

26-005

JEFFERY LANIGAN
Mayor



MARK DOMENICO
Director

DEPARTMENT OF CODE ENFORCEMENT

ROME CITY HALL, 198 N. WASHINGTON STREET

ROME, NEW YORK 13440-5815

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Notice of Denial of a Building Permit

Date: 3/9/2026

1. Applicant

- | | |
|--------------------------|---------------------------------|
| a. Name: | 800 Cypress Ilc. |
| b. Address: | 100 Mathews Ave, Utica NY |
| c. Telephone: | 315-525-7777 |
| d. Interest in Premises: | pending owner w/ purchase offer |
| e. Email | vinnie@anchorheating.com |

2. Property description

- | | |
|-----------------------------|---|
| a. Address: | 800 Cypress Street |
| b. Zone District: | C1 |
| c. Current use of property: | Vacant School Building |
| d. Zoning standing : | non conforming due to 12+ month vacancy |
| e. Tax id | 223.012-0001-001 |

3. Type of Action Requested- Special Use Permit

Reason for Denial- The applicant is seeking to re-establish the building as a school for Pre-K students and staff.

- #### 4. Zoning Code Section 80-12.2, Use Matrix, Table 80-12.1 Neighborhood Non-Residential Reuse.
- Allows Primary and Secondary Schools as an allowed use under a Special Use Permit.

Mark Domenico, R.A.
Chief Enforcement Officer

Note: An approval of this application by the Rome Zoning Board does not authorize the construction of the building without first obtaining a building permit. Contact the Rome Code Enforcement Office for further instructions.

CITY OF ROME ZONING BOARD OF APPEALS

Special Permit Application

IN THE MATTER OF THE APPEAL, OF 800 Cypress ^{LLC} APPEAL # 210-005

for a special exception/special permit pursuant to Article VIII, Section 56 (c) of the Code of Ordinances of the City of Rome, Appendix A - Zoning

TO THE ZONING BOARD OF APPEALS:

(SECTION I TO BE COMPLETED BY CODE ENFORCEMENT OFFICER):

- The appellant (s) hereby appeals to the Zoning Board of Appeals of the City of Rome, New York from a determination of the Codes Enforcement Officer who, on the 9th day of March, 2020 did deny the application for a zoning permit or certificate of occupancy, said application affecting property at 800 Cypress Street in a C1 Zoning District, in the City of Rome, and having been submitted to the Codes Enforcement Officer for the purpose of Construction to re-establish an ^{existing vacant} school building

that such application is herein made to the Zoning Board of Appeals insofar as the above use requires Zoning Board of Appeals approval of an appropriate special exception/special permit in accordance with Section 80-122 of the Code of Ordinances, Appendix A - Zoning.

- Appellant recognizes that the Zoning Board of Appeals may grant a special exception/special permit for any use for which the approval of the Zoning Board of Appeals is required under the Code of Ordinances, Appendix A - Zoning. In granting such special exception/special permit, the Zoning Board of Appeals may specify appropriate conditions and safeguards in harmony with the following rules and standards:

- The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting.
- The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use. Examples of measures of potential

impacts due to the nature and intensity of development include, but are not limited to, traffic generation, hours of operation, size and scale, noise, odor, dust, vibration, glare, smoke and environmental hazards.

- (c) The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare.
- (d) The use will not unreasonably increase or introduce traffic congestion or safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes.
- (e) The use makes adequate provision for off-street parking in accordance with the Rome Zoning chapter.
- (f) The use and the proposed design of the building and other structures and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to, traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration.
- (g) The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community. In evaluating cumulative impacts the board will consider the proximity of other special permit uses, particularly those similar to the use proposed.
- (h) The use will not conflict in any way with the Rome Comprehensive Plan and other adopted city plans.

Furthermore, the appellant(s) recognizes that the Zoning Board of Appeals may deny any application for such special exception/special permit if the proposed use fails to meet the above specified conditions.

