The Meeting of the Village of Haverstraw Zoning Board of Appeals Meeting on February 25th, 2025, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL :

- Jose Guareno (Chairman) Present
- Dennis Michaels (Asst. Village Attorney) Present
- Ruben Berrios (Building Inspector) Present
- Jose Hilario Excused
- Tom Price Present
- Kathleen Porter Present
- Richard Santiago Excused
- Ramon Soto Excused
- Gisbeth Ramos (Clerk to the ZBA) Present

Chairman Guareno - On behalf of the board. The board would like to apologize for last month's meeting for not having enough members, and I also want to thank Dennis and Gisbeth for coordinating today's special meeting for this application. First, I have 25 Route 9W. Is he present? Yes, please state your name. Can you explain to the board what you want to do in the house?

Francisco Salto - owner of 25 Route 9W approached the board.

Inspector Berrios – He wants to get habitable space in the basement with two bedrooms, a family room and walk in closet.

Chairman Guareno – Are there any concerns regarding egress Ruben?

Inspector Berrios – The two egress windows are shown in the drawing, and the basement must remain connected to the upstairs because it's a single-family dwelling. I just explained to Mr. Salto in Spanish that the use is intended for his family, not for a separate renter or to rent rooms.

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Chairman Guareno - Any questions, no?

Chairman Guareno entertained a motion to set 25 Route 9W for a public hearing on March 18th, 2025

RESOLUTION # 6- 2025

Motion by: Tom Price
Seconded by: Kathleen Porter
Motion Carries: All

Chairman Guareno - The next item on the agenda is 57-59 Sharp Street. There are two public hearings at hand that will be treated as one in a sense, in the sense of, you can hear them together.

Chairman Guareno entertained a motion to open the public hearings for 57-59 Sharp Street.

RESOLUTION # 7- 2025

Motion by: Tom Price
Seconded by: Kathleen Porter
Motion Carries: All

Harry Leifer - Applicant for 57-59 Sharp Street. We're here today, requesting three variances on this property. Hopefully we'll get the approval tonight. This is the Vacant building at Sharp Street that has been used as a halfway house, and we are looking to convert this and to a multi family.

Chairman Guareno – It is nine apartments, correct?

Mr. Leifer- Correct.

Chairman Guareno – Is there a mix between two- and one-bedroom apartments?

Mr. Leifer- There's a three bedroom on the first floor, and second and third will have ones and twos.

Attorney Michaels - I just want to confirm with Ruben and Mr. Leifer that the bulk table that's on sheet one of six on the site plan, is that still accurate as far as the variances that you're requesting?

Mr. Leifer - Yes, the first variance would be the confirming use, the second would be the width, and then the third would be the 14 spots.

Inspector Berrios - Just so we're clear, that's the width of the aisle space. In other words, the entrance into the parking lot. In the beginning, it's 17, then it gets bigger. But the initial entry point does not meet the 25 feet that are required.

Attorney Michaels - Sorry. So, what are they? Again? Ruben, from top to bottom.

Inspector Berrios - So you need the more conforming use. In other words, the use that he's presenting. You have to determine that it's more conforming use. That's number one use from being a halfway house or separate rooming house. The second variance would be for the aisle space. Okay, the aisle space is required to be 25 feet, all right, as the initial entry point into the parking lot is. Around 17, and then it gradually gets bigger after like eight feet, or maybe less, okay, and then the third variance is for parking. You're required to have 18 parking spaces, and they are proposing 14.

Kathleen Porter – Will the parking be stacked?

Mr. Leifer - Yes, anyone who has two cars will be stacked. They're going to be assigned spots.

Attorney Michaels - Where's that shown on the bulk table I see to the left of the bulk table, and that's in sheet one six. It has the number of required spaces, total number of parking spaces, 13 parking spaces, one ADA, total 14 parking spaces. Where does it say what the required number is? Which sheet? Oh, here it is. Okay. I think I found it based on the architectural calculation the required parking is for 18 spaces and the number of parking spaces provided equals 14 spaces. So, a variance is required.

Inspector Berrios - Each unit requires two parking spaces.

Attorney Michaels - Alright, so just it's a total of three variances. Again, the first variance, we're calling it, the first variance is a use. It's not a dimensional variance. It has to do with the continuation of preexisting, nonconforming or whether or not it's appropriate under the circumstances, as determined by you the board,

Chairman Guareno – Mr. Leifer would you mind taking a seat just to the side here, I want to give space to the residents that got the notices, you can stand up as well. Since this is a public hearing, anybody against or in favor can step forward. We are aware there's a lot of concern, and I can see we are going to limit the time to two minutes per conversation, so we can answer any questions you have or concerns, we will gladly hear them. Any concerns or questions, just direct them to the board. We'll ask the applicant directly ourselves. Don't ask any questions to the applicant. Please, just direct them to us or the building inspector.

