

December 14, 2016
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

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

Absent:	David Scalzo	Member
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Also in Attendance:

Gary Gjertsen	Village Attorney
Mike Seminara	Village Code Enforcer

Pledge of Allegiance

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of minutes from the November 9, 2016
	Regular Meeting
Item #2	76 Oakland Ave. Return
Item #3	138 Oakland Ave. Return
Item #4	68 Marbledale Rd. Withdrawn

Item #1 Approval of minutes from the November 9, 2016 Regular Meeting
Member Lang motioned to approve the November 9, 2016 minutes, seconded
by Member Jackman and carried with a vote of 5 – 0.

Item #2 76 Oakland Ave. Area Variance

John Cotugno, architect for the applicant, noted that this application was for an existing three bedroom house to be redesigned. The two bedrooms on the first floor and one bedroom on the second floor will be switched to two bedrooms on the second floor and one bedroom on the first floor.

No Public Comments

Chairman Ringwald motioned to close the public hearing, seconded by Member Jackman and carried unanimously by the Board.

Member Palladino offered the following resolution in the form of a motion:

The application for AREA VARIANCES requested by General Enterprise, Inc. for the property located at 76 Oakland Avenue, Tuckahoe, NY Sec._46 _Blk._3 Lot_69_____for relief from the following sections of the zoning code: Section 4-2.4.2 Side yard, Section 4-2.6 Floor Area Ratio and 5-1.6.3 Non-Conforming Building and Uses

SEQRA RESOLUTION

Based on this application as submitted, this Zoning Board of Appeals finds and determines that:

1. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.
2. This Zoning Board of Appeals is in possession of all information reasonably necessary to make the determination as to the environmental significance of the proposed area variance application.
3. That the action taken herein shall not have a significant adverse impact on the environment and it is declared that a Negative Declaration is hereby adopted with regard to this action.

Chairman Ringwald seconded the motion and upon roll call, was carried with a vote of 5 – 0.

Member Palladino offered the following resolution in the form of a motion:

Applicant seeks to construct a new addition on the second floor of the premises located at 76 Oakland Avenue, Tuckahoe, NY. The applicant seeks 3 Variances: First, the applicant is proposing a side yard of 8.1 feet where 20 feet is required. Second, applicant is seeking an FAR of .47 where .45 is required. Third, the applicant is seeking to increase an existing nonconformity.

Based on the submissions by the Applicant and hearing the Applicant at the work session and public hearings the area variances are granted as the benefit to the applicant of the area variances outweighs the detriment to health, safety and the welfare of the neighborhood. The applicant has demonstrated through its submissions and presentation that it has met all aspects of the 5 prong test to the satisfaction of this board.

A condition of the granting of the variances is that that work under such variances be commenced and diligently prosecuted within one year of this resolution. Failing to do so will result in the variance being deemed null and void.

Chairman Ringwald seconded the motion and upon roll call was carried with a vote of 5 – 0.

Item #3 138 Oakland Ave. Area Variance

Nancy Karg, architect for the applicant, noted that there have been no changes to the plans that were presented last month.

No Public Comments

Chairman Ringwald motioned to close the public hearing, seconded by Member Jackman and carried unanimously by the Board.

Member Jackman offered the following resolution in the form of a motion:

The application for AREA VARIANCES requested by Rebecca Collins
For the property located at 138 Oakland Avenue, Tuckahoe, NY Sec._46 _Blk._3
Lot_45_____
for relief from the following sections of the zoning code: Section 4-2.4.2 Side yard,
Section 4-2.4.1 Front Yard and 5-1.6.3 Non-Conforming Building and Uses

SEQRA RESOLUTION

Based on this application as submitted, this Zoning Board of Appeals finds and determines that:

1. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.
2. This Zoning Board of Appeals is in possession of all information reasonably necessary to make the determination as to the environmental significance of the proposed area variance application.
3. That the action taken herein shall not have a significant adverse impact on the environment and it is declared that a Negative Declaration is hereby adopted with regard to this action.

Member Palladino seconded the motion and upon roll call was carried with a vote of 5 – 0.

Member Palladino offered the following resolution in the form of a motion:

Applicant seeks to construct a new entry porch at the premises located at 138 Oakland Avenue, Tuckahoe, NY. The applicant seeks 3 Variances: First, the applicant is proposing a side yard of 6.75 feet where 20 feet is required. Second, applicant is seeking a front yard of 16.91 feet where 25 feet is required. Third, the applicant is seeking to increase an existing nonconformity.

Based on the submissions by the Applicant and hearing the Applicant at the work session and public hearings the area variances are granted as the benefit to the applicant of the area variances outweighs the detriment to health, safety and the welfare of the neighborhood. The applicant has demonstrated through its submissions and presentation that it has met all aspects of the 5 prong test to the satisfaction of this board.

A condition of the granting of the variances is that that work under such variances be commenced and diligently prosecuted within one year of this resolution. Failing to do so will result in the variance being deemed null and void.

Member Palladino seconded the motion and upon roll call was carried with a vote of 5 – 0.

Item #4 68 Marbledale Rd. Withdrawn

Member Gallo noted that he once questioned the Zoning Board and their overzealousness with the Zoning Code in this village. After being a member of this Board for many years now, he now understands that the precautions taken by the Building Dept., Village Board members and all the Village laws are in place for the

safety and welfare of the residents. The recent tragedy of a fierce fire at a warehouse in California, which resulted in numerous deaths, makes one realize the importance of building inspections.

Chairman Ringwald wished all Happy Holidays and Happy New Year!

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.