

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 8, 2011**

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, September 8, 2011 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Chairman Brian Murphy, Boardmember David-Forbes Watkins, Boardmember Ray Dovell, Boardmember Matthew Collins, Boardmember Mark Pennington, Village Attorney Marianne Stecich, and Building Inspector Deven Sharma

Chairman Murphy: All right, good evening, everyone. We might as well get started. We're here for the September 8 Hastings Zoning Board of Appeals meeting. We have three cases on the agenda tonight.

First case, No. 17-11, application of Douglas Rushkoff, 20 South Calumet Avenue, for construction of an entry porch. Second case, Kelly Adams and Elizabeth Fernandez, 33 Columbia Avenue, for the expansion of existing dormers. And our third case, No. 19-11, the application of Richard Wechsler, 18 Minturn, for view preservation approval for extending the roof over the existing stairs on the side of the front porch.

So pretty straightforward. Why don't we begin with Mr. Rushkoff, 20 South Calumet.

**Case No. 17-11
Douglas Rushkoff
20 South Calumet Avenue
For the construction of an entry porch
Existing-29.94 ft., Proposed for the porch-25 ft., Required-30 ft.,{295-68F(1)(a)}**

Mitch Koch, representing Douglas Rushkoff: One of my clients isn't feeling well.

Chairman Murphy: Hang on one sec. OK, I think that works. Ray, can you see? Matt, can you see that? Thank you, Deven.

Mr. Koch: This isn't being broadcast live.

Chairman Murphy: No, we're taping it. You do need the microphone.

Mr. Koch: Just to get started, we're looking for an area variance to do a little portico over the front door of this house. Here's the existing conditions. I think you all should have received this package anyway.

Here's what we were proposing. It's very typical, as you can see, on the street. And the existing house is almost exactly 30 feet, which is the required setback. So we're asking for a variance to project into the front yard approximately 5 feet from this point. It's a very sort of classical pediment, with an elliptical arch. These would be fiberglass columns, which actually won't even be structural. The net will be 25.1 feet from the property line at the front.

The reason that they're looking to do this, really, is because it's nice to stand under a roof when you're fumbling for your keys or your guests are coming. I think it's scaled properly and appropriate for the house, and for the neighborhood. So any questions?

Chairman Murphy: No, it seems pretty straightforward. It seems like a minimal incursion for a very worthwhile purpose. It's certainly consistent with many of the other houses on the block. I'm familiar with the block. Five feet in a 30-foot setback for covering with an open portico like that, I think is ... and it certainly looks great on the plan, and I'm sure it will be.

So I don't see much impact on the neighborhood, other than the positives, from this kind of a setback. And it seems to me pretty much in keeping with the other houses on the block. So other Boardmembers want to weigh in, or ask some questions on this one?

Boardmember Forbes-Watkins: My only question would be – or concern would be – that I would not want to see this closed in at some later point, and then somebody coming back and saying, "Oh, gee, we need a covered entranceway again." I'm wondering if we should put a limit on that.

Chairman Murphy: Well, we've had this discussion before. We can't really bind a future board – right, Marianne? – but what kind of condition, if we wanted to, could we do, and would it matter?

Village Attorney Stecich: You could put a condition on it that it not be enclosed. I don't know, it's pretty unlikely, since it's 5 by 5, that anybody would enclose it. But you could put that in.

Mr. Koch: And furthermore, those round columns are kind of ticklish if you're trying to make a wall line up.

Chairman Murphy: Particularly if they're not structural columns at all.

Boardmember Forbes-Watkins: I'll defer on that.

Chairman Murphy: Matt, anything?

Boardmember Collins: No, I agree with you, Mr. Chairman. I think it's a good-looking project, and I've got no questions.

Boardmember Dovell: I think that it's not enclosed, it's really you don't even read it really. The face of the building still reads consistently across the face. So I think it's very minimal, and certainly in character.

Boardmember Pennington: Agreed, it looks like a nice change.

Chairman Murphy: Anyone from the audience wish to be heard on this application?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Collins with a voice vote of all in favor, the Board resolved approval of Case 17-11 for construction of an entry porch, existing 29.94 feet, proposed for the porch 25 feet, required 30 feet.

