

**Village of Liverpool Zoning Board of Appeals
Minutes
Monday, October 23, 2017 – 6:00 p.m.**

Attendees:

Michael Romano, Chairman
Dennis Hebert
Melissa Cassidy

Pamela Carey
Jon Miles
John Langey – Attorney
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

Mr. Miles moved and Ms. Carey seconded the motion to adopt the minutes from August 28, 2017. Approved.

New Business – The Advocates – 609 Vine Street – Request for rehearing

Robert Baldwin, attorney for The Advocates was present to request a rehearing of the previous case for a use variance for 609 Vine St. All records from previous meetings are a part of this request for rehearing of the case. The request in this rehearing is for a use variance to be limited to a law practice only, not a professional office as previously requested.

Mr. Hebert moved and Ms. Carey moved to rehear the variance case. All ayes. Motion carried.

Attorney Langey asked should the use variance be granted, what improvements would need to be made to the property.

Chairman Romano said there needs to be substantial improvements. The porch and stairs need to be repaired. Chairman Romano said they need to maintain the characteristic of the building. There are signatures on the corner cobblestone from some of the original Village residents and that needs to remain. They are not to sandblast or paint over the names.

The parking lot in the rear of the building needs to be just the right size as required by code. It is not to be too big. Codes Officer Reagan will confirm the required spaces needed.

Chairman Romano said if the variance is granted it would stay with the property and would only be allowed to be a law office. The property could be sold to another law firm.

Ed Sheats, Attorney (potential buyer) said the firm is ready to move in. The current size of the practice is four attorneys and four staff. They may possibly have up to ten employees. The main floor will be the law practice and the upstairs will remain two apartments.

Mr. Sheats said they are commercial and industrial attorneys. They typically do not have clients coming and going in their office. The attorneys go to their clients' office.

It was stated that The Advocates were a tax-exempt organization and the property would go back on the Village tax roll when sold.

Mr. Sheats said it is their intention to maintain and preserve the historic integrity of the building, that is what drew them to the property.

He also said the landscaping would be improved based on the recommendation from the Planning Board.

Mr. Baldwin said if the use variance is conditionally granted, the Section 78 proceedings would be discontinued after the 30 day appeal period has passed.

Chairman Romano said the repairs to the porch and steps would need to be to the satisfaction of the Codes Officer and would need to go to the Planning Board for site plan approval.

Mr. Miles asked if the purchase offer has been modified since the last hearing. The broker said it has been reduced due to the contingency of a law practice only.

There were no other comments.

Mr. Hebert moved and Ms. Carey seconded the motion to conditionally grant the use variance for a law office with the continuation of the two apartments. The practice will have no more than ten employees and is subject to site plan approval by the Village Planning Board. Chairman Romano will provide guidance to the Planning Board Chairman regarding the recommended improvements. If discontinuance of law office, the property will revert back as if the use variance was not granted. All ayes, motion carried.

There being no further business, Ms. Carey moved and Mr. Hebert seconded the motion to adjourn. All ayes, meeting adjourned at 6:40.

Respectfully submitted,

Sandra J. Callahan
Deputy Clerk