Attorney Michaels - Mr. Chairman would you like me to let you know when 15 seconds remain.

Chairman Guareno – Yes, please.

13:13

Ana Reyes - I have been living on Sharp Street since 1983. I got my house with a lot of effort. I refuse to project. I have a letter here from our Sharp Street residents, signed and completed that we want the town to take into consideration. I will read the note. Okay, we're writing to express our strong opposition to the proposed nine apartment units at 57-59 Sharp Street, our neighborhood, Sharp Street, Haverstraw, New York is a residential area. If that proposal were to be approved, it would negatively affect our residents' area. There will be an increase in traffic, overcrowding and increase in crime. We refuse this project. Especially for me, I will tell you some personal history. I have lived in this street since I was 16. This was a nice, quiet area. My children grew up there, I got divorced in 2007 after that, I bought the house from my husband. In 2008 the taxes went up more than 95% because when I did my budget, we only paid at around $2000 but now we are paying around $12,000. I got a second job to pay my taxes, and now I'm refusing to this project because it will really affected my neighbors and affect me.

Chairman Guareno- We appreciate your time so much.

Yes, please, yes. Thank you

Lenon Candelario - I live at 62 Sharp Street. So I have several questions. First and foremost, the gentleman stated last time I was here, this is a 7000 square foot unit with two different addresses, 57-59 that he could fit nine apartments. Is the basement allocated, or is it a functioning basement to equip, to have? Is he counting it as usable square footage, first and foremost. The secondary question I have is that he wants to put 14 spaces? Is he also including a space for dumpsters, for garbage usage if needed for the tenants that are there? My neighbors next to me, they're

really opposed to this nine unit project that they're trying to build. We're not saying no to any development, but nine units is excessively, excessively strong for the type of residencies that are there. There are single family homes. There are maybe one or two family homes around the neighborhood. I've been here for about 12 years. I reiterate that last time I was here, you're just gonna bring more more traffic, like it was said, you know that neighborhoods transition since I've been here, I noticed it. I'm not gonna say it's not the best. You're bringing more people, you're definitely bringing more into the environment. That's not what Sharp Street is. There's a lot of development in this town. I work with the utilities, so I know the developments that are happening, and I understand something that needs to be done. But in this private street, nine families, nine apartments cannot be there. You're bringing, I can tell you, I have family members who are young in their 20s, with careers. I don't think anybody can afford to live in a one bedroom apartment by themselves. You have to make over 100 grand, to afford a $2500 apartment. So there's going to be more people there, more space is going to be allocated. We have enough with our residents there trying to have parking spots for their own family, kids and stuff. There are some of the family members that have four or five kids or their spouses. Myself included we have three vehicles only have space for two. So I allocate my on the street.

Chairman Guareno- We appreciate the concerns you have to the application, and we'll take it all to account after you know we hear from everybody, so that way everybody has a chance. Thank you for coming. Anybody else? Just raise your hand or just come forward.

Jenniffer Peralta. I am from 63 Sharp Street and I second what my neighbors have said, I'll try not to repeat some of the information. The main concern to my point is safety. We understand that creating a project that adds nine apartments, it's excessive to the area. Now we actually see how much the neighborhood has changed when spring and summer comes. There is no more quiet, there's traffic. I personally have experienced people that now don't own the houses where they live, they're renting, and they just walk around the neighborhood throwing eggs at doors. It happened to me. It happened to some of my neighbors. Kids just roll around, sit on your porch. They don't live in the area, but yet

they're renting a few houses up. I do understand that there are some houses in the area that have been sold to investors to be rented. We all want to improve the area. We want to add that safety factor to what Haverstraw is. But I believe adding nine apartments is too much. We're not saying no to make the unit an apartment unit but nine is too much. Parking is another problem. We don't have parking in the area as we know now. Our street is actually an emergency road for the winter, so there is no parking overnight when the winter starts all the way to April 1. Imagine what we go through having that. That, being said, safety is my main concern. I have children in my family. My experience in the past three years that I've been living in Haverstraw, I can tell you when the first year, fast forward to the second and third, it has changed, not for the better. There is more traffic, more people doing things that I even question, like what happened? But then I come to find out there is more renting in the area than homeowners. So I think that can play a role in the concerns that we are presenting to you.

