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VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS

Held April 24, 2008 at 8:00 p.m.,
Seven Maple Avenue, Hastings-on-Hudson, New
York 10706-1497.

P R E S E N T:

- Brian P. Murphy, Chairman
- Stanley Pycior, Deputy Chairman
- David Deitz, Board Member
- (In Absentia)
- David Forbes-Watkins, Board Member
- Ray H. Dovell, Board Member
- Marc A. Leaf, Alternate Member
- Deven Sharma, Building Inspector
- Marianne Stecich, Board Counsel

Nina Purcell, RPR
Shorthand Reporter

1 Zoning Board of Appeals - 4/24/2008

2 CHAIRMAN MURPHY: Good
3 evening, everyone. We are here for the
4 April 24, 2008 zoning board of appeals
5 meeting. We have only one case on the
6 agenda tonight, case No. 10-08 for the
7 Riverview Manor Hose Company No. 3 at 8
8 Euclid Avenue. Mr. Sharma, are all the
9 mailings in order?

10 MR. SHARMA: I've been
11 advised all the mailings are in order.

12 CHAIRMAN MURPHY: Thank
13 you. So we have a proposed variance for
14 expanding the firehouse up on Euclid
15 Avenue. If someone is going to present
16 for the applicant, please step forward.

17 MS. STECICH: They were
18 before the planning board last week for
19 site plan approval, which they got. And
20 the planning board also issued a SEQRA
21 negative declaration for the planning
22 board action, but we will talk about that
23 later. They also recommended that the
24 variances be granted.

25 CHAIRMAN MURPHY: Okay.

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2 MR. GIBBONS: Good evening.

3 My name is Jim Gibbons, and I'm the
4 principal of Gibbons Engineering based in
5 Tarrytown. We did go before the planning
6 board last week to present our case, and
7 essentially what -- we need several
8 variances as a result of needing to come
9 out through the front of the building 6
10 feet.

11 Riverview is going to purchase or
12 they have purchased a new engine that is
13 environmentally in compliance with the
14 current laws. And as a result of that,
15 for that specific engine, the building
16 needs to be slightly bigger. So as a
17 result of needing to come out 6 feet, we
18 are not going to make the required front
19 yard. And we are going to be in alignment
20 with the existing building on the sides as
21 we come out, but unfortunately because of
22 those two -- because of the required side
23 yards, we are going to need the variances
24 for those too.

25 And then finally the lot is an

1 Zoning Board of Appeals - 4/24/2008
2 R-10, a residential zone, and we are not
3 going to make the coverage. But in
4 essence, the Riverview firehouse has to
5 come out 6 feet and just square the
6 building off and maintain the existing
7 side yard setbacks. And as a result of
8 that, that requirement, we are going to
9 need these four variances.

10 So we wanted to present our case
11 before you and let you know that there is
12 a good balance here between purchasing a
13 new engine that is very clean
14 environmentally, but the trade-off is
15 because of the catalytic converter and the
16 engine compartment being cleaner, it is
17 going to force us to request a furtherance
18 of the building, extending it 6 feet and
19 therefore not making that front yard
20 setback.

21 CHAIRMAN MURPHY: So is it
22 because the new engine has this improved
23 catalytic converter and it is a cleaner
24 exhaust for the machine, the machine is
25 bigger?

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2 MR. GIBBONS: Yes. The
3 machine itself, the engine is bigger. I
4 did have a meeting with the members of the
5 fire department, and I was told this is
6 the smallest engine that meets these clean
7 air requirements. So they are not trying
8 to make it bigger than what is needed, and
9 also paying attention to our local
10 geography here and the tightness of the
11 roads to keep everything as small as
12 possible.

13 CHAIRMAN MURPHY: So is the
14 proposal to come out 6 feet into the front
15 yard setback, is that the minimum distance
16 that would be necessary to house the new
17 engine?

18 MR. GIBBONS: Yes. It is
19 going to be fairly tight within the
20 firehouse. I have on page S-3 of our
21 plans a picture of the firehouse, and
22 there is just a few feet of clearance in
23 front of us. So we are going to back in.
24 It is going to be fairly tight on the
25 sides, but we will have basically just a

1 Zoning Board of Appeals - 4/24/2008
2 few feet in the front. So a reasonable
3 drive we should be able to maneuver in
4 that space, and it should be fairly safe
5 for everybody.