(SECTION 3 TO BE COMPLETED BY APPELLANT(S)):

3. Having fully reviewed the above rules and standards for the granting of a special exception/special permit, appellant affirmatively asserts compliance with such rules and standards for the following reasons:

(please complete each paragraph below)

The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting because:

1. The existing structure is a former school building designed for educational use. The building & site layout remain suitable for this purpose. No significant modifications to the bldg footprint, height, or overall site design are proposed. The scale, design, & appearance of the bldg remain consistent w/ the established character of the surrounding neighborhood.
The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use. Examples of measures of potential impacts due to the nature and intensity of development include, but are not limited to, traffic generation, hours of operation, size and scale, noise, odor, dust, vibration, glare, smoke and environmental hazards because:

2. The proposed use involves educational operations conducted by Rome (SD). Activities will occur primarily during standard school hours & will be similar in nature to the historic use of the property as a school. The use will not create excessive noise, traffic odor, vibration, glare, smoke or other environmental hazards beyond those typically associated w/ educational facilities.
The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare because:

3. The proposed educational use is compatible w/ surrounding community uses and will not conflict w/ nearby facilities or residential properties. The use promotes educational services within the community & does not present a danger to public health, safety, or general welfare.

The use will not unreasonably increase or introduce traffic congestion or safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes because:

4. The property historically functioned as a school & existing street access & circulation patterns were designed to accommodate school traffic. The reuse of the bldg for educational purposes will generate traffic patterns similar to previous operations & will not unreasonably increase congestion or create safety hazards.

The use makes adequate provision for off-street parking in accordance with the Rome Zoning chapter. Describe parking plan.

5. The site contains existing off-street parking areas that were originally designed to support school operations. These parking facilities will continue to be used for staff & visitors. The existing parking capacity is adequate for the proposed educational use & complies w/applicable zoning provisions.

The use and the proposed design of the building and other structures and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to, traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration because:

6. The project involves reuse of the existing bldg & infrastructure w/minimal modifications. No significant site disturbance, removal of natural features or major construction is proposed. Reuse of the bldg minimizes environmental impacts & promotes efficient use of existing infrastructure.

The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community. In evaluating cumulative impacts the board will consider the proximity of other special permit uses, particularly those similar to the use proposed because:

7. The reuse of the existing school bldg will not interfere w/or diminish the stability, value, or continued use of the surrounding neighborhood. The proposed use is consistent w/the historical institutional use of the site & is compatible w/surrounding land uses.

The use will not conflict in any way with the Rome Comprehensive Plan and other adopted city plans because:

8. The proposed educational use supports community services & the reuse of an existing institutional bldg. The project is consistent w/the goals & policies of the City of Rome Comprehensive Plan.

4. That the previous appeal for the variance requested herein has (not) been made.

Sworn to before me this 7th

Day of APRIL, 2026

Clarissa Murphy
Notary Public

[Signature]
Appellant

Clarissa Murphy
Notary Public State of New York
Reg. # 01MU6070331
Qualified in Oneida County
My Commission Expires Feb. 25, 2030

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Reuse of Former School Building</i>			
Project Location (describe, and attach a location map): <i>800 Cypress St, Rome, NY 13340</i>			
Brief Description of Proposed Action: <i>The project consists of leasing & occupying an existing former school building for educational purposes by the Rome City School District. Minimum interior work may occur but no significant construction or expansion is proposed.</i>			
Name of Applicant or Sponsor: <i>800 Cypress, LLC (Vincent Fichii)</i>		Telephone: <i>(315) 724-8829</i>	
Address: <i>100 Madhaws Ave.</i>		E-Mail: <i>vinnie@anchorheating.com</i>	
City/PO: <i>Utica</i>	State: <i>NY</i>	Zip Code: <i>13502</i>	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
<i>Zoning Board Special Permit</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>15.1</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): <i>Institutional</i>			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Vincent Ficchi</u>		Date: <u>4-7-26</u>
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



800 Cypress St.