

The Minutes of the Village of Haverstraw Zoning Board of Appeals Meeting on Thursday April 14, 2022 beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL :

- Jose Guareno (Chairman) Present
- Dennis Michaels (Asst. Village Attorney) Present
- Ruben Berrios (Building Inspector) Present
- Jose Hilario Present
- Tom Price Present
- Kathleen Porter Present
- Richard Santiago Present
- Ramon Soto Present
- Gisbeth Ramos (Clerk to the ZBA) Excused



Chairman Guareno opened the meeting inviting the first applicant, 52 New Main Street/Dr. Peralta for a proposed medical building, to address the Board.

Inaudible female voice, Atzl Nasher & Zigler PC, representing the applicant:

The representative explained that the applicant was proposing a second and third story addition to the existing commercial building located at 52 New Main Street. Each floor would have an area of 1,655 sq. ft. The 2 floors would be added within the existing footprint of the building. The existing first floor would continue to be utilized by the applicant, and the 2nd and 3rd floors would be used for other medical specialties. A total of 20 employees are anticipated. This project requires area variances for existing non-conforming additions. The only way the applicant could meet the Code would be to tear down the building. They no longer require parking variances since the Village has committed to accepting payment in lieu of parking for 15 additional parking spaces. They are here to request the ZBA set a Public Hearing for the matter.

Inspector Berrios informed the applicant that they would need a variance for the number of stories well. They wouldn't be exceeding the 35 foot height regulation but they were going to 3 stories and only 2 are currently allowed.

Inspector Berrios also added that when you're building with non-conforming bulk it is ok as long as the ZBA has approved it.

Attorney Michaels mentioned that the applicant would need to produce evidence at the Public Hearing documenting that they were granted the 15 parking spaces by the Village Board.

Jose Guareno asked if the parking spaces were to be all for the doctor's office.

Dr. Peralta responded that they would be for any kind of medical office.

Richard Santiago commented on an elevator being included in the plans.

Kathleen Porter asked if the 2nd and 3rd stories were already built.

Inspector Berrios advised her that it was currently a 1 story building.

Attorney Michaels reviewed the Village Code §245-30 to ascertain the legality of the variance for the 3 story building and the proper wording necessary for proceeding. His determination was that a bulk variance was necessary.

Inspector Berrios agreed with Attorney Michaels.

Jorge Lopez, Architect for the applicant: Mr. Lopez stated that they were making the building footprint smaller.

Kathleen Porter asked for clarification regarding the variance necessary and how it works if they're shrinking the footprint.

Inspector Berrios explained that they are building up and because it's so close to the other buildings it would be best to follow the attorney's advice.

Richard Santiago asked for clarification on Mr. Lopez's remark about making the building smaller.

Jorge Lopez explained that the second and third floors would be offset by about 2 feet.

Jose Guareno asked for clarification from Attorney Michaels regarding non-conforming use and Mr. Michaels expressed that it is conforming.

Chairman Guareno entertained a motion to set a Public Hearing on the matter concerning 52 New Main Street for May 12, 2022 at 7:05 PM.

RESOLUTION # 18 - 2022

Motion by: Richard Santiago
Seconded by: Kathleen Porter
Motion Carries: All

The applicant for 25 Spring Street was asked to come forward and address the Board.

Inaudible female, 25 Spring Street, came forward.

Inspector Berrios explained to the Board that the applicant was seeking to put in an addition and they were short on the side yard, which would be 4 ft. 10 in. and would require a variance. The combination of both yards would need a variance of 2 ft. 6 in. They are putting on an addition to square off the house and then installing a deck.

Jorge Lopez informed the Board that the applicant needed a variance for coverage also. They would be going to 50% coverage with the deck.

Jose Guareno asked if there was an existing deck currently and what were the current measurements if there was one.

Jorge Lopez responded that a deck did already exist; they would be taking it down and it would be even with the house.

Inspector Berrios advised the Board that they had plenty of space on the set back. They would be extending the addition back but it wouldn't be getting any closer to the side yard.

Chairman Guareno entertained a motion to set a Public Hearing for May 12, 2022 at 7:05 pm regarding the matter involving 25 Spring Street.

RESOLUTION # 19 - 2022

Motion by: Richard Santiago
Seconded by: Tom Price
Motion Carries: All

Chairman Guareno: With no further business to be conducted by the Board, the Chairman entertained a motion to adjourn the meeting.

RESOLUTION # 20 - 2022

Motion by: Tom Price

Seconded by: Kathleen Porter

Motion Carries: All

Respectfully submitted by,
Judith Curcio

The Clerk Typist to the Zoning Board of Appeals is hereby authorized, directed and empowered to sign these Minutes, and file a copy thereof in the office of the Village Clerk.

Gisbeth Ramos, Clerk Typist

