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In Re:

**CONDENSED**

TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS

-----X

July 10, 2024  
7:00 P.M.

ZONING BOARD MEETING held at One Rosman  
Road, Garnerville, New York before a Notary  
Public of the State of New York.

DRAFT

SANDY SAUNDERS REPORTING  
254 South Main Street, Suite 216  
New City, New York 10956  
(845) 634-7561

Page 2

1  
2       A P P E A R A N C E S :  
3       GREG LAWLESS, Chairman  
4       LARRY MARGIOTTA  
5       WILBUR ALDRIDG  
6       JOHN RAMUNDO  
7       GREG MARRIWEATHER  
8       GEORGE BEHN, BUILDING INSPECTOR  
9       CHRISTIE TOMM ADDONA, ZONNING BOARD ATTORNEY  
10      ANNETTE HENDRIE, Secretary  
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Page 3

1           (Whereupon, everyone rose for the Pledge  
2 of Allegiance.)  
3           THE CHAIRMAN: Everyone rise for the  
4 pledge of allegiance.  
5           (Whereupon, everyone rose for the  
6 pledge of allegiance.)  
7           THE CHAIRMAN: Today is Wednesday  
8 July 10, 2024, this is the regularly  
9 scheduled meeting of the Town of Haverstraw  
10 Zoning Board of Appeals.  
11          Calling the role.  
12          Wilbur Aldridge.  
13          MR. ALDRIDGE: Here.  
14          THE CHAIRMAN: Mr. Greg  
15 Merriweather.  
16          MR. MERRIWEATHER: Here.  
17          THE CHAIRMAN: Mr. Larry Margiotta.  
18          MR. MARGIOTTA: Here.  
19          THE CHAIRMAN: Mr. John Ramundo.  
20          MR. RAMUNDO: Here.  
21          THE CHAIRMAN: Okay. We are going  
22 to hold the adoption minutes to the end. And  
23 take a couple of adjournments that counsel  
24 will advise.  
25          MS. ADDONA: So there are actually

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1       several Adornments this evening. So for  
2 anyone who is here on the applications please  
3 check with the building department to see  
4 when they will be heard again.  
5       The first adjournment is number 2  
6 Edgar ChaCha, 61 West Ramapo Road has been  
7 adjourned. Jason Trow, 3 Sherman Drive has  
8 been adjourned. Luis Bermeo, 1 Locust Drive  
9 which is number 4 has been adjourned. And  
10 Marian Shrine, 174 Filors Lane, number 5 on  
11 the agenda has been adjourned.  
12       So the applications that will be  
13 heard this evening are Shlomo and Aliza  
14 Hauer, 14 Valley Drive. And Eastgate, 321  
15 Route 202.  
16       So we will start with the first  
17 application. And do you have the public  
18 hearing notice.  
19       Please take notice the Town of  
20 Haverstraw Zoning Board of Appeals shall hold  
21 a Public Hearing to consider the application  
22 of Shlomo and Aliza Hauer, 14 Valley Drive,  
23 Thiells to construct a new 14 x 8 x 36, two  
24 story addition with a full basement to be  
25 constructed on the Northerly side.

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1           The following Variances are  
2 required:  
3           1, As per the approved Zoning  
4 Criteria of Mountainview Park Subdivision,  
5 Section One-dated 4/24/1969.  
6           Side Yard: 15' Required.  
7           10' is proposed.  
8           A 5' foot Variance is required.  
9           Said property being located on the  
10 West side of Valley Drive and located at  
11 approximately 105 Ft South of Havencrest  
12 Drive and on the Town of Haverstraw, Tax Map  
13 as Section-25.08, Block-02, Lot-64.  
14           Said Public Hearing shall be held on  
15 Wednesday, June 12, 2024 at 7:00 pm in the  
16 large meeting room of Haverstraw Town Hall,  
17 One Rosman Road, Garnerville.  
18           All interested parties are invited  
19 to attend and will be heard by the board.  
20           By the order of the Zoning Board of  
21 Appeals of the Town of Haverstraw.  
22           Greg Lawless, Acting Chairman.  
23           Christie Tomm Addona, Planning and  
24 Zoning Board Attorney.  
25           Annette Hendrie, Planning and Zoning