Chairman Guarneno- Thank you for your time, and appreciate it. Thank you for coming.

Rosa Santana - We're from 60 Sharp Street. We are literally across the street from 57-59 Sharp Street. We don't agree to this project. Nine apartments is too excessive, and that's going to change the value of my home. The value of my home is going to change. I'm paying enough taxes. If there's nine apartments there, that means an extra 30 people, and we're not going to have enough parking, more garbage. House value is going to go down. So if it is approved, and my house value is going to go down, the way I feel is, then we should pay less taxes, because if the value of my house is going down for authorizing a nine unit apartment. I have nothing against public housing, which, again, is another concern, because that was said at the original meeting, that it is for public housing. I work for a nonprofit, I have nothing against it, but not around my residential area, absolutely not. The value of my home is going to go down.

So thank you. Thank you for your concern. Just a quick history of that

property. Everybody's aware that it is a sort of like a safe house for addicts or recovering individuals. As a matter of fact, I think it was just male, but they have restrictions on going on stuff like that.

Ms. Santana - It is and since we purchased the house, they've been doing an awesome job. It's very quiet. So, we have had our house since 2001 and they've been doing a better job.

Chairman Guareno - Yes, we don't disagree with that. You have to appreciate the implementation of the rules that the mayor has for the village and that type of use, but also understand that it's still a legal safe. If the owner does not find another contract for a safe house with those restrictions, then it can also become, we can't restrict it, because the use legal use safe house. You the neighbors do not want what the building department endures with the rooming house across the street. That is something of big concern. I'm pretty sure that every resident here walks by there and sees that disaster there of a rooming house. And when applications like this come to us, we have an opportunity from an investor or an owner to try and better that property. There is consideration on our part in the board. But we look at things, not so much in a favorable way, in the sense of removing individuals that are active in the street that really are, you know, either drug dealers or something like that. We are more concerned about preventing another rooming house like across the street. We can assume a lot of things, but our board cannot assume that whoever's gonna live there will increase crime.

Ms. Santana - I understand that but let's not fix what hasn't been a problem.

Chairman Guareno - In front of Cascada, there's a building with 50-60 units coming over. We can't assume that the people that are going to live there are going to be criminals or drug dealers. That's not our job to assume that.

Marisol Santana - I'm from 60 Sharp Street as well. I am against it, and the

reason being is that it's a residential area, not a commercial area. When you build a nine unit apartment in a residential area. The whole neighborhood will change. That is about a minimum of three people per appointment, talking about 27 people. Okay, like she mentioned before, a lot of the people in that area are renting. And in summer, it gets pretty loud. It is across the street from us, 27 people with kids, teenagers, who knows? Okay, I'm not going to say they're all going to be bad, but the loudiness of that area is going to change completely. And as I mentioned last time, I don't know if you live in Haverstraw or you live in a residential area, which probably most of you do. If somebody built a building, a nine building apartment next to your house, how would you feel if the whole neighbor in your street is going to stand out. I'm not completely against it but nine apartments is completely too much. That's the value of the house, that quietness, the atmosphere of the whole area, is going to change. And I'm not saying maybe two, three, maybe four, but nine is completely over the limit. We're completely against it. Thank you.

Chairman Guareno -Thank you for your time, any other resident that would like to speak?

Jose Santana - I live at 61 Sharp Street, my concern is about the parking lot.
I don't think they have enough space for all the cars. The value of the property will also go down. This house is legally two apartments right now. There was a rooming house with the program before with the government and they have people who control that. We never had any kind of problem with those people when they were there. We are fine with three to four apartments but not nine. We don't have enough space for all those people.

Chairman Guareno - The structure or the size of the building is not changing. The building itself has the footprint to accommodate the nine units. If anybody wants to see the plans or anything, they're more than welcome to. If you want to come forward and see the plans and see the

apartments.

Mr. Santana - I would like to see them.

Chairman Guareno -Is there a common driveway?

Inspector Berrios- No, there's access to the neighbor's.

Chairman Guareno - The amount of parking that's there conforms to the building. And regardless the rules have to be followed, the same rules that were followed when those gentlemen that were there in treatment or therapy were there. So I gotta, like I said, I understand your concern, but I don't think there's any issue with blocking the driveway, or anything like that. Everything is separate to the side.

Ms. Santana - I just have a question. That's the only small building. What's legal to have on that street? How big does the building have to be for you to build a house? What changes? Let's say I have my house.I'm gonna change my house to a five bedroom house, and I'm gonna extend it. Am I allowed to do that? What is allowed on that space and that street legally?