6 CHAIRMAN MURPHY: You are
7 indicating 3 feet 2 inches of clearance in
8 the front --

9 MR. GIBBONS: Yes.

10 CHAIRMAN MURPHY: -- for
11 necessary clearance between the garage
12 door, I guess.

13 MR. GIBBONS: Yes. During
14 an emergency situation we do want our fire
15 department and the members of it to be
16 able to get around that engine very
17 quickly and make a timely response.

18 CHAIRMAN MURPHY: One of
19 the only questions I had was just to be
20 clear, I take it is implied here,
21 Mr. Gibbons, but in terms of the height of
22 the addition, is it going to remain at the
23 lower single story height that is
24 currently there in front of the garage?

25 MR. GIBBONS: Yes. That is

1 Zoning Board of Appeals - 4/24/2008
2 a good point. That's correct. We are
3 going to match the height exactly and
4 maintain that front facade. In fact, in
5 the planning board we talked about the
6 possibility of reusing the front door,
7 bringing it forward and maintaining the
8 same type of construction with the same
9 height as we go forward.

10 CHAIRMAN MURPHY: And do
11 you happen to know what the current height
12 is of the front of the garage?

13 MR. GIBBONS: I might have
14 a description of that. I have to estimate
15 it. I don't have the exact height with
16 me, but I would say it is about 15 feet.

17 CHAIRMAN MURPHY:
18 Approximately 15 feet?

19 MR. GIBBONS: Yes.

20 CHAIRMAN MURPHY: Is that
21 your best -- all right.

22 MR. GIBBONS: That is my
23 best guess. I didn't put that dimension
24 on the plan unfortunately.

25 MR. FORBES-WATKINS: The

1 Zoning Board of Appeals - 4/24/2008
2 proposed is 22 feet on the zoning board
3 analysis.

4 MR. GIBBONS: That is the
5 height of the two-story structure. It
6 should say the change on it. Let's take a
7 look at that.

8 CHAIRMAN MURPHY: Yes. We
9 just wanted to make the record clear
10 that's what the height is.

11 MR. GIBBONS: The 15 feet
12 should be for the --

13 MR. FORBES-WATKINS: The two
14 story.

15 MR. GIBBONS: The two
16 story.

17 CHAIRMAN MURPHY: The
18 proposed new addition will be no more than
19 15 feet to handle the clearance of the new
20 fire truck.

21 MR. GIBBONS: That's
22 correct.

23 CHAIRMAN MURPHY: Just to,
24 again, to make the record clear, because
25 of the nature of the variances that are

1 Zoning Board of Appeals - 4/24/2008

2 required, how old is the existing
3 equipment that needs to be replaced?

4 MR. GIBBONS: Let me speak
5 to the --

6 MR. LINDNER: It is a 1984
7 engine. It has reached the end of its
8 life span.

9 CHAIRMAN MURPHY: All
10 right.

11 MR. LINDNER: We need a new
12 one.

13 CHAIRMAN MURPHY: Just so
14 we are clear, because the overriding issue
15 is one of safety, welfare of the
16 community, we need new fire equipment. We
17 want to have up-to-date fire equipment.
18 That equipment is enlarged, requires these
19 variances to accommodate it properly in
20 the garage.

21 Having said that, the variances are
22 substantial, so we need to make the
23 appropriate record. If the board is
24 favorably disposed to grant the variances,
25 we need to make it clear why we are doing

1 Zoning Board of Appeals - 4/24/2008
2 that. So that's why we are asking the
3 questions. My only real concern was the
4 height. I think we've got that clear.
5 And so I'll open it up to the rest of the
6 board members if they have additional
7 questions or clarifications.

8 MR. DOVELL: What is the
9 projected T that goes out over the face of
10 the garage door? It looks like a sign
11 band or something across the front of the
12 garage. And in the section it looks like
13 it extends out from the face of the
14 garage.

15 MR. GIBBONS: Yes. I think
16 we are basically matching the architecture
17 so that is just a flat roof and a cap on
18 it. I don't think we are proposing any
19 signage, but let me just reach back and
20 ask that question too. We're just
21 matching the existing building?

