

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



**April 2, 2019
7:00pm
Minutes**

In attendance: Chair-Tim Simmons
Mike Roberts, Donn Copa, Hermann Barth, Daniel Aumick, E.Miller & T.Sexton
Also in attendance: R. Fink, ZBA Atty., T.Vicchiarillo, Dave Rivera-Building Official, D.Santini, Council Liaison
Absent:

Public Hearing(s):

A. L.Miller 74 Ball St. SBL: 13-12-15 variance for 2-family in R-2 zone

Variance of 2 family in R2 zone. Mailings were not completed. Motion to reschedule for rehearing. Motion to reschedule Public hearing May 7th: D.Aumick, 2nd E.Miller, approved 7 yes, 0 no, 0 abs

B. Re-posting Green, 181 Ball St. SBL: 14-9-4 conversion of single-family dwelling to two-family dwelling

Mr. Green obo of owner to convert single family into 2 family dwelling. Documents easements and right-aways of the properties are presented to board for review and to place in file. The 1st variance requires 12,000 sq feet but the property as is is only 10,000 sq.feet which leaves it 2,000 sq feet less then required, the 2nd variance requires a width of 120 feet but the frontage is only 50 feet, leaving it 70 feet short.

Mr. Green is of the belief that this will not create an undesirable change in the character of the neighborhood and a detriment to nearby properties will not be created by the granting the variance. The benefit sought by the applicant cannot be achieved by another mean. The requested variance is not substantial. The proposed variance will not have an adverse effect or impact environmentally to the neighborhood. This is a self-created difficulty.

Public Comment: Mr. S.Siegel spoke about single family homes being on one side of the street opposed to the other side of the street being all multi-family homes and residents of the neighborhood having concerns of single family homes being granted back to multi-family status and the difficulty some are having with sale of homes due to the amount of multi-family unkempt dwellings.

Mr. Fink restated that this matter was to focus on the two variances at hand relating to lot area and lot width. The neighborhood is zoned for multi-family homes but many 9f them do not meet the criteria. He further explained that if many of them were to sit empty for the extended period of time for status to return to single family they would not fit the criteria.

Mr. Green states putting the time and money into the property to bring it back to a respectable property.

Mr. Fink further stated it is the fact and relevance of the square footage and width that is the concern.

Motion to close the Public Hearing: M.Roberts, 2nd T.Sexton, Approved 7 yes, 0 no, 0 abs

- I. Call to order: Tim Simmons 7:32pm
- II. Approval of March 5, 2019 minutes: Motion to accept with corrections D.Aumick, 2nd H.Barth, 5 yes, 0 no, 2 abstain, approved
- III. Public Comment (3 minute limit): none
- IV. Discussion of Public Hearing(s):
 - A. Miller: no mailings, nothing further
 - B. Green: reiterated all questions pertaining to variances-
 - a. Undesirable change would be produced in the character of the neighborhood and a detriment to nearby properties will be created if variance is granted.
 - b. The benefit sought by the application cannot be achieved by some method, feasible the applicant to pursue, other than the variance.

- c. The requested variance for the square footage is not substantial, however, the width of the frontage is substantial.
- d. The proposed variance will not have an adverse effect or impact on the neighborhood environmentally.
- e. The difficulty is self-created.

Motion to typing as an unlisted action under SEQR with no adverse environmental impact: T.Sexton, 2nd H.Barth, 7 yes, 0 no, 0 abs, approved

Motion to for application to be granted as advertised: roll call vote: T.Sexton-no, M.Roberts-no, E.Miller-no, H.Barth-no, D.Copa-no, D.Aumick-no, T.Simmons-no, 0 yes, 7 no, 0 abs, denied

V. Pre Submission(s): none

VI. Old Business: None

VII. New Business: None

VIII. Planning Board Report:

X. Committee Reports:

- A. Planning Board: T.Vicchariello: provided Planning Board updates, next meeting scheduled for April 16th
- B. Code & Building Dept., D.Rivera reported on continuing permits, violations & updates
- C. Council Liaison Report: Dominick Santini had nothing to report

XI. Adjournment: 7:46 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 MAY 7, 2019

Respectfully submitted by: J.Schiolds