

**Minutes of: Sept. 11, 2019**  
**Date Approved: Oct. 9, 2019**  
**Date Filed/Village Clerk:**

**September 11, 2019**

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

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

<b>Absent:</b>	David Scalzo	Member
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**Also in Attendance:**

Mike Seminara	Asst. 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 May 8, 2019 Regular Meeting</b>
	<b>Approval of minutes from the July 10, 2019 Regular Meeting</b>
<b>Item #2</b>	<b>17 Underhill St. Return</b>
<b>Item #3</b>	<b>29 Armour Villa Avenue Area Variance</b>
<b>Item #4</b>	<b>21 Columbus Ave. Adjourned</b>

**Item #1 Approval of minutes from the May 8, 2019 Regular Meeting**

**Member Garitee motioned to approve the minutes from the May 8, 2019 meeting, seconded by Member Fiore and carried with a vote of 3 – 0, with Chairman Ringwald and Member Jackman abstaining due to their absence.**

**Approval of minutes from the July 10, 2019 Regular Meeting  
Chairman Ringwald motioned to approve the minutes from the July 10, 2019 meeting, seconded by Member Fiore and carried with a vote of 3-0, with Member Jackman and Member Garitee abstaining due to their absence.**

**Item #2    17 Underhill St.                      Return**

Mr. Andrew Cunningham, architect for the applicant, noted that there have been no changes to the submitted plans since the July meeting.

**No Public Comments**

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

**Member Fiore offered the following resolution in the form of a motion:  
The application for AREA VARIANCES requested by \_Raymond Bailey  
whose address is 17 Underhill Street, Tuckahoe, NY Sec. \_33 \_Blk.3\_  
Lot \_26\_\_\_ for relief from the following sections of the zoning code: 4-3.4.6  
Buffer and 5-1.6.3 Extending a non-conformity**

**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 Palladino seconded the motion and upon roll call was carried with a vote of 3-0, with Member Garitee and Member Jackman abstaining due to their absence.**

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

**Applicant resides at 17 Underhill Street in Tuckahoe. At said premises, there exists a non-conforming garage that is in disrepair. Applicant is seeking to rebuild the non-conforming garage and extend the footprint of the garage towards the existing home. In no way will the garage extend any further into the buffer with the side yard than it already does. Thus, the extension of the footprint will be away from the side yard and will have no impact on the adjacent property, which happens to be a parking lot owned by the Village. In reviewing the plans and hearing, the applicant at the work session and public hearing it is clear that the proposed garage will greatly improve the property.**

**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 Palladino seconded the motion and upon roll call was carried with a vote of 3-0, with Member Garitee and Member Jackman abstaining due to their absence.**

**Item #3    29 Armour Villa Avenue    Area Variance**

Mr. Valon Nikci, owner of the property, stated that he and his wife purchased this house a few months ago. He submitted plans to build a deck in the rear yard. He stated that he has spoken to the neighbors and there are no objections. The deck will not encroach on either side. The proposed deck will be attached to the house, 1.5ft. above ground with 36in. balusters.

Member Jackman stated that this house predates the new zoning laws. As a result, the applicant must appear before the Zoning Board for approvals.

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

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

**Item #4    21 Columbus Ave.    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.