

The Minutes of the Village of Haverstraw Zoning Board of Appeals Meeting on Tuesday July 18<sup>th</sup>, 2023 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                         | Absent  |
| • Ramon Soto                               | Present |
| • Gisbeth Ramos (Clerk to the ZBA)         | Present |



Chairman Guareno opened the meeting. He invited the representatives for Admiral's Cove to address the board.

Andrew Maniglia, Vice President of Ginsburg Development. Mr. Maniglia stated that he wanted to inform the board what they planned on doing. He added that they might need to take a different approach, but that it didn't hurt to let the board know what their intentions were. Mr. Maniglia pointed and showed the board where the Rockland Boat Club was and stated that Martin Ginsburg suggested building an Inn and Marina club at that same site. He added that to do that normally they would have to come in for variances. But he decided that they should go back to the Village Board to get a tax change in the zoning map that would permit the use of an Inn. He stated that currently it was not a permitted use. He stated that that if the members had questions the architect Rogerio Franco could answer them.

Chairman Guareno asked Attorney Michaels what the requirements or conditions are for this type of special permit.

Attorney Michaels responded that Mr. Maniglia is intending to return to the Village Board to propose a tax amendment to our Zoning Code. He added that Mr. Maniglia was referring to the project as an Inn but that we didn't have the definition of an Inn only of hotel and motel. He stated that the project

would fall underneath the category of hotel. He added that it didn't matter because neither of them are permitted uses in the WD zoning district. Attorney Michaels added that in order for the project to be approved it would need one of two things, a use variance from the ZBA which is very difficult to because they would have to meet all four criteria must be met. If they fail one criteria then the use variance must be denied. Or the second option which he encouraged them to take which was to get a tax amendment to the Zoning Code from the Village Board. He stated that would be a legislative act from the Village Board of Trustees, which is a much lower burden than a use variance. He reiterated that a use variance is very difficult.

Chairman Guareno asked if the members had any questions.

Attorney Michaels stated that Mr. Maniglia was probably going to have to come back in front of the ZBA if the Village Board decided to adopt the tax amendment to Zoning Code to allow hotels in the WD district.

Chairman Guareno asked how many stories the building had.

Rogerio Franco, architect, responded that the proposed building had 5 stories including the basement.

Member Hilario asked how many units?

Architect Franco responded that they had 19 rooms for the Inn. He added that they had a spa as well on the fourth floor and 5 treatment rooms.

Member Price asked if the project would be considered like a bed and breakfast.

Attorney Michaels responded that it was not. He added that a bed and breakfast is only allowed as an accessory to a single-family residence.

Mr. Maniglia added that the Inn would be mostly accessible by water.

Member Price asked if every apartment had a shower and bathroom.

Mr. Franco responded that they did.

Member Price asked if they expected it to be by the day or by the week to rent.

Mr. Maniglia responded that he didn't expect anyone to stay over a week.

Member Price responded that it would be more boat traffic than anything else.

Mr. Maniglia agreed.

Chairman Guareno agreed that Attorney Michaels and encouraged Mr. Maniglia to return to the Village Board rather than start the use variance process which would be difficult. He added that he thought the project was a good idea and that if the Village Board decided to adopt the tax amendment, then they could ask them more in detailed questions.

Member Porter asked what the façade would look like and if it looked similar to the Harbors.

Mr. Maniglia responded that it was similar in style.

Chairman Guareno entertained a motion to approve the Minutes for the ZBA Meeting from June 2023.

RESOLUTION # 26- 2023

Motion by: Ramon Soto

Seconded by: Tom Price

Motion Carries: All

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

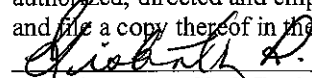
RESOLUTION # 27- 2023

Motion by: Tom Price

Seconded by: Ramon Soto

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