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1 Board Chief Clerk. Dated May 30,2024.  
 2 And for the record we have the  
 3 certified mailing receipt from the applicant  
 4 for the public hearing.  
 5 THE CHAIRMAN: Thank you. Is the  
 6 applicant here today. Step up for the record  
 7 and state your name for the record.  
 8 MR. CONWAY: If it please the board,  
 9 Kevin Conway, 7 Stockum Lane, New City, New  
 10 York. Along with Mindy Ortner who is the  
 11 representative of the expedited company.  
 12 And was just read into the record  
 13 the applicant's family have been at the site.  
 14 They propose to build an addition to the  
 15 existing family residence. The existing home  
 16 is about 2,800 square feet. The addition  
 17 would be about 1,100 square feet, totaling  
 18 3,900 square feet. When completed the  
 19 addition would include two bedrooms in the  
 20 basement, a new dinning room, a study on the  
 21 first floor and a master bedroom on the  
 22 second floor. To avoid relocating the  
 23 utility lines and retain the home's flow, the  
 24 addition is proposed on the right side  
 25 resulting in a minor variance for the side

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1 yard.  
 2 We did provide also the architect's  
 3 proposed floor plan. As well as the  
 4 elevations. I believe the board should have  
 5 copies of. If not, I have a copy I can  
 6 provide.  
 7 This is for the benefit of the  
 8 family that resides there. They wish to have  
 9 more living space. I believe the style of  
 10 house currently is a colonial so this is just  
 11 a more efficient use with the addition that  
 12 is proposed. The siting of it works on the  
 13 site, we believe, the way the house is  
 14 currently structured. And it makes sense  
 15 more because of the master bedroom that now  
 16 exists with the proposed addition. If we  
 17 were to locate it in the rear of the house we  
 18 would not require the variance, but it would  
 19 not work with the flow of the house so that  
 20 is why we are proposing this with the rooms  
 21 as well as the master bedroom which is on the  
 22 second floor. That is why the siting is at  
 23 the side for the proposed addition opposed to  
 24 the rear. The proposed addition is to the  
 25 side instead of the rear because of the

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1 yard. When it was red into the record it  
 2 indicated 10, it is actually 9.7. The side  
 3 setback requirement is 15 feet. The left  
 4 side of house has a garage and family room  
 5 that the applicant wishes to keep. The right  
 6 side has a kitchen which they wish to extend  
 7 and the living room. Both of which would  
 8 lead into a new dinning room located in the  
 9 addition. Placing the addition on the right  
 10 side also minimizes the impact on the exiting  
 11 house, the structure of it, while providing  
 12 the most efficient flow. If you look at the  
 13 site map, 14 Valley Drive, it's quite a large  
 14 site. The minimum lot area requirements are  
 15 10,000 square feet and it comes at 25,596.  
 16 Because of that there is no change to the  
 17 maximum development coverage. There is no  
 18 change to the maximum building coverage where  
 19 it does not exceed. The limit when you go in  
 20 with an addition or a new home the push is  
 21 always with the maximum building coverage or  
 22 the far, here because the lot is quite large  
 23 and the addition is not so large it doesn't  
 24 effect those two categories. But because of  
 25 where it was decided it does effect the side

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1 bedroom that is going to exist, the master  
 2 bedroom, we put it in the back or it would  
 3 not flow with the existing second level of  
 4 the house. So that is why they came up with  
 5 the design that they proposed. But it  
 6 requires one variance.  
 7 With that I wanted to take any  
 8 questions from the Board, any suggestions.  
 9 Obviously take back if the Board has any  
 10 strong opinions on it, any suggestions.  
 11 THE CHAIRMAN: I want to go through  
 12 the map. The proposed is 14.8 by 36,  
 13 correct?  
 14 MR. CONWAY: I believe that is the  
 15 is --  
 16 THE CHAIRMAN: That is by basement,  
 17 first and second floor, correct?  
 18 MR. CONWAY: I believe so.  
 19 THE CHAIRMAN: When we do the math  
 20 on that what is it exactly?  
 21 MR. CONWAY: We came out to -- well  
 22 it is currently 2,800.  
 23 THE CHAIRMAN: The existing home?  
 24 MR. CONWAY: Yes. The addition  
 25 would be 1,100 square feet, so 3,900 square