22 MR. LINDNER: No. It is a
23 soffit to keep the rain when you open the
24 door.

25 CHAIRMAN MURPHY: Thanks.

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2 If you could identify yourself, please.

3 MR. LINDNER: I'm John
4 Lindner. I live at 5 Marianna Drive, and
5 I'm the captain of Engine 46. If you are
6 talking about the soffit, above the
7 door --

8 MR. DOVELL: This piece
9 right here.

10 MR. LINDNER: Yes. That's
11 just a soffit. There is one on there now.
12 It sticks out -- I don't know -- maybe
13 two foot maximum. It's got some lights.
14 When you open the garage door and it is
15 raining, if you don't have that the rain
16 comes in the building.

17 MR. DOVELL: It extends
18 past -- it extends past the garage as
19 well?

20 MR. LINDNER: Yeah. Oh, on
21 the sides, yeah. It goes out. It's
22 exactly what is there now, it will be
23 extended out the length of the garage.
24 And it is an overhang on the sides and the
25 front. So when you are opening the side

1 Zoning Board of Appeals - 4/24/2008

2 doors or the big rolling garage door, the
3 rain doesn't come in, or the snow.

4 MR. DOVELL: The garage door
5 is currently all -- it is clear glass,
6 isn't it?

7 MR. LINDNER: Yes. I think
8 the bottom and the top rows are metal.
9 But the rest are all glass.

10 MR. DOVELL: So it is -- in
11 the middle section it is clear?

12 MR. LINDNER: Yes.

13 MR. DOVELL: Okay. And in
14 the evening the lights are on all night?

15 MR. LINDNER: No. They are
16 off. Only once we are in there we turn
17 the lights on.

18 CHAIRMAN MURPHY:

19 Mr. Lindner or Mr. Gibbons, I know there
20 was one of the neighbors who was
21 immediately next-door who had originally
22 communicated with the board to make sure
23 he had an opportunity to understand what
24 the proposal was. And I know this is a
25 vacation week for the schools, so he had

1 Zoning Board of Appeals - 4/24/2008
2 originally asked us to put off the
3 meeting. I understand there was a
4 face-to-face personal meeting with the
5 neighbor.

6 MR. LINDNER: Yes. We had a
7 meeting for all the neighbors. Him and
8 his wife came. We explained everything to
9 him. He came to the meeting last week and
10 spoke in favor of the extension at the
11 meeting last week. Andre Bernard spoke in
12 favor of it last week here at the village.

13 CHAIRMAN MURPHY: And
14 Mr. Bernard is the neighbor immediately to
15 the south?

16 MR. LINDNER: To the south.
17 Correct.

18 MR. SHARMA: If I may,
19 Marianne, I think we may need to clarify
20 that this issue of projecting something in
21 front of, I know the code says projections
22 are permitted in the required yard. But
23 if you are already protruding into the
24 required yard, any projection beyond that,
25 I think the variance, that should be

1 Zoning Board of Appeals - 4/24/2008
2 included in the amount of area that they
3 are requesting, because what if you are
4 requesting a variance to come out 6 feet.
5 Any projections -- there can't be any
6 projection beyond that. And if you want
7 to do that, then you have to request a
8 variance that includes that projection.
9 You are coming out 8 feet instead of 6
10 feet. Marianne, would you agree with me?

11 MS. STECICH: That's
12 correct, that's correct. So was the
13 variance -- the 6 feet didn't include that
14 projection?

15 MR. GIBBONS: Did not
16 include that projection. I was under the
17 understanding that we could project out
18 the same distance that was there. So I
19 made that conclusion.

20 MR. SHARMA: No.

21 CHAIRMAN MURPHY: It is an
22 existing nonconformity, and you are
23 extending it. In the front yard setback
24 you have to include in this case the extra
25 2 feet for the soffit.

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2 MR. GIBBONS: Yeah.

3 MR. SHARMA: It may not
4 actually be necessary in the design in a
5 way, that you don't need that kind of
6 projection, because obviously as it is
7 I -- again, it is just my -- I'm looking
8 at it -- is coming so much closer to the
9 front line and the two extra feet getting
10 closer to the property line and however
11 more. I don't know how the board feels
12 about it.

13 MR. GIBBONS: Yeah. I
14 think from a weather point of view, just
15 the rain, if you, the board, wants I can
16 minimize it, but I do want to suggest that
17 we have an overhang just to take care of
18 some of the inclement weather issues and
19 that type of thing. Otherwise, I think
20 the garage door is going to get washed
21 with water and we will have some issues
22 inside.

