



**VILLAGE OF SUFFERN
ZONING BOARD OF APPEALS MINUTES
MARCH 28, 2024**

Attendance: Barry Tesseyman, Chairman
Cary Adwar, Member
Bruce Simon, Member
Lisa Wilson, Member
Andrew Zavoski, Member
Robert Magrino, Assistant Village Attorney
Melissa B. Reimer, Village Clerk

CALL TO ORDER

ZBA Board Chairman Barry Tesseyman called the meeting to order at 7:04 P.M., led everyone in the Pledge of Allegiance.

**Wayne Project, LLC - 156-160 Wayne Avenue – Z2023-05
Adjourn Matter**

Mr. Rob Magrino explained that it is now postponed without date.

**71 Lafayette LLC – 71-73 Lafayette Avenue – Z2024-02
Demolish ATM Building and Replace Parking Lot**

ZBA Chairman Tesseyman read the public notice into the record.

Mr. Yoel Rosman, Manager - approached the podium and was sworn in. He told the Board that they wanted to demolish the ATM building and add 14 parking spaces, which included one handicap space.

Mr. Magrino explained to the Board that the required development coverage maximum is 70%, currently it is 78.5%, and with the change it would be 81.3%. The front yard set-back required is 15 feet, currently it is 23.9 feet, with the change it would be 4.1 feet. Those would be the two variances: the coverages and the front yard.

Chairman asked if any Board members had questions.

Board Member Wilson suggested “In its current configuration, the car in the last parking space cannot physically back out, or come out forward onto Lafayette Avenue, because there is not enough room for the car to back up. It would force that car to back all the way down and back out onto Lafayette, which we, obviously, would like to avoid. So, my recommendation would be to eliminate that last space so that there is a proper backing out, turn-around and come out....By eliminating that space you would reduce the amount of coverage, almost back to the original amount of coverage. The amount of the variance would be much smaller.”

Mr. Rosman asked if it was the last space on the plans; the farthest from Lafayette Avenue.

Board Member Wilson answered that it was that exact space.
Mr. Magrino asked if it was the handicap spot, and it was not.

Board Member Wilson reiterated that it was not physically possible to back out of that space with only five feet to turn and come out in the headfirst direction onto Lafayette. She stated that by eliminating that space, the next space would be the last space and you would have ten feet, almost 15 feet, to back a car out and drive out correctly. The coverage percentage would be more acceptable to the board.

Mr. Rosman asked Ms. Wilson a question and she explained it to him again. He said that he would need to bring this to Ms. Friedman. Ms. Wilson said that if he wanted to revise the plans that would be reasonable as well.

Board member Adwar asked if this will be a private gated lot or will the public be able to use it during off hours.

Mr. Rosman said that he understands that it would be a private, gated lot.

Chairman Tesseyman asked, "What will it be used for?"

Mr. Rosman answered that it would be used for the office building.

Board Member Adwar voiced that he agreed with Board Member Wilson.

Board Member Simon said that he agreed with Board Member Wilson, but also asked about the County's GML letter. He asked, "Have you done the Department of transportation review?"

Mr. Rosman answered that he was not sure, and he would check.

Mr. Simon said that the County pointed out some things that are not major that they should do before we move forward. He said that it would be in the best interest of the applicant to get those done.

Mr. Magrino interjected that the applicant is also in front of the Planning Board as well. Some of the items in the County's letter refer to the Planning Board issues and the Zoning Board of Appeals.

Mr. Magrino suggested that the Board may move the applicant forward and give conditional approval. He also stated that there were a couple of overrides that needed to be given from the County's letter. The applicant still needs to go before the Planning Board. Mr. Magrino asked Ms. Wilson what the number would be for coverage.

Board Member Wilson answered that the coverage would be, after removing that space, 79%.

Mr. Magrino told Mr. Rosman that if the Planner says that he/she absolutely needs that space, you can come back.

Mr. Magrino and Chairman Tesseyman asked Mr. Rosman if there was any issue with the parking with the Planning Board. He answered that no there was not.

Mr. Magrino said that there will be 13 spots instead of 14.

MOTION - to open the public hearing was so moved by Board Member Adwar and seconded by Board Member Simon, with all in favor.

No one from the public spoke.

MOTION- to close the public hearing moved by Board Member Simon, seconded by Board

Member Adwar, with all in favor.

MOTION - to grant both variances, with the condition of removing one parking spot and allowing a variance for coverage to 79% and front yard to 4.1 feet., was moved by Board Member Wilson, seconded by Board Member Adwar, with all in favor.

MOTION - to override Item 7 (Building Entrances) as it is a Planning Board issue, was moved by Board Member Adwar, seconded by Board Chairman Tesseyman, the reasons given by the applicant, passed with all in favor.

MOTION - to override Item 8 (Street Line) as it is a Planning Board issue, was moved by Board Member Simon, seconded by Board Member Wilson, the reasons given by the applicant, passed with all in favor.

Mr. Magrino added that it includes the condition of getting the site plan approved.

MOTION TO APPROVE MINUTES FROM FEBRUARY 29, 2024, ZONING BOARD OF APPEALS MEETING.

MOTION - to approve the Zoning Board of Appeals minutes of February 29, 2024, was moved by ZBA Member Simon, seconded by ZBA Member Tesseyman, with all in favor.

MOTION - to set the next Zoning Board Meeting for April 18, 2024, at 7:00 P.M. and to close the meeting was moved by ZBA Member Simon, seconded by ZBA Member Tesseyman, with all in favor.

Respectfully,

Melissa B. Reimer, CPA
Village Clerk