy. Mr. Bennedy noted that he couldn't charge enough for two (2) large apartments. Mr. Bennedy noted that he couldn't charge enough for a six (6) bedroom apartment at that location to make it profitable.

Comm. Gebhardt note that the alternative was a vacant building or a building that is going to go down or a building with three (3) units and see improvement. Comm. Spitzer felt that he should go with six (6) parking spots instead of seven (7). There was discussion that the parking spots should be angled more. Comm. Spitzer noted that it was an R2 area, but that this was a hardship issue. He further noted that the owner was willing to sink a hundred thousand (\$100,000) dollars and maybe more into fixing up what is a gutted building. Comm. Spitzer asked Capt. Knickerbocker to confirm that this was once a five (5) family property before the fire. Capt. Knickerbocker stated that it once was a five (5)

family. Comm. Gebhardt noted that this would be an improvement, but it was hard to put a three (3) unit in an R2 area. He expressed concerns and wanted assurance that this will be done properly.

Comm. Gebhardt asked if the siding work would be done by Emerson Exteriors. Mr. Bennedy stated that he had received that quote a few years ago and now planned to do the work in-house, but the electrical work would be subbed out.

On the motion of Comm. Gebhardt, seconded by Comm. Spitzer, voted and approved the Site Plan Review contingent upon the Zoning Board's approval of the variance requests and recommend to the Zoning Board's approval of the Use Variance and the Area Variance with six (6) parking spaces with increased angle to provide more turn around room.

Dissenting Vote: Comm. Beckwith

Item No. 2 – Site Plan Review – 15 Pleasant St. – (Calabro)(R1) – Window Replacement

Chris Calabro was present. He explained that he would like to replace the windows on the second floor of 15 Pleasant Street. He noted that he had a few extra windows for a total of three (3) sets. He noted that the new windows were exactly the same as the third floor windows, noting that two (2) of the windows were a bit larger. Chair Felix asked if he had included a drawing of his proposal. Mr. Calabro noted that he had not.

Zoning Officer Weber explained that originally Mr. Calabro had a site plan review for changes to the façade of this building. He explained that the new windows will require some changes to the trim and the siding and the regulation says that any change to the façade requires site plan review. He noted that this was minor, but however, that's the wording and that's what we are stuck with and that's why Mr. Calabro is here today.

Mr. Calabro noted that the trim would remain the same and that only the size was only changing a couple of inches. Comm. Gebhardt asked if this was an easy replacement. Comm. Gebhardt noted that the new windows were a bit taller, but narrower. Mr. Calabro noted that this will bring conformity to the building as the windows on the second floor were inconsistent now. Comm. Spitzer asked if these windows would be more contemporary and more energy efficient. Mr. Calabro agreed that they would.

On the motion of Comm. Spitzer, seconded by Comm. McMahon, voted and approved the revised site plan.

Item No. 3 – Minutes – January 23, 2012

On the motion of Comm. McMahon, seconded by Comm. Beckwith, voted and approved.

Executive Session:

Motion to go into:

On the motion of Comm. Gebhardt, seconded by Comm. McMahon, voted and approved.

Motion to come out of:

On the motion of Comm. Gebhardt, seconded by Comm. McMahon, voted and approved.

Adjournment

On a motion of Comm. McMahon, seconded by Comm. Spitzer, voted and approved.

I, RAFAEL FELIX, CHAIRPERSON OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, NEW YORK, DO HEREBY CERTIFY THAT SAID RESOLUTION(S) WERE ADOPTED AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF CORTLAND, NEW YORK, HELD ON THE 27th OF FEBRUARY 2012.

RAFAEL FELIX, CHAIRPERSON