

City of Port Jervis, New York



ZONING BOARD OF APPEALS

April 7, 2015

Attendance

The following Board members were present:

Tim Simmons, Chairman
Hermann Barth

Tom Sexton
Lisa Randazzo

Members Absent: Dan VanKleek, Michael Roberts, and Earl Miller

Also present: Zoning Board Attorney Robert Fink, Building Official Dave Rivera, Councilman Gerald Oney, and Planning Board Chairman Tom Vicchiariello

Regular Meeting

Chairman Simmons called the regular meeting of the Zoning Board of Appeals to order in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, April 7, 2015 at 7:02 p.m.

Minutes of March 3, 2015 tabled

Tabled March 3, 2015 minutes.

Pre-Submission 130 West Main

William Onofry, 130 West Main Street, SBL: 17-2-3.1
Variance for set and side setbacks, lot width, lot area per dwelling unit and lot area.

Mr. Onofry, representing McLiens LLC, owner of 130 West Main Street, stated there is a pending contract that can only be executed as a two family. It was a three-family. Asking the board for variances, they have the depth but need side setbacks and square footage for lot. The property does, in one corner, exceed the property line. There is sufficient parking, seeking a public hearing at this time. Property is currently vacant and still has three kitchens and three bathrooms. House was acquired through the tax lien process. The corporation counsel states it lost its use. Owner wants to convert to a two-family.

Motion by Mr. Barth, seconded by Ms. Randazzo, to set a public hearing for this application for May 5, 2015 at 7:00 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Pre-Submission 140 Jersey Ave

Hamza Warriach, 140 Jersey Avenue, SBL: 14-20-22
Variance for lot area, lot width, side yard setback, & parking spaces for a first floor office & second floor apartment.

Mr. David Henderson representing John Fuller's office for the owner is seeking variances per application. Property was used as a two-family but wants to convert to business office with caretaker apartment on second floor. There is handicap access to the front of building and currently vacant. It was acquired through tax sale.

Mr. Simmons inquired about parking. Mr. Henderson responded there is no parking, there never has been and there is no way to get one on the lot. Tenants would use public parking.

Mr. Simmons asked where the entrance and exit for the upstairs apartment will be. Mr. Henderson noted in the front of the building and the first floor is on the side and exit out the rear.

Mr. Simmons asked if there is room for a dumpster. Mr. Henderson replied he did not know. Mr. Rivera noted if this will be an office space, it will not need a dumpster.

Mr. Sexton asked if it was a two-family and if it was occupied. Mr. Henderson stated it was conditionally a two-family and it is not occupied.

Mr. Simmons questioned handicap accessibility. Mr. Henderson noted they plan to have a ramp on the existing front porch.

Mr. Barth asked if there was enough room for the ramp. Mr. Henderson replied yes.

Mr. Henderson stated the office will not be mercantile but service-related like real estate.

Motion by Mr. Sexton, seconded by Mr. Barth, to set a public hearing for the application for May 5, 2015 at 7:00 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

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| Old Business | No old business was discussed by the Board. |
| New Business | Ms. Randazzo inquired about classes from the county. Mr. Simmons noted he has not received any correspondence, emails, or heard anything regarding classes. |
| Planning Board report given | Mr. Vicchiariello reported the board has not met and probably will not meet in April. |
| Code Enforcement's Report given | Mr. Rivera had no report. |
| Council Liaison report given | Mr. Oney filling-in for Mr. Ritchie, reported there was a two hour public meeting regarding a proposed local law for landlords and absentee landlords. It is dead-in-the-water now but the intent was to address some of the issues |

that the committee had been barraged with. Since it was determined it will be difficult to differentiate between good landlords and bad landlords, an ad hoc committee will be formed to police themselves.

The other item is the zone change for the whitewater park. Mr. Bavoso is continuing to fine tune it.

Adjournment Motion by Ms. Randazzo, seconded by Mr. Sexton, to adjourn the meeting at 7:22 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

The next meeting is scheduled for Tuesday, May 5, 2015 at 7:00 p.m.

Respectfully Submitted

JoAnne Gordon-Burton, Secretary