

**Village of Liverpool Zoning Board of Appeals**

**Minutes**

**Monday, March 27, 2017 – 6:00 p.m.**

**Attendees:**

Michael Romano, Chairman

Pamela Carey

David DeRouchie

Jon Miles

Jason Recor

John Langey – Attorney

Bill Reagan, Chief Codes Officer

Sandra Callahan, ZBA Secretary

**Call to Order**

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

**Adoption of Minutes**

Ms. Carey moved and Mr. Miles seconded the motion to adopt the minutes from February 27, 2017. Approved.

**New Business**

On the application of Advocates, Inc. for a use variance to §380-13 of the code of the Village of Liverpool, to use the first floor of the building as offices for a law firm and to maintain the continued use of two non-owner occupied apartments on the second floor, for a property located at 609 Vine Street designated as tax map #003.-05-02.0.

Chairman Romano read the 4 criteria for granting a use variance and opened the public hearing.

Attorney Mario D'Arrigo representing Advocates, Inc. presented the current floor plan. He said they won't be changing the site plan approved in 2011.

To use the property as zoned (R-1) they would have to convert the downstairs (3,000 sf) and the front apartment as 1 unit and the rear apartment would stay the same.

Mr. D'Arrigo presented several drawings showing what would need to be done to convert to R-1 dwelling. Significant changes with great cost would have to be made to conform to current code.

Mr. D'Arrigo said the costs are prohibitive for demolition, reconstruction and remodeling. It would be approximately \$400,000.

John Lavine, an independent appraiser said the market value as of March 7, 2017 was \$285,000.

Mr. D'Arrigo said this is a unique hardship in that the building has been used as offices for 60 years. The character of the neighborhood would not change if they were granted the use variance.

Chairman Romano said 609 Vine St. is an historic home. He said he doesn't think it is a unique situation and showed several pictures of village homes that were converted from businesses into single family homes.

He stated Advocates, Inc. knew what they were getting in to when they purchased the historic home and the risk of not seeing a return on their investment when selling. Chairman Romano said this proposed use is contrary to what the village wants residential neighborhoods to be.

Mr. D'Arrigo said each house is unique and needs to be addressed as such.

Attorney Langey asked the applicant what is the absolute minimum cost needed to bring the residence to code. There was discussion regarding current State Code and it was unsure what the cost would be.

Chairman Romano referred to the Comprehensive Plan and for the record cited the following:

The traditional residential neighborhoods of the Village of Liverpool remain one of the community's greatest assets and best kept secrets. The quality of life in Liverpool is and should be judged to a great degree by the appearance and upkeep of its homes and neighborhoods. The majority of residential areas in the Village exhibit this highly desirable quality of life which must be maintained. It is this high quality of life exhibited through its neighborhoods that may play a very important role in the revitalization of the downtown business district and help re-establish the Village as a waterfront community.

The Village will amend its present Zoning Map to be consistent with the Future Land Use Map provided in this Plan. The Future Land Use Map illustrates a shift from present zoning in some neighborhoods from multiple family uses to single-family and to mixed use in the Downtown area. This emphasis on single-family residential use and mixed use is consistent with the desire of the Village to protect and stabilize its single-family neighborhoods from non-single family, non-residential uses and at the same time increase residential use in the Downtown area.

#### PRIMARY ISSUES

The Village is very fortunate that it has maintained many of its traditionally styled residential neighborhoods, particularly those areas that front major roadways such as Oswego Street (Route 57), Second Street (Route 370), and Tulip Street. However, there is a continuing trend towards conversion of single-family homes to two/three family units or for non-residential use as illustrated on the Existing Land Use Map of the Village (Figure IV-1). The pressure to convert single family homes to multi-family and non-residential uses is likely to continue particularly with many of the larger, older homes, which are located along major streets into the Village that may no longer meet single family residential needs and tastes.

It must also be recognized that there is, at the same time, a successful local effort that is contrary to this trend. There is recent redevelopment activity converting some multi-family residential units back to single -family use. The municipality needs to facilitate this re-conversion activity back to single family homes by finding and instituting local incentives.

The public hearing will remain open until the April meeting and the environmental review will be done at that time. This case will be referred to County Planning prior to the next ZBA meeting.

There being no further business, Mr. Derouchie moved and Mr. Recor seconded the motion to adjourn. All ayes, meeting adjourned at 7:15.

Respectfully submitted,

Sandra J. Callahan  
Deputy Clerk