

Minutes of: Feb. 13, 2008
Date Approved: Mar. 12, 2008
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February 13, 2008
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 8:00pm

Present: Susan Crane Acting Chairperson
Kevin McBride Member
John Kang Member

Absent: Gloria Rosell Chairperson
Philip Allison Member

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

Acting Chairwoman Crane announced the agenda as follows:

Item #1 Approval of Minutes of the December 12, 2007 meeting.
Item #2 8 Henry St. Area Variance
Item #3 20 Yonkers Ave. Area Variance
Item #4 25 Oakland Ave. Special Permit/Variance
Item #5 53 Underhill St. Area Variance

Acting Chairperson Susan Crane announced that two members were not present and asked each applicant if presenting before three members was acceptable to them. Each applicant agreed.

Item #1 Motion by Member Kang to approve minutes of the December 12, 2007 meeting was seconded by Member McBride and approved by the Board with a vote of 3-0.

Item #2 8 Henry St. Area Variance

Mr. Mike Finelli, architect for the applicant, stated that his client had all the return receipts from the mailings and will submit them to the Board before the end of tonight's meeting. He stated that the applicant had a small, one car garage on the property, which burnt down recently along with a 1965 mustang. The applicant would like to rebuild the garage and therefore requires variances for the side yard, rear yard and to increase the level of non-conformity. The proposed garage will measure 3 ft. wider, for the applicant to open the car door and store a small lawn mower. Mr. Finelli presented photos of garages in the surrounding areas, which were built right up to the property line, some are two-car garages and one which has a second story. The proposed garage could not be built closer or more to the left as the vehicle would not be able to make the turn into the garage. The new garage will sit on the original footprint with an addition

of 3 ft.

Acting Chairwoman Susan Crane announced that the application will remain open until the required receipts of the mailings were submitted.

Item #3 20 Yonkers Ave.

Area Variance

Mr. Rocco Salerno, attorney for the applicant, requested a variance for an increase in the FAR from the .5 to .58. Mr. Salerno indicated that this was a two-family dwelling, the applicant lives in one unit, their daughter and her family in the second unit. They are owners of the dwelling for 65 years. The proposed plan is to finish the basement for a recreation area or den and the kitchen will be removed. The door to the boiler room will be changed to a fireproof door. There will be no structural changes. The building permit will be filed and the basement will be inspected by the Building Inspector to make sure the kitchen is removed.

No Public Comments

Motion by Member McBride to close the public hearing, seconded by Member Kang and was carried unanimously by a vote of 3 – 0.

Acting Chairwoman Susan Crane announced that the Board will render their decision at next month's meeting.

Item #4 25 Oakland Ave.

Special Permit/Variance

Mr. Allacco, attorney for the applicant, Woodlot Christian Pre-School LLC., stated that the pre-school has been located in Eastchester for the past 40 years. The applicant has lost its lease and would like to open its doors as part of the church at 25 Oakland Ave. As there is no parking requirement for day care, Mr. Allacco asked if a parking variance is necessary. He conducted a parking survey on Monday morning from 8:30 am to 9:30 am. He noted that there were no spaces available in the Fisher Ave. parking lot, but a few spaces were available on the street. He stated that the Pre-school has acquired 4 parking spaces located at the Rick's Auto Station for their employees. Mr. Allacco noted that most of the children are dropped off for day care, and the caretakers will not even park their vehicle. The drop off area will be located at the front door of the church. 60% to 70% of the enrollment will get dropped off around 9:00am. The Pre-school license permits 32 children on the site at any one time. The school will like to increase the number to 38. Total school population is 75 children, some children attend class two days a week, while others attend three days a week and still others come at 3:00pm for after school care. There are only about 3 children picked up at 6:00pm, all others are picked up throughout the day. The site has been inspected by the Fire Marshall and was given approval for a maximum of 38 children at one time. Mr. Allacco submitted a memo from the Fire Marshall and proof of the agreement between Rick's Auto Station for the 4 parking spaces.

Member Kang noted that the parking space arrangement may not last and asked the applicant to get on the list for spaces at the Fisher Ave. parking lot.

Member McBride voiced his concern regarding the pick up of children during the commuter traffic hours, given the proximity to the Metro North station.

Mr. Allacco stated that in the past, only 10 children remained at the site after 4:30pm and only 3 were picked up at 6:00pm.

Member Kang noted that he was not swayed by the number of children remaining at 6:00pm as that can certainly change at any given time.

Mr. Allacco noted that he could not guarantee the number of children being dismissed at any given time, but most children will be picked up during the mid-afternoon hours, as most children attend the pre-school.

Alice McCullen, Director of the Pre-School for 40 years, noted that the clients pay for only the hours the center is used.

