

**Village of Liverpool Zoning Board of Appeals  
Minutes  
Monday, October 22, 2018 – 6:00 p.m.**

Attendees:

Jon Miles, Chairman  
Dennis Hebert  
Stephen Race

Pamela Carey  
Wendy Loughnot - Attorney  
Sandra Callahan, ZBA Secretary

**Call to Order**

Chairman Miles called the meeting to order at 6:00 p.m. and led all present in the Pledge of Allegiance.

**Adoption of Minutes**

Mr. Hebert moved and Ms. Carey seconded the motion to adopt the minutes from December 18, 2017. Approved.

**New Business – Matt Wilson, 117 Brow Street**

On the application of Matt Wilson to maintain a driveway over 24' in width for a property located at 117 Brow Street designated as tax map #004.-04-02.0

Mr. Wilson said he wants to keep the driveway the way it is in the front of the property. It is a 2-family home with a total of 5 bedrooms and he needs the parking for the tenants. He said they could put the parking in the back of the property but the neighbors don't want that. The current tenants are using 3 parking spaces and having 5 spots available is acceptable, for future tenants.

The driveway is currently 45' wide in the front of the house and 14' wide to the sidewalk. The back driveway is 16' x 20' and offers less parking than in the front.

Chairman Miles went through the 5 criteria for granting a variance.

1. Whether an undesirable change will be created in the character of the neighborhood or to nearby properties:

Chairman Miles said Brow Street is unique in that there is limited space due to the width of the street.

2. Whether the benefit sought can be achieved by some other method:

Chairman Miles said the benefits sought are for a non-conforming driveway. He said if the applicant put more parking in the back off Tulip Street a variance wouldn't be required.

3. Whether the requested area variance is substantial:

Chairman Miles said it is substantial relative to the current code.

4. Whether the proposed variance have an adverse effect on the physical or environmental conditions of the neighborhood:

Chairman Miles mentioned snow removal and run-off.

5. Whether the alleged difficulty is self-created:

Chairman Miles said it wasn't due to the fact the house was purchased in its current state and there were no codes in effect when the house was built.

Board member Stephen Race took his place at 6:10.

Chairman Miles said we can consider this variance separate from the previous variance granted for the lot line adjustments, and said that sub-division is still not completed.

The public hearing was opened.

Della Allen, 100 Tulip Street said the back driveway on Tulip St. goes into the yard and would become a parking lot. She would like the driveway kept in the front of the property and the green space in the back.

Lisa Desimone, 115 Brow Street said the property looks nice in the back of the property with the grass currently. It would be easier in front for cars to get in and out and she has no issues with the way it currently is.

Susan Wilson, 113 Brow Street would like to leave the parking in front. She is concerned with the safety of the tenants walking up the hill in the winter if they parked in the back of the property. If a larger parking space was added in the back they would lose green space. She would like to leave it as it is.

Anthony Lavalley, 101 Tulip Street said the parking situation at 117 Brow Street is a mess. There are 2 driveways in the front and back of property. The back of the property had a garage that was converted to an apartment. The driveway was abandoned.

All of the other properties in the area don't have adequate parking. The back of 117 Brow St. is used as a parking lot for other properties, it is not being used for 117 Brow St. He also said a business is being run out of 117 Brow St.

He said to give the applicant what he is asking for relative to parking in the front. There is no room on Brow St. for parking.

The property looks nice now with the green space and patio in the back and it should remain that way. He proposes getting rid of the driveway in the back and keeping it green space.

Mr. Race asked if we get rid of the back driveway where would those cars go. He also asked about snow removal and where they currently put the snow. Mr. Wilson said it goes on the side of the 117 Brow St. yard.

Mr. Reagan said we can't allow cars to park over the sidewalk and 14' wide isn't deep enough. If the driveway was 50' wide it could fit 5 cars.

Ms. Wilson said the tenants use the garage bay for storage and they currently can pull their car up to it to load or unload their things.

Mr. Lavalley said he would like to ask the board to adjourn this until the next meeting to allow the board to review the information and to allow him to compose a letter stating his concerns.

Mr. Race agrees to keep the public hearing open until the next meeting.

Mr. Wilson said that 117 Brow Street is listed as a 3 apartment building with the County tax department. Mr. Reagan said he spoke to the county and that it will be changed to reflect it as a 2-family house.

Mr. Race said to summarize, ideally we would leave all the parking on Brow Street and clean up the back of the property facing Tulip.

The public hearing remains open.

There being no further business, Mr. Race moved and Mr. Hebert seconded the motion to adjourn. All ayes, meeting adjourned at 6:55 p.m.

Respectfully submitted,

Sandra J. Callahan  
Zoning Board Secretary