

**VILLAGE OF PERRY
SPECIAL VILLAGE BOARD MEETING**

November 3, 2016

A Special Board Meeting of the Village of Perry was held at the Perry Firemen's Building, Lake Street Perry New York at 7:00 p.m. on the 3rd day of November 2016.

PRESENT:	Rick Hauser Jacquie Billings Bonita Matson Gail Vosburg David M. DiMatteo	Mayor Trustee Trustee Village Clerk Village Attorney
ABSENT:	Dariel Draper Eleanor Jacobs Terry Murphy	Trustee Trustee Village Administrator
ALSO PRESENT:	Connie Kramer Adam Koziel Michael Sparling Robertta Curry Michael Holden Gillian Conde Jon Penna Rita Law Ann Burlingham Bridget Givens	Carolyn Koziel Joe Marimaccio Raymond Pierson James Matson Lorraine Sturm Joe Gibbons Renee Koziel Betsy Colon Gerry Sahrle

Mayor Hauser called the Meeting to order at 7:00 PM.

Mayor Hauser led in the pledge to the flag.

Mayor Hauser and the Village Board introduced themselves to those in attendance.

Motion by Mayor Hauser, seconded by Trustee Matson, to open the public hearing at 7:09 pm. Motion carried with all voting aye.

PUBLIC HEARING

Clerk Vosburg read the proposed local laws:

Local Law "A"

**A PROPOSED LOCAL LAW ENTITLED "AMENDMENT TO THE ZONING CODE OF THE VILLAGE OF PERRY
TO ADD SPECIFIC PARCELS TO THE R-3 RESIDENTIAL DISTRICT"**

Be it enacted by the Village Board of the Village of Perry as follows:

SECTION I. STATUTORY AUTHORITY; TITLE

This local law is adopted pursuant to the authority of Municipal Home Rule Law of the State of New York, and shall be known as "Amendment to the Zoning Code of the Village of Perry to Add Specific Parcels to the R-3 Residential District".

SECTION II. PURPOSE

The purpose of this local law is to rezone specific parcels to the R-3 Residential district, Due to changing times many parcels have been converted to business related uses that include housing for multiple families, however, these parcels remain zoned in former districts.

SECTION III. RE ZONE SPECIFIC R-2 PARCELS TO R-3 PARCELS

The Village of Perry Zoning Code and Zoning Map be and hereby is amended by this Local Law as follows:
The following properties, situate along Water, Hope and Stanton Street, which was formerly zoned as R-2 Residential are hereby zoned and designated as R-3 Residential District under the above noted local law, subject to all regulations created and established relative to said District, outlined in Article IV, §490-21 of the Village of Perry Zoning Code.*

Tax Map No.	Property Address	Reputed Owners
ADD 88.20-3-92.1	Water & Hope Street, Perry 14530	Lawrence Preischel

SECTION IV. RE ZONE SPECIFIC M-1 PARCELS TO R-3 PARCELS

The Village of Perry Zoning Code and Zoning Map be and hereby is amended by this Local Law as follows:
The following properties, situate along Hope and Stanton Streets, which were formerly zoned as M-1 Manufacturing Light Industry are hereby zoned and designated as R-3 Residential District under the above noted local law, subject to all regulations created and established relative to said District, outlined in Article IV, §490-21 of the Village of Perry Zoning Code.*

* Village Zoning Map attached for more detailed boundary lines.

ADD	Tax Map No.	Property Address	Reputed Owners
	88.20-3-70	62-24 Hope Street, Perry 14530	Renee Koziel
	88.20-3-66.122	55 Hope Street, Perry 14530	EG & JR Miller, LLC

Local Law "B"

A PROPOSED LOCAL LAW ENTITLED "AMENDMENT TO THE ZONING CODE OF THE VILLAGE OF PERRY TO ADD SPECIFIC PARCELS TO THE R-3 RESIDENTIAL DISTRICT"

Be it enacted by the Village Board of the Village of Perry as follows:

SECTION I. STATUTORY AUTHORITY; TITLE

This local law is adopted pursuant to the authority of Municipal Home Rule Law of the State of New York, and shall be known as "Amendment to the Zoning Code of the Village of Perry to Add Specific Parcels to the R-3 Residential District".

