

A Zoning Board of Appeals Regular Meeting took place on Thursday, March 31, 2022, at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.

PRESENT:

Chairperson Maureen DeVinko, Zoning Board of Appeals Members Denni Lozza, Steven Presser & Michelle Rivera.

ABSENT:

Zoning Board of Appeals Member Jim Kiernan.

ALSO PRESENT:

Zoning Board of Appeals Attorney Elizabeth Cassidy.

PLEDGE OF ALLEGIANCE TO THE FLAG:

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

RESOLUTION – OPENING OF PUBLIC HEARING – 61 EAST MAIN STREET:

Zoning Board of Appeals Member Denni Lozza made a motion, seconded by Zoning Board of Appeals Member Steven Presser for the approval to open the Public Hearing Regarding 61 East Main Street. Said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

OPEN PUBLIC HEARING – 61 EAST MAIN STREET:

Chairperson Maureen DeVinko indicates that the "Notice is hereby given that the Zoning Board of Appeals of Washingtonville will hold a Public Hearing on Thursday, March 31, 2022, at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York. The Application is for 61 East Main Street Associates LLC for an area variance of the minimum lot area per dwelling unit for 14,000 square foot per unit to 6.759 square foot per unit for 61 East Main Street. SBL: 114-1-3.22, 113-2-31 for the construction of 28 total dwelling units. The application and plans are available for review Monday – Friday from 8:00 A.M. to 4:00 P.M. all interested parties may be heard at said time and place by order of the Zoning Board of Appeals."

Zoning Board of Appeals Attorney Elizabeth Cassidy indicates that the Notice regarding the Public Hearing was published in the Times Herald Record.

Michael Morgante, Project Engineer of 61 East Main Street indicates that as it currently stands, this particular site has an existing structure on it with bedrooms and parking. The proposed action tonight is looking to demolish that building in associated parking and to present two individual structures on the site, both with a 7,000 square foot footprint. Each individual structure would have 15 volume units associated with it for a total of 20 dwellings units and in accordance with the codes that the Village of Washingtonville has in place, we would essentially provide two spaces for the blowing unit for a total of 56 spaces. The site currently has a curb cut off of New York State Route 94.

OPEN PUBLIC HEARING – 61 EAST MAIN STREET (CONTINUED):

Michael Morgante, Project Engineer of 61 East Main Street indicates that we are essentially maintaining that curb cut approximately in the same location, we will have cars enter and exit through this one location and as you can see here we have package along the frontage of both buildings and an island in the middle that will be landscaped, we have handicapped parking spaces that will provide access directly into those buildings on either side, we have designed the site also to be capable of handling bio-apparatus during emergency events, we have shown turning diagrams where the trucks will come and essentially navigate around the site and return back to any court at that time. We have a pretty detailed engineering plan and the grading plan has been prepared, we have advanced this plan pretty far along the Planning Board Level. We have a water management system that is proposed. The site is underlain by a lot of sandy gravel material which is very good draining material so what we are proposing are essentially infiltration chambers beneath the parking lot; those infiltration chambers will capture the stormwater runoff that is generated from the impervious surfaces and it will essentially recharge it back into the ground water supply. Some of the building and parking is located within the actual human flood zone, a very small amount. What we are showing here is a volume of fill here would be about 451 Cubic Yards that's required and as a result of that we are actually also removing 451 Cubic Yards out of the flood plain so if we have a 0 net Fill situation within the floodplain this will not impact floodwaters within the Village of Washingtonville, as it relates to the construction of this site and by the way that's a part of the flood management coalition. We will be connecting this site to existing water and sewer infrastructure and then we will obtain the final water and sewer infrastructure that is located in the village, we have discussed this with the Planning Board Engineers adequate capacity of the Board regarding this particular project. We have a pretty detailed landscaping, the lighting plan has been prepared and reviewed by the Planning Board, the sight right now is pretty well engineered and we are confident in the proposal that we are presenting to the Zoning Board of Appeals tonight in terms of any public area variances that we are requiring it is worth noting that as it stands right now, we do not need any variances as of right now, as it relates to front yards, rear yards. The only thing that we are seeking tonight is a variance in the sense of looking for 20 dwellings as opposed to 14.

