

Zoning Board of Appeals
 Village of Tarrytown
 Regular Meeting
 June 10, 2019 7:30 p.m.

PRESENT: Chairwoman Lawrence, Members Maloney, Weisel, Rachlin, Kim;
 Counsel Addona; Village Engineer Pennella; Secretary Meszaros

ABSENT: Alternate Member Jolly

Chairwoman Lawrence called the meeting to order at 7:30 pm.

APPROVAL OF THE MINUTES – May 13, 2019

Ms. Weisel moved, seconded by Ms. Rachlin, that the minutes of May 13, 2019 be approved as submitted. All in favor. Motion carried.

ADJOURNMENT- Michael and Janiki Degen- 86 Crest Drive

Variance needed for additions and alterations to a two-story single family home.

NEW PUBLIC HEARING – Olivia Barry – 32 Wildey Street

Variance to construct a shed in the rear yard of an existing one-family residence.

The following public hearing notice was provided to the public at the meeting:

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing at **7:30 p.m. on Monday, June 10, 2019**, in the Municipal Building, One Depot Plaza, Tarrytown, New York to hear and consider an application by:

Olivia Barry
 32 Wildey Street
 Tarrytown, NY 10591

For variances from Chapter 305 of the Village of Tarrytown (“Zoning Code”) in order to construct a shed in the rear yard of an existing one-family residence.

The property is located at 32 Wildey Street and is shown on the Tax Maps as Sheet 1.40, Block 13, Lot 10 and is located in the M-2 zoning district.

The variances sought are as follows:

Code Description §305-31 – M 2 Zone	Required/ (Max Permitted)	Existing	Proposed	Variance Required
One Family Dwelling Attachment 6:1 – Column [16]: Minimum Distance from Accessory building to Side Lot Line	12 ft.	n/a	3.5 ft.	8.5 ft.
Attachment 6:1 – Column [17]: Minimum Distance from Accessory building to rear Lot Line	12 ft.	n/a	2.5 ft.	9.5 ft.
§305-31 (B)(2)(e) Permitted size of shed equal to 1% of lot size of 3163.5 s.f.	(31.64 s.f. (1%))	n/a	80 s.f. (2.5%)	48.36 s.f. (1.5%)

Documents are available for inspection in the Planning and Zoning Office at Tarrytown Village Hall. All interested parties are invited to attend and be heard.

Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

By Order of the Zoning Board of Appeals

Lizabeth Meszaros
Secretary to the Zoning Board

Dated: May 31, 2019

Ms. Lawrence moved, seconded by Ms. Weisel, to open the public hearing. All in favor. Motion carried.

The mailing receipts were received and the sign was posted. Board members visited the property.

Olivia Barry, the applicant, appeared before the Board requesting to amend her application in order to change the location of the “Studio-Shed” which the Board approved to be placed in the right rear yard of her property at their April 8, 2019 meeting. Ms. Barry advised the Board that after repairing the fence behind where the proposed shed was to be placed, she realized that it would be a mistake to hide the tree with the shed since this is the only tree on her property. She advised the Board that she has spoken to her neighbor in person and she has no objection to the new proposed placement of the shed.

Counsel Addona advised Ms. Barry that, if approved, she would like to treat this as an amendment to the existing variance granted at the April 8, 2019 Zoning Board meeting. The size of the shed is the same; the location has changed, which triggered a lesser variance for the side yard, and a bit more for the rear yard. The Board members and the applicant agreed.

Ms. Lawrence asked if anyone in the public had any questions. No one appeared.

Counsel Addona advised the Board that this is a Type II action with no further environmental review required under SEQRA.

All Board members agreed that the rationale for the April 8, 2019 approval remain in place but they would like to add that the location of the shed was moved in order to preserve the view of an existing tree on the property.

Mr. Maloney moved, seconded by Ms. Rachlin, to close the Public Hearing. All in favor. Motion carried.

Ms. Rachlin moved, seconded by Mr. Maloney, to approve these variances and authorize Counsel Addona to amend the April 8, 2019 resolution memorializing the discussion this evening and subject to the same conditions. All in favor. Motion carried.

NEW PUBLIC HEARING – JCC on the Hudson – 371 & 425 South Broadway
 Variance needed to provide additional on-site parking in the west parking lot.

The following public hearing notice was provided to the public at the meeting:

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing on Monday, June 10, 2019, at **7:30 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

JCC on the Hudson, Inc.
 371 South Broadway
 Tarrytown, NY 10591

For a variance from Chapter 305 of the Village of Tarrytown (“Zoning Code”) in order to provide for additional on-site parking by expanding the west parking lot by 6,000 s.f.