SECTION II. PURPOSE

The purpose of this local law is to rezone specific parcels to the R-3 Residential district, Due to changing times many parcels have been converted to business related uses that include housing for multiple families, however, these parcels remain zoned in former districts.

SECTION III. RE ZONE SPECIFIC R-2 PARCELS TO R-3 PARCELS

The Village of Perry Zoning Code and Zoning Map be and hereby is amended by this Local Law as follows: The following properties, situate along Water, Hope and Stanton Street, which was formerly zoned as R-2 Residential are hereby zoned and designated as R-3 Residential District under the above noted local law, subject to all regulations created and established relative to said District, outlined in Article IV, §490-21 of the Village of Perry Zoning Code.*

ADD	Tax Map No.	Property Address	Reputed Owners
	88.20-3-92.1	Water & Hope Street, Perry 14530	Lawrence Preischel
	88.20-3-72	121 Water Street, Perry 14530	Johnathan Bucknam
	88.20-3-73	123 Water Street, Perry 14530	George West
	88.20-3-74	125 Water Street, Perry 14530	Timothy Cipolla
	88.20-3-75	129 Water Street, Perry 14530	David Swede
	88.20-3-93	Hope Street, Perry 14530	Adam Koziel
	88.20-3-94	Stanton Street, Perry 14530	Adam Koziel

SECTION IV. RE ZONE SPECIFIC M-1 PARCELS TO R-3 PARCELS

The Village of Perry Zoning Code and Zoning Map be and hereby is amended by this Local Law as follows: The following properties, situate along Hope and Stanton Streets, which were formerly zoned as M-1 Manufacturing Light Industry are hereby zoned and designated as R-3 Residential District under the above noted local law, subject to all regulations created and established relative to said District, outlined in Article IV, §490-21 of the Village of Perry Zoning Code.*

ADD	Tax Map No.	Property Address	Reputed Owners
	88.20-3-71	Water Street, Perry 14530	Joshua Lapiana
	88.20-3-92.2	Water Street, Perry 14530	Johnathan Bucknam
	88.20-3-68	47 Hope Street, Perry 14530	Donald Hoffman
	88.20-3-67	10 Stanton Avenue, Perry 14530	KRT Realty, LLC
	88.20-3-69	51 Hope Street, Perry 14530	William Koronas
	88.20-3-66.12	Hope Street, Perry 14530	William Koronas
	88.20-3-70	62-24 Hope Street, Perry 14530	Renee Koziel
	88.20-3-66.122	55 Hope Street, Perry 14530	EG & JR Miller, LLC

Mayor Hauser asked Zoning Officer Don Roberts to offer any comments. ZO Roberts said that the VOP Planning Board reviewed the two options of the proposed re-zone that was brought to attention due the DePaul Project (a total of 3 parcels to be rezoned). They discussed the possibility of rezoning additional properties in addition to those that DePaul had requested. Water Street was industrialized in the past but not anymore as it is more residential. The Planning Board thought that the best benefit would be to rezone a total of 15 parcels to R-3. This would take the industrial use out of residential areas. The Planning Board sent a letter to the Village Board recommending Local Law #B, which would rezone a total of 15 parcels.

Mayor Hauser said that the point of the public hearing is to hear specifically comments on the rezoning of the parcels. He pointed out that the Village Board thought it would be a good idea to speak on the DePaul project. Mayor Hauser noted key variables:

1. After the community meeting, the project was reduced from 60 to 48 units. Most units will be in old knitting mill with a two level addition built towards Water Street. The building will have a elevator.
2. There will be 40 one bedroom units, 3 studio units and 5 2-bedroom units with all of them being handicap accessible.
3. The funding source for the project has two parameters:

* Village Zoning Map attached for more detailed boundary lines.

