

City of Port Jervis, New York



ZONING BOARD OF APPEALS

May 7, 2013

Attendance

The following Board members were present:

Tim Simmons, Chairman
Earl Miller
Lisa Randazzo
Tom Sexton
Dan VanKleeck
Robert Fink, Attorney

Absent: Allie Acoveno, Hermann Barth

Also present: Council Liaison Carl Hendrick, Councilman-At-Large Kelly Decker, Councilman Stan Siegel, Assistant Building Official Laurie Powrie, and Planning Board Chairman Tom Vicchiariello

Public Hearing Held—none

No public hearings were held.

Regular Meeting

Chairman Simmons called the regular meeting of the Zoning Board of Appeals (ZBA) to order in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, May 7, 2013 at 7:00 p.m.

Approval of Minutes of 12/4/2012 postponed

Approval of the December 4, 2012 minutes was postponed. There was not a quorum of members present from that meeting.

Pre-Submission: 136 Jersey Avenue SBL: 14-10-23

KAMB Properties LLC
136 Jersey Avenue
SBL: 14-10-23

Lot Area Variance of 5,000 ft² for a Business and Professional Office

Mr. Keith Brown, representing the applicant, stated that a discrepancy had recently been discovered, necessitating a variance for the parcel. The business has been at this location for eighteen (18) months with no issues, and the applicant is seeking an area variance for the lot of 5,000 ft² where 10,000 ft² is required.

Motion by Mr. Sexton, seconded by Mr. VanKleeck, to set a public hearing for this application for June 4, 2013 at 7:00 p.m.

AYE: 5 ABSENT: 2 (ACOVENO, BARTH) ABSTAIN: 0 NAY: 0
CARRIED

Pre-Submission:
21 Liberty Street
SBL: 11-11-19

Tricia Hess
21 Liberty Street
SBL: 11-11-19

**Construct a 22' x 8' Front Porch and
Allow for a 6' high Fence in Front Setback of Corner Lot**

Mr. Brendan Hess, on behalf of the applicant, stated that the applicant is seeking approval to construct an 8' x 22' porch with a covered roof on the Liberty Street side of the property to replace an existing deck-type porch and to replace a 3' existing fence off the back of the house on the Erie Street side with a 6' fence for security reasons. The fence will not obstruct the view on Erie Street, and Mr. Hess had previously spoken to the Building Official on this issue. Mrs. Powrie clarified that, due to the property being a corner lot, it is considered to have two (2) front yards.

Motion by Ms. Randazzo, seconded by Mr. Miller, to set a public hearing for this application for June 4, 2013 immediately following the previously set public hearing.

**AYE: 5 ABSENT: 2 (ACOVENO, BARTH) ABSTAIN: 0 NAY: 0
CARRIED**

- Old Business** No old business was discussed by the Board.
- New Business** Mr. Simmons noted that Mr. Sexton is now a regular member of the Board, and Mr. Teets is now an alternate.
- Planning Board Report given** The following applications were approved by the Planning Board since the December 2012 Zoning Board meeting:
- Mad Dog Liquor, East Main Street, site development plan for new construction
 - Mr. Robert Burbridge, Franklin Street, conditional use permit with a one (1) year renewal
 - St. Peter's Evangelical Lutheran Church, East Main Street, clothing donation drop box
 - Samaki, Inc., Jersey Avenue, site development plan for an expansion
 - Orange and Rockland was granted a six-month extension on their application and are expected to return in June.
 - Ellicott Development appeared before the Board in April with a conceptual plan for the free-standing Rite-Aid building. The pre-submission will be continued at the May meeting, and the applicant anticipates submitting a full site plan at that time.
- Code Enforcement's Report given** Mrs. Powrie stated that, at this time, there was no report in regards to zoning.
- Council Liaison report given** Mr. Hendrick asked if any variances would be needed by Ellicott Development. Mr. Vicchiariello stated that no variances were required.
- Adjournment** Motion by Mr. VanKleeck, seconded by Ms. Randazzo, to adjourn the meeting at 7:18 p.m.

**AYE: 5 ABSENT: 2 (ACOVENO, BARTH) ABSTAIN: 0 NAY: 0
CARRIED**

The next meeting will be held on Wednesday, June 4, 2013 at 7:00 p.m.

Respectfully submitted, Robyn Hendershot, Secretary