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

PLEDGE OF ALLEGIANCE

ROLL CALL :

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

Acting Chairman Price - Okay, first order of business, we have to open the public hearing. I'll entertain a motion to open the public hearing for 11 Broad Street.

RESOLUTION # 46 - 2025

Motion by: Jose Hilario
Seconded by: Kathleen Porter
Motion Carries: All

Acting Chairman Price - 11 Broad Street Can you come up please?

Carmen De La Cruz- Good evening, I work for Jorge Lopez architects, and

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I'm here representing Mrs. Madeline Santiago and her family, who reside at 11 Broad Street. And they are here to seek out variances they're actually existing non conforming with the area, both regulations and the purpose of that is convert their one family house into a two family house. The property is in the R-3 zone, which is a multi family zone. The reason why they want to convert the one family into two families, is because Madeline's sister, who's here with us today, she's legally blind, and Madeline would like to live with her as they are currently living so that she can assist her with any task that she may need help with. So the plan is to have her sister live in an attic on the second floor, and Madeline and her family will live on the first floor in the basement. The variances that are being sought, as I said, they're existing non conforming, which is the lot of square footage. It's a 5000 requirement, and it's only 2500.There's also an existing non conformance with the minimum lat width, which is required 50 feet, and it's only 25 feet. And the third variance will be the front yard, 25 feet is required, and it's only 18.5 feet. And the last one will be the lot called maximum lot coverage, which is 75% allowed. And it's now, it's existing and conforming with 89%. Again, the zone allows for a two family house. We're just here to request for area variances.

Member Porter - Just remind me, you're not doing any outside work, though. It's all inside, right?

Ms. De La Cruz - With the exception of extending the roof in the rear to cover the backstraps.

Member Porter- That's why you need to variance, right?

Ms. De La Cruz - No, that work that's being done there is not affecting any of the setbacks. Everything is existing nonconforming .

Member Porter - And then the other question, it's a colonial. So isn't there like a first floor, then you go upstairs as a second floor, attic, and sometimes there's a basement right?

Ms. De La Cruz- Correct.

Member Porter - So then the first floor would be where the main family will live, and the sister will live on the second floor.

Ms. De La Cruz- Correct.

Member Porter - Because you mentioned the attic.

Ms. De La Cruz - Right, second floor and then there's going to be two bedrooms in the attic.

Member Porter - Okay so the second floor would be an apartment as well.

Ms. De La Cruz - Correct, second floor and attic will be one apartment. So the second

Inspector Berrios - If you look at A-3, there's a floor plan for all the floors.

Member Hilario - How many rooms do you have right now in the house?

Ms. De La Cruz- Right now there are three bedrooms, and they're on the second floor.

Member Hilario - How many parking spots do they have right now?

Ms. De La Cruz - Four.

Inspector Berrios - They are required to have two per apartment.

Acting Chairman Price - So are there any residents that live by 11 Broad Street that would like to speak?

Gerri Schiavone- Yes, from 11 Division Street, I'm right behind her. And I just wanted to know, is this an addition?

Ms. De La Cruz - The only addition that there would be is on the left side of the house, just to be able to go with it's like for headroom, for the stairs?

Ms. Schiavone -Oh, I see. Okay, so my only concern was the drainage. I don't know how it would affect my house. I'm right behind you.

Ms. De La Cruz- Yes, there's no addition. We're not augmenting anything

regarding coverage.

Ms. Schiavone- So it's not going to be larger in okay, because it's going to be higher, right?

Ms. De La Cruz - Correct.

Ms. Schiavone - All right. I mean, I don't know how it will affect me, but I guess we'll see.

Ms. De La Cruz - It should not affect you.

Inspector Berrios- They're not going outside the footprint of the existing house. If that's what you're asking.

Ms. Schiavone - Oh, they're just going higher.

Inspector Berrios - They're just putting a dormer in there to accommodate the headspace that's required to go into the attic. That's it.

Ms. Schiavone - I see, okay, no, because I saw the four variances.

Ms. De La Cruz - That's actually existing. It's just that half the property is very small, so the existing house is it's non conforming. So in order for us to be able to get approval for a two family. It needs to get approved for the existing non conforming.

