



**Zoning Board of Appeals
City of Cortland
Regular meeting of April 13, 2020**

A regular meeting of the Zoning Board of Appeals was held on Monday, April 13, 2020 at 5:30 PM Via Zoom.

Present: Commissioners Scott Steve, Thomas Larson, Brett Barnes, Juliene Ray, Abigail Cleary, Maria Manning, Karen Leahy

Staff: Zoning Officer Robert Rhea, Interim Director of Code Enforcement Mike Tenkate, Secretary Devon Rainbow

Item #1 – 83-85 Groton Ave. (Pothos) – Area Variance

➤ Lot size

Fran Cassullo & Emanuel Pothos were present. It is a mixed-use changing to multi-unit residential. It is at total of 2 Units: 1 unit in the basement & 1 unit on the upper floor. There are a few variances required: area variance for lot size from 10,000sqft to 4,000sqft, a lot width of 100ft to 46ft, side yard buffer from 15ft to 4ft, rear yard down to 10ft from 20ft, lot coverage of minimum 60% but is at 85%, and 10ft buffer along rear. Will need area variance if parking goes through for 82 Groton Ave and 10ft buffer as well. Mr. Pothos stated he is focusing on 82 Groton Ave and the ancillary parking across the street. Essentially the building at 83 Groton Avenue footprint is not changing, however 82 Groton is looking for ancillary parking. Only asking for seven parking spots. Removing the bar/tavern and making it into two more apartments. The building at 83-85 needs updated for safety and was always been mixed use. It has 1 bedroom units and zero parking. Bob Rhea stated that 82 Groton Avenue is 4 single units and therefore parking requirements are 1.5 per unit which equals 6 spots plus the ancillary requirements. This property has managed 10 years without parking. The leases do state there is no parking available. Commissioner Larson stated that possibly assign spots to apartments. Parking would help but is not required. Mr. Pothos spoke with neighbors and trash was a concern. He is looking to move the trash to the ally. There are a number of code violations with this property that will be resolved in the process of the renovations.

Motion to close public hearing.

Motion: Comm. Larson

Second: Comm. Cleary

Approved: Ayes – 6

Nays – 0

The Board reviewed the test questions necessary for the deciding of granting or rejecting an area variance.

SEQR Part 1 has no impact.

Motion to allow parts 2 & 3 of the SEQR be emailed for ratification at the next meeting.

Motion: Comm. Barnes

Second: Comm. Cleary

Approved: Ayes – 6

Nays – 0

Motion to approve with the variance of no parking for 83-85 Groton Ave, work with applicant on getting signage stating no standing and to disregard 82 Groton Ave.

Motion: Comm. Barnes

Second: Comm. Cleary

Approved: Ayes – 6

Nays – 0

Item #2 – 16 Owego St. (Barden) – Area Variance

- 4' buffer

No one present to speak.

There are concerns with elevation & fire access. Possibly remove the porch and fix elevation. It can be a 2 family.

Motion to table pending further information regarding grading, water management and engineer drawings.

Motion: Comm. Larson

Second: Comm. Leahy

Approved: Ayes – 6

Nays – 0

Item #3 – 37-39 Port Watson (Gallow) – Area Variance

- 10' buffer

Paul Gallow was present. It is 2 bedroom units, no parking on site, using public parking, will need parking permits. There is less traffic with eliminating parking.

Motion to close public hearing.

Motion: Comm. Cleary

Second: Comm. Barnes

Approved: Ayes – 6
Nays – 0

The Board reviewed the questions necessary for the deciding of granting or rejecting an area variance.

Motion to vote on SEQR 2 & 3 at next meeting

Motion: Comm. Ray
Second: Comm. Cleary

Approved: Ayes – 6
Nays – 0

There were concerns/questions with the trash plan. The back side of front building, going be using bins and was a storage area which is not seen from the road.

Possible sidewalk with blockers where driveway is. Central air will be installed. There is a fence and trees between properties on Church Street side.

Motion to approve area variance with buffer and obtaining a Special Use permit from Planning.

Motion: Comm. Ray
Second: Comm. Barnes

Approved: Ayes – 5
Nays – 1 (Commissioner Leahy)

Item #4 – 23 Tompkins St. (Armideo) – Area Variance

- Side yard setback

Mr. Barnanello was present. Planning approved site plan and special use. In order to preserve this house it must kept at 1 unit. Will go to Historic for outside painting. There is no change to the carriage house. Will be using 1 bay of the carriage house for parking. There is a maximum occupancy of 10. There is no increase in lot coverage. There is no change in the structure of the home. There are 10 spaces provided. Landscaping has been added. Rooming house permitted where zoned in R3 & R4

Motion to close public hearing

Motion: Comm. Ray
Second: Comm. Cleary

Approved: Ayes – 6
Nays – 0

The Board reviewed the questions necessary for the deciding of granting or rejecting an area variance.

The Board reviewed the SEQR.

Motion to approve area variance as submitted.

Motion: Comm. Barnes

Second: Comm. Larson

Approved: Ayes – 6

Nays – 0

Approval of minutes

Motion to approve the minutes as amended.

Motion: Comm. Cleary

Second: Comm. Manning

Approved: Ayes – 6

Nays – 0

New/old business:

52 Clayton Ave (Pace) – Interpretation (R1)

Motion to Table any further discussions on 52 Clayton until hear back from Corporate Counsel.

Motion: Comm. Larson

Second: Comm. Ray

Approved: Ayes – 6

Nays – 0

Adjournment

Motion to adjourn.

Motion: Comm. Barnes

Second: Comm. Larson

Approved: Ayes – 6

Nays – 0

I, SCOTT STEVE, CHAIR MEMBER OF THE ZONING BOARD OF APPEALS FOR THE CITY OF CORTLAND, NY, 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 13TH DAY IN APRIL IN THE YEAR 2020.

SCOTT STEVE, ZBA CHAIR MEMBER