Attorney Michaels- That's a legal building construction question. If you want to present the plan to the building department.

Ms. Santana - Where can I go for that?

Attorney Michaels - You can make an appointment with the building inspector to present some proposed construction, and the building

inspector will handle it, as he does administratively. That's not a question for this board.

Ms. Santana - I just want to make sure that the amount of apartments is legal, because obviously this is why we're here, because it's not legal. And you guys need to approve it.

Mr. Candelario - I have one more question. Sure, did they take into account the parking spaces, one space for handicap usage.

Inspector Berrios - There's one handicap space. There

Olga Bledsoe - I live at 52 Conklin Avenue. The first time I heard about this nine-unit building. And I agree with the people here, it's too much. When I first moved here in 2009 it was quiet and peaceful. I never knew that they had a halfway house. Because if I would have known they had a halfway house I wouldn't have bought my house. I learned about it afterwards. Now, to build a nine-unit apartment, you know, there's going to be kids, teenagers. It's going to be a lot of noise. Right now the area I live in is quiet. Imagine all, you know, all those people moving in, and it sounds like you guys made up your mind, like you say, well, we got to do it, whether you say yes or no.

Member Price - The trouble is, we cannot assume that his residents are going to be bad people.

Volga- You don't know that. I don't know that either.

Member Price - We have to give them the benefit of doubt. That's what we have to do. We give the people a benefit of doubt. His reputation, from

what I hear from the village, is very good. He takes care of his places. He takes care of his tenants. He doesn't let bad people, and if he does, he gets rid of them. He's conforming with everything the building department is asking for. We understand your concern, but he's not doing anything out of the ordinary, except asking for a couple more parking spots.

Ms. Santana - And we are advocating for our houses.

You're not respecting the procedure of the chairman. At the beginning, he said that each person would get two minutes, not two minutes, two, three times speaking. So I would ask that you respect the chairman and try to keep order in this public hearing.

Chairman Guareno- Thank you. Dennis, Michael, please. Everybody knows. Michael Kohut, the mayor of the village.

Michael Kohut - 34 Rela, I grew up on Conklin Avenue. I live around the corner now on Rela Avenue. I think there's some misconceptions that need to be cleared up. The building isn't going to change physically, there's no two more floors going on. It's not expanding wider. It's not expanding any longer. He's proposing to put nine apartments in the existing footprint, four apartments on the top floor, four apartments on the middle floor and one apartment in the basement, one larger apartment, the three bedroom apartment in the basement, and then common space for the rest of the tenants. Storage space, or whatever the case may be. So I just want folks to understand that he's not expanding the building. Because someone talked about, you know, your ability to expand your house, he's not expanding that's what's there. There's 18 bedrooms now, right now, in that if he doesn't do this, potentially someone else or he could buy the building and turn it into an SRO, a single room occupancy, just like was mentioned, like the new main hotel across the street. Now I'm 58 years old, the New Main hotel

has been here my whole life, and since I was paying attention to anything in the 20s, the New Main hotel has been nothing but problems. They're transients. Not everybody there is a bad person. I don't mean to say that, but there's a lot of people who are there who are on social services, or who are there because it's the cheapest place for them to live, or whatever. And they hang out, and they cause problems. Apartment dwellers. They have one bedroom apartments, two bedroom apartments in the one three bedroom, and I think all of us here at one point or another, have been apartment dwellers in our lives. And you're a decent person, aren't you? And you're a decent person, and you're a decent person, as this gentleman says, you have to assume that people are good. It doesn't always work out that way. I've had bad neighbors over time. They come and go. Good neighbors come and go, but the potential for what could happen otherwise is a real risk. And if Mr. Leifer is turned down and he walks away, and somebody else comes in and buys the property, and they can have that 18 room flop house, which could cause a lot more problems for you folks than I think nine apartments would cause for you. I understand you're concerned about the parking, I get it. I think these one bedroom apartments. I think some of them will go for one person, because they're going to be decent, nice apartments, brand new apartments in an existing building on a quiet street. And I think if someone is able to, they would choose that apartment for that reason. There are no guarantees in life. I'm not promising you that everything's going to be, you know, 52s and puppy dogs. But I do know that Mr. Leifer has transformed a couple other properties in the village over the past five years or so, and his projects haven't imposed problems elsewhere. Maybe I'm not sure whether there can be some restrictions on what you do there, like the number of people in an apartment, in a single bedroom apartment, I don't think you should be more than two people. You know, that's my personal feeling.

