

Minutes of: Nov. 4, 2020
Date Approved: _Dec. 9, 2020
Date Filed/Village Clerk:

November 4, 2020

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
Online due to Covid-19 – 7:30pm

Present:	Tom Ringwald	Chairperson
	John Palladino	Member
	Nathan Jackman	Member
	Christopher Garitee	Member
	Anthony Fiore Jr.	Member ad hoc

Absent:	David Scalzo	Member
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Also in Attendance:

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

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of minutes from the October 14, 2020	
	Regular Meeting	
Item #2	356 Columbus Ave.	Return
Item #3	91 Lincoln Ave.	Return
Item #4	356 Columbus Ave.	Withdrawn
Item #5	69 Main St.	Adjourned
Item #6	70 – 72 Marbledale Rd.	Adjourned
Item #7	174 Marbledale Rd.	Adjourned
Item #8	22 Underhill St.	Adjourned

**Item #1 Approval of minutes from the October 14, 2020
Regular Meeting**

Chairman Ringwald motioned to approve the October 14, 2020 Regular Meeting minutes, seconded by Member Palladino and upon roll call was carried with a vote of 4 – 0, with Member Garitee abstaining due to his absence.

Item #2 356 Columbus Ave. Return

Applicant, Mike Papaleo noted that there have been no changes to the submitted plans.

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

The application for AREA VARIANCE requested by Parkview on Columbus LLC _____

**whose address is 356 Columbus Ave, Tuckahoe, NY Sec. 46 Blk 4 Lot 73 _____
for relief from the following section 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 Garitee seconded the motion and upon roll call was carried with a vote of 5-0.

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

Applicant is the owner of 356 Columbus Avenue, Tuckahoe. Owner is seeking to add a bathroom and finish the basement at the premises. The addition of the bathroom and basement will increase the Floor Area Ratio of the premises to .6 where Section 4-3.6 of the Zoning Code allows a maximum of .5.

Coupled with this application, applicant was seeking to extend the driveway in the front yard of the premises. After several work sessions, it was clear that this Board was not in favor of the extension of the driveway, and the applicant withdrew that request.

We have carefully reviewed the application for an area variance increasing the FAR to .6 and we find that the applicant has met its burden under the 5 prong test.

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 5-0.

Item #3 91 Lincoln Ave.

Return

Adam Balchunas, applicant, noted that there have been no changes to the submitted plans.

Member Palladino offered the following Resolution in the form of a motion:

AREA VARIANCE RESOLUTION

The application for AREA VARIANCE requested by Adam Balchunas _____ whose address is 91 Lincoln Avenue, Tuckahoe, NY Sec. 47_Blk 2 Lot 35 _____ for relief from the following section of the zoning code: 5-1.2 Off Street Parking

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 unanimously.

Member Palladino offered the following Area Variance Resolution in the form of a motion:

Applicant is the owner of 91 Lincoln Avenue, Tuckahoe. Applicant is seeking to construct a retaining wall and widen the driveway in the front yard. The driveway as currently exist is extremely narrow and it is clear that there is a problem with vehicles opening doors while parked in the driveway. The home is an older home and it is apparent when the driveway was originally constructed vehicles were made a lot smaller than the vehicles of today. The Board feels the village code is quite clear that parking areas for a house should not remove a large portion of the green frontage on village homes. This specific home, due to its' unique location on a busy road and minimal existing front yard combined with pre-existing driveway conditions merits specific relief for the property in question

It should be noted that the applicant had requested a wider driveway than what is requested in this application, however after several work sessions and meetings the applicant reduced his request based on the comments from this Board.

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 unanimously.

Item #4	356 Columbus Ave.	Withdrawn
Item #5	69 Main St.	Adjourned
Item #6	70 – 72 Marbledale Rd.	Adjourned
Item #7	174 Marbledale Rd.	Adjourned
Item #8	22 Underhill St.	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.