

**VILLAGE OF HARRIMAN PLANNING BOARD MEETING**  
**Regular Meeting**  
**July 16, 2018**

Chairwoman Escallier opened the Village of Harriman Regular Meeting of July 16, 2018 at 7:30pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**Present:** Chairwoman Irma Escallier, Board Members, Martin Stanise, Michael Zwarycz, Ron Klare, Alternate Jim Kelly, Kevin Dowd, Attorney, John Russo, Engineer, John Hager, Building Inspector and Barbara Singer, Recording Secretary.

**Absent:** Board Member, Juan Quinones

**MOTION** was made by Member Klare to accept the minutes of May 21, 2018.

**SECOND** was made by Member Stanise

**AYE** Member Escallier

**NAY:** -0-

Member Stanise

Member Klare

Member Zwarycz

**ST ANASTASIA CATHOLIC CHURCH**

**102-4-7.22**

**SITE PLAN**

**Present:** James Buyea

*Mr. Russo: Based upon the application that was submitted, NYS Education Code requires a certified, signed and sealed plan be prepared and submitted to a municipality anytime someone is seeking approval from a municipality, that was my first comment. My second comment was the sketch was not at the scale as noted on the plan. We also said that the bulk zoning table should be provided when the new plan is presented showing what is existing, what the required zoning is, what's proposed. My other question is there going to be any other changes to the site? Any walkways? Lighting? Anything around the new vestibule that they're proposing. It's my understanding that the vestibule is being constructed for the movement of caskets in and out. It's hard right now to turn them in the building.*

*Mr. Buyea: Correct.*

*Mr. Russo: Tonight, we were looking at the plans and there was a boundary survey that was done by William Youngblood in 2007 and it shows the chapel and rectory, the existing building, to be anywhere from 35' to 44' off the existing boundary line. Even though the ZBA issued a variance of 3', a true variance is going to be needed of 22' to 23'. So, the applicant needs to have the boundary survey updated to reflect what is actually there and verify the measurements are accurate and then we would recommend that the surveyor or the engineer that works with the surveyor show the proposed amended site plan, showing the new vestibule on the plan and showing the distances from actual locations to the actual property line, determining what variances are needed. At this point I don't think that we can take any action until new plans are prepared and you go back to the ZBA and you get the variances. According to the boundary survey the chapel and rectory are closer to the boundary line than shown on the sketch. They don't meet the 50' setback now, that's pre-existing, and we're not worried about that. The vestibule, where they were requesting a 3' variance, they actually need a 22-23' variance.*

*Mr. Buyea: If the other site plan is right, the one that you have, then what?*

*Mr. Russo: Then you could come back here. Ultimately, you will have to come back to this Board, one way or another. When the new plan is prepared, with the survey, what is the actual variance that is required? If it's in accordance with Mr. Youngblood's plan and everything is depicted properly on that plan, which is a certified and sealed survey, you're going to need to go back to the ZBA for a new variance. If they prepare the plan and show that you truly only need a 3' variance, then I would question what happened when they did the original survey and why is that wrong but if it's true that you only need a 3' variance then you could reappear before this Board. What it looks like is that someone had taken the survey and overlaid it on the aerial and it appears there was a 20' shift from one to the other. The last time that they used this was for paving and striping, there was no new construction of buildings, so I don't think anyone really paid attention to that aspect. Now we have a new building going in, now we have a copy of the survey that the building department has in their file, the maps do not correlate with one another. It was last updated in 2012.*

**PROPOSED ZONING CODE CHANGES**

*Mr. Dowd: Two months ago, we had a meeting on the proposed zoning changes that was referred to us by the Village Board. We have before us, from the Mayor, the revised dated 6/7/18, suggested changes, they are all red-lined to the Code with the tables attached that would be affected. You also have a letter from Howard Geneslaw, who is here on behalf of the Gardens at Harriman Station, along with Mr. Gold. They had some additional changes that they are requesting the Village Board make to the law and that's part of your packet as well. I had communicated with Mr. Geneslaw about my reluctance to have you consider changes in the law, but I had a conversation with the Mayor and he said that the Village Board would take under advisement any suggestions and recommendations that come from this Board, so he is saying that you can consider anything that is in Mr. Geneslaw's letter for proposed changes. In addition to that, the Building Inspector has added some suggestions that he would like considered and recommended for potential action by the Village Board. So, Madame Chairwoman, how would you like to proceed with this?*

*Chairwoman Escallier: I think we should start with the red-line, dated 6/7. I think we should also consider John Hager's new definition of non-nuisance to add into this.*

*Discussion broke out regarding the local law.*

**MOTION** was made by Member Klare to close the May 21, 2018 meeting at 9:45pm.

**SECOND** was made by Member Escallier.

**AYE:** Member Escallier

**NAY:** -0-

Member Zwarycz

Member Klare

Member Stanise

Respectfully Submitted: \_\_\_\_\_  
Barbara Singer, Recording Secretary