Ms. Santana - There's no control over that

Mayor Kohut -But he can put things in his lease. He can put things in his lease that he can check on the apartment

Ms. Santana -They'll still do whatever they want.

Mayor Kohut - They may do whatever they want, and I'm sorry I should be directing to you Mr. Chairman. He has the right, as the landlord who owns the property, to go in and inspect his property. He has that right whether it's a monthly basis, three month basis, or whatever. To go in and see if that one bedroom apartment is actually a one bedroom apartment, or if it becomes a flop house. He's here to make money well, but so does everybody who has a rental property, and there's a lot of people, there's a lot of people who I'm sure have rentals in that area, who sometimes they live there, sometimes they don't, but just because he's a landlord doesn't make him a bad landlord. Just because they're tenants, it doesn't make them bad tenants, we can't assume. All we can do is look at his past performance, and his past performance has been pretty good in the village so far. Now it's completely up to the board what they want to do. When we looked at it, my board, the village board, looked at it, we looked at the potential bad side effects of not allowing it. And that's what we tried to do, is almost unless there are two evils, would it be nice for it to be a three three room apartment building? Absolutely. You know how big those apartments would be? Do you know what those rents would be, and how many people would be illegally living in those apartments if the top floor was a five bedroom apartment. Come on, we know what happens. Somebody is going to rent that five bedroom apartment for 5000 a month and rent out those apartments for those rooms for $1,500 and that's a lot harder to control than nine legal apartments that the landlord and the building inspector can actually manage and see what's going on, because Ruben can get into the common areas. He can talk to people in the building. He can do things when you have just three, three apartments, or four apartments, or whatever he's talking it's it's more ripe for people to do bad things, because they nobody's gonna afford a $5,000 apartment unless they illegally, you know, wall off spaces or or sublet rooms or whatever the case may be, in a one bedroom apartment, there's not much you can do. So that's my personal feeling. The zoning board makes their own opinions and makes their own decision on everything. I'm just explaining to you, just so you have a clear picture of why we even considered this. Because, yes, of course, we would like to see something lesser. But I know that he's proposing to have to pay a large sum of money and invest a large sum of money into the building, because he's got to make nine kitchens, nine

bathrooms, whatever. If a building costs $600,000 he can't put three departments in it, it doesn't make any sense.

Chairman Guareno - Michael's input is an oversight of a potential worse scenario. And that's why public hearings are important. We're not lap sided to just approve it. I don't want you guys to think that, because when applications come, our concerns are the residents. We've denied several applications in the past based on based on circumstances that are not convenient.

Gil Carlevaro - Deputy Mayor of the village, I'm here as a resident. I live on 43 Leonard Street. On Friday, I will be living there for 40 years. This is my neighborhood. I hear the concerns about the nine apartments and all of that, but scares the heck out of me if that turns into the new main thing street hotel, again, they're worried about their property values. If it turns into a new main hotel, they're not gonna be able to get two cents for their houses. I don't think they understand that the way it's zoned right now has nothing to do with this board, the village board, or any other board that was done in the past. Right now it's billed as a rooming house. What Mr. Leifer is trying to do is turn it into a much better thing than a single occupancy room, rooming house. If it turns into a rooming house, they're all going to be very, very sorry. They're gonna be sorry about crime, about noise, about transients and everything else that comes with single room apartments. That's all I wanted to say. Thank you.

Chairman Guareno - Thank you. I have a question for Dennis, whether, whether there's favorability or or denial on the application, that's the questions are up there. But whether it's favorable or not, can the board impose any restrictions on that porch because there's is a common area in the event that whether it's approved or not doesn't, but because of the amount of tenants in this building, and there's a small space of porch, and I noticed I live on Hudson Avenue, and I know I live in Hudson Avenue, I'm a resident for the village, not far from you guys. But my question to Dennis is, if, in the event of any favorability on this, can the board impose any restrictions on that use of that porch. I get their concerns because, now

you have a party in that on that deck, or anything like that, and for safety issues, for the fire department, or even for the building inspector, having people having a mini party there, it's consequential to a risk of, you know, parties, loud music, and that's where they're coming from. And I totally get it.

Attorney Michaels - What is the restriction you're talking about? The front?.

Chairman Guareno - Yes, that common area.

Mr. Leifer- No common area belongs to any specific tenant, it is just a means to get in and out.

Chairman Guareno - Yes but the tenants can hang out there, have speakers, be drinking, and smoking hookah. And those residents don't want that there.

Mr. Leifer - We typically make it terms of our lease.

