

## **BUILDING AND PLANNING DEPARTMENT 2010 ANNUAL REPORT**

### **Planning**

#### Planning Board

The Planning Board received 37 proposals for site plan review, minor subdivision, special use permit or parking waivers. At the same time, the Board issued 37 resolutions in response to these requests. Common items included site plans for new businesses, minor subdivisions for residential construction, special use permits for swimming pools and comprehensive review of large developments such as the 7 unit apartment building at 21 Oliver Street and the reconstruction of Burger King at 60 Saratoga Street.

#### Zoning Board of Appeals

The Zoning Board issued 26 resolutions and considered variances for 29 properties. Most requests involved setbacks, minimum lot size and parking requirements. However in addition to the 29 requests for an area variance, the Board considered four use variances. Four St Agnes Highway sought approval for raising chickens in an R-1 zoning district, which the Board denied. Sacred Heart Church was granted a use variance to continue use of the structure as a church; however the potential buyer opted out of the sale. Nineteen Richmond sought a use variance to construct a garage. One Hundred Columbia Street most recently sought a use variance for retail use, which was approved.

#### Historic Preservation and Architectural Review Board

The Historic Board reviews façade alterations and signage for buildings in the historic district. In 2010, the Historic Board considered 16 applications. Highlights of the year included plans for a newly constructed building on North Mohawk Street on the corner of Front Street. Most of the applications concern changes in siding, windows, front steps and signage for businesses.

### **Building**

#### Code Enforcement

##### 1. MRIs

In 2010 the Building Inspectors completed MRIs on all multifamily structures: two, three and four or more units. In 2009 Tom and Jack began a heavy schedule of MRI inspections on multifamily rental properties throughout the City. The Department worked its way through the streets in alphabetical order. Since November the inspector's schedules have lightened up considerably due to completion of this project. In all, the code enforcement office completed 6,052 MRI inspections in 2010 alone – which includes reinspections. Of those, Tom completed 1639; Jack completed 1991; Ronnie completed 904; John completed 706; and Melissa completed 811 inspections. A few stragglers require reinspections or initial inspections due to owners postponing the MRI.

##### 2. ROPs

Throughout the year, Code Enforcement completed 1914 ROP inspections. In addition, the inspectors have included exteriors and accessory structures in the inspection. Common causes of a failed ROP inspection include blocked egress; faulty outlets; cracked or punctured walls, ceilings or floors; water damage; windows in need of repair or replacement; inoperable smoke or carbon monoxide monitors; and/or insufficient facilities (heating, plumbing, sewer line, etc.)

Michelle has provided follow through on ROP payments through mailings to property owners whose buildings passed MRI inspections. We continue to check taxes prior to scheduling any ROP inspection whether Section 8 or not. In addition, property owners must pay for regular ROPs PRIOR to scheduling an appointment. Michelle also works closely with the school district to pursue properties that are either overoccupied or do not have a valid ROP.

Periodically the office runs a report on open ROPs to prevent illegal occupancy of units that failed the initial inspection. The department then schedules a reinspection with the property owner. On occasion a property owner intentionally avoids reinspection, in which case Code issues a court appearance ticket.

### 3. Building Permits

Code Enforcement processed and monitored 609 building permit requests. Predominant items include vinyl siding, 80+ permits; roof, 40+ permits; fencing, 30+ permits; and 20 or more permits for work on each of the following: porch, barricade, deck, driveway, roof repairs and pods. Garry reviewed the larger projects as well as smaller projects with structural elements such as porches, interior renovations that included wall removal, and additions.

Ronnie conducted ongoing inspections and reviewed plans for the larger projects. He inspected progress on the Harmony Mills project, which received a preliminary CO on December 28<sup>th</sup>. He also inspected progress at Admirals Walk, which submitted plans on Tuesday, December 28<sup>th</sup>, 2010 to construct another building that will contain three units. Eagle's Nest at James Street has been dormant after construction of the model home as has 55 Mohawk Street since the original demolition. However, 55 Mohawk submitted plans to complete the project to accommodate a potential tenant. Finally, the Northeast Eddy Greenhouse project continued with the demolition of the Ford Center in February.

In December, the interior demolition for the anticipated renovation of the mill at 31 Ontario Street commenced. The project will include an extension of Jackson Avenue to Delaware Avenue. The former offices will become approximately 30 rental units.