Ms. Schiavone - Right now it's one family?

Ms. De La Cruz - Yes.

Acting Chairman Price- Okay, anybody else for 11 Broad Street?

Unknown speaker - I'm from 13 Broad Street and I don't see a problem with what they are proposing to do. You mentioned a line that had to be moved ?

Inspector Berrios - Well, what it is, is when you have a one family, the requirements are different than when you have a two so let's say you're going from one family and you're required to have X amount of square footage, where a two family requires a little more square footage, it might require a bigger side yard or a bigger front yard. So that's why they need the variances, because when you are going from a one family to a two, the requirements are a little greater than the one. As far as the setbacks, but nothing's changing.

Unknown speaker- Ok, we don't have a problem with that.

Acting Chairman Price - Does anyone else here want to talk about 11 Broad Street?

No response.

Attorney Michaels - Do you guys have any questions for Ruben?

No response.

Acting Chairman Price - I'll entertain a motion to open the public hearing for 11 Broad Street.

RESOLUTION # 47 - 2025

Motion by: Jose Hilario
Seconded by: Kathleen Porter
Motion Carries: All

Attorney Michaels - Okay, how you guys feeling favorable, all three of you?

All members - Yes.

Attorney Michaels - Based upon the consensus of the board of feeling favorable to the application. It's my legal opinion that any one of you can make a motion to approve the application that's seeking the area variances as depicted, illustrated and set forth on a set of drawings under the signature and seal of Jorge I Lopez, New York state registered architect, consisting of four sheets enumerated A-1 through A-4 consecutive and successive. Most recently dated January 21 of 2025, again, these are area variances that you're approving. And we're talking about 11 Broad Street. I don't know if I mentioned that, and the motion would include the following findings, that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting the area variances. The benefits sought by the applicant cannot be achieved by some method feasible for the applicant to pursue other than by the granting the area variances. The requested area variances are not substantial. The proposed area variances will not have an adverse effect or impact on the physical or environmental conditions in the neighbor district, and although the alleged difficulty of the applicant is self created, you did

consider this factor, but in and of itself, it was not enough for you to make a motion to deny the application instead of approving it. So if any one of you agree with what I just said, and I don't want to put any words in your mouth, if there's anything you want to discuss, any questions you have for me discuss amongst yourselves, anything you want to modify, please let us know. But if you do agree with what I said, you can simply say so moved as recited by legal counsel.

Member Porter - So moved as recited by legal counsel.

RESOLUTION # 48 - 2025

Motion by: Kathleen Porter
Seconded by: Jose Hilario
Motion Carries: All

Attorney Michaels - Approved, good luck!

Acting Chairman Price - Okay, moving right along, 10 West Broad Street.

Attorney Michaels - You should open the public hearing.

Acting Chairman Price entertained a motion to open the public hearing for 10 W Broad Street.

RESOLUTION # 49 - 2025

Motion by: Kathleen Porter
Seconded by: Tom Price

Motion Carries: All

Carolyn Pappalardo - I'm here about 10-12, West Broad Street. I was here a month ago and I explained the whole thing to you, and you approved it, but I had to send out certified mail to the neighbors, which I did so, and then I had to come back for that.

Acting Chairman Price - Just repeat what you're going to do.

Ms. Pappalardo - Okay, what happened was, in the 80s, 40 years ago, it's a two family townhouse side by side, 10 and 12 West Broad Street, and my mother and my aunt were too disabled to get up the stairs anymore. So what we did, we rearranged rooms so they had their apartment on the ground floor. So now it is a three family house. It's three four room apartments. And so I'm going to sell it now, but I want to change the tax rolls to state that it's a three family house and not a two family house when I advertise it. Nothing was changed to the outside, or the property line, or anything like that. We had it surveyed. You should have a copy of the survey.

Inspector Berrios - They have it. Let me just kind of chime in a little bit. So they've had this house for many years. At some point years ago, it was converted to a three-family. However, it was never legally changed. So now they want to sell the house, I guess, and they want to make it a legal three family. It's in an R-3 zone. It is a permitted use. They just need several variances, and then if you approve it, it'll be legal three family dwelling.

