

Minutes of: Feb. 9, 2011
Date Approved: March 9, 2011
Date Filed/Village Clerk: _____

February 9, 2011(revised March 9, 2011)

**TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm**

Present: Kevin McBride Chairperson
Nicholas DiSalvo Member
Ronald Gallo Member
John Palladino Member

Absent: Gloria Rosell Member
David Kubaska Member
John Santos Member

Also in Attendance:

Bill Williams Building Inspector
John Cavallaro Village Attorney

Chairman McBride announced the agenda as follows:

Item #1 Approval of Minutes of the January 12, 2011 meeting.
Item #2 7 Lincoln Ave. Area Variance
Item #3 1 Midland Ave. Return
Item #4 18 Bronx Street Area Variance
Item #5 20 Underhill St. Area Variance
Item #6 24 Oak Ave. Return

Item #1 Approval of Minutes from the January 12, 2011 meeting

Motion by Chairman McBride to approve the minutes of the January 12, 2011 meeting was seconded by Member DiSalvo and approved by the Board with a vote of 4-0.

Item #2 7 Lincoln Ave. Area Variance

Mario Piacquadro requested a variance for an 8ft. x 10 ft. shed.

Motion by Member DiSalvo to grant the variance for this application was seconded by Member Gallo and approved by the Board with a vote of 4-0.

Item #3 1 Midland Ave. Return

Martin Hero, architect for the applicant submitted two letters from neighbors, Mr. & Mrs. Simon, 106 Park Ave. and Rocco Fiore 3 Midland Pl., in support of this application.

Mr. Hero noted that the original house is now too small for the residents. The house is currently a 1- bedroom cape and the residents would like to expand the house to a 4- bedroom. The variances were decreased in number as the design has changed since the first submission. There is no longer a need for a front yard set back as plans now have the house flipped so the front porch will now be on the opposite side. There will be a one-story addition, totally gutted, with the stairs reconfigured.

Member Gallo asked about the need for 4 bedrooms.

Mr. McGrath, owner of the house, noted that he has lived at the house for 6 years and has tried to sell the house for 2 years. He would now take a loss if he sold it today. He noted that he designed the house to maximize the potential for a large family. He stated that the fourth bedroom is actually quite small and may possibly be used as an office.

Member Gallo voiced his concern regarding parking.

Mr. McGrath stated that he would be interested in discussing possibilities to create a driveway.

Motion by Member Gallo to open the public hearing, seconded by Member Palladino and carried with a vote of 4 – 0.

No Public Comments

Motion by Chairman McBride to close the public hearing, seconded by Member DiSalvo and carried with a vote of 4 – 0.

Chairman McBride stated that the Board would review the application and render their decision next month.

Item #4 18 Bronx Street Area Variance

Mr. Stanziale, architect for the applicant, noted that the house was purchased last fall by the current owners. The house is 100 years old and measures 1600 sq. ft. The applicants have been renovating the house and have not yet moved into the house as of yet. The applicants have spent a lot of money to bring the house up to code. The plans submitted are to reconfigure the interior to expand the full bath on the second floor by punching out the house to accommodate for the expansion. The punch out will look similar to a dormer and the opposite side will be a porch. The back deck will measure 16ft. x 10ft., which brings the deck 6ft. from the side yard. The current patio sits 5 ft. from the side yard. The current code requires 9 ft. There are Arbor Vitae along the neighbor's property line, which will screen the deck. The deck will be built over the door to the basement. There will be a small area of the deck which will be cut and able to open so the residents could lift the part of the deck to open the basement door.

Mr. Stanziale noted that the neighbors are in support of the plans for the house.

Bill Williams, Building Inspector, noted that the opening to the basement through the deck is in compliance with the NYS code. The code has been updated recently to allow forms of egress to

include any found below decks. He added that his office has received some phone calls from residents concerned with the plans to bump out the portion of the house.

Chairman McBride suggested switching the location of the master bath with the walk-in closet location. This would eliminate the need to bump out the house and would decrease the cost.

The owner indicated that the plumbing might be a concern with moving the bathroom.

Chairman McBride voiced his concern regarding the front yard set back with the bump out. He recommends that the applicant present the plans to the Planning Board for a recommendation.

Motion by Member Gallo to open the public hearing, seconded by Member Palladino and carried with a vote of 4 – 0.

No Public Comments

Motion by Member Gallo to close the public hearing, seconded by Member Palladino and carried with a vote of 4 – 0.

Motion by Chairman McBride to refer the applicant to the Planning Board for a recommendation. Motion was seconded by Member Gallo and carried with a vote of 4 – 0.

Item #5 20 Underhill St. Area Variance

Maggie Marrone, architect for the applicants Mr. and Mrs. Fon, noted that their house is a two-family home. The second floor apartment is rented. The applicants reside on the first floor, which is a one-bedroom apartment. The applicants would like to finish the basement with a second bedroom, playroom and a full bath. The finished basement would result in an increase of the FAR. The footprint would not change. The owners and tenants use the driveway to park their vehicles.

Member Palladino asked if the basement was unfinished.

Ms. Marrone stated that the basement is currently an unfinished basement used for storage.

Member DiSalvo voiced his concern that the basement could potentially be used as a rental apartment in the future.

Chairman McBride added that the Board members might have to visit the site prior to making a decision.

Ms. Marrone noted that all construction would be to code, including firewalls and proper ventilation.

Motion by Member Gallo to open the public hearing, seconded by Member DiSalvo and carried with a vote of 4 – 0.

No Public Comments

Motion by Member Gallo to close the public hearing, seconded by Member DiSalvo and carried with a vote of 4 – 0.

Chairman McBride stated that the Board would visit the property.

Item #6 24 Oak Ave.

Return

Michael Piccirillo, architect for the applicant stated that the residence is a two-story, 3- bedroom, 2-bath single home purchased 11 years ago. The application as presented would require 5 variances. After hearing comments from the Board during the previous presentation, the plans were changed which decreased the addition from 20% to 15%, and decreased the rear yard set back to 16ft. The addition is completely in the rear of the property, so the neighbors would not be able to see the addition and there is no rear neighbor. The house was pulled back 2 ft, the new plans reduce the FAR and the rear portion of the addition was pulled back towards the front.

Motion by Chairman McBride to open the public hearing, seconded by Member DiSalvo and carried with a vote of 4 – 0.

No Public Comments

Motion by Member Gallo to keep the public hearing open, seconded by Member Palladino and carried with a vote of 4 – 0.

Mr. Piccirillo noted that there were no public comments as the neighbors are all in support of the plans.

Chairman McBride advised the applicant to produce letters from the neighbors in support of the application.

There being no further comments from the public or business before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.