

Minutes of: Dec. 11, 2019
Date Approved: __January 8, 2020_
Date Filed/Village Clerk:

December 11, 2019
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

Present:	David Scalzo	Acting Chairman
	John Palladino	Member
	Nathan Jackman	Member
	Christopher Garitee	Member
	Anthony Fiore Jr.	Member ad hoc

Absent:	Tom Ringwald	Chairperson
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Also in Attendance:

Mike Seminara	Assistant Building Inspector
Gary Gjertsen	Village Attorney

Pledge of Allegiance

Chairman Scalzo announced the agenda as follows:

Item #1	Approval of minutes from the November 13, 2019
	Regular Meeting
Item #2	7 Cottage Ave. Return
Item #3	22 Warren Ave. Area Variance
Item #4	14 Columbus Ave. Special Use Permit
Item #5	145 Main St. Special Use Permit
Item #6	122 Belle Vista St. Adjourned
Item #7	21 Columbus Ave. Adjourned

Item #1	Approval of minutes from the November 13, 2019
	Regular Meeting

Chairman Scalzo motioned to approve the November 13, 2019 Regular Meeting minutes, seconded by Member Jackman and was carried with a vote of 5 – 0.

Item #2 7 Cottage Place Return

Casey Moscone, owner of the property, noted that there have been no changes to the plans since the last presentation.

Chairman Scalzo noted that the public hearing was still open.

No Public Comments

Member Fiore motioned to close the public hearing, seconded by Member Palladino and carried unanimously.

Member Garitee offered the following SEQRA resolution in the form of a motion:

The application for AREA VARIANCE requested by _George Moscone_____

whose address is 17 Underhill Street, Tuckahoe, NY Sec. _23 _Blk. 2_

Lot _5_____

for relief from the following sections of the zoning code: _____5-1.2 Off-Street

Parking

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

Member Garitee offered the following Area Variance

resolution in the form of a motion:

Applicant resides at 7 Cottage Place in Tuckahoe, NY. Applicant is seeking to enlarge his driveway in the front yard and reconfigure the entrance into his home. To do so the applicant requires a variance from Section 5-1.2 of the Village of Tuckahoe's Zoning Code. The applicant will require an additional curb cut to complete the work and the application for the additional curb cut has been submitted to the Department of Public Works and approved subject to the granting of this variance. In reviewing the plans and hearing the applicant at the work session and public hearing it is clear that the proposed enlargement of the driveway will have no adverse effect on the neighborhood while alleviating some on-street parking.

Therefore, recommendation is for the area variances to be granted as the benefit to the applicant of the area variances outweigh 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.

The granting of the variance(s) herein is granted on the condition that work under such variance be commenced and diligently prosecuted within one year of the granting thereof, failing which such variance(s) shall become null and void.

Member Fiore seconded the motion and upon roll call was carried unanimously.

Item #3 22 Warren Ave. Area Variance

Craig D'Anna, owner of the property, stated he purchased this property in 2000 and plans to stay in the house for many more years. He requested to build a modest extension to even out the house. It would measure 3ft. 6in. and two stories high. He would be expand the current footprint, but would stay within the lines. This area would open a bit more space in the kitchen and add a bathroom on the upper floor.

Chairman Scalzo motioned to open the public hearing, seconded by Member Fiore and carried unanimously.

No Public Comments

Chairman Scalzo noted that the public hearing would remain open.

Item #4 14 Columbus Ave. Special Use Permit

Louis Campana, architect representing the applicant, noted that this location was the former Pinot's Palette and prior to that it was the gym called Curves.

This is a family owned and operated one to one training facility. It currently operates its business in Eastchester, but would like to move to a smaller facility.

The hours of operation would be Monday to Friday 7:00am to 8:00pm one to one training.

Monday and Wednesdays group sessions 7:00pm to 8:00pm with a maximum of 12 clients.

Saturday and Sunday 7:00am to 8:00am and 8:00am to 9:00am group sessions.

Member Palladino asked about parking.

Gary Gjertsen, Village Attorney, noted that the Planning Board reviewed the application and decided that there is no issue with the parking. The application has very little usage and would not require parking.

