

The minutes of the Zoning Board of Appeals Meeting held on Thursday May 13, 2021 beginning at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Edwin Rivera (Chairman) -	PRESENT
Richard Santiago-	PRESENT
Jose Hilario-	PRESENT
Jose Guareno-	ABSENT
Tom Price-	ABSENT
Dennis Michaels-	PRESENT
Ruben Berrios-	PRESENT
Alyssa Findley-	PRESENT



MICHAELS: Mr. Chairman if I can make a suggestion if anyone here is for 13 Dowd Street, Carlos Urena Project that is going to be continued to next month. I have June 10<sup>th</sup> is that correct? That public hearing will remain open and continue to the next month meeting at June 10<sup>th</sup>, Thursday 7PM here at Village Hall.

CHAIRMAN: If the applicants can excuse us for a moment, we would like to take this time to honor one of our previous members. She retired in the beginning of the year and at this moment we would like to recognize her and if Deyanira can come forward. First we would like to recognize that she was the first Hispanic Women working on this board and she gave 19 years of service and were really happy. And on behalf of the board we have some flowers for you and card. And we were very thankful to have you for those 19 years.

MARTINEZ: Thank you!

CHAIRMAN: I don't know if the mayor has something to say or any board members?

MAYOR KOHUT: Deyanira we wanted to recognize the fact that you have provided us with exemplary service for 19 years as well. So we present to you this plaque which reads "Village of Haverstraw, Distinguished Service Award, to Deyanira Perlata in recognition of your 19 years of service on the Zoning Board of Appeals. We thank you for your expertise and concern for this community. Thank you and Good Luck. And it is dated today from the board and our village clerk as well.

MARTINEZ: Thank you so much! Thank you for this wonderful opportunity. It was a pleasure working with such a wonderful group. It was 19 years of a great experience and I learned so much this group. And thank you for your patience it was a learning journey. God Bless you.

CHAIRMAN: Cocopine Nyam Caribbean Restaurant.

PETERS: **Marinette Peters 11 New Main Street.**

MICHAELS: For the record this is Cocopine Nyam Caribbean Restaurant, 11 New Main Street this is a application for a Beer and Wine License changed to a liquor license. Alyssa have all Public notices of state and local law been complied with to the best to your knowledge?

FINDLEY: Yes.

MICHAELS: A motion to open the public hearing will be appropriate Mr.Chairman

**RESOLUTION #16-2021**

**Motion: Santiago**

**Second: Hilario**

**Carried By: ALL**

CHAIRMAN: Anyone in favor or against Cocopine Nyam Caribbean Restaurant, 11 New Main Street can come forward.

MAYOR KOHUT: 40 New Main Street, I can say her restaurant has been an asset to the village the time she has been open. She is a pleasure to work with and if she wants to go to a full liquor license we are certainly happy to see that happen.

PETERS: Thank you!

CHAIRMAN: Anybody else? Seeing that there is nobody else we can close out the public hearing. We can vote now for approval of the full liquor license.

MICHAELS: They are amending a Beer and Wine License to a Full Liquor License; anyone can make a motion as recited by legal consul.

**RESOLUTION #17-2021**

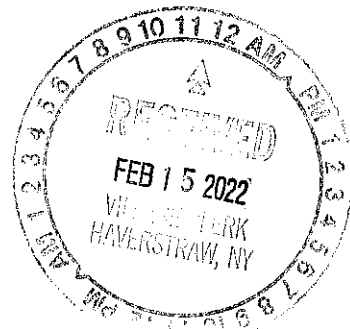
**Motion: Hilario**

**Second: Santiago**

**Roll Call Vote:**

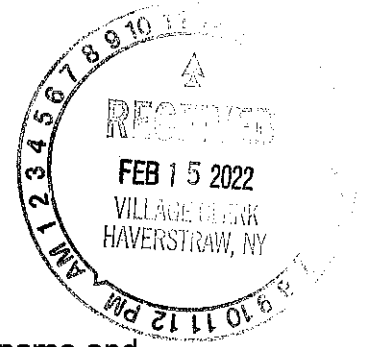
**Rivera – Yes**

**Hilario – Yes**



**Santiago – Yes**

**#3- Yes**



CHAIRMAN: Informal, **85 New Main Street**. Come forward state your name and address.

PHILLIPS: Frank Phillips from the law offices of Phillips and Newman on behalf of Rockland County Rentals. We are before the board requesting a public hearing be set for a variance for parking. I will summarize briefly we have started in 2019, we were requesting a text change which is in conformity to the Village of Haverstraw whereby we have a mixed use of the property. The first and second floors would be residential, 6 apartments. And the basement or first floor if you would like to call it would remain as an office. We did go through the village board 5 times and the planning board 6 times and we are before this board for the first time. We went through and we received approval from the village board from the recommendations for the text change in 2020 and again we've been at it since 2019 but there was the delay because of the pandemic. It is ironic that we are here because before the parking change we would have had a deficit of 14 and we would not have needed a variance but now when they had the change we went from a deficit of 7 up to 10. So we do need the variance. The parking required now is less than the previous use. This is all now commercial it was used before as a doctor's office and a lawyer's office on the first floor, social services on the second floor. Site plan approval was granted, we did receive the special permit. Site plan was also received based on receiving the approval of this board. There are other parking arrangements being made with the village. We mapped out other parking available in the surrounding areas. Also taken to account that the office is not functional on weekends. We are asking the board to set the public hearing so we can present our parking plan. And approve the variance so we can complete the site plan approval.

CHAIRMAN: Right here in the front it shows you have five; can you explain this to me?

PHILLIPS: Yes and one reserved. We were talking about that, we have five here and one reserved and there was going to be off street and on street parking correct?

FREEMAN: Yes but we can't count it.

PHILLIPS: Okay, but I think they were going to purchase some parking they have something pending. But this was also general municipal parking there too, existing parking.

MICHAELS: They are short by 10 actual parking spaces. So the variance would be for 10 parking spaces.

CHAIRMAN: And you're planning to do 6 apartments up there?

Phillips: Correct. And we did go through the planning board and they made some minor modifications which we made for the map. For the dumpster, stairway and so on.

CHAIRMAN: And we know there is municipal parking across from the Miller and Miller.

PHILLIPS: Correct. The church and community facility right across the street.

CHAIRMAN: I never see that parking lot full during the day either. I live on Hudson.

MAYOR KOHUT: The applicant and I had a discussion that up across Stein and Stein that is village property, he is going to improve a area to provide the parking that he needs, so that is the situation pending there.

PHILLIPS: yes, there will be improvements and he will be able to pave it and that will add to the parking.

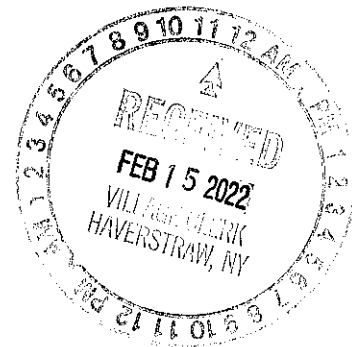
CHAIRMAN: I don't see a problem, any questions from the board?.... I will need a motion to than send it to a Public Hearing.

**RESOLUTION #18-2021:**

**Motion: Santiago**

**Second: Hilario**

**Carried By: ALL**



CHAIRMAN: 246 Route 9W, Popeyes Restaurant.

WARD-WILLIS: Good evening, Nicolas Ward- Willis with the application of the proposed Popeye's. This is for 246 Route 9w in Bricktown Square Shopping Center just south of where the McDonalds and KFC is on route 9w. We appeared before the Planning board on Monday for an informal appearance and we will be back before them for the June 14<sup>th</sup> meeting. We are in front of you for a informal review and to be placed for the June meeting for a public hearing. I have some materials for you to provide to you. First document outlines to you the variances we are requesting. Than I have multiple variances for the signs as well that I have photos of. We are seeking 3 variances first one is for a maximum development of 4.9%. We are reducing the coverage it is currently 7.8%, so we will be down to 64.9% but your code requires 60% so we will need a variance of 4.9%. The second variance on this list is 1 foot variance to allow the applicant to install each of the required 10 ft parking spaces minimum width of 9 ft where the village requires 10ft. We are asking that for easier move ability as the lot is smaller we would like to put landscape if you would like to pull up the site plan. You can

see we have a dead end are from 10ft to 9ft as designed by our traffic expert which would be here at your public hearing next month that accomplishes and serves the needs and allows us to provide the 10 spaces. The last variance is for seven business signs. So the code requires 60 ft of signage we are proposing of 304 so we need a variance of 244 ft. Which is consistent to the signage at McDonalds and Taco Bell. On the second page you will see we have each sign and I will provide you with easier to read versions of the plans. If you take out the larger plan that has the site plan. The third page of the larger set is the site plan, and that will give you a lay of the land. As you can see the building is 2500 square feet in the middle, right side of the property there would be a preview menu board as you drive around there will be a order board and you will drive around to pick up your food. Two boards, on route 9W we are going to have a pole sign 20ft tall. Those are out three signs which are not mounted to the building than on the building itself we have 4 signs. Any questions on the site plans?

CHAIRMAN: I have a question there is already a sign there I believe for the whole square. You are not going to use that sign to put your announcement?

WARD-WILLIS: No we will have our own separate sign. This shows 3 of the 4 signs. There will be one "Louisiana Chicken", "Popeyes Chicken", and "Love that Chicken" that goes on the brick work That is non-illuminated. Other visuals on the sides of the building but no other signs. This shows two drives thru but we are not proposing two we are proposing one. These are the 3 variances that we need, lot coverage, parking, and signage.

CHAIRMAN: The parking lot that you are proposing is around the building?

WARD-WILLIS: The parking lot is in the front. On the route 9w side of the building, 10 parking spaces. This is route 9w around here we have the green space and then the parking lot with the 10 spaces. You will come into brick town plaza down thru the drive thru area get you food and head out. Then there are 10 parking spaces. Currently restaurants are pick up only but when they return to eat and dine-in they will have 28 seats inside.

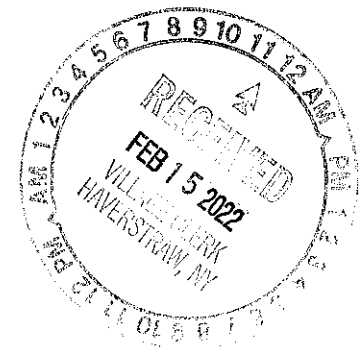
HILARIO: So they will be serving food inside too?

WARD-WILLIS: They will be, yes.

SANTIAGO: Height of the pole sign?

WARD-WILLIS: 20 feet high. Similar to the Mcdonalds.

SANTIAGO: I am trying to remember the height of the McDonalds sign.



MAYOR KOHUT: It is probably higher but it is about the same height as the Bricktown Plaza Sign.

BERRIOS: It seems like a lot but this is a highway business and it is a chain building. It is a little different than the signs downtown that the code is made for more or less.

CHAIRMAN: And I know there is a big parking lot there with a lot of parking too. I am thinking if an over side building goes they can go to the neighboring parking.

WARD-WILLIS: Correct we do have variances with the shopping center as far as to parking and travel.

CHAIRMAN: It will be a improvement to that sight, there was a laundry mat previously there many years ago.

MAYOR KOHUT: And a pizza hut before that. Pizza has been gone for 40 years. Laundry mat for 20 years but the building has been gone for at least 10 years Ruben?

BERRIOS: Correct.

CHAIRMAN: I like it, I like Popeyes.

WARD-WILLIS: Any more information I can bring to the public hearing?

CHAIRMAN: No. The only thing I am concerned with is if you come out and make a right you will be fine but if you make a left there is a lot of business around there, it is hard to make a left there.

WARD-WILLIS: For the morning peak hour we will be closed but for the evening is probably more of a concern. Planning Board is also discussing that and Department of Transportation.

CHAIRMAN: Motion to move to a public hearing for June 10<sup>th</sup>?

**RESOLUTION #19-2021:**

**Motion: Sanitago**

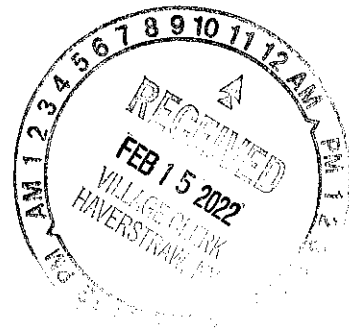
**Second: Hilario**

**Carried By: ALL**

**CHAIRMAN: Motion for April Minutes**

**Resolution #20-2021:**

**Motion: Santiago**



**Second: Hilario**

**CHAIRMAN: Motion to adjourn?**

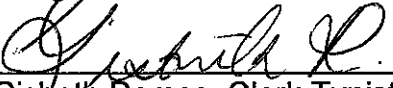
**Resolution #21-2021:**

**Motion: Santiago**

**Second: Hilario**

**Carried By: ALL**

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

