

ZBA Minutes
CITY OF PORT JERVIS, NEW YORK ZONING BOARD
Virtual meeting via Zoom Teleconference
June 2, 2020; 7:00pm

In attendance: T. Sexton, M. Hernandez-Newhauser, M. Decker, D. Copa, M. Roberts, R. Fink-ZBA Atty., L. Powrie-Building Official, T. Simmons-Council Liaison, T. Vicchiariello-PB Chair, K. Decker-Mayor & Zoom Facilitator

Absent: D. Aumick, H. Barth

Kelly Decker:

Okay, Jeanmarie.

Jeanmarie Schields:

Jeanmarie Schields, present.

Kelly Decker:

Kelly Decker. Present. Tom?

Tom Sexton:

Present.

Kelly Decker:

Say your name, please.

Jeanmarie Schields:

That's me.

Tom Sexton:

Tom Sexton, present.

Kelly Decker:

Jack?

Jack Farr:

Jack Farr, present.

Kelly Decker:

Bob?

Robert Fink:

Robert Fink, present.

Kelly Decker:

Laurie?

Laurie Powrie:
Laurie Powrie, present.

Kelly Decker:
Mike Decker?

Mike Decker:
Who? Decker, present.

Kelly Decker:
Tim?

Tim Simmons:
Tim Simmons, present.

Kelly Decker:
Lisa?

Lisa Randazzo:
Lisa Randazzo, present.

Kelly Decker:
Tom Vicchiariello?

Tom Vicchiariello:
Present.

Kelly Decker:
Tom, I need you to do it one more time, please.

Tom Vicchiariello:
Tom Vicchiariello.

Kelly Decker:
John and Missy? [inaudible 00:00:42] John and Missy, I might need you to turn-

Missy DiGiantomasso:
Present.

Kelly Decker:
do it one more time, please.

John DiGiantamasso:
John DiGiantamasso, present. Did you hear that, Kelly?

Kelly Decker:

Yes, I did. Okay. Mike Roberts?

Mike Roberts:

Present.

Kelly Decker:

I need you to say your name, sir.

John DiGiantamasso:

John and Missy DiGiantamasso, present.

Kelly Decker:

Thank you. Mike Robert?

Mike Roberts:

Present.

Kelly Decker:

I, Mike, I need you to say your full name, please.

Mike Roberts:

Mike Roberts, present.

Kelly Decker:

Thank you. Melissa?

Melissa Newhauser:

Melissa Newhauser.

Kelly Decker:

Present.

Melissa Newhauser:

Present.

Kelly Decker:

Donn Copa? All right. If Donn comes on, if he can hear me, he'll, we'll just stop it there. Okay, I'm turning it over to you, Tom Sexton.

Tom Sexton:

[inaudible 00:01:48]. All right. As of right now, we don't have any public hearing. Singh has been pushed back to next month as a, uh, 31 Fowler Street. So, call the meeting to order. Couple housekeeping things we're gonna do. We have to approve the minutes from January, February, and March. Can I get a motion to, approve the January minutes?

Robert Fink:

Uh.

Tom Sexton:

Mike?

Robert Fink:

[crosstalk 00:02:19] Yes. Do we know who was present at those meetings?

Tom Sexton:

Let me see. I don't have the roll call on that, no.

Jeanmarie Schields:

I do. At the January meeting, it was Mr. Sexton, Mr. Aumick, Mr. Copa, Mr. Roberts, Mr. Barth. Absent was Earl Miller.

Jeanmarie Schields:

Say it again. Tell them to make a motion.

Tom Sexton:

What?

Jeanmarie Schields:

Say it again. Make a motion.

Tom Sexton:

So yeah. I need a motion for January. [crosstalk 00:02:55] I'm sorry.

Jeanmarie Schields:

January.

Tom Sexton:

Yeah.

Jeanmarie Schields:

Present at that meeting, were Mr. Aumick, Mr. Copa, Mr. Roberts, Mr. Barth and Mr. Sexton.

Robert Fink:

Right.

Tom Sexton:

So can I get a motion to approve January's minutes?

Mike Roberts:

I'll make that motion.

Tom Sexton:
Roberts. Can I get a second? Anyone?

Mike Decker:
I wasn't there for that one, so I can't.

Tom Sexton:
Yep.

Mike Roberts:
You can make the second, you just can't vote.

Mike Decker:
All right. I'll second it.

Tom Sexton:
All in favor?

Mike Decker:
Aye.

Laurie Powrie:
Aye.

Mike Roberts:
Aye.

Robert Fink:
You should have the roll call on that. Make, make sure we have four people that are present that are voting affirmatively.

Tom Sexton:
All right. So if there's only, what, one, two ... Donn, do you, can you hear us, Donn?

