

**MINUTES OF A MEETING OF THE VILLAGE
OF AVON ZONING BOARD OF APPEALS
WEDNESDAY, APRIL 14, 2010
7:30 PM; VILLAGE HALL**

I. ATTENDANCE

Present:

Richard K. Hite
Kevin McCormick
Ernest Wiard

(Hite acted as chairman in the absence of Freeman)

Absent:

Daniel Freeman, Chairman
James Gerace

Others Attending:

Paul M. Drozdziel
Deborah Drozdziel
Reid A. Whiting, Village Attorney

IV. NEW BUSINESS

Use Variance Application – Appeal 10-01

Location:

The Mill on Spring Street
184 Spring Street
Avon, NY 14414

Owner:

Paul M. Drozdziel
255 Genesee Street
Avon, NY 14414

Request:

To convert 184 Spring Street,
a property zoned light industrial,
to five loft apartments on the second floor
and four business offices on the first floor

Pertinent Law:

Village Law 7-712
Village Law 30.37

Hite invited Drozdziel to present his application.

Background

The building had been built for the Avon Knitting Company, Drozdziel began. He'd purchased it three years ago, made improvements and tried to rent space. He had one tenant and had had a few *transient* tenants over the years, Drozdziel continued.

He had met many people over the years: from Livingston County, from Monroe County, from economic development agencies and, Drozdziel said, he had met with members of the print media.

He'd like to convert the second floor of the Mill to loft apartments. Loft living had become very popular and there were a number of developments in

Rochester that featured them. Drozdziel said he would like to continue trying to rent commercial space on the first floor.

Drozdziel had applied for a building permit for one loft apartment and had been denied, he told Board members.

Potential Tenants

What kind of commercial endeavors did he envision for the first floor? McCormick asked. The Mill on Spring Street had been industrial space originally, but McCormick said he didn't see it going back that way – nobody made anything anymore.

Professional endeavors, Drozdziel responded, accountants, lawyers and small retail enterprises.

Drozdziel's one tenant has been Johnson Furniture Restoration; was there much noise from Johnson? McCormick wondered.

No, Drozdziel responded, Johnson mostly did furniture refinishing.

What kind of research had Drozdziel done prior to purchasing the building? Hite asked.

He had looked at census information and determined there was a need for apartments in the \$600 per month range, Drozdziel said.

No, Hite interrupted, what direction had Drozdziel expected to go in? What ideas had he had – other than apartments?

Drozdziel said he lived around the corner from the Mill on Spring Street and, after living there three years, the building had come up for sale. He purchased it and would have loved to have filled it with industrial tenants, but it hadn't worked out that way.

What had he paid for the building? Whiting inquired.

Drozdziel said he had paid \$140,000 for the building three years ago and, since buying it, had had many lookers – Fastenal most recently. He had negotiated with the industrial hardware supplier, but ultimately they'd wanted to be closer to Route 390 and rented space in the former Balconi car dealership building on Lakeville Road (*Route 15*) next to Exit 9 from Route 390.

Merlin Music Systems, Inc., a loud speaker manufacturer from Hemlock, had expressed interest, but had pulled back as well. Drozdziel said he'd also had conversations with Star Headlight, but they'd chosen to hold tight.

How much rental income came in from Johnson Furniture Restoration? Whiting asked.

\$7,200 per year, Drozdziel responded.

So, the result was a net loss every year? Whiting followed-up.

A \$16,000 loss, Drozdziel said.

Do we need documentation on those figures? Hite asked.

A profit/loss statement would have been helpful, Whiting conceded.

Character of the Neighborhood

The Board moved on to how Drozdziel's proposal would affect the neighborhood.

Drozdziel said the effect would be an improvement. Kraft Foods Global owned a vacant lot to the south of the Mill, Kraft had high voltage gear to the east, there was a single-family house to the west and a creek and ravine to the north.

People walking by said the Mill property hadn't looked so good in years, Drozdziel added.

Had his initial advertising been geared towards industrial tenants? Whiting asked.

Patrick Rountree, Director of the Livingston County Department of Economic Development, had toured the Mill twice, Drozdziel responded; Louise Wadsworth of the Business Alliance had been there as had been a Greater Rochester development group.

Drozdziel worked at the Rochester Institute of Technology (RIT) and had marketed the property to students for shop space, but they had considered it too far away and hadn't shown any interest, he related.

There were only three members of the Zoning Board of Appeals present, Whiting noted, they would need all three voting in favor for positive action.

Special Use Permit?

A use variance is supposed to be very hard to get, Hite remarked.

Should I be going in another direction? Drozdziel asked.

Whiting didn't think a special use permit would be appropriate.

Executive Session

The Board went into executive session for 15-minutes at 8:00 PM, returning to open session at 8:15 PM.

Hite called for a motion.

MOTION: McCormick moved to grant the use variance for the Mill on Spring Street, seconded by Wiard. Voting in favor were: Hite, McCormick and Wiard. Voting against were: none.

CARRIED, 3 Ayes, 0 Nays

Whiting said he would prepare a written decision for Hite's signature.

V. ADJOURNMENT

MOTION: Wiard moved for adjournment at 8:20 PM, seconded by McCormick. Voting in favor were: Hite, McCormick and Wiard. Voting against were: none.

CARRIED, 3 Ayes, 0 Nays

Gary Margiotta
Deputy Clerk