Chairman Guareno- But if the board imposes a restriction on that, then it is severe to you, not the tenant.

Attorney Michaels - I still don't understand the restriction that you're suggesting.

Chairman Guareno- The use of that porch.

Attorney Michaels- So that it cannot be used at all?

Mr. Leifer - People are free to call the cops if anyone makes noise. I

would say, we can control as much as we can, like we typically do with our properties. But I cannot police the porch. We always make sure the common areas like this are not your own party room. But I cannot be there and have 24 hours security if a tenant decides to go out to smoke a hookah, to take responsibility for me to receive a fine. If a neighbor has an issue, he's more than welcome to call in to complain to the building department, and I will try my best.

Member Porter - When you have more rules, it makes people really have to decide what they're going to do, right? So having a system that makes people feel like you want to make a nice, upscale place or nice scale place so that your residents everyone's happy. So, yeah, we don't think that you could prevent somebody going out, but you can say like, Hey, if any situations occur, you know, we're going to cut, you know, like there has to be a good line of communication that people feel this is a good choice and they'll be happy with it. Because I wouldn't want to live with 50 or 18 people, like men or people in rooms. I would not want to live by that. I would rather live by a person who's building an apartment. And I'm sure you're going to have a system that you make sure you know that they have the money and all that kind of stuff. So me, personally, I would choose an apartment before I would choose having individual people in a room, because you can have more than one individual in a room too, right? You can sneak somebody in and so that's what I think but, but we're trying to listen to what people are saying that is concerning to them, so we can work it out that that works for them. I think people would be happier with this decision.

Chairman Guareno - On a summer, you have the Fire Department concerned too, because if you have 10 or 12 people there on top of that porch, that's also becomes a concern for the fire department. In the end it's eliminating or helping the noise ordinance in that community. It is a small street, so my question to you as the applicant, will you be able to do what I was asking?

Attorney Michaels - I don't think it's directly related, and incidentally, to the

application, yeah, being quite frank with you, yeah, I think it's also difficult administratively for building inspector code enforcement officer to oversee how this porch is going to be regulated by the owner. So legally, under the law, conditions that are imposed by land use board must be directly first of all, that have to be reasonable and have to be directly related incidental to the application, it sounds like your concern is that this porch may be overcrowded and the people occupying this porch are going to be noisy. You're doing what you were suggesting to the folks here is don't presume that the people that are going to occupy these apartments are not going to be good behaving people. So that's an assumption that the imposition of that condition would be making, is that the tenants in this building are going to, you know, be noisy. They're going to smoke hookahs out of the porch. They're going to smoke cannabis, which, by the way, is legal, as is tobacco. People can smoke their private property outdoors. So I think I answered your question, and I think it's also administratively difficult for building inspector code enforcement officer to get involved in the terms of leases and occupancy agreements between landlords and their tenants. It's just not feasible for all those reasons.

Inspector Berrios - It's a civil matter.

Chairman Guareno - Mr. Leifer, is there any consideration to that idea on limitation? Because at the end of the day, any tenant can come out, and I thank you, Dennis, for the clarification, because I'm not assuming that they're going to do that, but being it is an open porch in their public area at the same time. To facilitate the concerns of all the residents. And I see the property there with the porch itself, and I know you can't restrict the use, but at the same time, are you in favor, not guaranteeing but at least helping out with that situation? At the end of the day, one tenant comes out, the other comes out. And I live on Hudson Avenue, all the grass spots are taken. Music and chairs, the lawn chairs and the mayors here, and we all know that. So, you know, this is where I connect their concern of the hangout spot in the front there, whether they're civil or not. Are you willing to entertain the idea of that restriction? I'm not holding you up to it.

Mr. Leifer - Sure, absolutely every we will definitely make it a point with all the tenants to make sure that that front deck is just, just meant to enter and exit the apartment and not to, you know, have any music or any parties, we'll definitely try our best and try to put it in terms of the lease.

