



# *Village of Harriman*

1 Church Street  
Harriman, New York 10926  
Phone (845) 783-4421

## **ZONING BOARD OF APPEALS** **AGENDA**

**SEPTEMBER 6, 2023**  
**7:30 PM**

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
  - a. APRIL 12, 2023**
- 4. 106-5-2.1 – VARIANCE FOR FRONT, SIDE AND REAR SETBACKS**

**NEXT ZONING BOARD MEETING IS SCHEDULED FOR**  
**WEDNESDAY OCTOBER 4, 2023 @ 7:30PM**

**SUBMISSION DEADLINE FOR THE ZONING BOARD MEETING IS**  
**WEDNESDAY SEPTEMBER 20, 2023**

**VILLAGE OF HARRIMAN ZONING BOARD OF APPEALS**  
**SEPTEMBER 6, 2023**  
**7:30 pm**

Chairperson Sandoval opened the Village of Harriman’s September 6, 2023, Zoning Board of Appeals regular meeting at 7:35pm and welcomed everyone.

**ZBA Meeting opened with the Pledge of Allegiance followed by roll call.**

**Roll Call:** the following people were present:

- Joseph McKay - Attorney
- Golam Sarker- Member
- Laurine Miller - Member
- Reyna Sandoval - Chairwoman

**Chairwoman Sandoval made motion** to approve the minutes as written from April 12, 2023. **Second** by Member Sarker.

**Aye:** Chairwoman Sandoval                      **Nay:** -0-                      **Abstain:** -0-  
Member Miller  
Member Sarker

**106-5-2.1 – Variance for front, side, and rear setbacks**

Mr. Joel Greenberg of Architectural Visions representing Mr. Ruiz is proposing to put an addition onto his house. Reviewed copy of latest map as of this afternoon, notated location of private road and configuration of property. Mr. Ruiz is looking to add a 25-foot-wide addition and based on discussion with the Building Inspector we need three variances. Variance for front yard, right now we have 16.7 feet based on that we need 23.3 feet since code states 40 feet. Side yard we have 8.6 feet based on that we need 11.4 since code states 20 feet is required. Rear yard we have 27.1 feet based on that we need 12.9 feet for the code of 40 feet required.

Pictures in front of you are how the house currently looks. The existing floor plan is shown with the addition of open space and staircase to the upstairs addition. Elevations shown to ZBA Board, acknowledged grade drops which will allow a carport underneath the addition.

**Chairwoman Sandoval** asked to confirm there will be a second story, will there be enough clearance for a carport and asked if there is a pool on the property.

Mr. Greenberg confirmed current home is a single-story residence, the addition to expand first floor with a second floor with 2 bedrooms. There is enough drop-off and room for the carport. The pool is located in the back yard and not close to the addition. A letter was read from the resident at 32 South Main Street in support of the addition and submitted to the Secretary.

**Attorney McKay** noticed the letter is not correct with the variances needed. Mr. Greenberg acknowledged incorrect info and will get an updated letter to the Board. Mr. McKay asked where this property owner was located. It was shown to be to the left of applicants home on the other side of the private road. Chairwoman Sandoval confirmed that this neighbor doesn’t use the private road which is access to homes in the back.

Discussion amongst board members with their concerns about the private road with the addition very close to it. The carport was missing from the plan, which is to be added. It will be opened on three sides and no roof to be shown on the revised plans. Member Miller asked how the owners will get to their pool once the addition is built. There is an existing sliding glass door which comes onto a deck which goes down to the pool.

**Attorney McKay** noted for the ZBA members clarifications that a revised letter from the Building Inspector which clearly sets forth the correct variances needed. Chairwoman and attorney confirmed that the board needs the letter to move forward.

**Member Sarkar** asked if the size of the addition can be reduced to 23 feet. Mr. Greenberg will look to see if this can be done. He was also concerned about the addition being 8 feet from the private road. It was noted that the letter received from the neighbor to the left would not be impacted from the addition, but concern for the neighbors in the back would be.

**Chairwoman Sandoval** asked about the very large trees that will be near the addition, is this a concern? Branches will be trimmed to accommodate the addition.

**Mr. Greenberg** referred to the map for the members to possibly take off 2 feet to increase the distance of up to 10 feet from the side yard. This will be reviewed and have revised plans drawn. Chairwoman Sandoval asked what Attorney McKay's opinion is on this. Attorney McKay responded if this board is not comfortable with this proposal they can see if the applicant will consider and submit changes. If changes are to be made, the letter from the Building Inspector needs to reflect the variances. It was discussed to meet the Building Inspector and Secretary to confirmed all setbacks and send same to Attorney McKay.

**Chairwoman Sandoval** asked what we need to do to schedule a public hearing for next meeting. Attorney McKay, the board needs to decide to schedule for next month and needs to give Mr. Greenberg a deadline to submit requested items. It was agreed that all items need to be submitted by September 20<sup>th</sup> to hold a public hearing. For the record Mr. Greenberg will schedule a meeting with the Building Inspector and confirm the numbers.

**Chairwoman Sandoval** asked if Secretary Hunter has everything for the public hearing. It was requested that Attorney McKay prepare the public notice once the correct requested variances are confirmed. Once Building Inspector Giacco and Secretary Hunter meet with Mr. Greenberg all revised data will be ready for the public hearing.

**Attorney Mr. McKay** read the Resolution of the Zoning Board of Appeals to schedule a public hearing on the application of Carlos Ruiz. Property is located at 30 South main Street, Section 16, Block 5, Lot 2.1. Said resolution is attached to these minutes.

**Member Sarker made** a motion to adopt resolution as read. Second by Member Miller.

**Aye:** Chairwoman Sandoval  
Member Miller  
Member Sarker

**Chairwoman Sandoval made a motion** to close the regular meeting of September 6, 2023, at 8:11pm.

**Second** by Member Miller  
**Aye:** Chairwoman Sandoval  
Member Miller  
Member Sarker

Minutes Respectfully Submitted by:

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Maria C. Hunter, ZBA Secretary