

The minutes of the Zoning Board of Appeals Meeting held on Thursday, June 8<sup>th</sup>, 2017, beginning at 7:30 PM.

PLEDGE OF ALLEGIANCE

<u>ROLL CALL</u>	Edwin Rivera, Chairman	- Excused
	Jose Guareño	- Present
	Deyanira Martinez	- Present
	Richard Santiago	- Excused
	Jose Hilario	- Present
	Dennis Michaels, Village Atty.	- Present
	Ruben Berrios, Bldg. Inspector	- Present

Jose Guareño: Mr. Guareño opened the meeting with the first Public Hearing for Bill Press, Green Hills ALP, 1 Route 9W. **27.61-1-3.1.**

Jose Guareño entertained a motion to open the Public Hearing.

RESOLUTION #29-2017

Motion by: Jose Hilario  
Seconded by: Deyanira Martinez  
Motion Carries: All

Bill Press, AARK Interstate Contractors, Inc., 20 Orchard Street, Ramsey, NJ 07446: Bill Press is proposing a special permit for a Construction Trailer. They are going to be at site for about seven months to do the inside renovations.

Jose Guareño invited the public to come forward for the special permit, 1 Route 9W.

(There was no audience present)

With no input from the public, Jose Guareño entertained a motion to close the Public Hearing.

RESOLUTION #30-2017

Motion by: Deyanira Martinez  
Seconded by: Jose Hilario  
Motion Carries: All

Jose Guareño: Mr. Guareño presented the next Public Hearing for Danny Scaffidi, 21 Spring Street. **26.44-1-37**

Jose Guareño entertained a motion to open the Public Hearing.

RESOLUTION #31-2017

Motion by: Jose Hilario  
Seconded by: Deyanira Martinez  
Motion Carries: All

Danny Scaffidi, 21 Spring Street: Danny Scaffidi stated he would like to extend his existing 10x12 deck to a 18x19 deck. He is looking to obtain a small variance.

Ruben Berrios, Bldg. Inspector: Inspector Berrios explained to the board he is extending an existing deck, his lot jets in at a partial part of where the deck is

going to be extended so he does not have the twenty-five feet only at that point where lot jets in. And he needs minimal variance for the side yards of 5.7.

The board member reviewed the site plans.

Deyanira Martinez: Ms. Martinez questioned Inspector Ruben if he foresees any problems.

Ruben Berrios, Bldg. Inspector: Inspector Berrios stated no he doesn't foresees any issues or problems.

Jose Guareño invited the public to come forward for 21 Spring Street.

(There was no audience present)

With no input from the public, Jose Guareño entertained a motion to close the Public Hearing.

**RESOLUTION #32-2017**

Motion by: Deyanira Martinez  
Seconded by: Jose Hilario  
Motion Carries: All

Jose Guareño entertained a motion to approve the temporary construction trailer for Bill Press, Green Hills ALP, 1 Route 9W. **27.61-1-3.1**. As per the section in the Table of General Use Regulations HB- Highway Business District, Column C, and item Number one.

**RESOLUTION #33-2017**

Motion by: Deyanira Martinez  
Seconded by: Jose Hilario  
Motion Carries: All

<b><u>ROLL CALL:</u></b>	Jose Hilario	-	Yes
	Jose Guareño	-	Yes
	Deyanira Martinez	-	Yes

Danny Scaffidi, 21 Spring Street. **26.44-1-37**, to extend deck. He is seeking approval of area variances as submitted.

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; **NO**
- (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; **NO**
- (3) whether the requested area variance is substantial; **NO**
- (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; **NO**
- (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board

of appeals, but shall not necessarily preclude the granting of the area variance; **it was self created but not enough to deny the granting of the area variance**

Jose Guareño entertained a motion to approve area variances as submitted to extended the deck at 21 Spring Street **26.44-1-37**.

RESOLUTION #34-2017

Motion by: Jose Hilario

Seconded by: Deyanira Martinez

Motion Carries: All

<u>ROLL CALL:</u>	Jose Hilario	–	Yes
	Jose Guareño	–	Yes
	Deyanira Martinez	–	Yes

Lastly on the agenda is Wilson Cabrera, EW Management LLC, 38 Middle Street **27.54-2-62**.

Ruben Berrios, Bldg. Inspector: Inspector Berrios explained situation that occurred with EW Management, mailing was sent out to the incorrect properties due to lack of no secretary in department thereof if Board decide to open Public Hearing mailing would be done correctly by The Building Department.

Dennis Michaels: Counselor Michaels informed members of the board if approved by the member to open Public Hearing; it will legally start from scratch. It's pursuing to NYS Village Law 7-712a (12), which states "Rehearing. A motion for the zoning board of appeals to hold a rehearing to review any order, decision or determination of the board not previously reheard may be made by any member of the board. A unanimous vote of all members of the board then present is required for such rehearing to occur. Such rehearing is subject to the same notice provisions as an original hearing. Upon such rehearing the board may reverse, modify or annul its original order, decision or determination upon the unanimous vote of all members then present, provided the board finds that the rights vested in persons acting in good faith in reliance upon the reheard order, decision or determination will not be prejudiced thereby."

Jose Guareño entertained a motion to re-open the decision that was made at Public Hearing on the 9<sup>th</sup> day of March of 2017 for Wilson Cabrera, EW Management LLC, 38 Middle Street **27.54-2-62**.

RESOLUTION #35-2017

Motion by: Deyanira Martinez

Seconded by: Jose Hilario

Motion Carries: All

<u>ROLL CALL:</u>	Jose Hilario	–	Yes
	Jose Guareño	–	Yes
	Deyanira Martinez	–	Yes

Jose Guareño: Mr. Guareño entertained a motion to change Zoning Board Meeting from the 10<sup>th</sup> of August to the 28<sup>th</sup> of August.

RESOLUTION #36-2017

Motion by: Jose Hilario

Seconded by: Deyanira Martinez

Motion Carries: All

Jose Guareño: Mr. Guareño entertained a motion to approve the minutes from the May 11<sup>th</sup>, 2017 meeting.

RESOLUTION #37-2017

Motion by: Deyanira Martinez  
Seconded by: Jose Hilario  
Motion Carries: All

With no further business to be conducted by the Zoning Board of Appeals, Jose Guareño entertained a motion to adjourn the meeting.

RESOLUTION #38-2017

Motion by: Deyanira Martinez  
Seconded by: Jose Hilario  
Motion Carries: All

Respectfully submitted by,

Erica M. Alejandro, Clerk Typist  
July 13, 2017

Date filed with the Village Building Department:

Date filed with the Village Clerk: