

The Minutes of the Village of Haverstraw Zoning Board of Appeals Meeting on Tuesday March 21<sup>st</sup>, 2023 beginning at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL :**

- |  |         |
|--|---------|
| • Jose Guareno (Chairman)                  | Absent  |
| • 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                               | Absent  |
| • Gisbeth Ramos (Clerk to the ZBA)         | Present |



Since the Chairman was absent an acting Chairman would be selected.

Acting Chairman Tom Price opened the meeting invited the first applicant to come forward for requested variances on 173 Route 9W North.

Ramya Ramanathan, Atzl Nasher & Zigler PC, representing the applicant: The representative explained that the site was about five thousand square feet. Ms. Ramanathan explained that they classified the project as an auto repair shop, because that's what the use falls into, but if it were up to the applicant, it would just be a garage. She continued to by saying that the applicant wanted to use this space after retirement and that he had many years of experience in the auto repair industry. She added that that he just wanted a small space where he could do some minor repairs and sell vehicles.

Acting Chairman Price asked where exactly the lot was.

Inspector Berrios responded that the lot was right around where J & B 's is.

Ms. Ramanathan stated that they were requesting four variances, all listed in the narrative. She added that Mr. Berrios already sent it out for GML review and that they were ok with all the comments. She said that they would address all comments and concerns in the next submission.

Acting Chairman Price asked what the next steps would be.

Mr. Berrios responded that they should look at the variances and see if they have any questions, after that they would have to set the project for a Public Hearing.

Acting Chairman Price asked if Ms. Ramanathan could repeat the variances needed.

Ms. Ramanathan stated that the first variance was a minimum side setback 0 FT./10 FT. are required, they are proposing 6 FT. The second variance was a minimum rear setback 45 FT. are required they are proposing 6 FT. The third variance was maximum development coverage 60% is required they are proposing 74%. The final variance was for parking spaces 10 spaces are required and they are proposing 5 spaces.

Ms. Porter asked what a Macadam Drive was. She asked if it was just a paved driveway.

Ms. Ramanathan responded that it was just the typical driveway.

Mr. Berrios added that it was black top.

Mr. Michaels stated that Macadam is just a more technical term.

Acting Chairman Price entertained a motion to set 173 Route 9W for a Public Hearing on April 17<sup>th</sup>, 2023, at 7 PM.

**RESOLUTION #8 - 2023**

Motion by: Richard Santiago

Seconded by: Jose Hilario

Motion Carries: All

Acting Chairman Price invited the applicant for Liona's Restaurante, 5 Broadway to approach the board.

Waldy Calvo, applicant for Liona's Restaurante, resides in Patterson NJ. Mr. Calvo stated that he got his liquor license from NYS. He added that he was told he needed approval from the ZBA as well.

Mr. Berrios explained that they needed a special permit to serve alcohol. It added that it was a permitted use, but they required a special permit from the ZBA.

Ms. Porter asked if they were serving alcohol already.

Mr. Berrios responded that they were serving alcohol, but only because they weren't aware that they needed a special permit from the ZBA. After he visited their business, he informed them which brought them to the ZBA that night.

Mr. Santiago asked where exactly the business was located.

Mr. Berrios responded that Mi Tierra used to be located there.

Acting Chairman Price asked if the members had any questions regarding the application. The board members responded that they didn't.

Acting Chairman Price entertained a motion to set Liona's Restaurante for a Public Hearing on April 17<sup>th</sup>, 2023, at 7 PM.

RESOLUTION # 9- 2023

Motion by: Richard Santiago

Seconded by: Jose Hilario

Motion Carries: All

Anyi Morel who works with Mr. Calvo at Liona's Restuarante asked if they must stop serving alcohol even though they had the NYS license until they receive approval or could they continue serving alcohol.

Mr. Berrios responded that he didn't oppose only because they already received their NYS license.

Ms. Morel added that when they applied for the license in NYS it didn't state that they had to apply for a permit in the Village as well.

Mr. Berrios responded that it's a Village law.

Mr. Michaels stated that as long as they appeared to the next meeting, diligently, honestly and comply with all of Mr. Berrios's requirements in

regard to this permit that the applicants need in order to serve alcohol, then Mr. Berrios will waive this Board's issuance of the permit until the applicant appear on April 17<sup>th</sup>, 2023. He added that the waiver was only good through April 17<sup>th</sup>, 2023. If you don't receive approval on April 17<sup>th</sup>, 2023, at 7 PM, then the waiver will have expired. He reiterated that the waiver automatically expired at the time of the meeting.

Mr. Calvo and Ms. Morel agreed.

Mr. Berrios told the applicants that they need to contact Ms. Ramos at the office for the Notice of Hearing and mailing list.

Acting Chairman Price asked if the board members were had enough time to read the minutes. The board members responded that they did.

Acting Chairman Price entertained a motion to approve the Minutes for the ZBA Meeting from February 2023.

RESOLUTION # 10- 2023


Motion by: Jose Hilario  
Seconded by: Richard Santiago  
Motion Carries: All

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

RESOLUTION # 11- 2023

Motion by: Richard Santiago  
Seconded by: Jose Hilario  
Motion Carries: 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

