

**Minutes of: May 10, 2017**  
**Date Approved: \_June 14, 2017**  
**Date Filed/Village Clerk:**

**May 10, 2017**

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

<b>Present:</b>	Tom Ringwald	Chairperson
	Nathan Jackman	Member
	David Scalzo	Member
	John Palladino	Member
	Daniel Lang	Member

**Also in Attendance:**

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector

**Pledge of Allegiance**

**Chairman Ringwald announced the agenda as follows:**

<b>Item #1</b>	<b>Approval of minutes from the February 8, 2017</b>
	<b>Regular Meeting</b>
<b>Item #2</b>	<b>5 Circle Rd.                      Return</b>

**Item #1 Approval of minutes from the February 8, 2017 Regular Meeting**  
**Chairman Ringwald motioned to approve the February 8, 2017 minutes,**  
**seconded by Member Jackman and carried with a vote of 3 – 0, with Members**  
**Scalzo and Palladino abstaining due to their absence.**

<b>Item # 2</b>	<b>5 Circle Rd.</b>	<b>Return - Extension</b>
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Gary Gjertsen, Village attorney, noted that the original approval was granted Sept. 11, 2013 and the Building Permit was granted July 2014. This permit expired two months ago. The original area variance noted that it was to be completed in one

year. The application requires a new Area Variance if the exterior is not completed in the next 30 days. This includes stucco, trim, garage doors, porch ceilings, electrical and a gate to cover the side of the house.

Mr. Dmitri Ostshshkin, applicant, noted that he would get all completed within the next thirty days except for the side walkway.

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

Mr. Anthony Lore, resident for 68 years, noted that he filed a few complaints. Two years ago on Father's Day, the applicant parked a container on the street over the Father's Day weekend.

Last year at 7:30 am on a Sunday morning, the applicant had a container delivered to the property. The noise and intrusion from having a container delivered on a Sunday morning was inconsiderate to the neighborhood.

He notified the NYS Inspector of the asbestos shingles being removed from the roof.

Mr. Lore voiced his concern regarding the safety of the scaffolding being left unprotected.

Concrete was delivered two days after Christmas and there are concrete stains down the street into the storm drains. Mr. Lore noted that the concrete in front of his house was cracked due to the leak in the fire hydrant caused by the applicant taking water from the fire hydrant.

Mr. Lore stated that this applicant has no consideration for the neighbors and this house is out of character on Circle Rd.

Member Jackman noted that the majority of this current Board was not on the Board when this application was approved. He agreed that this house is not in character with the surrounding neighborhood. Going forward, Member Jackman offered his assurance that his primary driving force will be improving the quality of life for the neighbors. He added that the Board has two options; to crack down and order a stop work order, but the neighbors will be stuck with what is currently there or allow the applicant 30 additional days to complete the exterior.

Chairman Ringwald stated the he too has witnessed all of the concerns Mr. Lore has mentioned. This Board will be very firm with the applicant to finish the exterior.

Gary Gjertsen stated that the sidewalks were indeed damaged and was settled in court. The restitution was paid and Mr. DiMarco, DPW, will repair Mr. Lore's sidewalk in the near future.

Mr. Gjertsen added that if the applicant does not adhere to the Area Variance conditions and timeframe, the matter could end up in litigation and the house may have to be taken down.

Mr. Marinello, 4 Coolidge St., thanked Member Scalzo for voting 'No' for the original application. He noted that the Planning Board and Zoning Boards have the future of the Village in their hands. It was his opinion that there were three catastrophes approved over the years; The Quarry, 5 Circle Rd. and the Marriott Hotel application. He asked the Board members to take the five-prong determination seriously.

Mr. Marinello complimented the newest member of the Zoning Board, Member Daniel Lang. He noted that Member Lang is a man of integrity.

**Chairman Ringwald motioned to keep the public hearing open, seconded by Member Jackman and carried unanimously.**

Chairman Ringwald welcomed Daniel Lang as a permanent member of the Zoning Board.

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.