Patty handles the building permit paperwork, including contractor's insurance. NYS Insurance Fund used Code's files to pursue a local contractor for insurance fraud. The Assessor also counts on plans from the building department to determine square footage and extent of rehabilitation on existing properties. Finally, Patty handles FOIL requests, garbage notices of violation, complaints and tickets. She handled approximately 500 garbage violations and 200 tickets.

### 4. Vacant Building Registry

Most of the tickets issued in 2010 concerned vacant buildings. The list contains roughly 100 properties at any given time. We glean addresses from a zero usage reading provided by the Water Department as well as neighborhood complaints. Many of the properties listed on the zero usage list have either one vacant unit (with two water lines) or are owned by snowbirds.

Of the 100 properties on the vacant building list, nine have paid the annual fee. Most of these are bank owned foreclosures. The City received \$6,300 in registration and annual fees since the start of the program.

The building inspectors are currently issuing tickets on the remaining properties. Seventeen paid the \$50 registration fee without paying the annual fee; however, only one submitted a six month plan to rehabilitate and reoccupy. Therefore, the staff will ticket the remaining 16 properties for violation of the Vacant Building Registry legislation.

Another 66 properties require inspection of the exterior and issuance of court appearance tickets for any exterior violations. Of these, two require personal service as the property owner of record failed to appear for court. Another handful of these do not have any exterior violations.

### 5. Complaints

Code Enforcement acted on 913 complaints of the 936 received. Attached you will find a breakdown of the types of complaints. Approximately 178 of those include exterior violations on downtown homes. John Shea conducted several sweeps of the City and gathered about 133

grass complaints. Another 50 complaints concern accessory structures – garages - in need of repair or demolition in the downtown area.

Although most complaints are characterized as Miscellaneous – 268 – the next most common complaints follow: 66 garbage; 29 renting without a permit; 25 unsecured building; 22 tenant complaints; 18 working without a permit; and 15 overoccupancy complaints. The garbage complaints come predominantly from DPW staff during pick-up, while the police often provide information on apartment overoccupancy. Code Enforcement continued to share information on dogs living in apartments to both Animal Control and the City Clerk. Since November Code Enforcement has been authorized to issue tickets for unlicensed dogs. However, we have yet to exercise that authority.

Please note that notices of violation for garbage in Municipality only numbered 66. However, the code officers issue carbons of the notices. Five hundred carbons were issued to homeowners this year. Of those, 112 were picked up by DPW and submitted for reimbursement from the property owner. Only approximately 25 of those paid the fine.

In an effort to ease DPW's workload, the inspectors began following the garbage route in the mornings in order to enforce garbage violations in November. In addition, the department has been making an effort to be more responsive to other department's needs: photos for complaints that result in DPW performing the work must be provided to the Treasurer, complaints that may require DPW follow through are placed on the DPW calendar to schedule staff to perform the work, providing building permit plans to the assessor, acting on slip and/or fall sidewalk complaints from Corporation Counsel with notices and photos in a timely manner, and Code continues to work with Corporation Counsel to follow through on tickets.

We also have much to be thankful for as other departments continue to provide the support we need throughout the year. 1) The police department has already provided information concerning unsecured doors on two vacant buildings in the past week alone as a result of the increased patrolling of these properties. The vacant building registry application provided sufficient information to contact the bank's property manager and have the bank secure the building. 2) The Treasurer secured vacant building signs required by the NYS Fire Code at a lower rate than the initial estimates provided by local sign companies. And 3) Corporation Counsel has pursued ticketed parties to ensure compliance with NYS Code as well as secure fines for violations.

## 6. Demolitions

The City conducted several demolitions of unsafe buildings throughout the City: 26 Congress Street; 12 White Street; 86 Chestnut Street. After the New Year, 7 Richmond Street and 110 Heartt Street will also come down. John Shea developed a new list of potential demolition properties to include: 160 Main Street, 3 George Street, 178 Congress Street, 51 Egbert Street, 18 White Street, 99 Western Ave (whose owners have been notified and have agreed to demolish the structure), 57 Central Terrace, 60 Columbia Street, 45 Main Street, 48 Main Street, 43 McElwain Avenue and 42 Bedford Street.