Chairman Guareno - Whether approved or denied, that's comforting to know

Mr. Leifer - So thanks everyone for coming out and for the passion for this project. A couple of things. I just want to put in my two cents, crime. People are talking about crime the area. We manage a lot of property. Hudson Sharp, Leonard. Clove, we have a great relationship here in this village, already, for over 10 years, we have a great reputation. We have pretty decent tenants, and we take very good care of our properties. And the inspector can attest to that. We put a lot of effort in maintaining and repairing as the best of our ability. We have had over the past year, a lot of good quality tenants approaching us that there is a increase in crime in the Village of Havestraw. Talking to other property owners and management companies, the rooming house situation in this village is one of the big causes of an uptick in crime. One of the reasons I'm going into this project is because the last thing I want as a property management in the area is that my good tenants on Clove, Hudson Sharp to basically vacate these units if another investor would buy this project and turn it back into a halfway house, rooming house, the previous management open arms. They did a great job, but they were special. They were a different, unique type of halfway house management. But that's not going to happen again. Are you going to have investors coming in from the city, putting in, you know, 30 people mismanaged, and then we're going to talk about crime uptick in the area and property value declining. So this is one of the reasons I'm going into this project to make sure I can secure this property. And due to this, like I did with others, where we took, let's call it trashy properties and turn it into a nice you know, we our tenants, are pretty decent tenants, and we manage them well. So that's the, you know, addressing the point of crime. Someone brought up the issue about trash. Yeah, we have in the site plan, there's a spot where we will be putting the trash bin 14 parkings for nine apartments. I think if you drive down

Hudson, you're not going to find any nine units that have 14 spots. So I think it's a pretty good batting average compared to any other properties. 14 spots for nine apartments. Four of them are one bedroom. One bedroom doesn't have more than one car. So I think we're going to be pretty good. One other point that came up. And as far as that deck, you know, we sit with every tenant for almost 30 minutes. We go over the property and all the terms of common area, parking, front and back and trash, and definitely that front porch. I don't want to get phone calls from Ruben. Hey, Harry, we have an issue, or from neighbors and with other properties, I have a good relationship with all of my neighbors. They have my number. There's an issue. Call me, we address it. That's with properties we have all over the village and other areas.

Ms. Santana - I have a question. All those properties that you have, are they multi family? Is this the first time you are actually doing a nine apartment, or you have experience with like nine or over in a residential area?

Mr. Leifer - Yes I do have experience with multi family dwellings

Ms. Santana - And where is that in?

Mr. Lefier - In Haverstraw, West Haverstraw, etc.

Chairman Guareno - I appreciate the input Mr. Lefier. Any other resident with concerns?

Ms. Santana - Can he lower the amount of apartments that he's proposing, at least three less?

Mr. Leifer - Can I address that?

Chairman Guareno - We've had the application for some time already, so prior to even sending it for a public hearing, we look at all the pros and cons in terms of the most definitely, pretty much, from Dennis, from the building inspector, from our from our view, and and the mayor's view that it's the same template of the property, and every room, every every bathroom, has to conform with measurements, has to perform with exits, it has to conform with every building code to be and I'm saying, I'm saying new code buildings, and it conforms. And the nine apartments, yes, there's a couple of two bedrooms. Right now you have 21 bedrooms or so there are actually 18 bedrooms. There are still six or seven offices that can become bedrooms. That would be a total of 20 plus. You're still at the same footprint of the amount of people who are going to be there, whether it's not as restrictive as it is now that you guys are comfortable, or the way it was before, or the disaster for Main Street. We're looking out for the village as well, and we're looking out for you guys too. So that's why I brought up the concern in terms of the porch, because everybody's with the noise and the crime and stuff. And I know what everybody does locally. They come out for the nice weather and they want to go hang out. I see the residents there dealing with noise, and that's why I brought it up. It's not, this is not a rule or anything like that. So is there, if there's nobody else, I would like to conclude and move on to Dennis. Are there any other concerns or questions? Can we proceed on closing the public hearing?

Attorney Michaels - Are you confident you don't have additional questions for Ruben, perhaps don't be in such a hurry. Chat amongst yourselves and when you're just about ready, because questions invariably pop up when you start chatting.

Chairman Guareno - Tom based on listening to the residents, what do you think?

Member Price - I understand everybody's concerns, but he's doing everything by the book, and we can't foresee the future. We can only hope for the best, and that's what we're here for. We're hoping for the best.

We're hoping for the best for you guys. The building owner, and hopefully he's got good tenants in it. He does the right thing. I wish I had a crystal ball to make sure that it would stay focused down the middle, right line and all that stuff, the porch. You talk about the porch. I get that, if it's a problem, close it off.

Attorney Michaels - Yes, so there's three of you here, so all three of you would need to agree to either be in favor of the application, or you wouldn't have to agree to not be in favor, because if one of you are not favorable to the application, then won't be getting an approval tonight. So for me to give you some guidance.

Chairman Guareno- I'm inclined

Member Price & Porter - Same.

