

**Minutes of: July 13, 2016**  
**Date Approved: 09/14/16**  
**Date Filed/Village Clerk:**

**July 13, 2016**

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

<b>Present:</b>	Tom Ringwald	Chairperson
	John Palladino	Member
	Daniel Lang	Member (ad hoc)

<b>Absent :</b>	David Scalzo	Member
	Nathan Jackman	Member
	Ron Gallo	Member

**Also in Attendance:**

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector

**Pledge of Allegiance**

**Chairman Ringwald introduced member Daniel Lang as the newest ad hoc member of the Zoning Board.**

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

<b>Item #1</b>	<b>Approval of minutes from the June 8, 2016 Regular Meeting</b>
<b>Item #2</b>	<b>20 Fairview Avenue      Return</b>
<b>Item #3</b>	<b>68 Marbledale Rd.      Adjourned</b>

**Item #1 Approval of minutes from the June 8, 2016 Regular Meeting**  
**Chairman Ringwald announced the postponement of the approval of minutes until next month.**

**Item #2 20 Fairview Avenue      Area Variance**

Mr. Steven Podell, owner of the property, noted that there have been no changes to the plans since the last meeting.

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

**No Public Comments**

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

**Member Palladino offered the following SEQR resolution in the form of a motion:**

**The application for an AREA VARIANCE requested by \_\_Steven Podell and Jennifer Podell\_ whose address is 20 Fairview Ave, Tuckahoe, NY Sec.\_27 \_Blk.\_1 Lot\_\_1\_\_ for relief from the following section of the zoning code: 4-3.4.1 Front Yard and 4-3.4.2 Side Yard**

**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 Lang seconded the motion and upon roll call was carried unanimously.**

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

**Applicants seek 2 variances from this Board. First, applicant seeks a front yard variance allowing development within 15 feet of the front yard where 25 feet is required. Second the applicant seeks a side yard variance allowing development with 5.2 feet where 9 feet is required.**

**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 variances be commenced and diligently prosecuted within one year of the granting thereof, failing which such variance(s) shall become null and void.**

**Member Lang seconded the motion and upon roll call was carried with a vote of 3 – 0.**

**Item #3     68 Marbledale Rd.     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.