Member Porter- And there was an issue with like there was no parking, but there was never parking there, right?

Inspector Berrios - Correct.

Ms. Pappalardo - That's one of the variances.

Member Hilario - So they have been using it as a three family dwelling already, right?

Inspector Berrios- Correct, for years.

Ms. Pappalardo - It's been like that for like that 40 years, since the 80s, for my mother and my aunt that they couldn't walk the stairs anymore because it was side by side two fan like a two family found townhouse, so we just rearranged rooms downstairs so that they could have a four room apartment all on one floor.

Member Price - Is anyone here for this project? No, ok.

Attorney Michaels - So this is not an application for variances of any sort. It's just an application like Ruben said to I guess, document that this is a legal three family residence, correct?

Inspector Berrios - Right

Attorney Michaels - So I think a motion simply to approve the application of, Carolyn Pappalardo, for 10 West broadsheet.

Acting Chairman Price - So we have to close the public hearing first.

Attorney Michaels - I think there should be some expression of consensus before closing.

Members- We're good.

The Acting Chairman entertained a motion to close the public hearing for 10 W Broad Street.

RESOLUTION # 50 - 2025

Motion by: Tom Price
Seconded by: Jose Hilario
Motion Carries: All

Attorney Michaels- Any one of you can just simply make a motion to approve the application of Carolyn Pappalardo regarding 10 West Broad Street. That's it, so moved recited by legal counsel.

Member Hilario - I'll make a motion to approve that.

RESOLUTION # 51 - 2025

Motion by: Jose Hilario
Seconded by: Tom Price

Motion Carries: All

We need to put on the record that, yes, we have to open the public hearing, actually, on 30 Riverside. So for the record, for all in attendance who may be interested in the application for 30 Riverside Avenue, that is not going to be reviewed tonight, but we're just going to open the public hearing for the sole purpose of continuing it and keeping it open to I think we discussed the December 23 meeting. Is that correct?

Members & Inspector - Yes.

Attorney Michaels - So again, this is 30 Riverside Avenue application for area variances. We have a letter from the attorney for the applicant. I'm looking for it. No, we need to reference his letter on the record. It's important, because it's the request is coming from the attorney for the applicant, and that is Frank J Phillips, attorney for the applicant of the law firm of Phillips and Millman letters dated November 25 that's today, November 25,2025 and in that I'm just cutting to the substance of the request is I'm quoting, "We respectfully request that the public hearing be opened tonight for the sole purpose of keeping the public hearing open and continued to the next ZBA meeting in December of 2025."There's other, statements made in this letter, but for purposes, purposes tonight, that is the only statement we're going to mention tonight. So based upon that request of the applicant's attorney, do you members of the ZBA consent to open the public hearing for the sole purpose of keeping it open and continuing it to the meeting to be scheduled in December, which we'll discuss in a few moments.

Members- We do.

Attorney Michaels - So I hear unanimity amongst the three members present to open the public hearing. So a motion to open the public hearing on 30 Riverside Avenue.

RESOLUTION # 52 - 2025

Motion by: Jose Hilario
Seconded by: Kathleen Porter
Motion Carries: All

Attorney Michaels- Motion made by member Hilario and seconded by member Porter, all in favor, and it is unanimous by ZBA members present, all three of them voting to open the public hearing. And do you consent to the applicant's attorneys request that I just recited into the record a few seconds ago to keep the public hearing open and to continue your review of it to the December we didn't discuss it on the record. But are you okay with December 23 seven o'clock PM, here in village?

Acting Chairman Price - That's the regular meeting day, right?

Member Porter - No it's not.

Attorney Michaels - It is not the regular one, it would be a week after. It would be the week later. I think right now it's scheduled for December 18th. The regularly scheduled meeting is December 18th.

Inspector Berrios - Right now it is scheduled for the 16th.

Attorney Michaels - For the record December 16th is the regularly scheduled meeting, so the applicants asking if it could be the 23rd instead, a week later.

Member Hilario - That's going to be a tough week.