23 CHAIRMAN MURPHY: So I
24 guess the question is should the
25 variance -- you have requested a variance

1 Zoning Board of Appeals - 4/24/2008
2 of moving from an existing 15 feet 10 inch
3 setback in the front to proposed 9 foot 10
4 inch setback in the front which is 6 feet.
5 Do you wish to maintain that or do we need
6 to add an extra?

7 MR. LINDNER: Could we amend
8 it for the soffit, whatever the distance
9 is, the 2 feet for the soffit?

10 MS. STECICH: Does it have
11 to be 2 feet?

12 MR. GIBBONS: We can reduce
13 it to 18 inches, but the 2 feet would
14 match what we have there.

15 MR. DOVELL: What is there
16 now has to be removed. It looks like it
17 is a bar that goes across the face of the
18 garage. They are going to have to
19 demolish that in any event. So you're
20 free to reconstruct it any way you want, I
21 think.

22 MR. GIBBONS: In the front,
23 yes, we do have a little more freedom.

24 MR. DOVELL: You also have
25 the same problem on the side yards because

1 Zoning Board of Appeals - 4/24/2008

2 you are extending out the same 2 feet.

3 MR. GIBBONS: The intention
4 was to match that whole area, so those are
5 concerns.

6 CHAIRMAN MURPHY: So I
7 guess the only question is can -- if we
8 need to adjust --

9 MS. STECICH: Well, I think
10 you need to adjust it. The question is
11 how much. Do you want to give them 2 feet
12 or can it be done in one foot? I don't
13 know.

14 CHAIRMAN MURPHY: I think
15 the question really is put to you,
16 Mr. Gibbons. What is the minimum
17 necessary in the front for the overhang
18 given the size of the new vehicle and the
19 need?

20 MR. GIBBONS: I think 18
21 inches would be the right number. And the
22 concern I have about coming in on the
23 sides, if that is another matter, if we
24 can't match the sides, we are going to
25 have an irregular shape coming in to meet

1 Zoning Board of Appeals - 4/24/2008
2 maybe 18 inches as opposed to 2 feet. But
3 the front we have a lot more freedom,
4 because it is squared off and we are just
5 coming forward 18 inches or 2 feet,
6 whatever we decide.

7 CHAIRMAN MURPHY: So if we
8 were to permit an additional 18 inches in
9 the front, it would be a variance of 8
10 feet 4 inches rather than 9 feet 10
11 inches.

12 MR. FORBES-WATKINS: I'd
13 like to pursue a concern that I have. Let
14 me preface this by saying as far as the
15 firehouse is concerned, I'm all in favor
16 of that. However, in granting a variance
17 for the area, we are granting that to the
18 building, not to the fire department. And
19 I'm concerned as to what the future might
20 bring. What is the organizational
21 structure of your firehouse? It is not a
22 village property, is it not? Is that
23 correct?

24 MR. LINDNER: Correct.

25 MR. FORBES-WATKINS: Could

1 Zoning Board of Appeals - 4/24/2008

2 you tell me a little bit about that?

3 MR. LINDNER: Hang on one

4 second.

5 CHAIRMAN MURPHY: Please

6 identify yourself for the record.

7 MR. SARFATY: James Sarfaty,

8 assistant fire chief. The firehouse

9 itself is a 501 C-3 organization. It is a

10 not for profit. We have been in existence

11 for 98 years. We will continue to be in

12 existence. We have our centennial

13 obviously in 2010. We don't plan on going

14 anywhere.

15 The engine itself has been designed

16 for a life expectancy of 25 plus years, so

17 we plan on being at 83 Euclid Avenue for

18 at least beyond that for that time. So

19 the existence of the firehouse certainly

20 will not change in the foreseeable future

21 as well as the company. So we don't plan

22 on going anywhere, modifying the property

23 in any way, shape or form other than what

24 we are proposing tonight to house the new

25 engine.

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2 MR. FORBES-WATKINS: You
3 wouldn't have much room to vary it anyhow.

