

Minutes of: Feb. 8, 2017
Date Approved: May 10, 2017
Date Filed/Village Clerk:

February 8, 2017

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

Present:	Tom Ringwald	Chairperson
	Ronald Gallo	Member
	Nathan Jackman	Member

Absent:	David Scalzo	Member
	John Palladino	Member
	Daniel Lang	Member (Ad Hoc)

Also in Attendance:

Gary Gjertsen	Village Attorney
Mike Seminara	Code Enforcement Officer

Pledge of Allegiance

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of minutes from the January 11, 2017
	Regular Meeting
Item #2	171 Lake Ave. Return

Item #1 Approval of minutes from the January 11, 2017 Regular Meeting
Chairman Ringwald motioned to approve the January 11, 2017 minutes,
seconded by Member Jackman and carried with a vote of 3 – 0.

Item # 171 Lake Ave

Return - Area Variance

Chairman Ringwald noted that the public hearing was still open.

Upon hearing no responses from the public, Chairman Ringwald closed the public hearing, seconded by Member Gallo and carried unanimously by the Board.

Member Jackman noted that this Board takes the space between the home and sidewalk very seriously. There is an existing front porch. The house will have 24 ft. to the street, which is a proper setback.

Gary Gjertsen, Village Attorney, advised the applicants that there were only three members present tonight, which would require a unanimous vote for approval.

The applicants, Mr. and Mrs. Graham, agreed to continue.

Chairman Ringwald offered the following SEQR Resolution in the form of a motion:

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 3 – 0.

Member Jackman offered the following resolution in the form of a motion:

This application is for AREA VARIANCES requested by Leslie Graham for the premises located at 171 Lake Avenue, Tuckahoe, NY Sec. 36 Blk. 2 Lot 18. Relief is requested from the following sections of the Village of Tuckahoe's Zoning Code: 4-3.4.1 Front Yard 4-3.4.2 Side Yard and 5-1.6.3 – Nonconforming Buildings and Uses

Applicant is seeking to expand the second story at her premises located at 171 Lake Avenue, Tuckahoe, NY. The applicant is not seeking to add additional bedrooms to the property but is enlarging the existing bedrooms. Further, the premises is currently a two family property and with this addition the property will be considered a one family dwelling.

Section 4-3.4.1 of the Tuckahoe Zoning Code requires a front yard of not less than 35 feet. The Applicants are proposing front yard of 13.

Further the Tuckahoe Zoning Code requires a side yard of not less than 25 feet. The applicants are proposing a rear yard of 6.9 feet.

Lastly, the applicants are seeking relief from the Village of Tuckahoe's Zoning Code Section 5-1.6.3 in that they are proposing to extend and enlarge a nonconforming use.

Recommendation is for the area variances to be granted as the benefit to the applicants of the area variances outweighs the detriment to health, safety and the welfare of the neighborhood. The applicants have demonstrated through their submissions and presentation that they have met all aspects of the 5 prong test to the satisfaction of this Board.

Every representation made to this Board through the Applicants' presentation are a condition to this approval. Any deviation from the representations made shall be cause to revoke this variance.

Lastly, The granting of the variances herein are 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.

Discussion: Member Gallo noted that he spoke with neighbors regarding this application, and he received positive feedback.

Member Jackman noted that the application was for a two family home to be converted to a single family home, this type of application would improve the atmosphere in the neighborhood.

Motion carried with a vote of 3 – 0.

John Mariani 8 Henry St. voiced his opposition to the application for a Marriott Hotel and restaurant on Marbledale Rd.

Gary Gjertsen, Village Attorney, noted that this forum was not the correct forum for this discussion. This is a Zoning Board meeting regarding the 171 Lake Ave application

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.