Donn Copa:
Yeah, I can hear you. Yep. I'm here.

Tom Sexton:
Do you approve?

Donn Copa:
I approve, yeah. Yes.

Tom Sexton:
Where is it? Melissa, you weren't in, right? No Mr. Roberts?

Mike Roberts:

Yes. Yeah.

Tom Sexton:

And I'll be yes. Who are we missing?

Jeanmarie Schields:

Aumick

Mike Roberts:

I'm trying to think. Yeah, Aumick

Jeanmarie Schields:

or Barth

Mike Roberts:

Oh, Barth, Lefty

Tom Sexton:

So we only have three yeses.

Robert Fink:

You're the fourth, are you not?

Mike Roberts:

Yeah.

Robert Fink:

You can vote. You'd be the fourth.

Mike Roberts:

Yeah.

Robert Fink:

Tom?

Tom Sexton:

Yes.

Robert Fink:

You, vote yes, and then we have the fourth.

Tom Sexton:

Yep. Okay, that's four then. All right. Cool. All right. Um. Let's go to February minutes.

Kelly Decker:

Hold on, I'm, I'm just gonna stop you for one second. Donn Copa, I need you to state your name and say present, please.

Donn Copa:

Donn Copa. I'm present.

Kelly Decker:

Thank you.

Donn Copa:

You're welcome.

Tom Sexton:

All right. Can I get a motion for the February minutes?

Mike Roberts:

I'll make that in motion.

Tom Sexton:

That's good, Mr. Roberts. Can I get a second?

Mike Decker:

I'll second.

Melissa Newhauser:

I'll second.

Tom Sexton:

Who? I can't see you. Who seconds it?

Melissa Newhauser:

I can second it. Melissa Newhauser.

Mike Roberts:

She can't.

Polly Roberts:

She wasn't at the meeting.

Robert Fink:

Yeah, no, she can second it. [crosstalk 00:05:38]

Melissa Newhauser:

Can't I second it before?

Robert Fink:

She can second it. She just has to abstain.

Tom Sexton:

Right. Yeah. Uh. All approved?

Mike Roberts:

Aye.

Donn Copa:

Aye.

Tom Sexton:

That's Roberts. Hold on, Roberts, Copa.

Mike Roberts:

Aye.

Tom Sexton:

Yeah. Who else? Roberts, Copa, myself. Who else was at that meeting?

Jeanmarie Schields:

Mr. Sexton, Mr. Decker, Mr. [Aumick], Mr. Copa, Mr. Roberts, Mr. [Barth].

Tom Sexton:

Okay. So we got the four. All right.

Mike Roberts:

Yep.

Robert Fink:

And you're the fourth.

Tom Sexton:

Yeah. So you have Sexton, Roberts, Copa, and Decker.

Robert Fink:

And you.

Tom Sexton:

That's four.

Robert Fink:

I'm sorry, that is you. Okay.

Tom Sexton:

Yep. All right. So the March minutes. I need a motion for approval.

Mike Roberts:

I'll make that motion.

Tom Sexton:

That's Roberts?

Mike Roberts:

Yeah.

Tom Sexton:

Can I get a second?

Mike Decker:

Second.

Tom Sexton:

Who's that?

Mike Decker:

Mike.

Tom Sexton:

Okay, sir. All in favor?

Mike Decker:

Aye.

Mike Roberts:

Aye.

Tom Sexton:

Whoa, whoa, whoa, whoa, hold on. [crosstalk 00:06:49] Slow down. Slow down. It's not coming up that fast. All right. All right, so you have, you have Decker, Roberts, C- is Copa a yes?

Donn Copa:

Yes.

Tom Sexton:

All right. Melissa, were you at that meeting?

Melissa Newhauser:

Yes. Yes.

Tom Sexton:

You're a yes. I'm a yes. So we're all set. Okay. All right. So, that's approved. So that's all kept up and cleaned up. Do we have any public comments right now? Nobody. All right. Moving on. There's no discussion of public hearing. Pre-submissions. I get, we're gonna extend Singh's pre-submission, or we're gonna kick that over to public hearing for next month?

Robert Fink:

It was voted for public hearing.

Tom Sexton:

Correct, yes.

Mike Roberts:

Yeah.

Robert Fink:

So there's no pre-submission on Singh.

Tom Sexton:

Okay. So that's gonna go to public hearing for next month.

Robert Fink:

Yes.

Tom Sexton:

All right. That's gonna be the July 7th meeting? All right. First on deck is Mr. Farr. 10 Culver Street for an area variance for setback new construction of a two-car garage and an addition. Requirements are forced it, four-foot setback and, proposed to a one to a two-foot setback. Is that correct?