4 MR. SARFATY: Well, no.
5 That's the thing. So we plan on being
6 there for the foreseeable future.

7 MR. FORBES-WATKINS: It
8 still leaves open this problem for me
9 because this goes on in perpetuity. If
10 now as a 501 C-3 I understand that you'd
11 have to, if you ever closed down, there
12 are a lot of state requirements for moving
13 into another 501 C-3. You couldn't sell
14 the property to a commercial for
15 commercial use, et cetera, et cetera, et
16 cetera. So this may not be as big a
17 problem.

18 MR. SARFATY: No. From what
19 we understand, should Riverview Manor
20 itself, Riverview Manor Hose Company No. 3
21 dissolve, the property would have to be
22 assumed by another organization that would
23 assume fire protection services to the
24 village of Hastings. So it has to
25 continue in the present operation that it

1 Zoning Board of Appeals - 4/24/2008

2 is in now.

3 MR. FORBES-WATKINS: Okay.

4 MR. SARFATY: Does that
5 answer your question?

6 MR. FORBES-WATKINS: Yes, it
7 does. I'm going to cross my fingers.

8 MS. STECICH: 25 years.

9 MR. FORBES-WATKINS: That's
10 a fair amount of time.

11 CHAIRMAN MURPHY: Stan?

12 MR. PYCIOR: My question is,
13 Mr. Gibbons noted that if we were to
14 change or if he were to change the size of
15 the overhang on the soffit, it wouldn't
16 match the existing overhang on the side.
17 So would that mean we would have to note
18 that in the side yard variance; we'd
19 actually be granting 2 more feet of
20 extension or intrusion into the side yard?

21 CHAIRMAN MURPHY:

22 Mr. Gibbons, is that accurate?

23 MR. GIBBONS: That is
24 accurate. Yes.

25 CHAIRMAN MURPHY: Would it

1 Zoning Board of Appeals - 4/24/2008
2 only be on the north side, I take it, from
3 the looks of the drawing?

4 MR. GIBBONS: The elevation
5 we have, this is a pretty good description
6 of the elevation. It shows it coming out
7 on both sides.

8 CHAIRMAN MURPHY: Yes, but
9 the side yard setback on the south side is
10 based on the house behind the garage which
11 is --

12 MR. GIBBONS: Yes.

13 CHAIRMAN MURPHY: Which
14 is -- well, that's much closer to the side
15 yard setback.

16 MR. GIBBONS: That's
17 correct.

18 CHAIRMAN MURPHY: So the
19 only variance in addition that you would
20 need on the side yard is to the north
21 side?

22 MR. GIBBONS: Correct.
23 Yes.

24 MR. SHARMA: Actually, it
25 would be the minimum that is required on

1 Zoning Board of Appeals - 4/24/2008
2 one side. By doing so it would be less
3 than 12 feet. And the total of the two
4 sides would also be less than what is
5 required is 30 feet. So actually, if you
6 take 18 inches on both sides, so the total
7 of the two sides is reduced by 3 feet or
8 18 inches.

9 MR. FORBES-WATKINS: 18
10 inches creates a problem of continuity on
11 the side.

12 CHAIRMAN MURPHY: No. I
13 think the problem is only on the north
14 side which has the shorter distance. It
15 has the 12 foot 1 inch side yard. So that
16 is being reduced an additional 18 inches.

17 MR. FORBES-WATKINS: Or
18 maybe 2 feet.

19 MR. GIBBONS: Perhaps the
20 existing roof top overhang.

21 CHAIRMAN MURPHY: That
22 would be 10 feet one inch proposed instead
23 of 12 feet one inch proposed on the north
24 side. That would reduce the total to 27
25 feet 6 and a half inches instead of what

1 Zoning Board of Appeals - 4/24/2008
2 is currently proposed as 28 feet 6 and a
3 half inches and requires 30 feet total.
4 Okay. And that's just to add the
5 necessary soffit overhang on the front and
6 on the north side.

7 MR. GIBBONS: Yes.

8 CHAIRMAN MURPHY: So I
9 think at least from my perspective, I
10 think it is important just to emphasize
11 that while it is a substantial variance,
12 particularly in my view because of the
13 percent lot area that would be covered
14 after we hopefully grant these variances,
15 it is almost 30 percent of the lot. 25
16 percent is permitted.

