

Minutes of: April 10, 2024
Date Approved: _____
Date Filed/Village Clerk:

April 10, 2024

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS

Village Hall – 7:30pm

Present:	Tom Ringwald	Chairman
	Christina Browne	Member
	Anthony Fiore Jr.	Member
	Lauren Porretta	Member
	Eileen Pirro	Member (ad hoc)

Absent:	Heather Rinaldi	Member
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Also in Attendance:

Mike Seminara	Assistant Building Inspector
Gary Gjertsen	Village Attorney

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of the Minutes of March 13, 2024	
Item #2	20 Marbledale Rd	Return
Item #3	25 Main Street	Return
Item #4	126 Bella Vista Street	Return
Item #5	377 Marbledale Rd.	Adjourned
	46/1/10, 11, 12	
Item #6	377 Marbledale Rd.	Adjourned
	46/1/13, 15	

Item #1 Approval of the Minutes of March 13, 2024

Member Fiore motioned to approve the minutes dated March 13, 2024 was seconded by Member Pirro and upon roll call was carried with a vote of 4 – 0, with Chairman Ringwald abstaining.

Item #2 20 Marbledale Rd Return

Leonard Brandes, architect for the applicant noted that this business is in need of expanding. This business, which has office space and factory space, has been at this location for 12 years. The footprint of the building will stay the same. There are currently 26 employees with 6 employees that work from home. Some days there are meeting for all the employees on site. The plan is to increase to 30 employees. There are currently 10 parking spaces with one handicap space. There are numerous metered parking spaces on Marbledale Road that are available during the office hours.

Gary Gjertsen, Village Attorney noted that the Planning Board has jurisdiction over the parking spaces. There are metered spaces in the area that are not used too often. A traffic consultant can't really add more spaces to the area.

No Public Comments

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

Item #3 25 Main Street Return

Maximillian Mahalek, attorney representing the applicant Peter Borducci, stated that the applicant submitted time stamped photos of the number of vacant parking spaces. The applicant currently leases 21 parking spaces from the village and requested the reduction from 21 to 13 parking spaces.

The tenants' use of the parking spaces varies which would accommodate all the tenants.

Growlers, which the patrons usually visit the bar at night and all 150 parking spaces are available for use. The Dance studio which uses only 4 spaces on Tuesday, Thursday and Saturday. The Beauty parlor which uses only 5 spaces and the majority of their business falls on the weekends whereas the parking lot is open to all and the Financial office which is open from Monday to Friday 9-5 but most of the financial officers work remotely. There is no time when all the tenants need the use of the 13 parking spaces.

Member Porretta noted that the patrons of Growlers arrive after 4:00pm but how many kitchen employees and wait staff arrive before 4:00pm to park? She asked how many employees were for each tenant.

Chairman Ringwald noted that the Board is very reluctant to reduce parking spaces. The Board needs more information about the number of employees per tenant. The Board also needs to know that there is no tenant in the basement.

No Public Comments

Gary Gjertsen noted that if there is a change in tenancy, the applicant must return to a public hearing or if nothing changes, the applicant can submit a letter.

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

Item #6 126 Bella Vista Street Area Variance

Gary Gjertsen stated that the applicant presented last month and could not attend this evening's meeting. There have been no changes to the application.

No Public Comments

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

Member Browne offered the following SEQRA resolution in the form of a motion:

The application for AREA VARIANCES requested by Michele Vinci whose address is 126 Bella Vista St, Tuckahoe, NY Sec. 42 Blk. 6 Lot 3 for relief from the following sections of the zoning code: 5-1.2 Off Street Parking

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 Fiore seconded the motion and upon roll call was carried with a vote of 5 – 0.

Member Browne offered the following resolution in the form of a motion:

Applicant resides at 126 Bella Vista Street in Tuckahoe, NY. Applicant is seeking to widen his 9 ft driveway to 12ft. Applicant proposes to push out either side of the driveway approximately 1 ½ ft. The widening of the driveway will have little to no impact to the surrounding neighborhood, whereas, the benefit of widening a 9ft driveway to a 12 ft driveway will have a big positive impact to the homeowner as a 9ft driveway is extremely tight. In reviewing the plans, hearing the applicant at the work session and public hearing it is clear that the proposed widening of the driveway 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 Pirro seconded the motion and upon roll call was carried with a vote of 5 – 0.

Item #5	377 Marbledale Rd.	Adjourned
Item #6	377 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.