



# CITY OF PORT JERVIS

P.O. BOX 1002  
20 HAMMOND STREET  
PORT JERVIS, NEW YORK 12771

## ZBA Meeting Minutes June 4, 2024, 7:00 pm

In attendance: Chair-T. Simmons, D.Aumick, E.Hipsman, M. Roberts, D.Santini, D. Thompson  
Additional attendees: ZBA Atty.-W.Duquette, PB Chair-T.Vicchiariello, BD-L.Powrie, Council  
Liaison-C.O'Connell  
Absent: H.Barth

Public Hearing(s): McDonald, 24 Cahoonzie Street, SBL: 3-7-1; ZD: RI; Area Variances for new construction of a single-family dwelling

- a. lot depth: required: 100' proposed: 70' / 40.64'
- b. rear yard: required: 30' proposed: 20.4' / 17.6'

Mrs. McDonald stated she would be having a single-family ranch-style home built with a deck in the back extending over the setback.

Board comments: none

Public comment: none

Motion to close the public hearing: Mr. Santini, 2nd Mr. Hipsman, 6 aye, 0 nah

- I. Call to order and Pledge of Allegiance: Mr. Simmons 7:00 PM
- II. Approval of June 4, 2024 minutes: Motion to accept Mr. Roberts, 2nd Mr. Aumick, 6 aye, 0 nah
- III. Public Comment (3-minute limit): none
- IV. Discussion of Public Hearing(s):
  - a. lot depth: required: 100' proposed: 70' / 40.64'
  - b. rear yard: required: 30' proposed: 20.4' / 17.6'
  - a. An undesirable change will be produced in the character of the neighborhood and a detriment to nearby properties will be created by the granting of the variance. NO
  - b. The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the variance. NO
  - c. The requested variance is (numerically) substantial. YES
  - d. The proposed variance will have an adverse effect or impact upon the physical or the environmental conditions in the neighborhood or district. NO
  - e. The alleged difficulty was self-created. YES

Motion to list the application under type 2 action under SEQR: Mr. Roberts, 2nd Mr. Aumick, 6 aye, 0 nah

Motion to approve the application as advertised: Mr. Santini, 2nd Mr. Hipsman, 6 aye, 0 nah

- V. Pre Submissions: Shamus Donahue, 36-40 Center St., SBL: 10-1-2.1; ZD: LI; Use variance to allow a Business & Professional office in the LI (Light Industrial) zoning district.

Mr. Donahue stated he would like to relocate his accounting office with his 3 employees into existing offices at this location and requests a variance to do so. He already works as the CFO of the company that currently occupies the factory and will be better able to perform all his finance duties from one location.

The Board reviewed and shared with Mr. Donahue a copy of the Zoning Law specifically Section B #2, B, C & D. Michael O'Gorman also spoke on behalf of Mr. Donahue as to the positives of the factory, his connection to it, and the addition of his company to the location. The issue is not Mr. Donahue working as the CFO there but bringing an additional company with employees to a LI zoning district. The Board suggests Mr. Donahue

bring documentation of the financial aspects and to address the 4 concerns of the zoning law.

Public Comment: none; Board questions: none

Motion to set Public Hearing for July 2, 2024: Mr. Aumick, 2nd Mr. Santini, 6 aye, 0 nah

VI. Old Business: none

VII. New Business: none

VIII. Planning Board Report: Mr. Vicchiariello provided PB report

IX. Code & Building Dept., L. Powrie updated the board on current ongoing city projects

X. Council Liaison Report: J. Vicchiariello provided a council report

XI. Adjournment: 7:33 pm Motion, Mr. Roberts, 2nd Mr. Hipsman, 6 aye, 0 nah

*The next meeting is tentatively scheduled for 7:00 pm on Tuesday, July 2, 2024*

Respectfully submitted by: J.Schiolds