

**Minutes of: Mar. 13, 2019**  
**Date Approved: \_\_April 10, 2019**  
**Date Filed/Village Clerk:**

**March 13, 2019**

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

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

**Also in Attendance:**

Mike Seminara	Assistant Building Inspector
Gary Gjertsen	Village Attorney

**Pledge of Allegiance**

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

<b>Item #1</b>	<b>Approval of minutes from the February 13, 2019 Regular Meeting</b>	
<b>Item #2</b>	<b>242 White Plains Rd.</b>	<b>Return</b>
<b>Item #3</b>	<b>283 Marbledale Rd.</b>	<b>Area Variance</b>
<b>Item #4</b>	<b>47 Rogers St.</b>	<b>Adjourned</b>
<b>Item #5</b>	<b>38 Pleasant Place</b>	<b>Adjourned</b>

**Item #1 Approval of minutes from the February 13, 2019 Regular Meeting**  
**Chairman Ringwald motioned to approve the minutes from the February 13, 2019 meeting, seconded by Member Palladino and carried with a vote of 5 – 0.**

**Item #2      242 White Plains Rd.      Return**

Mr. Campana, architect for the applicants, stated that there have been no changes to the submitted plans.

Chairman Ringwald noted that the public hearing was still open.

**Public Comments**

Mrs. Maria Campana, owner and applicant, stated that she has been a lifelong resident of the Village of Tuckahoe. She and her family have lived in this house for 31 years. She added that she and her family have been transparent with the village officials regarding all the circumstances with this application. Mrs. Campana summarized the history of the subdivision plans. A survey was completed in 1994, and in 1998, they hired Mr. Crocco to draw up the plans. He filed for a permit, which was approved at the time. Her family received a Certificate of Occupancy in December 1999. While her family and Mr. Crocco were working with the Village officials, they voted and changed the zoning ordinance on July 1, 1999. The officials never mentioned it to the family nor the architect.

This has been a 25 yr. long plan that was put in motion years ago prior to the zoning code being changed. There have been many obstacles with this application and it is her opinion that her son, Louis Campana, successfully addressed all the concerns and answered all of the questions in detail.

Mrs. Campana voiced her disappointment that there was no discussion from the community at the time this zoning ordinance was changed. The Master Plan and the changes to the zoning code do not seem to coincide.

She asked the board for relief from the new zoning ordinance. She explained that the new home would enhance White Plains Rd.

She noted that her family has met with the neighbors, Mr. and Mrs. Beverly and addressed their concerns, even made changes to the plans to accommodate their concerns.

Mrs. Campana noted that her family has lived in this village for 6 generations and again asked the board to grant relief for this application.

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

Chairman Ringwald added that the Zoning Board would apply the 5-prong test. If the applicant wants to discuss unconstitutional and confiscatory issues, the applicant would need to present to the Village Board, not the Zoning Board of Appeals.

Chairman Ringwald thanked the applicant for a thorough presentation. The Board will vote next month.

**Item #3      283 Marbledale Rd.      Area Variance**

Mr. and Mrs. Labarbera stated that they were before the Board last year and received approval to finish the basement of their duplex.

They have now revised those plans. They own a two family side-by-side duplex. The application has been revised to finish each basement as a separate basement for each unit. Each basement will have an entrance from an interior staircase in the dining room. Each basement will have a bathroom with a shower installed.

Mrs. Labarbera indicated that she needs to get new architect plans to show the revisions. She will have them prepared for the next meeting.

The new application will still include the extension to the edge of the deck that was already approved.

The duplex has two units, each with three bedrooms. The Labarberas live in one unit, which has a full bathroom on the first and second floor. The other unit only has a full bathroom on the second floor.

Member Jackman noted that the architect should include the storage space that was previously approved on the plans.

The Labarberas will return next month with updated architect drawings.

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

**No Public Comments**

<b>Item #4</b>	<b>38 Pleasant Place</b>	<b>Adjourned</b>
<b>Item #5</b>	<b>47 Rogers St.</b>	<b>Adjourned</b>

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.