Unknown speaker #2 - I don't see a request of that date in the letter.

Attorney Michaels - Because the applicant does not have the ability to tell the board when it is going to meet. There was a discussion amongst village staff that December 23 would work better because of the Rockland County Department of planning's GML requirements allowing them at least as much time as possible to perform their GML review, and that's the Rockland County Planning Department, and that December 16 might be a little too tight, so there was discussion amongst the village staff that a week later, may give that extra time for the Rockland County planning department to complete its GML review, although there's no guarantee. They're allowed 30 days, and December 23 is a little less than 30 days, but it's more than it would be if it was December 16. So, with that said, are you guys okay with moving the meeting that would have been on December 16th to December 23rd.

Acting Chairman Price - I don't have a problem with it.

Member Porter - I'm okay.

Attorney Michaels - Understanding it's a difficult week. Are you okay with-it Jose?

Member Hilario - I'm supposed to do something very important that week.

Attorney Michaels- It's going to be tough for everybody.

Member Hilario- We need three members?

Attorney Michaels - Well, the county GML might require an override. We don't know if we'll have four members present, and we don't know what the GML report is going to say. The GML report may recommend a disapproval or recommend certain conditions, what they call modifications, which, if you guys don't agree with those recommended modifications, then you would need to have four members of the ZBA override the disapproval or the recommended modifications that you don't agree with, so it would be preferred to, maybe even necessary, to have four members present on the 23rd but we don't know if we're going to have that. So it doesn't have to be the 23rd or keep it on the 16th it's your decision. We could go into January.

Member Hilario - What happens if we leave it for the 16th?

Attorney Michaels- It's up to you guys.

Acting Chairman Price - If they're not ready, we're going to have to postpone it anyway. Yeah, correct. If you don't have the GML report back by the 16th in time for the meeting on the 16th. There's nothing you can do on the 16th if you don't have the GML report back from the county planning department. So your inclination is to keep it on the 16th?

Acting Chairman Price - Yes.

Attorney Michaels - Okay.

Inspector Berrios- You know, the problem was that we screwed up here in this office and when I say that, I mean me, because there were certain things that I thought didn't have to go to the county and then it turns out it did.

Member Porter - Then I say, we should go with the 23rd.

Acting Chairman Price - I agree.

Attorney Michaels - For the record, since Ruben mentioned, to clarify that there was a clerical error, an oversight made here in village, building, department, it's okay, these oversights happen. I think I know that's why the village staff, when we had this discussion here amongst the building department and my legal counsel, was because this was our mistake, and we all share in it, was that as an accommodation to the applicant, if we could push it off a week, and knowing that the week right, you know, right before Christmas? You know that couple days before Christmas is going to be tough for us, but you know, this was our village error,

Inspector Berrios - It was my mistake.

Attorney Michaels - No, we're in this together.

Member Hilario - We all work with you.

Attorney Michaels- Let me make the announcement. So therefore all those who are in attendance regarding 30 Riverside Avenue application for area variances, the public hearing has been open, and it's going to remain open and be continued to the next meeting of the Zoning Board of Appeals, which will be December 23, 2025 seven o'clock PM, here in village hall, and by making this announcement, no other public notices are going to be mailed or posted or published in a newspaper, etc. So please make a note of it, and that's it. Do you all consent?

Members - Yes

Attorney Michaels- For the record member Hilario, member Porter and Acting Chairman Price, all consent to that statement made about the December 16th meeting being moved to December 23rd. And also keeping the public hearing open to December 23rd, Correct?

Members - Yes

Member Porter - Maybe send out the email soon, so that everyone can prepare for it.

Attorney Michaels - I'm going to send you, Ruben and Gisbeth an email about sending the sunshine notice to metro@lowhead.com Rockland Journal News, letting them know about the rescheduling of the meeting from the December 16th date to the December 23rd date. And also changing the village's website calendar has to be changed as well.

Member Porter - Yes, then send it to us, and then we will put it in our calendars.

Acting Chairman Price - Okay since there are no minutes, I'll ask for an adjournment.

RESOLUTION # 53 - 2025

Motion by: Jose Hilario
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