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1 feet in total.  
 2 THE COURT: 14.8 by 36 is 532.  
 3 Let's use round numbers; 500 square feet  
 4 basement, 500 first floor, 500 square feet  
 5 second floor puts us over 1,500 square feet,  
 6 correct?  
 7 MR. CONWAY: I can have the  
 8 architect appear with the numbers.  
 9 THE CHAIRMAN: Let's use 14.8 which  
 10 is how wide we are coming out by 36 feet long  
 11 it is a square footage of 532 square feet.  
 12 Multiply by 3 that 1,596 or 1,600 square  
 13 feet. So you want to be correct that it's a  
 14 lot bigger addition than you proposed in this  
 15 paperwork.  
 16 MR. CONWAY: I don't believe it is.  
 17 But if necessary --  
 18 THE CHAIRMAN: And if you correct me  
 19 I'd like know why.  
 20 MR. CONWAY: If necessary I will  
 21 have the architect come in.  
 22 THE CHAIRMAN: My other issue is,  
 23 you have a very large lot, it's deep. We  
 24 have applicant's prior. Is there a reason  
 25 why you cannot use the rear yard. The rear

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1 that visit. They are starting out as a  
 2 family and they expect to have a large family  
 3 as time goes.  
 4 MR. ALDRIDGE: I want to see the  
 5 schematics or the original --  
 6 THE CHAIRMAN: Yes, if you can  
 7 provide us with the existing layout of the  
 8 house. It's not necessary if you rearrange  
 9 and work to the back.  
 10 MR. CONWAY: When I look at these  
 11 and come in as the attorney I said okay why  
 12 not put it in the back.  
 13 THE CHAIRMAN: You are welcome to  
 14 use some of the side yard you have some, but  
 15 it would be a benefit to leave the master  
 16 bedroom to the back.  
 17 MR. CONWAY: I don't think it works  
 18 with the floor plan that they have, that was  
 19 chief reason. We'll be happy to come back  
 20 and see if we still require it or don't need  
 21 it.  
 22 THE CHAIRMAN: Any questions.  
 23 MS. ADDONA: If you do come back and  
 24 continue the variance process would you be  
 25 comfortable with the condition on the

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1 yard is very deep. You have plenty of space  
 2 back there. You are asking for a large  
 3 variance approaching on the property. You  
 4 also need two window wells for that basement  
 5 which is another 3-foot out which makes that  
 6 side yard very small. It's a big concern.  
 7 I don't have plans of your existing  
 8 home structure to try to look at. But the  
 9 first floor did have a nice access, the  
 10 hallway leading to the back. That is  
 11 definitely a big concern.  
 12 MR. CONWAY: Would the Board be more  
 13 comfortable if it was located in the rear.  
 14 THE CHAIRMAN: Without at doubt.  
 15 You don't need to be here if you change it up  
 16 and put it to the back.  
 17 Any other questions from the Board  
 18 or comments.  
 19 MR. ALDRIDGE: How many occupants in  
 20 this family?  
 21 MR. CONWAY: I believe there is 4  
 22 family members currently.  
 23 MR. ALDRIDGE: 4 with 7 bedrooms.  
 24 MR. CONWAY: Yep. They have  
 25 relatives that visit -- they have relatives

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1 variance that it remain a single family home.  
 2 MR. CONWAY: There is no plans to  
 3 convert it to anything other than a single  
 4 family home.  
 5 MS. ADDONA: Okay. Thank you.  
 6 MR. CONWAY: When would your next  
 7 available date be?  
 8 THE CHAIRMAN: Our August meeting is  
 9 off this year so it will be September 11th.  
 10 It's always the second Wednesday of the  
 11 month. Same time 7:00 p.m.  
 12 MR. CONWAY: If it's not the 11th  
 13 because I normally go to remembrance.  
 14 THE CHAIRMAN: It's every month.  
 15 The following month it would be October 9th.  
 16 MR. CONWAY: Thank you, very much.  
 17 MS. ADDONA: It's a public hearing.  
 18 I don't know if there is anyone in the public  
 19 that would like to be heard.  
 20 THE CHAIRMAN: Is there anyone that  
 21 wants to be heard in this matter. Please  
 22 step forward.  
 23 MS. TULLY: Stasia Tully, 1  
 24 Abercrest. First can I show you a couple of  
 25 pictures just to show how the house is laid

