

# **Building and Planning Department** **2012 Annual Report**

## **I. Planning**

### **A. Planning Board**

The Planning Board acted on 29 requests for approvals. Most items included special use permits. The larger projects include: Stewarts at the corner of Baker Ave, Columbia Street and Monroe Street, which still requires engineering review and final site plan approval. Several approvals considered renovation of existing spaces. For example, Harmony Mills #1 and 4 received approval for 100+ apartments. Another applicant proposed repurposing 42 Bedford Street garages.

### **B. Zoning Board of Appeals**

The Zoning Board of Appeals considered and approved 26 variance requests. Of those, two use variances were approved: one for commercial activity at 480 Columbia Street for a car wash next to the Stewart's shop; and another for expanding 44 Broadway to four units. Most area variances concerned setbacks and number of units per building.

### **C. Historic Preservation and Architectural Review Board**

The Historic Board reviews façade alterations and signage for buildings in the historic district. In 2012, the Historic Board considered fifteen applications and began review of a drafted guidance document. Most of the applications concern changes in siding, windows, front steps and signage for businesses.

### **D. Stormwater Management**

Several staff people handle stormwater duties. The City Engineer designs storm sewer (CSO) separation projects, reviews grading permits, sits on the Stormwater Coalition Working Group and Board of Directors, designs and oversees green infrastructure projects such as porous pavement parking lots and rain gardens, prepares the annual report and determines the City's direction in stormwater matters.

The Engineer Tech that started this summer reviews, addresses and maintains files of SW inspection reports from open construction projects. She also organizes the stormwater files and books, attends training sessions, reviews all documentation for formulating responses and conducts site visits to ensure compliance. These tasks were performed by the Department Director, a Code Officer and the Engineer before Barb started.

The Director of Building and Planning sits on the Green Infrastructure Local Law Committee (GILLAC). This year that group interviewed and selected an engineering and legal consultant (Barton and Loguidice with Young Sommers LLC respectively) who would develop a model local law that municipalities could adopt.

Each municipality surveyed its own local code for green infrastructure practices. The consultant compiled the information and generated a list of gaps. The group selected gaps to focus on and is currently reviewing draft model law provided by B&L.

GILLAC also presented a mock planning board meeting at the CDRPC training. Planning the presentation required several meetings over several months and researching/drafting a script for two roles: a board member and the lawyer's role. The mock Board presented green infrastructure practices that planning boards could request or enforce through the planning process. The Director of Building and Planning acted as the mock Board's lawyer during the hour long session.

## **II. Building**

### **A. Code Enforcement**

#### **1. MRIs**

In 2010 the Building Inspectors completed the first round of MRIs on all multifamily structures: two, three and four or more units. Therefore 2012 brought the first follow-up MRIs after three years had passed. Municipality provides an automatic follow-up inspection. Running an MRI report for given dates allows Code to see a list of required inspections and schedule/send notice accordingly. In all Code completed 512 MRI related inspections – which includes reinspections. Jack performed 379 of those; Tom 86; Melissa 37; John 7; and Ronnie 3.

#### **2. ROPs**

The majority of the Code Officer's schedules are comprised of ROPs. Code logged a total of 1544 ROP related inspections which include reinspections. Tom completed 578; Jack completed 413; John completed 412; Ronnie completed 133; and Melissa conducted 8 inspections on an as-needed basis. Payment prior to scheduling continues, and we continue to build a database of tenant names. The School District relies on our ROP records as does the food pantry. The Housing Authority relies on our inspection results.

#### **3. Building Permits**

Ronnie and Garry reviewed and monitored several large projects which were completed in 2012: Watersview apartments, the Community Center for the Eddy, Kelman's addition, Community Builders' rehabs and new construction at 2 N Mohawk, Harmony Mills north end and Central Tower, and 31 Ontario Street. The following remain open: Admiral's Walk, Saratoga Street Apartments and Krug Place. We are reviewing plans for Lexington Hills and Harmony Mills which have an anticipated construction start date in spring 2013.

In addition, 422 building permits were issued in 2012. Seven of these building permits constituted new single or two family homes. Five multifamily structures received Certificates of Occupancy. Thirty-three permits were issued for additions and alterations. The remaining building permits were for a variety of work. The most common included: roofs, siding, windows, fences, porches, and plumbing. However, we also review items such as telecommunication facilities and solar panels.

Patty handles the building permit paperwork, including contractor's insurance. The Assessor continues to rely on plans from the building department to determine square footage and extent of rehabilitation on existing properties. We met with the Assessor to develop a process for

communicating needed information for reassessments. In the future I would like to see the guys provide photographic evidence of the building permit progress. Ronnie downloads some photos during construction. However, at this time the code officers have to download photos in the office which is cumbersome. Technological improvements might make the process easier in the future.

#### **4. Vacant Building Registry**

Some of the court appearance tickets issued in 2012 concerned vacant buildings. The list contains roughly 100 properties at any given time. Many are in good shape and therefore do not warrant a court appearance ticket and the resulting application to the Vacant Building Registry.

We glean addresses from a zero usage reading provided by the Water Department as well as neighborhood complaints. Many of the properties on the zero usage list have either one vacant unit (with two water lines) or are owned by snowbirds. However, the remaining properties on the list are vacant with code violations or the water meter is broken.

Therefore, in an effort to tighten up the process, Code Enforcement works with the Water Department. Once the Water Department issues a zero read list, Sean Connors checks the properties and a Code Officer rides with Sean to photograph the properties and inspect for exterior violations. The Code Officer then tickets those properties that exhibit exterior violations.

