

VILLAGE OF HARRIMAN ZONING BOARD OF APPEALS
May 16, 2018
7:30pm

Opened the ZBA Meeting with the Pledge of Allegiance

Roll Call

The following persons were present:

- Laurine Miller - Member
- Darrin Sainato - Member
- Carol Schneider – Chairperson
- Lou Medina - Member
- John Hager, Building Inspector
- Barbara Singer – Deputy Clerk/Secretary
- Michael Frascarelli, Esq.

Motion was made by Member Miller to approve March 14, 2018 minutes.

Second by Member Medina.

Aye: Member Sainato
Member Medina
Member Schneider
Member Miller

Nay: -0-

St. Anastasia Church

102-4-7.22

Area Variance

Member Miller recuses herself.

Present: Jim Buyea, Facility Manager of St Anastasia Church.

Mr. Buyea: We have a variance violation, an encroachment.

Chairperson Schneider: So the concept here is to add an area on to the building which is going to impede 3' on the side yard of the 50' setback. Any questions?

Member Medina: Why can't it be built 13' versus the 16'?

Mr. Buyea: The reason for this is to allow the swing for the caskets. Since it is a church that is our entrance because that's the ramp that comes off of the sidewalk area, is to be able to get a swing into the church with the casket. The church was built in 1899, it was a little bit different back in those days but that's the whole reason they wanted to open that up a little bit more because at the funeral they bang into the doors and that's the one that's used most of the time. The larger church is not opened up for funerals as much as the shrine church is.

Chairperson Schneider: I know that you had been trying to get a letter from the Arch Diocese of New York because they are the owner of the property, where do we stand with that?

Mr. Buyea: We have gotten in touch with him and yesterday we tried to get in touch with Zoning Board's attorney, Joe McKay, there was an e-mail sent out to him. They were telling us that they were aware of it because I know that it's the one thing that we weren't just doing this on our own. The other thing that we were told although Father Mike is the pastor of the church, they belong to a corporation and since he's on the board of the corporation the Arch Diocese was not aware that they needed to have a letter for that. Because they are all underneath that board members of that. They said that if it is needed, they will get you a letter but it wasn't going to be in time for tonight. They didn't say how long it would take. Angelo was trying to get ahold of Joe and they were going to talk to each other and iron out whatever had to be done.

Member Sainato: Where do you bring the caskets in presently?

Mr. Buyea explains using the proposed plans.

Mr. Frascarelli: : In respect to the ownership issue, even if Father Mike is a board member, it's my understanding is that may not give him authority on his own to speak as the owner of the church for the religious corporation. Anything in writing or someone to speak that does have that authority just so that we can get that in to the record before any vote is taken. It doesn't have to be a church board resolution or anything to that effect but someone in authority either in a letter or in person would fill in this gap that we need. I'll be happy to discuss that with them.

Mr. Buyea: That's fine. I'll give Angelo your e-mail and they can work on a letter together.

Mr. Hager: Just a side note, I would like the Board to be advised that the R100 zoning district that this property is in, the 50' setback applies to commercial property but on residential property it's only 20'. In this particular case the Church is considered commercial property so it's subject to a 50' side yard. Whereas most properties in R100 are only required to have a 20' side yard.

Mr. Buyea: The cemetery is on the opposite side. There's a one way driveway on that side. There's Suzy's next door and a house in the back as well.

Chairperson Schneider: There are a lot of cars that park in the parking lot; is that because of the bus?

Mr. Buyea: Yes, that's the upper level. The only ones that allowed to park there are Coach, they can't park anywhere else. That's probably 400' to 500' above this. It's past the garage area, next to the Parish Church

Chairperson Schneider: We would like to have for the Public Hearing either the representative be present to speak as Mr. Frascarelli said or a letter will be required. The application will be held open until after the Public Hearing. The 239m has been received and stated it was local determination.

Motion was made by Chairperson Schneider to hold a Public Hearing on June 6, 2018 at 7:30pm .

Second by Member Medina.

Aye: Member Sainato
Member Medina
Member Schneider
Member Miller

Nay: -0-

Motion was made by Chairperson Schneider to close the regular meeting of May 16, 2018 at 7:50pm.

Second by Member Sainato.

Aye: Member Sainato
Member Medina
Member Schneider
Member Miller

Nay: -0-

Minutes Respectfully Submitted by:

Barbara Singer – Secretary