

Minutes of: April 9, 2014
Date Approved: Sept. 10, 2014
Date Filed/Village Clerk:

April 9, 2014
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

Present: Nicholas DiSalvo Acting Chairperson
John Palladino Member
David Scalzo Member
Janice Barandes Member

Also in Attendance:
John Cavallaro Village Attorney
Bill Williams Building Inspector

Absent: Ronald Gallo Chairperson

Pledge of Allegiance

Acting Chairman DiSalvo announced the agenda of this meeting as follows:

Item #1 Approval of Minutes from the Regular meeting dated February 20, 2014
Item #2 60 Fisher Ave. Area Variance

Item #1 Approval of Minutes from the Regular meeting dated February 20, 2014
Acting Chairman DiSalvo motioned to approve the February 20, 2014 minutes, was seconded by Member Scalzo and carried with a vote of 3 – 0, with Member DiSalvo abstaining due to his absence.

Item #2 60 Fisher Ave. Area Variance

Mr. David Barra, owner of the property, stated that he purchased the two family home, which has an existing porch in the front. He is requesting a variance to wrap the porch around to the side of the house, which will violate the 25 ft. front yard and side yard setback requirement. In addition to the 6 ft. addition to the porch, he would like to change the front entrance of the house from Alpine to Fisher. Mr. Barra noted that he would gut the entire home and replace the plumbing, heating and electrical systems. It is an existing two family home.

Member Scalzo asked if the applicant plans to keep the home a two family house.
Mr. Barra answered yes. He also plans to reconfigure the interior to add an additional bedroom to each apartment. Currently each apartment has two bedrooms, he will add a third to each and one additional bathroom.

Member Palladino asked Mr. Williams if the application to move the front entrance from Alpine to Fisher should concern the Board.

Mr. Williams stated no. The front yard is still on Fisher and the address will remain the same.

Acting Chairman DiSalvo motioned to open the public hearing, seconded by Member Palladino and carried unanimously.

No Public Comments

Acting Chairman DiSalvo motioned to close the public hearing, seconded by Member Palladino and carried unanimously.

SEQR

Acting Chairman DiSalvo offered the following motion that 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 procession of all information reasonably necessary to make the determination as to the environmental significance of the proposed variance (or special use permit or both) 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.**

Motion was seconded by Member Palladino and carried with a vote of 4 – 0.

Area Variance

Acting Chairman DiSalvo offered the following resolution in the form of a motion:

The application for an Area Variance requested by David Barra whose address is 60 Fisher Avenue Tuckahoe NY Sec. 43; Blk. 6; Lot 1 for the relief from the following section of the zoning code: Section 4-3.4.1 Front yard setback and Section 4-3.4.2 Side yard setback.

Recommendation is for the area variances to be 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 seeks a Front yard variance for 22.80ft. where 25ft is required and a Side yard variance of 5.96 ft. where 9ft. is required. This Zoning Board of Appeals determines to grant the variances requested herein.

1. There will not be an undesirable change in the character of the neighborhood and there will not be a detriment to nearby properties: There will not be undesirable changes to the community because the condition is existing and the applicant is seeking to extend the front porch.
2. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue other than an area variance: No other method exists for the applicant to achieve its goals.
3. The requested variance is not substantial: The applicant only seeks a 2.2 ft. variance for the Front yard setback and a 3.04ft. for the side yard setback.
4. The proposed variance will not have an adverse impact on the physical or environmental condition in the neighborhood in that: Environmental conditions will not be increased as a result of the granting of the variances herein. Parking, traffic, noise and pollution shall remain unaffected by this application.
5. The alleged difficulty was self-created: Although the application is a self-created difficulty, it is not fatal to this application.

A recommendation to approve the requested area variances with the conditions that:
The grant of these variances herein is granted on the condition that work under such variances be commenced and diligently prosecuted within one year of the granting thereof, failing which such variances shall become null and void.

Motion was seconded by Member Palladino.

Discussion: Member Scalzo added that he was looking forward to the improvements to this property. There are run down houses in Tuckahoe and for a resident to beautify this home is commendable. These plans are extensive and expensive and will certainly increase the quality. He conveyed his enthusiasm to this application.

Upon roll call, motion was carried unanimously by the 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.