

Minutes of: Sept. 14, 2016
Date Approved: Oct.13, 2016
Date Filed/Village Clerk:

September 14, 2016

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

Present:	Tom Ringwald	Chairperson
	David Scalzo	Member
	Ronald Gallo	Member
	Nathan Jackman	Member
	John Palladino	Member
	Daniel Lang	Member (Ad Hoc)

Also in Attendance:

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector

Pledge of Allegiance

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of minutes from the June 8, 2016 and July 13, 2016 Regular Meetings	
Item #2	37 Lincoln Ave.	Area Variance
Item #3	397 Columbus Ave.	Area Variance
Item #4	68 Marbledale Rd.	Adjourned
Item #5	273 Columbus Ave.	Withdrawn

Item #1 Approval of minutes from the June 8, 2016 Regular Meeting
Member Scalzo motioned to approve the June 8, 2016 minutes, seconded by Member Palladino and carried with a vote of 4 – 0, with Chairman Ringwald abstaining due to his absence.

Approval of minutes from the July 13, 2016 Regular Meeting
Member Palladino motioned to approve the July 13, 2016 minutes, seconded by Member Jackman and carried with a vote of 3 – 0, with Members Scalzo, Jackman and Gallo abstaining due to their absence.

Item #2 37 Lincoln Ave. Area Variance

Mr. Greg Gall, architect noted that the application was to build a deck on grade over an existing concrete patio in the rear yard. The existing patio is non-compliant and was present when the occupants purchased the house. The proposed deck would be 8in. above the concrete and would not require any steps or railing. The applicant requests two variances for the deck; rear yard and side yard setbacks. The home was built in 1925 and the new owners purchased it in 2010. There is no paperwork regarding the concrete patio.

Mr. Gall noted that it was his professional opinion that the concrete patio was built at the time of the construction of the house.

Member Gallo motioned to open the public hearing, seconded by Member Jackman and carried unanimously by the Board.

Public Comments

Thomas Soropoulos 18 Highview Ave. noted that he resides behind the applicant. He stated that he was opposed to the application in fear that the owners will eventually build up on the deck and destroy his view.

Member Jackman stated that the application was for a permit to build a deck over an existing concrete patio. If the applicant wishes to expand his house, they would need to return for approval. Given the size of the house and lot, that application would most likely be denied.

James Marshall 37 Lincoln Ave., owner of the property, noted that he bought the house in 2010. Extensive renovations were made to this old house including enclosing a second floor sunroom. He did not extend the footprint of the house. He has no plans to expand in the future. He would like to just place a deck over the existing concrete patio.

Marianne Soropoulos 18 Highview Ave., indicated that one of the neighbors next door did not receive the certified letter regarding this application. She is concerned that this project will impede her view.

Mr. Gall stated that he sent out the appropriate letters and posted a public sign on the property for two weeks.

Member Jackman noted that this application was for a low-level deck, which would not impede her view. The concrete patio has been there for quite some time.

Ms. Soropoulos noted that her mother does not remember the concrete patio existing 25 years ago. She also voiced her concern regarding the synthetic material the applicant proposes to use. She asked if that was flammable.

Mr. Gall displayed photos of the concrete patio. The footings will be 42 in below ground level for stability. The synthetic product is TimberTech, which is used for exterior decks and steps. It will be an open deck, just a few inches above ground, with no enclosure and no side rails.

Mr. Soropoulos asked that the building inspector make sure the deck is not bigger than the existing concrete patio.

Bill Williams, Building Inspector, stated that he will inspect the deck prior, during and after construction and will make sure the deck is built to the approved plans.

Chairman Ringwald motioned to keep the public hearing open, seconded by Member Palladino and carried with a vote of 5 – 0.

Item #3 397 Columbus Ave. Area Variance

Mr. Leonard Brandes, architect for the applicant, noted that this application was for an existing 8 family house near the train station. All records in the Building Department determine it to be an 8 family house. There are 8 one-bedroom apartments. Each bedroom is approximately 450 sq. ft. The new owner would like to expand the bedrooms to 600 sq. ft. without expanding the footprint. There will be no additional bathrooms. This house has not been maintained well and the new owner would like to fix it up.

The plans are to raise the house 3 – 4 ft. The FAR will increase from 1.56 to 1.77. The plans are to change the façade and the structure to make it more stable and streamlined.

Member Palladino summarized the application. The proposed plans are to extend the 2nd and 3rd floors to same footprint as the first floor. Increase the size of each bedroom without adding any more rooms. All the changes to the house will be in the rear, which faces the train tracks.

Mr. Brandes agreed and added that there are no height variances, no parking variances just an FAR Area variance.

Member Gallo asked if the construction would be completed in a timely manner.

The applicant said it would take 6 – 8 months.

Member Jackman motioned to open the public hearing, seconded by Member Palladino and carried unanimously by the Board.

Public Comments

Tina Cataldi 395 Columbus Ave. stated that she is the owner of the house right next door. She has lived there for 13 years and was unaware that the house was an 8 family house. She voiced her concerns that if approved, will other houses on the block become small apartment buildings. Ms. Cataldi also noted her concern regarding the parking.

Mr. Williams, Building Inspector, noted that the file on this house states that it is an 8 family house since 1923.

Other homes would need to obtain a use variance to change their house to an 8 family house.

Member Scalzo noted that the Board could not take away what is already there. The developer wants to make the house beautiful without increasing density.

Member Jackman noted that it is quite difficult to get an 8 family house approved today.

Member Jackman motioned to keep the public hearing open, seconded by Member Palladino and carried unanimously by the Board.

Item #4	68 Marbledale Rd.	Adjourned
Item #5	273 Columbus Ave.	Withdrawn

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.