

**CITY OF PORT JERVIS, NEW YORK
ZONING BOARD**



**June 6, 2017
7:00pm
Minutes**

Public Hearing(s): S. Entwistle, 3 New Street, Port Jervis; SBL: 17-2-5; Variance: Encroachment of side and rear setbacks for 18' x 52" pool installation.

Mailings sent to 10 neighbors and 7 returned and submitted for filing.

The size of the pool cannot be increased only decreased. There must be a fence to surround the area for safety.

Motion to close Public Hearing: M.Roberts; 2nd: E. Miller; Approved

I. Call Meeting to Order: 7:05 pm, Time Simmons, ZBA Chair

Present: Mike Roberts, Earl Miller, Donn Copa, Tom Sexton, Hermann Barth, Robert Fink, Esq., Dave Rivera-Building Official, Tom Vicchiariello, PB Chair, Absent: Dan Aumick

II. Approval of May 2, 2017 minutes: Motion: T. Sexton; 2nd: M.Roberts, Abstain: H.Barth; Approved

III. Public Comment (3 minute limit): None

IV. Discussion of Public Hearing(s): The size of the pool cannot be increased only decreased. There must be a fence to surround the area for safety. Questions to placement of the pool? Reason stated debris from trees on next property was large factor. No adverse impact on the community, self create.

No public discussion took place. Motion to close discussion of PH. T.Sexton; 2nd: E.Miller/ Approved

Certified electrician to inspect; not less than 2 ft.

Motion to Approve: E.Miller; 2nd: D.Copa; Approved Variance.

V. Pre Submission(s): The Phoenix Building, 24-32 Front Street, SBL: 13-5-2

Variance for 1st floor rear ADA apartment.

H.Baras spoke on behalf of owners that the apartment would be directly off the dedicated ADA parking space with a ramp on the Ball St. side of the building. This would have no impact on the Front St./retail side of the building. No number of specific parking spaces at this time other than the 1 ADA space. Mr. Fink stated that this is a policy and that a variance is not needed. Title 2 looks at zoning restrictions & laws, Policy provision 535-62. Recommendation by Mr. Fink that the ZBA can't grant a variance on a policy but the PB can move on to not enforce a policy. Motion to set Public Hearing for July 6, 2017: H.Barth; 2nd: T.Sexton; Approved

VI. Old Business: None

VII. New Business: None

VIII. Planning Board Report: Approved McHomers. Still working with plans on 100 Skyline Drive.

Pre-submissions coming up for L&S Auto, Millie's Pooch Parlor, The Phoenix Building, Shaun Felder has been withdrawn.

IX. Code Enforcement Report: Very busy with general permits and violations, grass watch now that summer has set in, 24-32 Front St is in full progress and moving forward, 2 new business are opening-a juice bar and a jerky store. Redoing the mini mall and it looks great. BonSecours project of \$16 million dollars is moving along. Attending Code & Flood update training. Army Corps of Eng. & Flood Plains ae working with the Fire Dept & training for crisis management.

X. Council Liaison Report: several local laws have been passed and/or amended.

XI. Adjournment: 7:35pm Motion: M.Roberts; 2nd: T.Sexton; Approved

The next meeting is tentatively scheduled for 7:00 pm on JUNE 6, 2017

Respectfully submitted by: J.Schiels