

**Minutes of: Sept. 9, 2020**  
**Date Approved: \_\_Oct. 14, 2020\_\_**  
**Date Filed/Village Clerk:**

**September 9, 2020**

**TUCKAHOE ZONING BOARD AND BOARD OF APPEALS**

**Online due to Covid-19 – 7:30pm**

<b>Present:</b>	Tom Ringwald	Chairperson
	David Scalzo	Member
	John Palladino	Member
	Nathan Jackman	Member
	Christopher Garitee	Member
	Anthony Fiore Jr.	Member ad hoc

**Also in Attendance:**

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

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

<b>Item #1</b>	<b>Approval of minutes from the July 8, 2020</b>	
	<b>Regular Meeting</b>	
<b>Item #2</b>	<b>216 Dante Ave.</b>	<b>Return</b>
<b>Item #3</b>	<b>69 Main St</b>	<b>Return</b>
<b>Item #4</b>	<b>22 Underhill St.</b>	<b>Return</b>
<b>Item #5</b>	<b>356 Columbus Ave.</b>	<b>Area Variance</b>
<b>Item #6</b>	<b>356 Columbus Ave.</b>	<b>Area Variance</b>
<b>Item #7</b>	<b>91 Lincoln Ave.</b>	<b>Area Variance</b>
<b>Item #8</b>	<b>160 Dante Ave.</b>	<b>Area Variance</b>

**Item #1      Approval of minutes from the July 8, 2020  
Regular Meeting**

**Chairman Ringwald motioned to approve the July 8, 2020 Regular Meeting minutes, seconded by Member Scalzo and upon roll call was carried with a vote of 4 – 0, with Chairman Ringwald abstaining due to his absence.**

**Item #2      216 Dante Ave.      Return**

Stephanie Fox, architect representing the owners, noted that the proposed mudroom was decreased in size, which reduced the side yard variance from 3.9ft. to 2.7ft. The adjustments made are favorable to both the owners and the neighbors. (The neighbors located at 218 Dante Ave. have decided to put their house on the market.) The applicants will provide landscaping for additional screening along the property line as discussed.

Chairman Ringwald thanked the applicants for their adjustments and the landscaping plans.

## No Public Comments

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

**Item #3    22 Underhill St.                      Return**

Andrew Coleman noted that the Masonic Temple on Main St. is currently the office of Dr. Peter Zheng, a pain management specialist in the Village.

In planning the expansion of Dr. Zheng's practice, and the need for additional parking spaces, Dr. Zheng purchased the two family house located at 22 Underhill St. The plan is to demolish the house and create a parking lot for the required 12 parking spaces. The application for the parking lot requires a setback variance for the front yard setback.

Mr. Coleman noted that he discussed the plans for the parking lot with David Burke, Village Administrator. He offered the idea of swapping the Village commuter parking lot, located at Cameron Place with this new parking lot. The idea of blending both lots was also discussed. The lots would have 30 parking spaces, 14 designated for the Village commuters and 16 for the doctor's offices; only 12 is required.

Mr. Coleman noted that Mr. Burke was receptive to the idea of combining the lots. There are three parking spots that straddle the property line. If the lots are combined, the Village could provide an easement to the owner.

Gary Gjertsen, Village Attorney, noted that the Village Board has not discussed the proposed plans yet.

Member Scalzo noted that Mr. Gjertsen should advocate to the Board of Trustees for a land swap rather than a shared lot.

Mr. Coleman noted that if the land swap did not come to fruition, the back-up plan of creating a parking lot at 22 Underhill St. would still move forward.

Noah Levine, Village Consultant, noted that Dr. Zheng currently rents four parking spaces from the Cameron Place parking lot. Those four spaces would become available and should be designated for short-term parking spaces for shoppers.

Noah Levine added that the Planning Board shared a concern that there may be a negative impact to the streetscape with the addition of another parking lot. The applicant should propose landscaping plans to make it visually appealing.

Member Scalzo noted that this area is not that residential, as there is a firehouse, a church and a parking lot in this area. He agreed that landscaping would be necessary.

Carolina Fonseca, Village Consultant, noted that there are four trees that could possibly be saved or moved. She also noted that there would be the need for a dry well for drainage.

Bill Williams agreed with the need for a dry well, as all the runoff must remain on the site.

Chairman Ringwald added that the DPW might override the moving of the trees. The plans must be reviewed by the DPW.

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

**No Public Comments**

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

**Item #4 69 Main Street                      Return**

Mr. Coleman, architect for the applicant Dr. Peter Zhang, proposed creating a third floor to the Masonic Temple. There is currently a double height assembly room, which can be created into an additional floor. Each floor will measure 9 ft. ceiling height. The design of the third floor will be independent of the structure. New load pads and new footings would be constructed in the basement for the new floor.