The property is located at 371 and 425 South Broadway, Tarrytown, NY and is shown on the tax maps as Sheet 1.140, Block 88, Lots 1-4 and is in the LB Zoning District.

The variance sought is as follows:

Zoning Code Section LB Limited Business – Business Structure West of Rt. 9	Required	Existing	Proposed	Variance Required
305-47 B. Parking in not permitted in a required setback - Rear	60 feet	n/a	2 feet	58 Feet

Documents are available for inspection in the Planning and Zoning Office at Tarrytown Village Hall. All interested parties are invited to attend and be heard.

Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval is required by the Planning Board.
 By Order of the Zoning Board of Appeals

Lizabeth Meszaros
 Secretary to the Zoning Board

Dated: May 31, 2019

Ms. Lawrence moved, seconded by Mr. Maloney, to open the public hearing. All in favor. Motion carried.

The mailing receipts were received and the sign was posted. Board members visited the property.

Ms. Weisel recused herself from this application as she is the President of the Irving Neighborhood Preservation Association which abuts the JCC Property. Ms. Weisel left the meeting room.

Counsel Addona advised the Board and the public that the Planning Board, as Lead Agency, is doing a coordinated review which requires site plan approval. The Planning Board has not made a SEQRA determination as of this meeting. The Zoning Board has the opportunity to hear from the applicant this evening and if the Board determines that they have any significant issue(s) or concern(s) she will prepare a memo to the Planning Board outlining their concerns.

Ronen Wilk, Landscape Architect, with Peter Gisolfi and Associates, appeared before the Board and introduced Brad Schwartz, who is an attorney, and the Vice Chair of the JCC Board. Mr. Wilk presented the site plan and advised the Board that they are seeking a 58 ft. variance in order to provide for parking in along the west property line. There is a 60 feet buffer needed to provide for parking. He said it is a short extension of the existing parking lot and is needed to provide for approximately 10 of the 28 additional spaces they are adding.

Ms. Lawrence asked if the Fire Department had any comments or objections to the proposal. Mr. Wilk said they have received comments from the Fire Department requesting that the emergency access gate be widened from 12 feet to 15 feet which they are including in the revised plans.

Ms. Lawrence asked the number of spaces existing on site and where employees are parking. She wants to make sure that they are parking on site as much as possible rather than using the street parking on Van Wart and Paulding Avenue.

Mr. Wilk said there are 194 spaces on site. Mr. Pennella advised the Board that the variance for 58 feet is to provide for only 10 of the spaces on the plan.

Mr. Schwartz came up and said that patronage has increased at the community center which is why the additional parking spaces are needed. He showed the property setback line on the plan and the proposed spaces that require a variance. He also advised that a drainage report has been submitted which will mitigate the additional stormwater. With the combination of re-stripping the existing pavement plus adding the new pavement, there are a total of 10 new striped spaces located within the 60 foot setback which will require a variance; 28 new spaces are proposed in total.

Ms. Lawrence asked if anyone in the public had any questions.

George Gasperini, 47 Paulding Avenue, came up and wanted to confirm that the same 28 spots are being proposed and that the green space exiting to Paulding Avenue will not be affected. Mr. Schwartz showed the area in question on the plan and confirmed that this area is not affected by the new parking. Mr. Gasperini said they have been good neighbors and as long as they keep that area clean and green he has no objection. He asked if this could be put in writing. Mr. Pennella said the area in question is an access area for emergency. Mr. Schwartz said they are prohibited from doing anything other than what is on the site plan. Counsel Addona said for this purpose the applicant is here for a variance for the location of the parking spaces only.

Ms. Lawrence asked if there is designated parking for employees. There have been complaints from homeowners and she wants to make sure that it is being worked out. Mr. Schwartz said they are encouraging their employees to park on site. They are engaging with the community and trying to get folks on site which is the purpose of this application.

George Gasperini came back up to ask about the screening of trees for Mrs. Fante. Mr. Schwartz confirmed that this screening is part of the site plan approval.

Mr. Maloney moved to adjourn and continue this hearing at the July 8, 2019 meeting, seconded by Ms. Lawrence. All in favor. Motion Carried.

ADJOURNMENT

Mr. Maloney moved, seconded by Ms. Lawrence, and unanimously carried, that the meeting be adjourned – 7:50 p.m.

Liz Meszaros- Secretary