

VILLAGE OF STAMFORD
ZONING BOARD OF APPEALS
84 Main Street, P.O. Box 68, Stamford, New York 12167

RESOLUTION OF DENIAL

Applicants: 60 Main Stamford LLC and 64 Main Stamford LLC

Properties: 60 Main Street and 64 Main Street, Stamford, New York

Tax Map Nos.: 54.10-2-7 (60 Main Street); 54.10-2-8 (64 Main Street)

Permit Application Nos.: 2025-0060 (60 Main Street); 2025-0061 (64 Main Street)

Hearing Date: February 19, 2026

Decision Date: March 19, 2026

WHEREAS, 60 Main Stamford LLC and 64 Main Stamford LLC (the “Applicants”) filed applications for zoning permits with the Village of Stamford on July 24, 2025 (Application Nos. 2025-0060 and 2025-0061) for the properties at 60 Main Street and 64 Main Street, Stamford, New York, Tax Map Nos. 54.10-2-7 and 54.10-2-8 (the “Properties”); and

WHEREAS, Code Enforcement Officer Richard Irwin denied both permit applications on July 30, 2025 on three independent grounds: (i) abandonment of nonconforming use, Zoning Law § 15-1506; (ii) failure to restore fire-damaged nonconforming structures within the time and manner required, Zoning Law § 15-1505(A) and (B); and (iii) failure to satisfy off-street parking requirements, Zoning Law § 14-1402(A); and

WHEREAS, the Applicants filed appeals with this Board on November 3, 2025 — ninety-six (96) days after the July 30, 2025 denial, exceeding the sixty (60)-day appeal period under Zoning Law § 25-2507.2(A) by thirty-six (36) days; and

WHEREAS, the written appeals addressed only the parking ground; the abandonment ground under § 15-1506 and the restoration ground under § 15-1505(A) and (B) were not addressed in the written appeals; and

WHEREAS, a duly noticed public hearing was held on February 19, 2026; the Applicants appeared by Waled Haredy; no engineering reports, structural analyses, or required documentation under § 15-1505 or § 15-1506 were submitted; no evidence of lot consolidation or Planning Board application for off-site parking approval was submitted; the evidentiary record was closed at the conclusion of the hearing; and

WHEREAS, this Board, having reviewed the applications, appeals, testimony, and the complete record, makes the following findings:

- 1. Timeliness (Zoning Law § 25-2507.2(A)).** The appeals were filed ninety-six (96) days after the July 30, 2025 denial, thirty-six (36) days beyond the sixty (60)-day statutory deadline. No satisfactory justification for the delay was offered. The appeals are untimely.

2. Abandonment (Zoning Law § 15-1506). The buildings at 60 and 64 Main Street were damaged by fire on December 1, 2023. The one-year discontinuance period under § 15-1506 expired December 1, 2024. The permit applications were not filed until July 24, 2025 — more than seven months after that deadline. No evidence of compliance with § 15-1506 was submitted. This ground was not addressed in the written appeals.

3. Restoration After Fire (Zoning Law § 15-1505(A) and (B)). Section 15-1505 requires that repair of a fire-damaged nonconforming structure be substantially underway within twelve (12) months of damage. That deadline expired December 1, 2024. No engineering report, structural analysis, or New York State Department of Labor documentation was submitted. This ground was not addressed in the written appeals.

4. Parking (Zoning Law § 14-1402(A)). Zoning Law § 14-1402(A) requires that all required off-street parking be on the same lot as the building. The Applicants propose to satisfy parking requirements through the use of spaces at 3 North Delaware Street, a separate parcel owned by a different entity. 3 North Delaware Street is not a public off-street parking lot, and the Planning Board exception under § 14-1402(A) is therefore inapplicable. In any event, the Board need not adjudicate the parking variance on the merits, as the permit applications are subject to denial on the abandonment and restoration grounds independently, each of which requires denial regardless of the outcome on parking.

Each of the foregoing findings constitutes an independent and sufficient basis for denial.

NOW THEREFORE, BE IT RESOLVED that the appeals of 60 Main Stamford LLC and 64 Main Stamford LLC with respect to the premises at 60 Main Street and 64 Main Street, Stamford, New York are hereby **DENIED**.

The foregoing resolution was submitted by David Elbaum, seconded by Robert Kennedy, and adopted by a vote of 2 to 0 on March 19, 2026.

David Elbaum

David Elbaum

Zoning Board of Appeals

Village of Stamford, New York

Date: March 19, 2026