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1 out right now.  
 2 MS. ADDONA: We will provide you  
 3 with a copy of it.  
 4 MS. TULLY: I am at 1 Havencrest  
 5 Drive --  
 6 MS. ADDONA: Please explain for the  
 7 record -- describe the pictures that you just  
 8 handed up.  
 9 MS. TULLY: My backyard abuts their  
 10 side and back yard. The pictures that I just  
 11 brought in is a picture from my patio looking  
 12 towards the side of their house. And then a  
 13 picture from their fence looking back to my  
 14 house. And the reason I brought it in is  
 15 just show you how close the houses are  
 16 already so coming in another 15 feet,  
 17 approximately, would be incredibly close.  
 18 What I am concerned about IS with  
 19 this construction going on negatively  
 20 affecting my property value with the house  
 21 being so close. And my house also in the  
 22 backyard it's a one level, it's built into  
 23 the hill. Two levels in the front and one  
 24 level in the back. And with their house  
 25 being two levels plus the basement it's going

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1 it, most of it right now. I am not sure what  
 2 it really looks like now.  
 3 THE CHAIRMAN: All right any other  
 4 members from the public like to be heard step  
 5 forward.  
 6 MS. ADDONA: Ma'am, you want to have  
 7 those be part of the public record. Give  
 8 them to Annette and we will make copies and  
 9 submit to the applicant tomorrow.  
 10 THE CHAIRMAN: Anyone from the  
 11 public like to be heard, please step forward.  
 12 If not, we are moving on to the second item  
 13 on the agenda tonight which is Eastgate, 321  
 14 Route 202. They were here previously to make  
 15 some revisions and counsel or somebody from  
 16 Eastgate please step forward to describe the  
 17 changes you were making.  
 18 MS. ADDONA: Section 25.19, Block 02  
 19 lot 19 and 20. This is a public hearing to  
 20 construct a two story office building as part  
 21 of the revision as the size of the building  
 22 has been reduced. So they are seeking a  
 23 variance for off street parking. And also  
 24 the vehicle access requirements.  
 25 THE COURT: Is there an application


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1 to dwarf my house the closer it gets. So  
 2 that is my concern. And they have so much  
 3 room in the back and so much room in the  
 4 front they can do other modifications.  
 5 The other concern I have is the  
 6 potential for more water problems. The area  
 7 is always wet there. The area is wet in  
 8 their yard and the area is wet in my yard, so  
 9 I am assuming the downspouts will be closer  
 10 to emptying 9.7 feet from my house verses  
 11 where they are now with the more water  
 12 runoff. And they also have a french drain  
 13 next to their basement currently and I don't  
 14 know anything on the plans at least I didn't  
 15 see anything about are they putting another  
 16 french drain in once they put the basement  
 17 in. What effect that will have. The window  
 18 wells you mentioned too, I don't know if that  
 19 is included in the 3 feet out. There is also  
 20 a stairway. I couldn't tell --  
 21 THE CHAIRMAN: It's in the rear.  
 22 MS. TULLY: Because there has to be  
 23 an egress. Another concern. Also I am not  
 24 sure about what the plans look like inside  
 25 now, but it looks like they gutted most of