Fr. David Flores noted that the child population drops off significantly by 4:30 pm. He stated that this school provides a service to the community and has been in business for 40 years.

He stated that there are 3 classrooms, a room for the children to nap and a music room. There are a total of 7 – 8 staff members; 2 teachers, 1 head teacher, 1 assistant, office staff and a music teacher. Some of the employees are full time while others are part time. There is only one day in June that the school has a small graduation ceremony. The Police Dept. will be notified as the parents will park and stay for the ceremony. Fr. Flores noted that he could stagger the graduation ceremony and have one in the morning session and one in the afternoon session to help alleviate the parking situation. As for the drop off and pick up procedure, the teacher will escort the child out the front door on Oakland Ave., which will help keep the flow of traffic clockwise. The families of the students are from Tuckahoe, Eastchester and a few from New Rochelle. They are licensed by NYS Family Services for children aged 2.9 years to 5 years to prepare the children for kindergarten. The program does not conform to Headstart and there is no subsidized tuition. The parents pay full tuition - \$27.00 per day for a half day (9:00 – 11:45), \$54.00 per day for a full day (9:00 – 3:00) for 172-day school year. There are currently 10 children attending full day.

Public Comments

Tracy Shivone, 27 Fisher Ave., noted that the church has been a wonderful neighbor on every level. She stated her concern regarding the heavy traffic in the area. Many Beeline buses (250) every week, taxis, and trucks. There is no parking permitted on one side of the street during the winter. Safety of the children was a major concern. The intersection of Lincoln and Oakland was the most dangerous intersection in the Village. She asked about handicap accessibility, the safety of the children, the impact on the neighborhood and the exact number of the enrollment. She asked where the employees will park when the 4 parking spaces are no longer available and where will the children walk to during a fire drill, very busy streets.

Stephanie Berutti, parent of 2 children attending Woodlot Christian Pre-School, stated that this pre-school was an asset to the community. She does not find this intersection to be dangerous.

Maryann O'Shea, parent of 2 children attending the school, and currently lives next door to the present location of the school, stated that there are no issues with parking and pick up. The school will meet the parent outside with the child for pick up. There is no action at 6:00pm, very quiet and many parents use car-pooling.

Fr. Flores stated that the enrollment is currently 75 children.

Maryann Fitzpatrick, lives across the street from the church, noted that the previous temple had a day care center, very busy street, and accidents in the past, many neighbors concerned about the safety of the children. The drop off procedure may clog up the street for vehicles to pass.

Maria Columbia, resident of Eastchester, parent of 2 children at Woodlot, stated that she chose this school because of the small size and the conscientious staff. The school's first priority is the children's safety.

Tracy Shivone invited members of the Board to sit on her porch and count the trucks that drive by and again asked about fire drill procedures and handicap accessibility.

Catherine Serring, grandmother of a child enrolled at Woodlot, stated that she picks up her grandchild at 5:30pm and there are only 3 children left. She asked the Board not to destroy this school as it is a very loving school.

Fr. David Flores noted that the Fire Drill procedure will have the children exit the rear of the school, into the playground, towards Lincoln Ave., which will be fenced in. The children will be in an enclosed and safe area.

Member McBride voiced his concern regarding safety with the distance between the school and the gas station.

Member Kang noted that the handicap accessibility will be discussed at the next meeting, as the applicant must notify the Village if any work will be done on the property.

Acting Chairperson Susan Crane motioned to keep the public hearing open and refer to the Planning Board for the parking requirements and the drop off procedure as well as which door the school should use for dismissal. This motion was seconded by Member Kang and unanimously carried by the Board with a vote of 3 – 0.

Item #5 53 Underhill St.

Area Variance

Mr. Mike Pelligrini requested permission to convert his home of 13 years back to a two-family home. He purchased the home as a two-family home and has only used it as a single family home. The home has a studio apartment in the basement with its own entrance door. The house is still in its original layout, there have been no structural changes to the house. The driveway measures 140 ft. and has plenty of space for parking vehicles. There will be no necessary work to update the studio apartment. It has a large living room with a kitchen and bathroom.

No Public Comments

Bill Williams, Building Inspector, stated that this home was purchased as a two-family dwelling.

Acting Chairperson Susan Crane announced that the Board will keep the public hearing open and the Board will visit the property prior to the next month's meeting.

Item #2 8 Henry St.

Area Variance

Acting Chairperson Susan Crane asked the owner, Mrs. Mariani, to submit the proof of mailings. Mrs. Mariani did not have the proof of mailings, she noted that Mr. Finelli had them in his office. The Board stated that they cannot take action until the receipts are submitted to the Building Dept. The applicant must reappear before the Board at next month's meeting.

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 at 9:50p.m.