

CITY OF PORT JERVIS, NEW YORK

ZONING BOARD



February 5, 2019
7:00pm
Minutes

In attendance: Chair-Tim Simmons
 Mike Roberts, Tom Sexton, Donn Copa, Earl Miller, Hermann Barth, Daniel Aumick

Also in attendance: R. Fink, ZBA Atty., Tom Vicchiariello-PBChair, Dave Rivera-Building Official, D.Santini, Council Liaison

Absent:

Public Hearing(s):

- A. ReCAP/ HeadStart (Pacer); 56-58 Church Street, Section 9 Block 14 Lot 11.2 for area variances to permit a nursery school (Required / Existing (feet)): lot area: (25,000 / 9,064); lot depth: 100 / 76.3; front setback: 35 / 10.6; rear setback: 40 / 5.6; lot coverage (percentage): 30 / 27.8.

Nate Litwin: plans presented for rehab project to the building to house a nursery school. No changes to exterior; same setbacks as currently in place; no change to lot size; lot coverage is in compliance at present; reasons for relocation of nursery school-present location needs their space for church community needs and to own is more beneficial than renting.

No Board questions or comments at this time.

Public Comment: Craig Fisher, next door neighbor spoke on the positive aspects of the project and is in support of the project moving forward.

Mr. Vicchiariello stated the department heads were all favorable with the exception of DPW. Mr. Fink asked if there were any other available properties that would better serve this project. Mr. Litwin responded there is not.

Motion to close the public hearing: T.Sexton; 2nd E.Miller; 7 yes, 0 no, 0 abs

- B. CARROLL GREEN for property owned by KHH181 LLC, 181 Ball Street, Section 14 Block 9 Lot 4 permitting a single family dwelling to be converted to a 2 family dwelling requiring the following variances (Existing / Required): lot area: 12,000 sf / 2,000 sf; lot width 120 ft / 70 ft.

A non-conforming 3 family house with loss of status to one family, requesting to be back to a 2 family dwelling. One of three kitchens already removed. No changes to exterior; separate water lines, move electric, new sidewalks, private drive available for both units.

Board questioned parking; left side tenants would park in the front and right side tenants would park in the rear of the dwelling. Driveway between 181 and 179 could need an easement if the next door house is sold (both properties are currently owned by the same LLC). Discussion continued regarding driveways on either side of the house.

Public Comment: Maria Mann read a letter obo of a concerned resident and home owner; a copy was placed in the file.

Mr Green rebutted that the people that they plan to rent to are employed, including any Section 8 tenants.

Mr. Siegel spoke as a resident and past city marshal that he confirms the landlord is in good standing and would hope the renters are good people too. Mr. Fink stated this is a permitted use and that the responsibility is on the city council to address such issues.

Motion to close public hearing: M.Roberts, E. Miller, 7 yes, 0 no, 0 abs

Public Comment: None

- I. Call to order: Tim Simmons 7:30pm
- II. Approval of January 8, 2019 minutes: Motion to accept T.Sexton, 2nd D. Aumick, 7 yes, 0 no, 0 abstain/absent, approved
- III. Public Comment (3 minute limit):
- IV. Discussion of Public Hearing(s):
- A. ReCAP/ HeadStart (Pacer); 56-58 Church Street, Section 9 Block 14 Lot 11.2 for the following area variances to permit:
- Will an undesirable change occur?-No
 Will this use be compatible with the location?-Yes
 Can this action be achieved by another means?-No
 Is the variance sustantial?-Yes
 Is there an adverse effect due to action?-No
 Is the action self created?-Yes
 Motion to name Port Jervis as the lead agent in the SEQR: H.Barth, E.Miller, 7 yes/ 0 no /0 abs
 Motion to accept the application as advertised: E.Miller, T.Sexton, 7 yes/ 0 no/ 0 abs
- B. CARROLL GREEN for property owned by KHH181 LLC, 181 Ball Street, Section 14 Block 9 Lot 4 permitting a single family dwelling to be converted to a 2 family dwelling requiring the following variances (Existing / Required): lot area: 12,000 sf / 2,000 sf; lot width 120 ft / 70 ft.
- Parking discussed; Points: #1 create and easement between the 2 houses at 181 & 189 Ball to allow for parking in the rear of the dwelling. Were it to revert to a single family dwelling in the future the easement would already be in place. #2 eliminate front yard parking.
- Is the building in character with the neighborhood?-Yes
 Is is a detriment to nearby properties?-No
 Can this be achieved by another means?-No
 Is the requested variance substantial?-Yes
 Will there be any adverse effect caused by this action?-No
 Is this ation self-created?-Yes
 This is an unlisted action for SEQR
 Motion to accept the application as advertised: T.Sexton, E.Miller, 7 yes/ 0 no/ 0 abs
 Motion to pass the variance as advertised with conditions (eliminate front yard parking and obtain easement between 181-179 Ball St.) E Miller, D.Copa,
 Roll call vote: T.Simmons-No, T.Sexton-No, M.Roberts-No, D.Copa-No, E.Miller-Yes, H.Barth-No, D.Aumick-No, 1 yes/ 6 no /0 abs
 Motion for variance denied.
- V. Pre Submission(s):
- VI. Old Business: None
- VII. New Business: None
- VIII. Planning Board Report: T.Vicchiariello-presented reported from Planning Board
- X. Committee Reports: Code & Building Dept., D.Rivera reported on continuing inspections & updates
- X. Council Liaison Report: Dominick Santini gave updates on council information and codes
- XI. Adjournment: 7:52 pm Motion H.Barth, 2nd M.Roberts 7 yes, 0 no, 0 abstain/absent, Approved

The next meeting is tentatively scheduled for 7:00 pm on March 5, 2019

Respectfully submitted by: J.Schiels