

Minutes of: May 9, 2012
Date Approved: June 13, 2012
Date Filed/Village Clerk:

May 9, 2012

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS

TUCKAHOE VILLAGE HALL – 7:30pm

Present:	Ronald Gallo	Chairperson
	Steve Alfasi	Member
	Nicholas DiSalvo	Member
	John Palladino	Member
	David Kubaska	Member

Also in Attendance:

John Cavallaro	Village Attorney
Bill Williams	Building Inspector

Chairman Gallo announced the agenda as follows:

Item #1 Approval of Minutes from the April 11, 2012 meeting

Item #2 125 Sagamore Road

Area Variance for outdoor stairs Return

Item #3 146, 150, 160 Main St. 233 Midland Avenue

Area Variance for number of stories and parking Return

Item #1 Approval of Minutes from the April 11, 2012 meeting

Member Alfasi motioned to approve the minutes of the regular meeting dated April 11, 2012, seconded by Member DiSalvo and carried with a vote of 5 – 0.

Chairman Gallo noted that there was a slight amendment to the Resolution granted at the Special Meeting dated April 25, 2012 for 146, 150, 160 Main St. 233 Midland Avenue application. The Resolution allows an extension of their Special Use Permit, to extend the Area Variance and to allow residential use on the first floor. The Resolution stated that there were 108 units. The correct statement should state, 108 units and the additional 2 units at 146 Main St. The Resolution will be amended to clarify this issue with respect to the project as a whole. The revised minutes from the April 25, 2012 special meeting will be approved at the next meeting.

Chairman Gallo motioned to accept the change to the Resolution from the Special Meeting dated April 25, 2012 as stated, seconded by Member DiSalvo and carried unanimously by the Board.

Item #2 125 Sagamore Road

Mr. Angelo Maiorano, 125 Sagamore Rd. stated that he requested an area variance to build a Uni-lock staircase and walkway on the side of his house. The walkway will sit 2 ft. from the side property line, whereas the Zoning Code requires a 4ft. set back from the property line.

Chairman Gallo stated that he spoke with the Building Department regarding this variance and it was agreed that the variance was minor.

Chairman Gallo motioned to open the public hearing, was seconded by Member Kubaska and unanimously carried by the Board.

No Public Comments

Member DiSalvo motioned to close the public hearing, was seconded by Member Kubaska and unanimously carried by the Board.

John Cavallaro, Village Attorney, noted that this application is a Type 2 action, which is exempt from environmental review under SEQR.

Chairman Gallo offered the following motion:

For the application for Mr. Angelo Maiorano, 125 Sagamore Road, Tuckahoe NY for a two-foot side yard variance where 4 ft. is required. The applicant seeks an area variance to install an exterior staircase and Uni-lock wall within two feet of the property line where 4ft. is required. The benefit to the applicant outweighs the detriment to the health, safety and welfare of the community and thus the variance is granted.

Member DiSalvo seconded the motion and was carried with a vote of 5 – 0.

Item #3 146, 150, 160 Main St. 233 Midland Avenue

Mr. Null, attorney for the applicant indicated that there were three requests for relief.

The first was for the building 150 Main St. which is residential /commercial, with 3500 sq. ft. of commercial building. The commercial space requires a higher ceiling than the residential floors. A 12 – 14ft. height for the commercial floor compared to the 9 – 10ft. for the residential floors. There is no commercial space on the Midland Pl. side. This is the section of the building that does not have commercial space and could certainly fit 4 residential floors within the 42ft. height. The roofline matches and fits 4 levels of residential on the Midland Pl. side. The majority of the building is 3 stories.

The second variance requested is for the change in the dimensions of the parking spaces. The current plan is for 9ft. x 20ft. parking spaces, a 20ft. drive isle and 9ft. x 20ft parking spaces. The revised plan is for 9ft. x 18ft. parking spaces with a 24ft. wide drive isle and another row of 9 x 18 ft. parking spaces. Both calculations add up to a 60ft. wide parking lot, just the dimensions of the sections are changed. The wider drive isle seems to function better and is just more convenient for the drivers. A similar variance was granted to the Crestwood project. The Village Board has been advised by the Village Planner that the dimension of 9ft. x 18ft. parking spaces and 24 ft. drive isle is the more acceptable in the Westchester area.

Mr. Null added that the third variance requested was the reduction in the parking requirement. There are a total of 108 units, consisting of 59 one-bedroom units, 49 two bedroom units and 3500 sq. ft. of commercial space. If the ratio of one parking space per 300 sq. ft. of commercial space were added to the two spaces per two bedroom units required and 1.4 spaces per one-bedroom units, it would be blended to have a 1.65 ratio for parking spaces per unit. Mr. Null added that there would be an additional 10-metered parking spaces once the curb cuts are eliminated.

Mr. Raffiani stated that in his 110 building there are 14 units with 6 two-bedroom units and 8 one-bedroom units. There are 28 spaces and he has never rented more than 14 spaces to the residents. There are more spaces than necessary.

Mr. Vetromile noted that the reduction in the parking requirements was just for the one-bedroom units. There are security issues and safety issues when there are too many parking spaces and third parties whom rent the spaces would have access to the site. They do not have a vested interest in the property and therefore, security issues arise. He added that this is a Transit Oriented Development, and there would be only an occasional person that rents a one-bedroom unit that would have two cars.

Mr. Null added that the cost of structural parking is significant as it is approximately \$30,000 per space to build. Renting the spaces would not be cost efficient.

Member Palladino asked that this is the first time the applicant is requesting relief from the parking requirements. The applicant had always had it in mind to meet code.

Mr. Null added that the retail space was restricted for food operations. The type of retail would be a neighborhood retail with neighbors walking to the site. People would not be driving to this retail space in meaningful volumes.

Member Palladino stated that the relief granted to the Crestwood project was due to the fact that all the units were studios and the property had limited space for parking.

Mr. Null noted that the applicant's parking space was limited as well, that is why a structured parking garage is planned. The applicant already reduced a level of parking due to the Article 78 settlement with regards to reducing the number of units. The zoning ordinance does not recognize the difference between studios, 1, 2 and 3 bedroom units, which all require 2 parking spaces. The current plan is fully compliant with commercial parking requirements, fully compliant with the requirements for two-bedroom units and is only requesting relief for the number of parking spaces for the one-bedroom units.

Chairman Gallo noted that Frank Fish, Village Consultant, recommends 1.65, which is consistent with 100 Main St. and Crestwood project.

John Cavallaro, Village Attorney, noted that the Planning Board has looked favorable on all three variances requested. He will have something in writing from the Planning Board prior to the next meeting.

Chairman Gallo stated that he looked forward to the recommendation from the Planning Board as well as the recommendation from BFJ.

Member Palladino stated that due to the granting of the relief in the Crestwood application, this applicant is now requesting relief.

Member Alfasi noted that two parking spaces per unit are under question; studios and five bedroom houses both require two parking spaces.

Chairman Gallo motioned to open the public hearing, was seconded by Member DiSalvo and unanimously carried by the Board.

No Public Comments

Chairman Gallo motioned to keep the public hearing open, was seconded by Member Palladino and unanimously carried by the Board.

Chairman Gallo stated that the Board plans to have a Resolution for this applicant for the next meeting, barring any very serious issues.

Member Palladino asked if the Resolution would have all three variances or separate.

John Cavallaro, Village Attorney, noted that it would be all three variances in its entirety, not individually.

Next meeting June 13, 2012.

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.