

**Minutes of: July 14, 2021**  
**Date Approved: \_\_Sept. 1, 2021\_\_**  
**Date Filed/Village Clerk:**

**July 14, 2021**

**TUCKAHOE ZONING BOARD AND BOARD OF APPEALS**

**Tuckahoe Village Hall – 7:30pm**

<b>Present:</b>	Tom Ringwald	Chairperson
	Nathan Jackman	Member
	Anthony Fiore Jr.	Member (ad hoc)
	Christina Brown	Member

<b>Absent:</b>	John Palladino	Member
	David Scalzo	Member

**Also in Attendance:**

Mike Seminara	Assistant Building Inspector
Gary Gjertsen	Village Attorney
Carolina Fonseca	Village Consultant

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

<b>Item #1</b>	<b>Approval of minutes from the June 9, 2021</b>	
	<b>Regular Meeting</b>	
<b>Item #2</b>	<b>15 Hollywood Ave East</b>	<b>Return</b>
<b>Item #3</b>	<b>109 Wallace St.</b>	<b>Return</b>
<b>Item #4</b>	<b>145 Main St.</b>	<b>Return</b>
<b>Item #5</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
<b>Item #6</b>	<b>69 Main St.</b>	<b>Adjourned</b>
<b>Item #7</b>	<b>22 Underhill St.</b>	<b>Adjourned</b>

**Item #1     Approval of minutes from the June 9, 2021  
Regular Meeting**

**Chairman Ringwald motioned to approve the Regular Meeting minutes dated June 9, 2021, seconded by Member Fiore and upon roll call was carried with a vote of 4 – 0.**

**Item #2     15 Hollywood Ave East     Return**

**Applicant was not present.**

**Item #3     109 Wallace St.                      Return**

Jonathon Villani indicated that there were no changes to the submitted plans. He just clarified that the applicant will remove the door to the basement. This will make a unified structure with the first floor. The first floor tenants will have access to the basement, but the second floor tenants will not be able to access the basement.

**Chairman Ringwald noted that the public hearing is still open.**

**Public Comments**

Anthony Lore 123 Wallace St. asked the Board members to insure that the applicant will not cause the disruption to the neighborhood as the owner of 5 Circle Rd. did. He asked the applicant to be respectful of the neighbors with regards to noise, start times and debris.

Gary Gjertsen, Village Attorney, noted that the owner of 5 Circle Rd. did indeed pay for the new sidewalks. The DPW did the labor, but the owner paid for the cost.

Jonathon Villani stated that the renovations were minor to legalize the home. There will be minimal work. No trucks, no deliveries, no container, no excavation. The renovations will be done during the hours of operation.

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

**Member Brown offered the following resolution in the form of a motion:**

**The application for AREA VARIANCES requested by \_John F.**

**Vigilia\_\_\_\_\_**

**whose address is 109 Wallace Ave, Tuckahoe, NY Sec.\_34 \_Blk.1\_**

**Lot\_\_16\_\_\_\_\_**

**for relief from the following sections of the zoning code: \_\_\_\_\_4-3.6 Floor Area**

**Ratio**

### **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 Jackman seconded the motion and upon roll call was carried with a vote of 4 – 0.**

**Member Brown offered the following resolution in the form of a motion:**

Applicant resides at 109 Wallace Avenue in Tuckahoe. Applicant is seeking to finish his basement, which would increase his FAR to above the limits of the Village of Tuckahoe Zoning Code. The Code has a maximum FAR of .5 where the applicant is proposing a FAR of .75. We find that approving this request there will be no impact to the surrounding area and there will be a significant benefit to this applicant.

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.

We note that in the past the basement was used illegally as an additional apartment. If it is determined in the future that the basement area is used as an apartment or in any way in violation of the State and Local restrictions this variance shall be revoked immediately.

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 with a vote of 4 – 0.**

**Item #4      145 Main St.                      Site Plan**

Leonard Brandes, architect for the applicant, stated that this was officially named Leewood Enterprises LLC.

Mr. Brandes noted that the Zoning Code requires 14 spaces. The applicant is requesting a reduction to 7 parking spaces. The applicant has three spaces on the site and will lease four additional spaces nearby. There are also ample long-term metered spaces on Marbledale Rd.

Chairman Ringwald stated that it would be nice to have that building occupied again.

Member Fiore advised the applicant to lease the parking spaces as close to High Street as you can. There should be no employee parked at the nearby two-hour parking meters.

Gary Gjertsen noted that Leewood Enterprises LLC is a legit company in NY.

**Chairman Ringwald noted that the public hearing was still open.**

**No Public Comments**

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

Chairman Ringwald noted that the Board should have the decision by September. Mr. Brandes stated that the applicant would provide the lease for the parking spaces at that time.

**Chairman Ringwald recalled 15 Hollywood East.  
Applicant was not present.**

<b>Item #5</b>	<b>377 Marbledale Rd.</b>	<b>Adjourned</b>
<b>Item #6</b>	<b>69 Main St.</b>	<b>Adjourned</b>
<b>Item #7</b>	<b>22 Underhill St.</b>	<b>Adjourned</b>

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.