Attorney Michaels- So based upon the three of you indicating the favorable to the application, it's my legal opinion that would be procedurally appropriate for any one of you to adopt my legal opinion as a motion to approve, and you would just at the conclusion of my recitation, you would say so moved as recited by legal counsel, and my legal opinion would be an appropriate motion would be to approve the application of Harry Leifer regarding 57-59 sharp Street. And it consists of two, I guess, two facets of that application. The first facet is a variance from Village of Haverstraw code section 245, dash, 31(b), and by approving a variance from that section, again, 245, dash, 31(b), the Zoning Board of Appeals is finding that the proposed use and occupancy is more in keeping, is more in conformity and more in keeping with with the allowed uses in the surrounding neighborhood and zoning district, more so than what the current legal existing use is right now, which I understand, is an SRO and, or boarding house, or and, or a halfway house. Is that correct Ruben?

Inspector Berrios -Yes.

Attorney Michaels - The second aspect of the motion to approve is you would be approving two area variances. And those area variances are for off street parking 14 off street parking spaces are proposed under circumstances where 18 off street parking spaces must be provided and that those are on site. So 14 on site off street means the same thing. 14 on site parking spaces are proposed, and 18 on site parking spaces are required. So it would be a difference of 4 parking spaces Correct. Ruben?

Inspector Berrios - That is correct.

Attorney Michaels - So that is one area variance and the other area variance is the minimum aisle distance. That's a separation from back to back parking spaces in the parking lot, the aisle width must be a minimum of 25 feet. And I believe 19 feet is proposed for that aisle width in the parking lot. Is that correct?

Inspector Berrios -17 feet at the smallest point.

Attorney Michaels -Alright, so then there would be a condition. I think the bulk table needs to be corrected. It says 19 feet. So remind me that that would be a condition that you would impose that that bulk table on drawing one of six needs, says aisle distance provided as 19 feet.
So if it's 17, then that would just need to be corrected. So those are the two area variances, again, four parking spaces and a 17 foot parking lot aisle width, where 25 feet is the minimum aisle width. And the first facet of the application where we discussed is the 245, 31(b) variance. So the motion would be to approve all of those variances as depicted, illustrated, set forth on a set of drawings. There's a total of six of them. They're enumerated one through six, consecutive and successive. So six sheets enumerated one through six, and the bulk table is set forth on one of six. And they are

most recently dated, February 5th. I believe February 5th of 2025, it's the typographical error. So the drawings say February 5th of 2004 but there's a revision date. That's February 4th of 2025, so I would imagine that the February 520, 24 date is a typo. It should be February 5th of 2025. Of the most recent revision date, and they are all under the signature and sealed. They're not signed or sealed, but they're indicated as drafted by Joseph medic, P, E, that's J, O, S, i, p, last name medic, M, E, D, I C, indicating he's a professional engineer a PE of Terra Nova consultants in Suffern New York, Terra Nova consultants of Suffern New York. I'm doing this for the benefit of our transcriber, not for anyone else here, other than for the typist who's going to be typing up the minutes. So if you agree with my legal opinion, you can say and you'd be imposing the condition that the aisle width variance on sheet one of six be indicated to be 17 feet, not 19. So 19 has to be corrected to show that it's a 17 foot variance for the aisle with where 25 is required. So if you agree with my legal opinion, any one of you can make a motion by saying so moved as recited by legal counsel. And you would also include in your motion that you would be closing the public hearing as part of your motion as well

Member Price - So moved as recited by legal counsel.

RESOLUTION # 8- 2025

Motion by: Tom Price
Seconded by: Kathleen Porter
Motion Carries: All

ROLL CALL
Tom Price - Yes
Kathleen Porter Yes
Jose Guareno - Yes

Chairman Guareno entertained a motion to approve the minutes for December.

RESOLUTION # 9- 2025

Motion by: Tom Price
Seconded by: Kathleen Porter
Motion Carries: All

Ms. Peralta - I know it's closed I'm sorry. I want to say I appreciate your feedback and what you share, because you understand where we are coming from. And will there be some sort of disclaimer stating what was suggested?

Chairman Guareno - Yes, my suggestion is that you can always come to the building department or have a meeting with the mayor. You're a resident, and just express your concern and any ideas they can share or express with the police department or especially the homeowner.

With no further business to be conducted by the Board, the Chairman entertained a motion to adjourn the meeting.

RESOLUTION # 9a- 2025

Motion by: Tom Price
Seconded by: Kathleen Porter
Motion Carries: All

The Clerk Typist to the Zoning Board of Appeals is hereby. authorized, directed, and empowered to sign these Minutes, and file a copy thereof in the office of the Village Clerk.

Gisbeth Ramos, Clerk Typist

