

DRAFT

ZONING BOARD OF APPEALS MEETING

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FEBRUARY 3, 2021

A Zoning Board of Appeals Meeting took place on Tuesday, February 3, 2021 at 7:00 P.M. held at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.

PRESENT:

Chairperson Maureen DeVinko, Zoning Board of Appeals Members Merald Drayton; Denni Lozza; Steven Presser.

ALSO PRESENT:

Building and Code Inspector John Terry, Attorney Christopher Kleister.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Chairperson Maureen DeVinko led the Pledge of Allegiance to the Flag.

PUBLIC HEARING – 32 WEST MAIN STREET – ORANGE COUNTY BAGELS:

Please take notice that, the Zoning Board of Appeals, of the Village of Washingtonville, Orange County, New York will hold a Public Hearing on the application of Orange County Bagel for several variances to permit the construction of a Business Center on the property located at 32 West Main Street, Washingtonville, New York, further defined as 112-4-18 said property being located in the neighborhood business district.

The applicant is seeking the following approvals from the Zoning Board of Appeals:

- (1) An Area Variance from the requirements of Section 175-56.A.1. of the Village Code permitting the required square foot lot size to be reduced from 40,000 square foot to 32,544 square feet.**
- (2) An Area Variance for a Lot Width from the requirements of Section 175-56.A.2. a Lot Width to be reduced from the required 250 feet to 184.7 feet.**
- (3) An Area Variance from the requirements of Section 175-57.A. Permitting the Front Yard Set Back to be 20 feet instead of the required 60 feet.**
- (4) An Area Variance from the requirements of Section 175-56.A.4B. Permitting the one side to be 6.5 Feet instead of the required 40 feet.**
- (5) A Variance permitting an accessory building on the property pursuant to Section 175-81.A1-2. of the Village Code.**
- (6) A Variance pursuant to section 175-127.6.8. of the Village Code permitting use of the municipal parking lot so as to permit the use of 6 Village Parking Spaces to satisfy the parking requirements of the project.**
- (7) An area Variance pursuant to Section 175-127.C.8. permitting both side yards to be combined 70.5 feet instead of the required 80 feet.**
- (8) A Use Variance from the requirements of Section 175-53.8. of the Village Code permitting Business Center Development and permitting two primary business uses to exist on one lot.**

The Public Hearing will be held on the 3rd day of February 2021 at 7:00 P.M. at the Village Hall Meeting Room, 9 Fairlawn Drive, Washingtonville, New York at which time all interested will be given an opportunity to be heard.

RESOLUTION – OPEN PUBLIC HEARING – 32 WEST MAIN STREET – ORANGE COUNTY BAGEL:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals Member Denni Lozza and adopted to authorize the approval to open the Public Hearing regarding Orange County Bagel Shop; said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

Ryan Fellenzer, Engineer for Orange County Bagel mentioned they would like to clarify on the use variances, listed area variances. Our property is 32 West Main Street. We are presenting a new building that would have three businesses. We will be keeping the existing driveway and parking area side and rear. The rear would both have porches and would be a front entrance. It is one story, and two other businesses would be rented and the building matches the architecture of the Village. The other businesses rent would be approximately \$70.00 per square foot.

Chairperson Maureen DeVinko added right now school is not open but it is impossible to get through the Village at certain times of the day, which is a consideration to make. The building is in five-hundred (500) feet of a public parking area. The Engineer responded the business is going to be more of a grab and go and not really a sit down and dine business. The plan is to make and serve the bagels in Washingtonville. The traffic and traffic study is a Planning Board matter.

Owner Brent Kunis stated his busiest time with his other stores is between 8:30 A.M. and 10:30 A.M. and on Saturdays and Sundays. We have a lunch crowd as well. Other store hours are 6:00 A.M. to 3:00 P.M. and in Goshen we are open until 4:00 P.M. The other business is not a food place, but the third one is going to be a chiropractor. A Gymboree place is also interested in renting. The current building has to come down.

Engineer Fellenzer from Orange County Bagel explained that the business center development is not less than 80,000 square feet.

A Board Member questioned the Engineer is it your position that the project will or will not have any undesirable change on the character in the neighborhood or adjoining properties? Engineer Fellenzer from Orange County Bagel responded we are improving the building so it is better suited to the neighborhood in the Village. It will promote walkability and connection to the Village. Parking in the back and side is a plus, since there is no parking in the front.

Owner Brent Kunis mentioned they are looking to make the building earth tones and soft fixtures for the community. The bottom half of the building will be all stone.

Corinne Courtney from Nailed It Hardware, 4 South Street commented as a fellow business owner and resident of Washingtonville she fully supports this plan. Business owners in Washingtonville need this building, and Brent is an excellent business man.

There being no comments from the public regarding this matter:

RESOLUTION – CLOSURE OF PUBLIC HEARING – 32 WEST MAIN STREET – ORANGE COUNTY BAGEL:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals member Merald Drayton and adopted to authorize approval to close the Public Hearing regarding Orange County Bagels; said Resolution was passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

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RESOLUTION – 32 WEST MAIN STREET – ORANGE COUNTY BAGEL – VARIANCES:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals member Denni Lozza and adopted to grant all the variances regarding the property of 32 West Main Street for Orange County Bagel; said Resolution was passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

RESOLUTION – CHANGE OF DATE – 1 NICOLL STREET:

Chairperson Maureen Devinko made a motion, seconded by Zoning Board of Appeals member Denni Lozza and adopted to authorize approval of tabling the application of 1 Nicoll Street until a future Zoning Board of Appeals Meeting; said Resolution was passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

RESPECTFULLY SUBMITTED,

SOPHIA FOLEY

CLERICAL ASSISTANT