

City of Port Jervis, New York



ZONING BOARD OF APPEALS

January 5, 2016

Attendance

The following Board members were present:

Tim Simmons Hermann Barth
Michael Roberts Lisa Randazzo

Absent: Danny VanKleeck, Tom Sexton, and Earl Miller

Also present: Attorney Robert Fink, Building Official Dave Rivera, Councilman Liaison Stanley Siegel, and Planning Board Chairman Tom Vicchiariello

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, January 5, 2016 at 7:02 p.m.

Minutes of 10/6/15 tabled

Mr. Simmons tabled the approval of the October 6, 2015 minutes.

Presubmission 10 Minisink Ave

Estate of Laura J. Schneider
10 Minisink Avenue
SBL: 20-5-6
Lot area variance to allow for a two family dwelling in the R-2 zone

Mr. Fink stated the variances needed for application.

- Lot area 12,000 sf required / 9,700 sf actual
- Lot area 6,000 sf required / 4,850 sf actual
- Lot width 120 ft. required / 105 ft. actual
- Lot depth 100 ft. required / 105 ft. actual
- Front yard setback (Minisink Ave) 20 ft. required / 15.12 ft. actual
- Front yard setback (Wright Ave) 20 ft. required / 11.75 ft. actual
- Front yard setback (Woodland Dr to garage) 20 ft. required / 10.47 ft. actual

Mr. Fuller stated the house has been vacant for a period of time and is listed as a single family but historically used as a two family (mother/daughter). The second and first floor are separate dwellings with their own facilities and a common entrance. It is on the market to be sold. Question if a mother/daughter is considered two family or single family.

Mr. Simmons questioned the garage. Mr. Fuller replied he is unaware of plans for the garage but can ask.

Mr. Fuller noted they are seeking the variances and plan to sell as is.

Mr. Fink asked the building official regarding building regulations that apply to this. Mr. Rivera stated that all common ways in a two family are knocked

down and converted into one and added there is nothing specific relating to a mother/daughter.

Public Hearing set 2/2/16 Motion by Roberts, seconded by Mr. Barth to set a public hearing for Estate of Laura J. Schneider 10 Minisink Ave for February 2, 2016 at 7:00 p.m.

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

Public Comment None

Old Business None.

New Business Mr. Simmons stated the zoning board will remain the same night.

Planning Board Report given Mr. Vicchiariello reported there was a public hearing for Robert Burbridge 116-122 Franklin Street. The applicant did not move forward with the conditional use permit and it was not approved and he was advised by the building department that he could not use property as an apartment. Rock Solid (clothing dumpsters) were approved for an additional two year conditional use permit. Also noted there have been local laws approved that the planning board was not made aware of.

Code Enforcement's Report given Mr. Rivera reported the following:
Keeping up on vacant registrations, zoning law changes, businesses moving into town, cleaning things up and working with Mr. Blanton with 24-32 Front Street.

Council Liaison report given Mr. Siegel reported the following:

- Code did not send to the board Local Law 9 of 2016 which allows wholesale businesses attached to retail business in the SC and SBD zones. Didn't anticipate it coming to a vote because the county still has to weigh-in. There will be a modification based on the county.
- David Bavoso is the new council liaison for Code Committee.
- State passed a clothing bin law, which helps the city with violations and their integrity.
- Meeting with the owner of 100 Pike Street Plaza - work has come to a complete halt.
- Yanni is back in the mini-mall.
- Bridge work is moving along and discussed properties that will be purchased for the project.
- A computer glitch with the water bills usage. Commercial bills will be reissued. Residents may ask for water bill with usage.

Adjournment Motion by Mr. Roberts, seconded by Ms. Randazzo, to adjourn the meeting at 8:25 p.m.

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

The next meeting is scheduled for Tuesday, February 2, 2016 at 7:00 p.m.

Respectfully submitted,

JoAnne Gordon-Burton, Secretary