Jack Farr:

Yes, sir.

Tom Sexton:

All right. Do you want to tell us what you wanted to do, and [crosstalk 00:08:38] do this.

Jack Farr:

I'm looking at putting a two-car garage to the front, to the right side of my house, put in a, a master bedroom attached to the top of it. Put a two-story. It'll be a two-story building. It will about my property line to the neighbor to my right.

Unknown:

Oh.

Tom Sexton:

Everybody, [crosstalk 00:09:06] I, I apologize, we don't have the maps to hand out right now, but you won't need that until next meeting. Um.

Tom Vicchiariello:

The maps were submitted though, Tom. They are-

Laurie Powrie:

Yeah. Yes, they were.

Tom Sexton:

Yep.

Laurie Powrie:

And they are on the city website also.

Tom Sexton:

Okay. All right. So, there's no other way to do your project?

Jack Farr:

No, sir.

Tom Sexton:

There's no land for sale anywhere near ya?

Jack Farr:

No. I am bordered on two sides by property by two, properties.

Tom Sexton:

Okay. All right. All right. Does anybody have any questions?

Mike Roberts:

Well, is that, is that gonna be new construction?

Jack Farr:

Yes, sir.

Mike Roberts:

Okay.

Jack Farr:

I believe the mayor just put out the, best-

Unknown:

[crosstalk 00:10:21]

Tom Sexton:

Plan on the, on the website. It's to the right of the main structure of the building?

Mike Roberts:

Right.

Tom Sexton:

Okay. There's no way to go up to a third floor, right?

Jack Farr:

No. I have a two-story house so to go up to a third floor wouldn't work.

Tom Sexton:

Right.

Jack Farr:

Especially with putting a garage on.

Tom Sexton:

All right. All right. Any other questions from board members?

Mike Roberts:

No.

Tom Sexton:

All right. So, I'm gonna entertain a motion to set this on the agenda for the 7th of July, to go to public hearing.

Mike Roberts:

I'll make that a motion, Tom.

Tom Sexton:

I can't see you here. Where are ya? All right, that's Mr. Roberts?

Mike Roberts:

Yeah, it's me.

Tom Sexton:

And who second it?

Donn Copa:

Copa.

Tom Sexton:

Copa second it. All in favor?

Mike Roberts:

Aye.

Donn Copa:

Aye.

Melissa Newhauser:

Aye.

Tom Sexton:

Anybody opposed? No opposed. All right. So basically, just gonna get your mailers. I just talked to Laurie and go from there. We'll see you next week. Or next month.

Robert Fink:

[inaudible 00:12:04] in tomorrow and the next day.

Jack Farr:

Okay. Just so I'm aware, I have to get the list from the assessor?

Tom Sexton:

Assessor's office. Assessor's office, yes.

Jack Farr:

All right.

Tom Sexton:

Okay.

Jack Farr:

Thank you.

Tom Sexton:

Hold on, we have a little difficulty getting the dog in the background. Sorry.

Mike Roberts:

(laughs)

Tom Sexton:

All right. Next on deck is, uh, [crosstalk 00:12:27].

Melissa Newhauser:

(laughs)

Tom Sexton:

Night, Jack.

Jack Farr:

Night.

Robert Fink:

Hey, [inaudible 00:12:31].

Jeanmarie Schields:

[inaudible 00:12:31].

Mike Roberts:

Did you get all the questions looked over?

Tom Sexton:

All right. DiGiantomasso. Uh, 101, or sorry, 102 North Orange Street Port Jervis?

Missy DiGiantomasso:

Yes.

John DiGiantamasso:

Yes.

Tom Sexton:

Uh, setback the property line for an in-ground swimming pool.

John DiGiantamasso:

Yes.

Tom Sexton:

All right. All right, Mr. DiGiantamasso, can you explain what you want to do?

John DiGiantamasso:

Yes. We want to, get a variance for our property line. Actually, from our fence line, our property actually extends a little further back beyond the fence by six inches. So, that will most likely be five-and-a-half feet based off of the fence line that we're on. I believe, five feet from the back and I five-feet from the right. Right?

Mike Roberts:

[inaudible 00:13:52]

Tom Sexton:

Okay.

Missy DiGiantomasso:

We have an existing patio that we built about eight or nine years ago that we spent a lot of money on, and there's really no way of, it goes about four-feet deep and it's in-ground. It'd be very difficult to remove that we are looking for a shaped pool to fit that space. And we are asking for a variance

Tom Sexton:

Okay.

Mike Roberts:

Yeah. They're good at this.

Tom Sexton:

Is there any, any other way to, to fit that on there or buy property near you? Is there any for sale?

John DiGiantamasso:

No

Tom Sexton:

Is that a no?