17 And I just want to make clear for
18 future applicants that we would not
19 normally consider a variance of that
20 magnitude, but for the fact that this is a
21 volunteer fire department. It is in
22 existence for 100 years. It is a
23 tremendous value to the community safety,
24 welfare and benefit. And all the
25 neighbors have been thoroughly briefed,

1 Zoning Board of Appeals - 4/24/2008
2 and I think particularly given the
3 importance of having up-to-date technology
4 and equipment for the community, that
5 overrides the substantive variance that is
6 being requested.

7 I think we should note at least one
8 condition in that the proposed addition be
9 limited to no more than 15 feet in height,
10 Mr. Gibbons, because that is not indicated
11 on the plans. Let's just make sure that
12 that height is sufficient.

13 MR. SHARMA: The height of
14 the existing structure itself?

15 CHAIRMAN MURPHY: Correct.
16 And then for the board members if we are
17 going to make motions, we are going to
18 have to alter the dimensions currently
19 proposed. So in the front yard the
20 proposed variance will be 8 feet 4 inches,
21 rather than 9 feet 10 inches. And for
22 variance No. 2 on the side yards, it will
23 actually be 10 feet 1 inch proposed on one
24 side and 27 feet 6 inches total, rather
25 than the required 30 feet. Excuse me. 26

1 Zoning Board of Appeals - 4/24/2008
2 feet 6 inches. My addition isn't right.
3 Sorry.

4 MR. SHARMA: May I also
5 suggest that we make sure that this
6 variance is for the portion, not for the
7 entire building.

8 MS. STECICH: What I would
9 suggest is you say that you grant the
10 variances to build the building as shown
11 on the drawing of this date.

12 MR. SHARMA: Right. So the
13 building itself will come out --

14 MS. STECICH: Right, right.
15 If you tie it to this drawing, then that
16 would make sure that it is covered.

17 CHAIRMAN MURPHY: That's a
18 good suggestion, counsel. What --
19 Mr. Gibbons, I'm just struggling for a
20 date on the plans.

21 MS. STECICH: There is the
22 receipt date, and we could use the plans
23 received by the building department on
24 March 27.

25 MR. GIBBONS: That's the

1 Zoning Board of Appeals - 4/24/2008

2 most accurate.

3 CHAIRMAN MURPHY: We'll use
4 the March 27, 2008 received stamp from
5 Hastings-on-Hudson.

6 Does anyone else in the
7 audience wish to be heard? Seeing none,
8 hearing none, board members, any other
9 questions? Ready? Stan, if we could.

10 MS. STECICH: I just have a
11 preliminary motion. Before you vote on
12 the variance, you have to vote whether it
13 has any significant environmental impacts.
14 I know the board doesn't usually do that.
15 That is because most of the applications
16 that come before the board are for area
17 variances for one or two-family houses.
18 Those don't need review under SEQRA. But
19 because this is an -- not a one or
20 two-family house, it does.

21 The planning board did already
22 issue a negative declaration on the site
23 plan, but because we didn't go through
24 coordinated review, the board would --
25 this board will also have to pass a

1 Zoning Board of Appeals - 4/24/2008
2 resolution that says we don't have any
3 significant environmental impacts before
4 you vote on the variance.

5 MR. FORBES-WATKINS: I will
6 so move.

7 CHAIRMAN MURPHY: Do I have
8 a second?

9 MR. PYCIOR: I will second.

10 CHAIRMAN MURPHY: All in
11 favor of a negative declaration under
12 SEQRA for the proposed variance?

13 Aye.

14 MR. DOVELL: Aye.

15 MR. PYCIOR: Aye.

16 MR. FORBES-WATKINS: Aye.

17 CHAIRMAN MURPHY: That was
18 a unanimous vote of four members of the
19 board. All right. Thank you, counsel.

20 MR. PYCIOR: Okay. I'd like
21 to make a motion on the first variance.
22 That is for the front yard setback. The
23 existing nonconforming setback is 15 feet
24 10 inches. The proposed now is 8 feet 4
25 inches. The required is 30 feet. The

1 Zoning Board of Appeals - 4/24/2008
2 setback would be applied to the plans
3 received by the village on March 27, 2008
4 with the height of the new construction
5 being no greater than 15 feet or the
6 height of the existing front of the
7 structure.

