

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

March 17, 2020

A motion to approve the minutes of the February 2020 meeting was made by Chairman Clavelli and seconded by Anthony Pauldine; minutes unanimously approved.

Chairman Clavelli made a motion that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated. Motion seconded by Matthew Brancato, unanimous approval.

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-38

IN THE MATTER OF: Grace Schulz

WHEREAS, Grace Schulz, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 2nd Ward of the City of Oswego, New York, with address 55 East Fifth Street, being Tax Map Number: 128.48-02-49, has applied for a Special Permit in accordance to Section 280-13(B) of the City of Oswego Code, to allow proposed tourist home and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

Grace Schulz was present for the discussion. Ms. Schulz said she would like to open a tourist home at 55 East Fifth Street. She said she believes this would be the best usage for the home. She said she doesn't want a bunch of college kids filling up the six bedroom and four bathroom home that she has spent \$300,000 on. She said her neighbors are all in favor of it. She said she thinks it is the best thing to do for the neighborhood and for Oswego as a whole because it will allow professors to stay instead of going home to Rochester and it'll give outage workers a place to stay. She said she can provide nice temporary housing for them. Chairman Clavelli asked if there were any questions from the Board.

RESOLVED, that a Special Permit be granted to allow for a tourist home.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER: Matthew Brancato

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-41

IN THE MATTER OF: Anthony Pauldine

WHEREAS, Anthony Pauldine, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 4th Ward of the City of Oswego, New York, with address 143 East Third Street, being Tax Map Number: 128.64-03-43, has applied for a Special Permit in accordance to Section 280-13(B) of the City of Oswego Code, to allow proposed tourist home and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

Anthony Pauldine was present for the discussion. Jeff McGann said Anthony Pauldine will have to step aside for this case. He said Mark Donabella will be joining the discussion shortly. Anthony Pauldine said he would like to convert the Ladies Home into a tourist home and modify the 28 existing bedrooms down to 14 bedrooms. He said there is some paving involved but none of it in public space. He said some neighbors showed up at the Planning Board and spoke favorably for the project. He said they feel this would be the best use for this huge building in this nice residential area. Chairman Clavelli asked if there were any questions from the Board. Mr. Caraccioli said some neighbors had some interest in how the parking was going to be laid out vis-à-vis their property. He said he recalls Mrs. Lupien in particular had some questions. He asked if he was able to follow up with her to devise a plan that addresses her concerns. Anthony Pauldine said she didn't have any concerns but she did have a request. He said there is a six foot section of fencing between some shrubs that was never put in. He said they told her that they would do that. He said she also wanted to make sure that the means of egress was only going to be from East Third Street and they weren't going to go from Utica Street and ruin the garden and fountain. He said they are going to keep the garden and fountain intact and all of the parking will be in the rear of the building. He said the additional parking space that will be added will be going towards the church who was also present for the meeting. Jeff McGann said he spoke with Councilor Walker and he is in support of this project. Chairman Clavelli asked if there were any questions from the Board. Anthony Pauldine asked for Chairman Clavelli to modify the term from bed and breakfast to tourist home. Jeff McGann said tourist home is the category in which it falls under in our zoning definition.

RESOLVED, that a Special Permit be granted to allow for a tourist home.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER: Mark Donabella

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-42

IN THE MATTER OF: Anthony Pauldine

WHEREAS, Anthony Pauldine, owner of property situate in a TN2, Traditional Neighborhood 2 Zoning District in the 4th Ward of the City of Oswego, New York, with address 143 East Third Street, being Tax Map Number: 128.64-03-43, has applied for a Maximum Paved Area Variance in accordance to Section 280-13(C) of the City of Oswego Code, to allow or proposed 14 room tourist home and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Maximum Paved Area Variance be granted to allow for a 14 room tourist home.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER: Matthew Brancato

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-43

IN THE MATTER OF: Edward Matott

WHEREAS, Edward Matott, owner of property situate in a PD, Planned Development Zoning District in the 6th Ward of the City of Oswego, New York, with address 41 Talisman Terrace, being Tax Map Number: 128.76-04-04, has applied for a Rear Yard Setback Area Variance in accordance to Section 280-22(B) & 280-12(C) of the City of Oswego Code, to allow for the construction of proposed 14'x10' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