Chairman Murphy: The vote is unanimous, 5-0.

Building Inspector Sharma: The mailings are all in order.

Chairman Murphy: Yes, thank you for reminding me Mr. Building Inspector. All of the mailings for all of our applications are in order tonight?

Building Inspector Sharma: Yes, Mr. Chairman.

Case No. 18-11

Kelly Adams & Elizabeth Fernandez

33 Columbia Avenue

For the expansion of existing dormers

Existing-15'5"; Proposed for the Dormers-18'6" ft., Required-25 ft. {295-69F(1)(a)}

Chairman Murphy: We'll move right to our second case. This is the application of Kelly Adams and Elizabeth Fernandez, 33 Columbia with a front yard variance for the dormers. Mr. Lewis, how are you?

Mr. Lewis: Great, thanks. Basically, we're not changing the footprint of the house. There are existing dormers which we're enlarging. This variance is triggered by the fact that the

houses on this block were built prior to the zoning ordinance. And the setbacks are typically about 15 feet, 25 feet required.

I'm not showing the rest of the houses on the block, but if you were to go there and look you'd see that, in fact, the houses do line up in a sort of continuous line. And under the zoning ordinance, I think some additional leeway is provided to you to grant variances for front setbacks when the houses conform within the setback.

In fact, we're not really changing the front of the house. What we are doing is just enlarging the two dormers. Here on the plan, you can see they're not extending any further than the existing dormers. We're just widening them so that the dormers are somewhat oversized, but still of a dimension that works well with the house. And by doing that, we get closets for the occupants that they otherwise wouldn't have. It's a substantial improvement for the living arrangements on the second floor.

Chairman Murphy: Just explain a little more for the record the improvement in the living arrangement. Why are the closets needed, and why is there insufficient closet space now?

Mr. Lewis: It's the master bedroom, and there's about 3 feet of closet, something like that. It's part of a larger piece of work, where we're adding a master bath and enhancing the second floor. It looks like total closet area for the master bedroom is about 5 feet by just shy of 2 feet. So it's a 20-inch deep closet, 5 feet long. It's a house that was built a long time ago, and they didn't believe in closets then. But now we do, and so adding the master bath, adding the closets would really make the whole place much, much better.

Again, I think the reason we're here is simply because of the anomaly of these houses being all set within the 25-foot setback. The dormer is about 18 feet back from there, the house itself is about ... the front of the house is at 15.6. So there's no discernable impact, in my opinion, on the real front yard.

Chairman Murphy: Yeah, I think the key for me is that all the homes, this one included, are preexisting nonconformities. And so as long as the dormers aren't being pushed forward in any significant way – which they're not, right?

Mr. Lewis: No, they're close to 4 feet behind the front of the house.

Chairman Murphy: So they're not impacting the front yard setback, other than they're, I guess, expanding an existing nonconformity in the other direction.

Mr. Lewis: Exactly.

Chairman Murphy: And with the plans that you've done, it certainly looks fine and is consistent with the neighborhood. And the reason for it makes a lot of sense. Obviously, closet space is always at a premium, particularly in the master bedroom area.

Again with this one, I don't see any real objection to it or any reason why it should cause a problem to the character of the neighborhood or anything else, and it certainly sounds like a worthwhile project. So I guess I'm basically fine with it, as is. But I'll throw it open to the other Boardmembers for comments or questions.

Boardmember Collins: Well, it certainly is minimal. You must be adding about 25 square feet to the encroachment in the front yard.

Mr. Lewis: Something in there.

Boardmember Collins: Certainly minimal. But I think it's appropriate. The face of the dormer hasn't pushed out; it's just widened on either side.

Mr. Lewis: That's correct.

Boardmember Forbes-Watkins: Actually I find it aesthetically pleasing to see the larger dormer on this Photoshop. The ones that are presently there, they look silly.

Mr. Lewis: Thanks a lot. I appreciate it. I think, actually, I was looking at the rendering today. And I think it'll actually look better when it's actually built. Because it doesn't show ... at the front gable, it doesn't really show any shadow line on the front gable. And we'll probably extend that a few inches, and it'll pick up a little detail there. I think it'll actually be nice.