8 MR. FORBES-WATKINS: Second.

9 CHAIRMAN MURPHY: All in
10 favor?

11 MR. DOVELL: Aye.

12 CHAIRMAN MURPHY: Aye.

13 MR. PYCIOR: Aye.

14 MR. FORBES-WATKINS: Aye.

15 CHAIRMAN MURPHY: Variance

16 No. 1 unanimously approved. Do I have a
17 motion for No. 2?

18 MR. PYCIOR: I'd like to
19 make a motion that we approve the side
20 yard variance. The existing and proposed
21 are setbacks of 10 feet 1 inch on one side
22 and a total of 26 feet 6 and a half inches
23 for the total two side yard setbacks.
24 Required is a single setback of 12 feet or
25 a total of 30 feet.

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2 CHAIRMAN MURPHY: Do I have
3 a second?

4 MR. FORBES-WATKINS: Second.

5 CHAIRMAN MURPHY: All in
6 favor?

7 MR. DOVELL: Aye.

8 CHAIRMAN MURPHY: Aye.

9 MR. PYCIOR: Aye.

10 MR. FORBES-WATKINS: Aye.

11 CHAIRMAN MURPHY: Unanimous
12 vote on variance No. 2.

13 MR. PYCIOR: Anyone want to
14 take a shot on the third? I'd like to
15 make a motion to approve the variance for
16 lot coverage. The existing nonconforming
17 is 27.98 percent of the lot. The proposed
18 is 29.73 percent of the lot. Permitted in
19 this area is 25 percent of the lot.

20 CHAIRMAN MURPHY: Do I have
21 a second?

22 MR. FORBES-WATKINS: You
23 have a second.

24 CHAIRMAN MURPHY: All in
25 favor?

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2 MR. DOVELL: Aye.

3 CHAIRMAN MURPHY: Aye.

4 MR. PYCIOR: Aye.

5 MR. FORBES-WATKINS: Aye.

6 CHAIRMAN MURPHY: Vote

7 No. 3 is also unanimous on the variance.

8 Thank you very much.

9 Final order of business is
10 to approve the minutes from our last
11 meeting on March 27, 2008. The minutes
12 have been distributed in advance of the
13 meeting. If the board members have had an
14 opportunity to read through the minutes
15 and offer any corrections, otherwise, I'll
16 entertain a motion to approve the minutes
17 from the March 27, 2008 board meeting.

18 MR. FORBES-WATKINS: I move
19 for approval of the minutes.

20 MR. PYCIOR: I'll second.

21 CHAIRMAN MURPHY: All in
22 favor?

23 MR. DOVELL: Aye.

24 CHAIRMAN MURPHY: Aye.

25 MR. PYCIOR: Aye.

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2 MR. FORBES-WATKINS: Aye.

3 CHAIRMAN MURPHY: Our next
4 meeting is scheduled for May 22, Thursday,
5 May 22, 2008. And so if anyone -- if any
6 of the board members have trouble meeting
7 that, please let us know.

8 MR. FORBES-WATKINS: What is
9 the anticipated summer meeting date? Do
10 we have a --

11 CHAIRMAN MURPHY: We
12 usually meet --

13 MR. SHARMA: There is no
14 meeting in August, and in September is
15 earlier.

16 MR. FORBES-WATKINS: So
17 there will be a July, the regular
18 Thursday, fourth Thursday.

19 MS. STECICH: Fourth
20 Thursday.

21 CHAIRMAN MURPHY: And I
22 think we are the second Thursday in
23 September, David. But we'll have to check
24 that.

25 MR. SHARMA: Yes. Next time

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2 I can have it for you.

3 CHAIRMAN MURPHY: The
4 meeting is adjourned. Thank you,
5 everyone.

6 (Meeting adjourned at 8:37 p.m.)

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2 STATE OF NEW YORK)

3) ss

4 COUNTY OF WESTCHESTER)

5

6

7 I, Nina Purcell, Notary Public within and
8 for the State of New York, do hereby certify:

9

10 That I reported the proceedings in the
11 within entitled matter, and that the within
12 transcript is a true record of said
13 proceedings.

14

15 I further certify that I am not
16 related to any of the parties to the action by
17 blood or marriage, and that I am in no way
18 interested in the outcome of this matter.

19

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 2nd day of May, 2008.

22

23 NINA PURCELL,
24 NOTARY PUBLIC

25

