

**Village of Harriman
Zoning Board of Appeals
November 6, 2013
7:30pm**

Call to Order

- Chairperson Laurine Miller called to order the Zoning Board of Appeals Public Hearing Meeting at 7:42pm on November 6, 2013 at the Village of Harriman Hall located at 1 Church Street, within the Village of Harriman, New York.

Roll Call

The following persons were present:

- Laurine Miller – Chairperson
- Edward Ford – Member
- Colleen Farrell – Member
- Jane Leake – Deputy Clerk/Secretary

Also Present

- Joe McKay – Village Attorney
- Ron Walker – Building Inspector

Absent

- Chuck Crover - Member
- Carol Schneider - Member

LOYAL TIRE PUBLIC HEARING

Motion to adopt the following resolution and reschedule the Public Hearing for Loyal Tire, 152 Route 17M for December 4, 2013 at 7:30pm for a fence variance permit at 7:48pm was made by Member Farrell and seconded by Member Ford. *3 Ayes. 2 Absent Members Crover and Schneider:*

WHEREAS, the Zoning Board of Appeals (“ZBA”) of the Village of Harriman has received an application from Michael Hagopian appealing a decision of the Building Inspector that would require the applicant to obtain site plan approval for a fence installation and operation of a new business, and also seeking a variance from the fence regulations set forth in Chapter 76 of the

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Village Code, for the parcel of real property situated at Section 102, Block 4, Lot 4.2, in the Village of Harriman, said lot also being known as 152 Route 17M; and

WHEREAS, the ZBA has reviewed the pending application and deems the same complete for the purpose of scheduling a public hearing thereon; and

WHEREAS, on August 21, 2013, the ZBA determined that the proposed action was an action subject to SEQRA; that it would be the Lead Agency with respect to the consideration, review and determination of the significance of the aforementioned appeal and variance request pursuant to SEQRA regulation section 617.6(b)(1)(i), since there were no other agencies that have the authority to approve the project; preliminarily classified the aforementioned proposed action as an unlisted action; and scheduled the public hearing on the application for October 2, 2013; and

WHEREAS, on October 2, 2013, the ZBA rescheduled the public hearing on the application to November 6, 2013 at 7:30 p.m.; and

WHEREAS, due to a ministerial oversight, it was not possible for the applicant to comply with the notice and mailing requirements of Section 105-2B of the Village Code prior to the public hearing to be held on November 6, 2013; and

WHEREAS, the inability to comply with code section 105-2B requires that the public hearing be rescheduled;

NOW THEREFORE IT IS HEREBY

RESOLVED, that the public hearing on the Hagopian application be held by the ZBA on December 04, 2013 at 7:30 p.m. at the Village Hall located at 1 Church Street, Harriman, New York in order to receive comments concerning the aforementioned variance request and any potential adverse environmental impacts of the proposed variance; and it is further

RESOLVED, that the Village Clerk and/or the Deputy Village Clerk are hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

- The ZBA has decided not to republish the public hearing notification for Loyal Tire

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7:30pm**

Call to Order

- Chairperson Laurine Miller called to order the Zoning Board of Appeals Regular Meeting at 7:50pm on November 6, 2013 at the Village of Harriman Hall located at 1 Church Street, within the Village of Harriman, New York.

Roll Call

The following persons were present:

- Laurine Miller – Chairperson
- Edward Ford – Member
- Colleen Farrell – Member
- Jane Leake – Deputy Clerk/Secretary

Also Present

- Joe McKay – Village Attorney
- Ron Walker – Building Inspector

Absent

- Chuck Crover - Member
- Carol Schneider - Member

Adoption of Minutes

- Motion to not adopt the minutes from October 2, 2013 meeting with the amendment changes until the absentee Board Members are present that were at the October 2, 2013 meeting made by Member Farrell and seconded by Member Ford. *3 Ayes. 2 Absent Members Crover and Schneider.*

Old Business

- The ZBA adjourned the Loyal Tire fence variance until the December 4, 2013 meeting.
- The ZBA deferred on the Kindlain area variance resolution decision until the November 6, 2013 ZBA meeting at which time it was not put on the November 6, 2013 agenda, therefore it is rescheduled for the December 4, 2013 ZBA meeting.

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New Business

- The ZBA has informed the applicant, Karen Krill of 28 Kensington Way, in regards to the pool area variance she needs to complete the ZBA application in full, get an updated certified area survey or sketch plan to provide the correct measurement of where the property line is in relation to the pool and complete the Environmental Assessment Review Form which all needs to be handed in at least 14 days prior to the December 4, 2013 scheduled ZBA meeting in order to be on the December agenda.

Adjournment

- Motion to adjourn the meeting made by Member Farrell, seconded by Member Ford at 8:50pm. 3 Ayes, 2 absent Members Crover and Schneider.

Minutes Respectfully Submitted by:

Jane Leake – Deputy Clerk/Secretary