Of the 100 properties currently on the vacant building list, thirty paid the \$500 (or \$1000 or \$1500 depending on length of vacancy) annual fee. Many of these vacant properties are bank owned foreclosures. The City received over \$25,000 in registration and annual fees for the properties currently on the VBR. Several properties previously listed in 2011 have since been resold or reoccupied.

During this quarter another ten properties have been ticketed already. Several problems hamper resolution: 1) the owner of record claims foreclosure while the bank claims to not have possession yet; 2) the previous owner dies intestate and no one owns the property yet the mortgage was satisfied and the taxes are paid; or 3) we cannot find the previous owner as there isn't a forwarding address. We have been working with Corporation Counsel to further tighten up the process of pursuing vacant property owners.

NYCOM recommends a task force convene – and our own Choose Cohoes business organization has started one that City Officials should join. NYCOM recommends representation from the police, fire, public works and legal departments. The purpose is to share information, learn about each role in the process, brainstorm ideas for handling these difficult properties and work cooperatively which already happens, but we could always improve.

#### **5. Complaints**

Code Enforcement acted on 813 complaints in 2012. Of those 181 were grass complaints – always our highest number of complaints – and 98 were building exterior violations. Code pursues both types of complaints and DPW clean-up properties that do not comply. The next highest complaint – 50 for renting without a permit plus an additional 25 for overoccupancy – we receive

from the school district. The next two – 44 for not listing a property manager and 33 for yard debris plus 37 for exterior property area – code also pursued. The remainder came from neighbors, tenants, police, and fire personnel. Items range from working without a permit to unsafe structures.

In addition to those complaints listed in Municipality the Code Officers continue morning garbage duty. Their efforts resulted in approximately 350 garbage violations. Many property owners rectify the matter prior to DPW pick-up.

Code Enforcement assisted with unpaid opt-ins by placing stickers on the garbage cans, issuing violation notices which resulted in fines and coordinating removal of the cans from properties no longer paying for City pick-up. Twenty eight more properties eligible for the opt-in that have no discernable other means of waste removal haven't paid the fee.

#### **6. Demolitions**

Code participated in the emergency demolition of 57 Central Terrace. DPW continued to monitor progress at the beginning of the year as some hidden asbestos became evident during the demolition. NYSDOL issued a variance and work recommenced after the first of the year 2012.

#### **7. CSO Inspections**

Code Officers conducted biweekly CSO inspections in response to a DEC violation. Code Officers complete and save reports as well as notify DPW of any findings. In the latter part of the year code officers took on the additional responsibility of checking for outfall signs.

#### **8. Tickets**

Patty handled over 150 tickets in 2011. Most tickets were withdrawn or dismissed once the violations were rectified. However, Corporation Counsel has been excellent in pursuing difficult defendants who refuse to comply. We have been trying to do our part in carefully documenting through notices and photographs.

#### **9. Boarding House Inspections**

Jack conducted the annual boarding house inspections at 85-87 Mohawk Street, 134 Remsen Street, 2 Mohawk Street and 14 Standish Place. Several renovations were required at The Cohoes Hotel – 134 Remsen Street – which the owners are currently implementing. The Mohawk Street boarding house repaired its front stairs.

#### **10. Multi-family apartment complex inspections**

Jack conducts annual inspections of the fire suppression systems and common areas of large apartment complexes such as: Harmony Mills, Riverwalk, Columbia Gardens, and Waterside. Instead of MRI inspections we sometimes require the property managers to provide a list of the current tenants which we compare against our records to determine compliance with ROP requirements.

#### **11. Office Changes**

In 2012 we initially had one support staff person. Therefore, the department continued to rely on support staff in other departments. The Treasurer's Office scheduled ROPs and DPW assisted with payroll and

covered the office when support staff needed time off. In addition, the Code Officers – including the Director - took on more responsibility for completing paperwork and answering phone calls and questions.

Since we have an additional staff person and inspections have slowed down, my goal is to encourage the staff to perform more of the day to day functions so I can better monitor the overall picture: for example the amount of fines garnered from tickets, outstanding inspections, stormwater program, etc. These items could use more of a big picture view from someone in the Director's capacity so we can plan future activities and amend processes to better handle properties and stormwater issues.

At this time I run reports for outstanding complaints, MRIs, ROPs and building permits, at least twice a year. I submit copies to the code officers with their inspections highlighted for follow-up. Those property owners that resist completion can then be ticketed.

The court offices often provide a list of case outcomes which allow us to track the outcome of code tickets to determine how we can improve processes. I would like to place the information in a spreadsheet or database along with all tickets. Municipality provides that opportunity but we have been using paper tickets. This coming year that should change.

The staff is also interested in using and improving the technology available to do the work. Other opportunities for using the technology would be for garbage notices. However because we issue instantaneously, it would work better if the code officers' laptop printers were more effective.

Finally, we desperately need storage for engineering plans. The current location is unorganized and unusable. Furthermore the plans constitute a fire hazard. I would like to find a suitable location and means of organizing the documents and plans. We scanned documents but have not had the staff to organize the electronic or paper versions.

We have continued pursuing interns from local colleges with less success this year. Therefore we followed a lead from our new Engineer Tech and contacted Shaker High School for interns. That led to contacting Cohoes High School where personnel are also working with the City to find students available and interested in learning about engineering.

### **III. Engineering**

Please see separate report.