

Minutes of: June 8, 2022
Date Approved: __July 13, 2022
Date Filed/Village Clerk:

June 8, 2022

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
Village Hall – 7:30pm

Present:	Tom Ringwald	Chairperson
	Anthony Fiore Jr.	Member
	Christina Brown	Member
	Heather Rinaldi	Member

Absent:	Lauren Porretta	Member (ad hoc)
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Also in Attendance:

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

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of the Minutes of May 11, 2022
Item #2	235 Alpine Place Return
Item #3	31-33 Main St. Special Permit
Item #4	377 Marbledale Rd. Adjourned

Item #1 Approval of the Minutes of May 11, 2022

Member Fiore motioned to approve the minutes dated May 11, 2022 was seconded by Member Brown and upon roll call was carried with a vote of 3 – 0, with Chairman Ringwald abstaining due to his absence.

Item #2 235 Alpine Place Return

Jonathon Graves, architect for the applicant, noted that there have been no changes to the submitted plans.

Bill Williams, Building Inspector stated that he reviewed the plans and the applicant will satisfy the Building Dept. drainage requirements.

Public hearing is still open.

No Public Comments

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

Chairman Ringwald offered the following SEQRA resolution in the form of a motion:

The application for AREA VARIANCES requested by Jorge Santiago_ whose address is 235 Alpine Place, Tuckahoe, NY Sec._43_Blk. 7_ Lot_1.3____ for relief from the following sections of the zoning code: 5-1.6.3 increasing a nonconformity

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 4 – 0.

Chairman Ringwald offered the following resolution in the form of a motion:

Applicant resides at 235 Alpine Place in Tuckahoe. Applicant is seeking to add a 1 ½ story new addition to an existing single-family dwelling. The addition will house an extended kitchen, breakfast area and mudroom. The house is an existing nonconforming home and the applicant is seeking to increase the nonconformity. The applicant will not encroach further into the setback, but will build higher than what exists there presently, thus the necessity for the variance. We have heard the applicant at several work sessions and public hearings and find the requested variance will have little to no impact on the surrounding properties.

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 with a vote of 4 – 0.

Item #3 31-33 Main St. Special Permit

Kathy Zalantis attorney representing the applicant Maietta Rybacki, indicated that this building was the former Fresco Market. The building houses the Post Office on the corner. The applicant is requesting a Special Use Permit to open a dance studio, Dream Makers Performing Arts as the second tenant of this building located on the corner of Columbus Ave and Main St.

The dance studio will operate Monday to Fridays from 3:00pm to 9:00pm with the hours from 5:00pm to 9:00pm being the busiest time. Saturday 9:00am to 2:00pm Sunday closed. There will be no recitals at this site.

Ms. Zalantis indicated that the peak hours of operation are different from the Post Office as the dance studio's busiest hours are when the Post Office is closed.

The students attending the dance studio will range from toddlers to teenagers. The use of a dance studio for a Special Use Permit fits within this district and is compatible with the business district. It also is consistent with the comprehensive plan as the dance studio provides a service to the community.

Ms. Zalantis noted that the dance studio will regulate the patrons so that each class will be 15 minutes apart to allow for the patrons to exit and the next class to arrive.

The building has easy access for the Fire Dept. and the Police Dept.

The application requires 19 parking spaces. There are two parking spaces in the parking lot shared with the Post Office and the applicant will rent 3 – 4 parking spaces at the Lake Ave. lot with a merchant permit. There are also several metered spaces along Columbus Ave. and in the Metro North train station parking lot.

Member Brown asked why the applicant cannot provide a formal agreement regarding sharing the parking lot.

Ms. Zalantis noted that the Post Office is the Federal Government and they will not provide the agreement.

If there is a problem with the two parking spaces provided to this tenant, the landlord will need to have the vehicles towed. If this continues, there may be a need to sign a contract with a towing company. An orange cone can be placed at the spots to deter others from using the spaces.

Bill Williams, Building Inspector added that there are not enough parking spaces for the Post Office employees and since it is Federal property, patrons cannot park there as per the government.

Robert Stanziale, architect representing the applicant, noted that the patrons will utilize the rear entrance and proceed up the rear ramp, or use the Main St. entrance. The interior renovations will include a reception area, 3 dance studios and two handicap accessible restrooms. There will be 10 – 12 students per time slot divided between the 3 studios. The rooms will be equipped with soundproof materials. There are train tracks on one side and the Post Office on the other side, so there should be no issue with sound.

Member Brown asked the applicant to try to obtain 4 parking spaces from the Village.

Ms. Rybacki, applicant, noted that most of her teachers travel from the city as they are profession dancers and usually do not own a vehicle. They will take the Metro North and walk across the street. The students will be dropped off by their parents.

Ms. Rybacki noted that the toddler classes will be held from 5:00pm to 6:00pm and the teenage classes will be the later hours. On Saturday, the teenagers will assist with escorting the young students from the rear ramp to the studio.

Mr. Williams added that the 5:00pm rush hour is very busy at that intersection. He suggested that the traffic engineer review the plans.

Chairman Ringwald noted that this Board will leave that to the Planning Board.

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

No Public Comments

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

Item #4 377 Marbledale Rd. Adjourned

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.