Brian Gibson, owner of 61 East Main Street, indicates that the goal is that it does not fit within the nomenclature of the variants we're applying for and on this piece of property we have a permitted use for 14 residential units plus 14,000 square feet of office space and what we are asking here tonight is not to build a bigger building or impose a heavier use on the property but simply to switch out the resident for the office for those that have been maybe at previous meetings.

Patrick Cleary, Principle of Cleary Consulting, indicates that the property is 4 1/2 acres in size and we are in the RA Zoning District. The Office Residence Zoning District, fully compliant with all of the setback bulk height dimensional regulations of that zone, this site is sensitively designed to mitigate the impacts on that environmentally constrained portion by the property by the creek in the rear of the property so what we have done is put together a project that meets all rules with the single exception of the lot area for dwelling unit provision so in your code today there is a provision that requires a minimum of 14,000 square feet per dwelling unit, that is a very restricted provision for multi-family housing. If you provide the provision to our site. There is a significant housing shortage in our region.

OPEN PUBLIC HEARING – 61 EAST MAIN STREET (CONTINUED):

Patrick Cleary, Principle of Cleary Consulting, indicates that the only thing that would change is the number of bedrooms in the units so instead of 28 two-bedroom units we'd have 14 three-unit bedroom units. This is a permitted principal use in this zone. This translates to six (6) units per acre.

Pat Mitchell, resident of 10 York Place, indicates that with the new flood program, the rates have gone up and apartment rates are much higher than all for FEMA. They do two types of aiding, the old and the new and the rates have gone up at least two times depending on what type of risk it is. Multiple dwellings are much more expensive.

Susan Walski, resident of 24 South Street, asks that you keep this public hearing opened until the transcripts are published, sitting back in the audience we can hear nothing that is being said here. Originally, they came before this board and said that there was also a request for a lot line change, I have not heard of anything in this meeting, is this still the case. This is supposed to be two lot lines of land that they were trying to make into one parcel to accommodate these buildings, is there still a lot line change before this board.

Engineer Michael Morgante adds that there is a lot line removal so there's actually a lot line right now that separates the two (2) tax parcels. It is going to include both parcels into one (1) parcel with one area. That is what was included in the application.

Chairperson Maureen DeVinko indicates that the piece closest to the Moodna can not be built on. There is more of a need for residential dwelling.

Zoning Board Attorney Elizabeth Cassidy indicates that all documents submitted by the applicant are available at Village Hall. The applicant did submit fairly detailed zoning analysis study. Village Hall is open 8-4 so stop in to view the documents.

Susan Walski, resident of 24 South Street, adds that there is a lack of 3-bedroom rentals in the real estate world and the 56 cars that are turning onto main street, left and right, once you pass Route 208, there is no place for somebody to avoid turning right and left. Will there be room for firetrucks?

Bob Bukowski, resident of 29 Capital Drive, also sits on the Planning Board, concern is the traffic, 94 to 208, don't know what we are going to do with that many more cars so take that into consideration please.

Michael Cavaluzzi, resident of 55 East Main Street, indicates that he did research on 61 East Main Street and it is not for sale. Last time it was sold was on March 4, for \$665,000 according to Zillow. On July 12, 2019, it was sold for \$67,000 which was 3 months later.

Engineer Michael Morgante adds that they are going to be modifying the entrance and that matter is going to have to go to the "Department of Transportation". We will take into consideration the suggestion of Zoning Board of Appeals Member Jim Kiernan for the looping of the sidewalk for safety. We will take that to the Planning Board. Putting only residential will reduce traffic rather than the office residential.

RESOLUTION – CLOSURE OF PUBLIC HEARING – 61 EAST MAIN STREET:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals Member Denni Lozza for the approval to close the Public Hearing regarding the Application of 61 East Main Street. Said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

ADJOURNMENT:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals Member Denni Lozza and adopted to adjourn the March 31, 2022, Zoning Board of Appeals Meeting; Said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 4 Ayes, 0 Nays, 0 Abstentions.

RESPECTFULLY SUBMITTED,

SOPHIA FOLEY

CLERICAL ASSISTANT