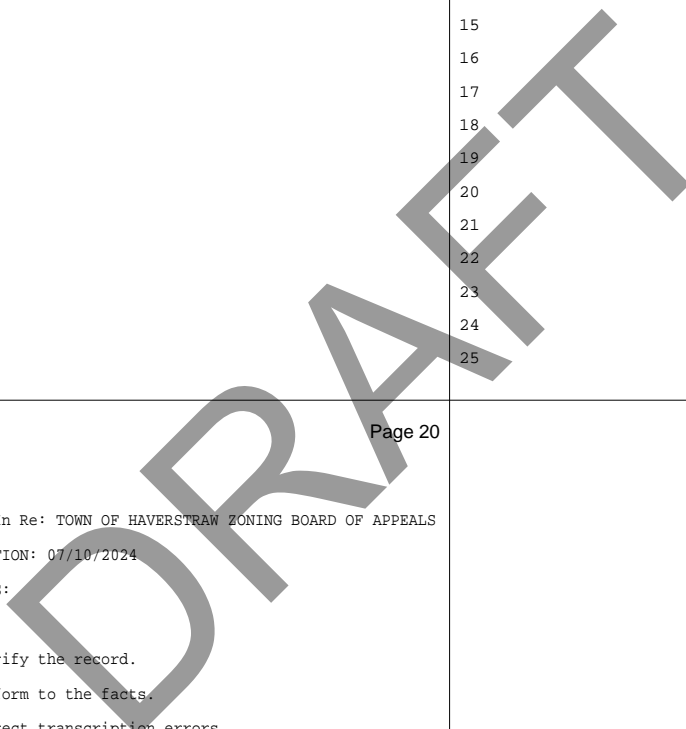
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1 here from Eastgate. Going once, going twice.  
 2 We started the meeting late and they  
 3 had plenty of time. It's almost 7:30. They  
 4 were have well informed of this process.  
 5 MS. ADDONA: So if the Board like to  
 6 entertain a motion to table the adoption of  
 7 the June minutes to your September meeting.  
 8 MR. ALDRIDGE: So moved.  
 9 THE CHAIRMAN: All in favor say aye.  
 10 (Whereupon, the Board member  
 11 responded aye.)  
 12 THE CHAIRMAN: Motion carries.  
 13 MS. ADDONA: Motion by the Board to  
 14 cancel your August 14th meeting such that the  
 15 next Zoning Board meeting will be on  
 16 September 11th at 7 p.m.  
 17 THE CHAIRMAN: All in favor.  
 18 MR. ALDRIDGE: So moved.  
 19 MR. RAMUNDO: Second.  
 20 THE CHAIRMAN: All in favor.  
 21 (Whereupon, the Board members  
 22 responded aye.)  
 23 THE CHAIRMAN: Motion carries.  
 24 MS. ADDONA: Motion to adjourn.  
 25 THE CHAIRMAN: Motion to adjourn.

1 MR. ALDRIDGE: So moved.  
 2 MR. MARGIOTTA: Second.  
 3 THE CHAIRMAN: All in favor say aye.  
 4 (Whereupon, the Board members  
 5 responded aye.)  
 6 THE CHAIRMAN: Good night.  
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1 The foregoing is hereby certified to be a  
 2 true and correct transcript of the proceedings  
 3 held in the above matter.  
 4  
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 6   
 7  
 8  
 9 JEANNINE M. TARALLO-SOUZA  
 10 Official Court Reporter  
 11  
 12 Dated: August 13, 2024  
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1 Errata Sheet  
 2  
 3 NAME OF CASE: In Re: TOWN OF HAVERSTRAW ZONING BOARD OF APPEALS  
 4 DATE OF DEPOSITION: 07/10/2024  
 5 NAME OF WITNESS:  
 6 Reason Codes:  
 7 1. To clarify the record.  
 8 2. To conform to the facts.  
 9 3. To correct transcription errors.  
 10 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 11 From \_\_\_\_\_ to \_\_\_\_\_  
 12 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 13 From \_\_\_\_\_ to \_\_\_\_\_  
 14 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 15 From \_\_\_\_\_ to \_\_\_\_\_  
 16 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 17 From \_\_\_\_\_ to \_\_\_\_\_  
 18 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 19 From \_\_\_\_\_ to \_\_\_\_\_  
 20 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 21 From \_\_\_\_\_ to \_\_\_\_\_  
 22 Page \_\_\_\_ Line \_\_\_\_ Reason \_\_\_\_  
 23 From \_\_\_\_\_ to \_\_\_\_\_  
 24  
 25 \_\_\_\_\_



