Village of Harriman
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Harriman, New York 10926
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ZONING BOARD OF APPEALS

APRIL 2, 2025

MEETING AGENDA

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. ACCEPTANCE OF MINUTES

    a. FEBRUARY 5, 2025
    b. FEBRUARY 27, 2025

4. 101-2-1.12 – MYL INVESTORS, FINDING OF FACTS DECISION

5. 102-4-5 – 51 NORTH MAIN STREET, REVIEW SUBMISSION

NEXT ZONING BOARD OF APPEALS MEETING
IS SCHEDULED FOR
WEDNESDAY MAY 7, 2025 @ 7:30PM

DEADLINE FOR COMPLETED SUBMISSION
FOR THE NEXT ZBA MEETING IS DUE
BY 12:00PM ON APRIL 23, 2025

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Chairman Pettiford opened the Village of Harriman's April 2, 2025, Zoning Board of Appeals regular meeting at 7:40pm. He welcomed everyone followed by the Pledge of Allegiance and roll call.

Present: Chairman Pettiford, Member LaMarch, Member Paez, Member Torres, Member Santiago, Attorney McKay, and Secretary Hunter.
Absent: None

Member Torres made a MOTION to accept the minutes from February 5, 2025.
Second by Member LaMarch, ALL IN FAVOR.

Chairman Pettiford made a MOTION to accept the minutes from February 27, 2025.
Second by Member Santiago, ALL IN FAVOR.

101-2-1.12 – MYL Investors, LLC
Attorney Aaron Warner from Zarin & Steinmetz along with partner Attorney Daniel Richmond, and Engineer John Loch with AFR Engineering & Land Surveying, present this evening on behalf of their client.

Attorney McKay sent draft Findings of Facts Decision to the applicant's attorney's and Chairman Pettiford for review. No changes were needed to the decision per the applicant's attorneys. The ZBA members reviewed the decision as well and all agreed that Chairman Pettiford can sign the Findings of Facts Decision.

Both Attorney McKay and Attorney Warner confirmed and agreed that the Public Hearing will be held in abeyance to May 7, 2025.

102-4-5 – 51 North Main Street
Chairman Pettiford acknowledged that the applicant was requesting a variance and was not present. The board took a few moments to review the Memorandum from Attorney McKay. Attorney McKay stated this was in a Single-Family Resident (SFR) District, no financials were submitted to put this thru the five steps and feels this was an incomplete application.

Discussion about the need to demonstrate the financial value of this legal SFR. Not sure what type of financials can be submitted to determine the rate of return. Per Attorney McKay not sure how a viable request to have a change of use on the property that had an illegal use. The Building Inspector issued a violation for the use of and referred the owner to this ZBA Board. Multiple listings showed this as an SFR, a Municipal Search (MUNI) would have shown any violations. Violations could have been cleared before the purchase if a MUNI or title search were done or done afterwards.

Chairman Pettiford requested that Secretary Hunter ask the applicant for a completed EAF report to be submitted along with financials as stated on the ZBA application. Any decisions in the Building Inspector's file needs to be copied to the ZBA members and attorney.

Discussion amongst Attorney McKay and ZBA Members about procedures. Going forward applications will be sent to Attorney McKay for review before scheduling them for

101-2-1.2 and 101-2-1.12 – MYL Investor, LLC
Attorney McKay acknowledged the receipt of the Notice of Intent from the Village of Hariman Planning Board to be Lead Agency for SEQRA (State Environmental Quality Review Act) for locations at 192 and 200 Route 17M. Noticed given under pursuant to Part 617 of Article 8 SEQRA. No action needs to be taken, ZBA is just being notified from the Village Planning Board of their intent to be Lead Agency.

General discussion amongst ZBA members and Attorney McKay. Currently the site plan amendment is before the Planning Board. They may refer the applicant back to the ZBA for the parking and the 3rd floor determination.

Member Santiago wanted to clarify that the Planning Board functions reviews new buildings and alterations then grants approval. Any appeals or clarifications are then referred to the ZBA. We should have a couple of training sessions; Attorney McKay has spoken with the incoming Mayor about this. Attorney McKay will provide some materials, we can review SEQRA, appeals and variances.

Member Torres made a MOTION to close the regular meeting of April 2, 2025, at 8:20pm.
Second by Member Santiago, ALL IN FAVOR.

Minutes respectively submitted,

Maria C. Hunter, Secretary