John DiGiantamasso:

No.

Missy DiGiantomasso:

No. We have neighbors on all sides.

Tom Sexton:

Okay.

Missy DiGiantomasso:

So that is a No.

Tom Sexton:

Okay. Is there any, anybody from the board that has a comment? There's nobody from the board that has a comment? No?

Mike Roberts:

No.

Tom Sexton:

All right. Can I get a motion to set this to the public hearing from, uh, July 7th?

Mike Roberts:

I'll make that a motion, Tom.

Tom Sexton:

That is, was that Mr. Roberts?

Jeanmarie Schields:

Yes.

Mike Roberts:

Yes.

Tom Sexton:

All right. Can I get a second?

Mike Decker:

I'll second.

Melissa Newhauser:

I'll-

Tom Sexton:

Decker?

Mike Decker:

Yeah.

Jeanarie Schields:

Missy.

Tom Sexton:

All right. We're all in favor?

Mike Roberts:

Aye.

Melissa Newhauser:

Aye.

Mike Decker:

Aye.

Tom Sexton:

Any other s-, anybody said no? objections Okay. So, you're gonna get ahold of Laurie, get, get your mailers. Get those from the assessor's office, and then we'll see you at the July 7th meeting.

Missy DiGiantomasso:

Okay.

John DiGiantamasso:

Okay. Great.

Missy DiGiantomasso:

Thank you so much everyone.

John DiGiantamasso:
Thank you.

Tom Sexton:
Okay.

John DiGiantamasso:
Thank you.

Missy DiGiantomasso:
All right, have a great night.

Tom Sexton:
You too.

John DiGiantamasso:
[crosstalk 00:16:17]

Tom Sexton:
Any old business? Uh, any new business?

Robert Fink:
Yes, I have a question. Are we sure we're going to actually meet on the 7th? Mayor Decker?

Kelly Decker:
Yeah, I'm given, by all, all points that we've been told by July we will be back into regular session. Matter of fact, I think that today they were talking about June 27th, but we'll make ours probably July 1st.

Tom Sexton:
All right, that's cool.

Robert Fink:
All right, thank you.

Kelly Decker:
You know, that, that's also contingent on the fact that, you know, it's, the-the virus stays down. You know?

Tom Sexton:
Is that, what phase it is?

Kelly Decker:
Uh, so we would be in phase, by that time we would be in phase four.

Tom Sexton:

Okay. Hopefully.

Kelly Decker:
Hopefully.

Robert Fink:
All right.

Tom Sexton:
All right. Planning board report.

Kelly Decker:
Tom, you have yourself muted.

Tom Sexton:
Tom, you good? Tom?

Mike Decker:
Tom, you have your- ... There you go.

Tom Vicchiariello:
Okay. The only thing-

Tom Sexton:
Planning board report.

Tom Vicchiariello:
We finished loose ends on the Dunkin Donut property. We got all of those taken care of in that project was approved. We got a couple pre-submissions that decided to hold off for a while. That was about it.

Tom Sexton:
Okay. Cool. Thank you very much. Code enforcement.

Laurie Powrie:
I'm doing the best we can with everything going on in the world to keep our office productive and efficient. And it's been working well so far, and I'm looking forward to things opening up a little more so there's, it gets busier and seeing people in City Hall again.

Tom Sexton:
All right. Cool. Council liaison report.

Tim Simmons:
Yeah, we've been holding our meetings by Zoom, just as you are tonight. Um. And, um, we're really just getting back into the swing of things. Um, as most people know, we now have a, uh, permanent, excuse me, permanent corporation council. So they're looking into different matters. We did have a, I believe, a closing this month has gone through for 29 Front, and just also some, some hopeful movement on the

hotel, on the hotel project on Front Street as well. We're waiting to see where that's gonna go. Other than that, we're, well, kinda limited through Zoom what we can do. Okay?

Tom Sexton:

All right. Thank you. Okay, uh, can I get a motion to close the meeting?

Mike Roberts:

I'll make a motion, Tom.

Tom Sexton:

Is that Mr. Roberts?

Mike Roberts:

Yeah.

Tom Sexton:

A second by?

Melissa Newhauser:

I'll second it. Melissa.

Tom Sexton:

Yeah. All in favor?

Mike Roberts:

Aye.

Donn Copa:

Aye.

Melissa Newhauser:

Aye.

Tom Sexton:

Okay. And it's over. Okay.

Tom Sexton:

And [inaudible 00:19:52] was?

Tom Sexton:

25 minutes.

The next meeting is tentatively scheduled for 7:00 pm on July 7th, 2020

Respectfully submitted virtual transcribed minutes via Zoom (K.Decker/J. Shields)