Joe DeMasi, trainer, noted that he has clients that would follow him to Tuckahoe. There is a system for the group sessions where the clients are evenly distributed and rotate between the machines and turf.

He added that he has operated his business in Eastchester for 3 years, but has 15 years' experience in the field.

Member Jackman noted that the approval would be for two group sessions on the weekends and one group session on Monday and Wednesday evening. If the applicant would like to add additional group sessions, he would have to return to the Zoning Board for approval.

Chairman Scalzo motioned to open the public hearing, seconded by Member Fiore and carried unanimously.

No Public Comments

Chairman Scalzo noted that the public hearing would remain open.

Item #5 145 Main St.

Special Use Permit

Leonard Brandes, architect representing Megan Coryat, stated that this application is for Instinct Dog Behavior and Training facility.

Mr. Brandes noted that his building was leased to PTI an engineering facility with over 30 employees. This proposed facility would have 6 employees including one employee that stays on the premises overnight.

There are three parking spaces in the front lot for clients to drop off and pick up their dogs. The drop off for the dogs will be spread out intentionally so as the dogs do not all show up at the same time.

The dogs stay for a week for training. The kennels will be kept in the lower level, so any barking will be stifled. The upper level will house the rooms for the trainers to work with one to two dogs at a time and puppy training.

This building is a solid building. Machines were used in the building with the previous tenant and there were never complaints regarding noise.

The facility will be properly ventilated. The basement will have exhaust fans. The plan is to close off the existing docking station with a fence so the dogs can have some outside play area. There will be floor drains installed.

Ms. Coryat, applicant, noted that she earned her dog training certification in 2014. There are currently 3 locations of Instinct Dog and Training facilities and there are plans to open a total of 5 in 2020. The original location is the East Harlem facility, which has 40 kennels.

Member Garitee voiced his concern regarding potential vicious dogs.

Ms. Coryat noted that all calls for dog training is channeled to the call center. The operators at the call center are trained to take a history of the dogs and if there are concerns, the client may be asked to see a veterinary behaviorist. There is a scale to determine the severity of dog bites. The call center will determine the next steps.

Member Jackman voiced his concern regarding the noise level of barking.

Mr. Brandes noted that machines were once used on this site and there have been no complaints. This is a very solid brick building. Most of the crates will be placed underground.

Member Jackman also noted the pickup and drop off may be a concern with the new Orange Theory facility across the street.

Ms. Coryat noted that she does not want dogs meeting each other in the parking lot. Therefore, there is a strict appointment schedule. Once a client choses the time slot on the schedule app, that slot is closed. The next client must chose the next slot. There will only be 6 pickup and drop offs per day which will be spread out.

Member Jackman noted that the employees might potentially park on High Street.

Gary Gjertsen noted that the original plan for employee parking was to lease spaces from the Shiloh Baptist Church. Those plans fell through, as the church does not want to file for a parking lot permit. The applicant must find four parking spaces for her employees and present the lease to the Zoning Board.

Member Jackman asked how the facility would keep the community safe from the dogs.

Ms. Coryat noted that if a dog needs leash training, the dog would take a walk with a personal dog trainer. The dog will be double harnessed, just in case one fails. The dog will only be on the sidewalk with a dog trainer. The trainer may work on commands such as, heal, and loose leash walking. The dogs will never go into the playground next door.

Gary Gjertsen, Village Attorney, noted that the Village Ordinance does not allow dogs in any playgrounds.

In addition, the Village has a noise ordinance. If a neighbor hears a dog barking, the resident can call the Police Dept. The Police Officer will arrive, sit, and wait for 15 minutes. If there is continuous barking for 15 minutes, the Police Officer will issue a violation.

Chairman Scalzo noted that the Board received two letters regarding this application. Both letters will be placed into the applicant's folder.

Chairman Scalzo motioned to open the public hearing, seconded by Member Fiore and carried unanimously.

No Public Comments

Chairman Scalzo noted that the public hearing would remain open.

He asked the applicant to return next month with a lease for the employee parking spaces.

Item #6	122 Belle Vista St.	Adjourned
Item #7	21 Columbus Ave.	Adjourned

Chairman Scalzo and all the members wished all residents a safe and happy holiday!

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.