- a. Workforce housing – residents will need an income, and that income will need, at the time of application, to not exceed 60% of median income.
 - b. Supportive housing – 24 hours front desk coverage available to assist residents with needs, lockouts, shuttle service, and to assist as needed.
4. DePaul would give priority to seniors and veterans, as this was mentioned in the public meetings. DePaul believes that the demand exists for this kind of living option in the Village.
 5. The Town of Perry will be the lead negotiator for the PILOT (Payment In Lieu of Taxes).
 6. The draft PILOT will have clear language to include Seniors and Veterans as the main residents.
 7. The proposed rent for a one bedroom unit will be starting at \$600 per month.
 8. Will this be a tax burden? After the community meeting, the impact on emergency services was looked into as it will have many residents on the 2nd and 3rd floors with a majority being seniors, veterans and people with physical disabilities. The Village, after evaluating its finances, declined to purchase a \$1.2 million ladder fire truck due to the impact on taxes going forward; there was a \$200,000 gap. After speaking with DePaul, it was agreed that if the project should proceed, DePaul would provide both a PILOT (which would at least double what the property currently contributes) and a PILOSD (Payment in Lieu of a Special District). The PILOSD would provide \$00,000 to the village's fire apparatus reserve fund prior to the project's completion, plus \$5,000/year for 30 years which will be split between the Village's emergency services and that of the Town of Perry, as they are coordinating the ambulance services.

Mayor Hauser introduced Gillian Conde, a representative from DePaul. She gave an overview of what DePaul does (provide housing and help local people stay local). They want to create a place for residents with mobility issues. The supportive housing will have staff in the building to meet with tenants and to assist them to keep them productive in society. She said that they go above and beyond with their background checks. All tenants must sign leases and if they are violated, their lease will terminate. The building is an apartment building, not a facility.

Mayor Hauser said the rule for the public hearing is that each speaker will have a three minute time limit and the goal is to finish by 8:30 pm. He noted that this is not a question and answer session. The board will consider comments from the speakers and could have some answers at the end, if time permits.

Raymond Pierson – Asked if anyone was here from Water Street as he is very concerned about the impact on the neighborhood. He has a couple of concerns: 48 units are too many – asked if the property on Tempest St is full. He noted that there were only 51 graduates this past June, the alumni dinner was poorly attended, the Halloween party downtown did not have many children. He said the building was built in the 1940's and therefore is not historic.

Connie Kramer – executive director of Wyoming Community Action – She noted that Champion Place is hard to rent out as the HUD regulations for square footage are too small. It is full, 90% for the last several years. Because of regulations, 4 units must be kept aside for the homeless. She said that there is a need for senior housing that is accessible. They had to retro fit 5 apartments so now they are ½ handicap accessible (out of 19 units).

Ann Burlingham – She said that as a resident and employer, she watches residents with needs struggle to find housing. She is very excited to hear of this use for the current building as she believes that vacant building lots are not good for the community and they do not create many taxes.

Renee Koziel – employed by the Village of Perry and owner of property located on Hope Street - She said that the mill building next door used to be falling down, but the Millers cleaned up the property. She feels that Perry is a great place to live and asked what would be better for the community if not for the proposed housing project. She had tenants move out of her apartment building as they had more needs than her building provided. She thinks that this is a good idea and it makes sense and asked what else could go at that location?

Mayor Hauser asked if anyone else had any comments. Lorraine Sturm asked what he timeline was. Gillian Conde said that the application is due in December. If funded, construction would begin in September/October 2017- lasting 18 months- ending in 2018.

Ann Burling said that it would be a great opportunity for people to open small businesses in that area for the residents' needs.

Gillian Conde noted that it is one step up from a group home. The 30 year PILOT cannot change as per requirements from CR. There will not no security, just the front desk, with key fobs for residents. The buildings will be outfitted with security cameras.

Village Attorney DiMatteo reviewed and completed the short EAF with the Village Board.

It was noted that the project is not being approved tonight, only a public hearing on the re-zoning of parcels to reflect their current use.

Motion by Mayor Hauser, seconded by Trustee Matson, to close the public hearing at 8:20 pm. Motion was carried with all voting aye.

Motion to adjourn meeting at 8:20 p.m. was offered by Mayor Hauser, second by Trustee Billings and carried with all voting aye.

Respectfully submitted,

Gail I. Vosburg
Gail Vosburg
Village Clerk