Jeff McGann was present for the discussion. Chairman Clavelli said they have a sheet stating Jeff McGann is acting as Edward Matott's representative. Jeff McGann said Mr. Matott is looking to put a shed in the back southeast corner of his property. He said it will be 2' off the rear property line and 2' off the south property line requiring a 4' variance for rear setback and 4' for side setback. He said he is under 144 square feet so the setback for both is 6'. He said they didn't get any calls from neighbors opposing it and Councilor Tesoriero is in support of it. Chairman Clavelli asked if there were any questions from the Board. He asked if there were any covenants there that says he can't have this. Jeff McGann said there is not. He said just about everyone up there has one.

RESOLVED, that a Rear Yard Setback Variance be granted to allow for the construction of proposed 14'x10' shed.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-44

IN THE MATTER OF: Edward Matott

WHEREAS, Edward Matott, owner of property situate in a PD, Planned Development Zoning District in the 6th Ward of the City of Oswego, New York, with address 41 Talisman Terrace, being Tax Map Number: 128.76-04-04, has applied for a Side Yard Setback Area Variance in accordance to Section 280-22(B) & 280-12(C) of the City of Oswego Code, to allow for the construction of proposed 14'x10' shed and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

RESOLVED, that a Side Yard Setback Variance be granted to allow for the construction of proposed 14'x10' shed.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER: Anthony Pauldine

CITY OF OSWEGO, NEW YORK

ZONING BOARD OF APPEALS

RESOLUTION

CASE NO: 20-45

IN THE MATTER OF: Pathfinder Bancorp, Inc.

WHEREAS, Pathfinder Bancorp, Inc., owner of property situate in a TB, Traditional Business Zoning District in the 2nd Ward of the City of Oswego, New York, with address 120 East First Street, being Tax Map Number: 128.55-03-02.2, has applied for a Height Area Variance in accordance to Section 280-17(C) of the City of Oswego Code, to allow for steel penthouse roof unit and screening to house mechanicals and;

WHEREAS, due public notice having been given of a Hearing on said matter to be held on the 17th day of March 2020 and the applicant having appeared and no one appearing in opposition.

Bill Galloway, representing Pathfinder Bank, was present for the discussion. Mr. Galloway said they have a heating/air system they have to replace that has been a real issue. He said they have had Beardsley Architects designing it. He said they did everything they could to try to design it without having to place a lot of the equipment on the roof but they couldn't do it. He said they ended up having to put a penthouse on the roof. Jeff McGann said with the zoning change they went through a year ago this became a Traditional Business area. He said the overall height is lower than it was in the past so that is the reason for the height variance. He said they take the average height from the east and west sides to come up with the variance they are asking for. Chairman Clavelli asked if there were any questions from the Board. Mr. Caraccioli said this property is within 500' of a state road so the County reviewed this under 239 of the General Municipal Law and determined this should be decided as a local issue. Jeff McGann said they have enough people to have a quorum with someone stepping aside. He questioned if Connie Ryan should vote on this because of the involvement of Galloway and Century 21. Mr. Caraccioli asked if Connie Ryan was an employee of Century 21. Connie Ryan said she is an independent contractor. Mr. Caraccioli asked if she owns any portion of that business. Connie Ryan said no. Mr. Galloway said this is for Pathfinder Bancorp. He said this isn't for Century 21 Galloway. Connie Ryan said she is not an employee or owner of either business. Mr. Caraccioli said he thinks the issue was raised out of an abundance of caution but he is satisfied that Connie Ryan is entitled to participate. He said the test of a conflict is whether she would benefit in any way directly. He said she can participate in the vote. Chairman Clavelli said they have the authorization form that Bill Galloway can act as a representative for Pathfinder Bank.

RESOLVED, that a Height Area Variance be granted to allow for steel penthouse roof unit and screening to house mechanicals.

MOTION MADE BY ZONING BOARD MEMBER: Chairman Clavelli

SECONDED BY ZONING BOARD MEMBER:

Anthony Pauldine