The Masonic symbol will be preserved and moved to the side of the building. The front façade of the building will be cleaned up and up lighting will highlight the beautiful features of the building. The applicant may place a courtyard in the front area.

The existing FAR is 2.17, the proposed plans will increase the FAR to 2.75. the allowable FAR is 1.6.

Bill Williams, Building Inspector, noted that 100 Main St. has an FAR of 2.02. He added that he would check on the FAR of 115 Main St., but that building is in a different zone, which has a different FAR requirement. If the applicant can combine the applications of 69 Main St. and 22 Underhill, this could affect the required FAR.

**Item #5    356 Columbus Ave.    Area Variance**

Louis Papaleo, owner of the property, stated that this is a two family house, side by side. The south side has a finished basement. This application is to finish the left side unit with a finished basement. There are 9 ft. ceilings in the basement. The proposed plans are to install a full bathroom as there is only one bathroom on the second floor.

Member Jackman noted that the Board is always concerned that a finished basement can be used as an apartment. This basement could not be turned into an apartment.

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

**No Public Comments**

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

**Item #6 356 Columbus Ave. Area Variance**

Louis Papaleo proposed an application to create two parking spaces in the front yard. The house sits on Columbus Ave., which is a very busy road. There is no on street parking. The proposed plan will alleviate the tenants from moving the cars around and backing up onto Columbus Ave. There is dead space where the parking spaces could be placed and the applicant proposed to line the driveway with arborvitae.

Member Jackman noted that the dead space is actually green space, which is important.

The members agreed to visit the property.

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

**No Public Comments**

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

**Item #7 91 Lincoln Ave. Area**

Stephanie Malinski, architect for the applicant, noted that there is an existing driveway on the property that is too narrow and too short for today's vehicles. The garage is also too narrow for today's vehicles. The plan is to widen the driveway which would include moving the retaining wall. The new retaining wall will be constructed of stone instead of the concrete. The applicants will maintain the planters in front. There will be green space on either side of the front steps.

Ms. Malinski added that Lincoln Ave is a busy road and the applicants have two small children. The need for the vehicles to have ample room for the doors to open is a safety issue for the family.

Member Scalzo voiced his concern that the widened driveway will take away green space.

Carolina Fonseca noted that the rendering depicts the sidewalk in front of the driveway as blacktop. She asked that the sidewalk continue through and the applicant only place asphalt on the driveway.

Bill Williams noted that the application was for a 24 ft. curb cut. He asked if the applicant would decrease the curb cut to 18 ft.

Ms. Malinski stated that she could reduce the size of the curb cut.

Member Jackman noted there is street parking available on this street, The plans would essentially would create a four-foot strip of grass between the stairs and asphalt, which is not that much green space. The proposed plans would reduce the green space and the majority of the front yard would be paved. He asked the applicant to think about using the 5 feet of space to the left of the existing driveway.

Member Jackman added that the current length of the driveway 31ft., is long enough to fit most cars, with the exception of two Lincoln Navigators.

The owner stated that he can barely fit his two small cars in the driveway now. Member Jackman added that he was describing the length of the driveway.

Member Fury offered the idea of angling the retaining wall to allow for the car doors to open.

Carolina Fonseca agreed and added that the measurement from the retaining wall to the fence on the left side of the property was approximately 15 ft. If the applicant widened the driveway as Member Jackman described, the applicant would have 15 ft. and could possibly add another 3 ft. by moving the retaining wall. This would give the house a little more green space in the front.

Member Scalzo noted that the Board voiced their concerns and asked the applicant and the architect to brainstorm to decrease the variances requested. The 24ft. curb cut is too much.

The members noted that they would be more amenable to the idea of paving the left side of the property and removing only three feet of the front retaining wall. Reduce the curb cut to 18 ft.

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

### **No Public Comments**

**Chairman Ringwald motioned to keep the public hearing opened, seconded by Member Palladino and carried unanimously.**

### **Item #8 160 Dante Ave. Area Variance**

Louis Campana, architect for the applicant, noted that this application was for a non-conforming legal two family dwelling. The rear yard's topography is such that it is level with the second floor of the house. Therefore, the application is to convert an existing shed roof to an outdoor deck. One of the second floor windows will be converted to a sliding glass door to access the deck. The residents can use the deck and then walk straight out to the rear yard. The deck will have railings around the perimeter for safety.

Gary Gjertsen added that the applicant presented the proposed plans to the Planning Board for their input, and they voiced no objections.

Chairman Ringwald noted that the proposed plans make good use of the space. The house sits on a unique property.

Member Fury asked about outdoor lighting.

Mr. Campana noted that there would be three exterior fixtures and he would consider lights on the posts of the railings.

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

### **No Public Comments**

**Chairman Ringwald motioned to keep the public hearing opened, seconded by Member Garitee and carried unanimously.**

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.