<b>0</b>	<b>30,2024</b> 6:1	20,23 8:11,16,23, 24 9:24 10:14	<b>anyone</b> 4:2 13:18, 20 16:10	<b>basement</b> 4:24 6:20 9:16 10:4 11:4 14:25 15:13, 16
<b>02</b> 16:18	<b>321</b> 4:14 16:13	<b>Addona</b> 3:25 5:23 12:23 13:5,17 14:2,6 16:6,18 17:5,13,24	<b>anything</b> 13:3 15:14,15	<b>because</b> 7:16,22, 24 8:15,25 13:13 15:22
<b>1</b>	<b>36</b> 4:23 9:12 10:2, 10	<b>adjourn</b> 17:24,25	<b>Appeals</b> 3:10 4:20 5:21	<b>bedroom</b> 6:21 8:15,21 9:1,2 12:16
<b>1</b> 4:8 5:3 13:23 14:4	<b>4</b> 4:9 11:21,23	<b>adjourned</b> 4:7,8, 9,11	<b>appear</b> 10:8	<b>bedrooms</b> 6:19 11:23
<b>1,100</b> 6:17 9:25	<b>4/24/1969</b> 5:5	<b>adjournment</b> 4:5	<b>applicant</b> 6:3,6 7:5 16:9	<b>been</b> 4:6,8,9,11 6:13 16:22
<b>1,500</b> 10:5	<b>5</b>	<b>adjournments</b> 3:23	<b>applicant's</b> 6:13 10:24	<b>being</b> 5:9 14:21, 25
<b>1,596</b> 10:12	<b>5</b> 4:10	<b>adoption</b> 3:22 17:6	<b>application</b> 4:17, 21 16:25	<b>believe</b> 8:4,9,13 9:14,18 10:16 11:21
<b>1,600</b> 10:12	<b>5'</b> 5:8	<b>Adornments</b> 4:1	<b>applications</b> 4:2, 12	<b>benefit</b> 8:7 12:15
<b>10</b> 3:8 7:2	<b>500</b> 10:3,4	<b>advise</b> 3:24	<b>approaching</b> 11:3	<b>Bermeo</b> 4:8
<b>10'</b> 5:7	<b>532</b> 10:2,11	<b>affecting</b> 14:20	<b>approved</b> 5:3	<b>big</b> 11:6,11
<b>10,000</b> 7:15	<b>6</b>	<b>again</b> 4:4	<b>approximately</b> 5:11 14:17	<b>bigger</b> 10:14
<b>105</b> 5:11	<b>61</b> 4:6	<b>agenda</b> 4:11 16:13	<b>architect</b> 10:8,21	<b>Block</b> 16:18
<b>11th</b> 13:9,12 17:16	<b>7</b>	<b>Aldridge</b> 3:12,13 11:19,23 12:4, 17:8,18	<b>architect's</b> 8:2	<b>Block-02</b> 5:13
<b>12</b> 5:15	<b>7</b> 6:9 11:23 17:16	<b>Aliza</b> 4:13,22	<b>area</b> 7:14 15:6,7,8	<b>board</b> 3:10 4:20 5:19,20,24 6:1,8 8:4 9:8,9 11:12,17 17:5,10,13,15,21
<b>14</b> 4:14,22,23 7:13	<b>7:00</b> 5:15 13:11	<b>All</b> 5:18 16:3 17:9, 17,20	<b>asking</b> 11:2	<b>Both</b> 7:7
<b>14.8</b> 9:12 10:2,9	<b>7:30</b> 17:3	<b>allegiance</b> 3:2,4,6	<b>assuming</b> 15:9	<b>brought</b> 14:11,14
<b>14th</b> 17:14	<b>8</b>	<b>almost</b> 17:3	<b>at</b> 5:10,15 6:13 7:12,15 8:22 11:8, 14 12:10 14:4 15:14 17:16	<b>build</b> 6:14
<b>15</b> 7:3 14:16	<b>8</b> 4:23	<b>Along</b> 6:10	<b>attending</b> 5:19	<b>building</b> 4:3 7:18, 21 16:20,21
<b>15'</b> 5:6	<b>9</b>	<b>already</b> 14:16	<b>attorney</b> 5:24 12:11	<b>built</b> 14:22
<b>174</b> 4:10	<b>9.7</b> 7:2 15:10	<b>also</b> 7:10 8:2 11:4 14:21 15:12,19,23 16:23	<b>August</b> 13:8 17:14	<b>but</b> 7:24 8:18 9:5 10:17 11:8 12:14 15:25
<b>19</b> 16:19	<b>9th</b> 13:15	<b>always</b> 7:21 13:10 15:7	<b>available</b> 13:7	
<b>2</b>	<b>A</b>	<b>am</b> 14:4,18 15:9, 23 16:1	<b>avoid</b> 6:22	<b>C</b>
<b>2</b> 4:5	<b>Abercrest</b> 13:24	<b>an</b> 6:14 7:20 15:23 16:25	<b>aye</b> 17:9,11,22	
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