

Minutes of: June 10, 2015
Date Approved: July 8, 2015
Date Filed/Village Clerk:

June 10, 2015
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
SPECIAL MEETING
TUCKAHOE VILLAGE HALL – 6:30pm

Present: Ronald Gallo Chairperson
David Scalzo Member
John Palladino Member
Tom Ringwald Member
Janice Barandes Member

Also in Attendance:
Gary Gjertsen Village Attorney
Bill Williams Building Inspector

Pledge of Allegiance

Chairman Gallo announced the agenda of this meeting as follows:

Item #1 100 Main St. Return – Approval of Area Variance

Chairman Gallo announced that this Special Meeting was being held due to tabling the vote for this application, as Member Barandes was not present at the June 3, 2015 meeting.

During the June 3, 2015 meeting, Member Ringwald vote yes and Member Scalzo voted No.

Member Palladino made the following statement before casting his vote:
He read an email written by the Les Maron, the applicant's attorney to the village attorney.

Date: May 14, 2015
100 Main St.

2 Alternate Proposals

1. 22 Units

Building envelope and elevations will stay the same with six 2-bedroom units on the 4th floor

Parking- at least 50 spaces with 17 sets of tandem spaces along back wall (parking area in rear will be excavated out an additional 10 ft. to allow tandem parking)

2 options for front row of parking

Eliminate 4 tandem spaces and enlarge proposed front smaller 'office' space into tandem spaces to be used for retail or community room/gym for tenants for a total of 50** spaces OR

Leave 4 tandem spaces in front area for a total of 54 spaces and requiring no variance or a 3 space variance**

** variance depending if small space is used for "retail/office" or community space/gym – to be determined later

OR

2. **18 units** with 37 parking spaces (as informally requested by the ZBA) – will be Section 8 or affordable housing; much lower construction costs and owner has already been approached by the County and affordable housing groups and fund sources.

Member Palladino continued stating that the public can form their own opinion regarding the contents of that email.

Member Palladino added that he has not voted in favor of any application, which requested a variance for a fourth floor in the Bus/Res district. Variances that become necessary and are requested due to the addition of a fourth floor are usually excessive because a fourth floor was added. Paramount of those subsequent variances are FAR, building coverage and parking. The parking situation, as pointed out by numerous residents in the area is a nightmare and will be exacerbated by the reduction of existing on-street parking spaces that will be eliminated when this project is built. He added that he hopes for the residents in this area, that if the parking variance is granted, the decrease in off-street parking spaces on the premises by the variance will not increase the on-street parking problem.

If there is no fourth floor, the variances, although not perfect, move more toward being reasonable and acceptable.

Member Palladino stated that it is for this reason, and because the necessity for this application was totally self-created due to the changes and lapses in previously accepted, requested and granted variances to the applicant, that were permitted to expire by the applicant, **Member Palladino voted No.**

Member Barandes thanked the chair and public for the continuation of the vote so to have the opportunity to weigh in on this very important decision. She noted that she read the SEQR review and watched the meeting on tape. This is neither an easy decision nor an easy process. There have been multiple work sessions, debates, and input from village consultants. This board tries to do their best with the information and data presented. The Village consultants made a compelling case regarding the parking and traffic. She noted that after weighing all the issues, debates, time working with the applicant and deliberating, **Member Barandes voted Yes.**

Member Barandes added that the application now has to be presented to the Planning Board for review. She asked the applicant, Mr. Murray to fulfill his promise to build a beautiful building, something that he and the residents could be proud of.

Upon roll call, the motion passed with a vote of 3-2

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.