Chairman Murphy: You sure you don't want to apply for an open covered porch while you're at it? Kidding, kidding.

Mr. Lewis: Actually, we did that about a year ago.

Chairman Murphy: Anything else from the Board? Ray or Mark, anything? Anyone in the audience wish to be heard on the application? Just introduce yourself, and your address, please.

Ms. Sestito, 13 Nepperhan Avenue: Nepperhan Avenue is directly behind Columbia. Our yards meet. And I'm just here to support the application. I think that the Adams have done a

very nice job of trying to make improvements to their home that will just add to the value of the home and, subsequently, hopefully, the homes in the neighborhood.

So I support the idea.

Chairman Murphy: OK, thank you. If there are not further comments or questions, then can I have a motion on this application for 33 Columbia for approval of variance to the front yard setback?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Collins with a voice vote of all in favor, the Board resolved Case 18-11, 33 Columbia Avenue, for expansion of existing dormers, existing 15.5 feet, proposed for dormers 18 feet 6 inches, required 25 feet.

Chairman Murphy: The vote's 5-0. Mr. Lewis, thank you. Good luck with your project. And I have to say, I do like these Photoshop'd images. They're quite helpful to us.

Boardmember Collins: Yeah, they really are.

Mr. Lewis: Thanks very much.

Building Inspector Sharma: I'm going to keep mine.

Mr. Lewis: Yes, sir. Absolutely.

**Case No. 19-11
Richard Wechsler
18 Minturn Street**

View Preservation Approval for extending the roof over existing stairs on the side of the front porch

Existing-4 ft.; Proposed-0 ft., Required Min.-30 ft. {295-65F.(1)(a)}

Chairman Murphy: Our third case tonight is the application of Richard Wechsler, 18 Minturn, also approval for a variance for the front yard setback to cover the front porch.

Boardmember Forbes-Watkins: I would like to raise a question before we get started here.

Chairman Murphy: Sure.

Boardmember Forbes-Watkins: This is supposedly only a view preservation approval, but it seems to me that there must be some side yard/front yard ... I'm not quite certain what ...

Village Attorney Stecich: No, the notice has them both – has the view preservation and the variances.

Chairman Murphy: Yeah, it does.

Village Attorney Stecich: The notice has them both.

Boardmember Pennington: There's a typo. It's actually section 295-68F, which is the front line requirement.

Village Attorney Stecich: The substance of it, I think, would give people notice. And just on this one, the Planning Board did recommend view preservation approval.

Chairman Murphy: All right, so we've got two decisions: view preservation and the setback?

Village Attorney Stecich: Yes.

Chairman Murphy: OK.

Boardmember Forbes-Watkins: That makes more sense.

Chairman Murphy: All right.

Building Inspector Sharma: Turn it on, please, sir.

Chairman Murphy: You're good.

Mr. Wechsler, 18 Minturn Street: Thank you for your time. Thank you for hearing me, and I hope you don't deny one person every night.

We've lived at the house for over 20 years, and made major renovations to it during that time. One of the things that we did not do well was the roofline. We've had significant freezing issues in the front of the house where we go into it in the winter, and in the back of the house where we had an open porch that wrapped around the back. It really became a safety issue

for us; people were slipping all the time. The gutters on the roof, the way it was constructed, were inadequate to handle the water load of the roof.

So what we're trying to do here is provide adequate cover for the north entrance of the house, and the rear and the south coverage of the porch that wraps around the house going into the back entrance of the house. Since the house is symmetrical, we wanted to provide both eave extensions symmetrically. So that's the face.

The roof does not extend any further out than the existing nonconformance that's already in place as far as the perimeter of the house is concerned on the north side. So it's not further ... you know, it's not going out any further than what has already been established as a proper footprint for that house.

We believe that actually the way that it's being proposed provides a nicer entrance, a more significant entrance, a more handsome entrance to the house, as well. If it matters, the Montgomerys, who are the neighbors to the east of us, up the hill to the east, wrote a letter in support of the project. And we had no dissenting notices from any of our neighbors, that I'm aware of.

Chairman Murphy: I didn't see the letter in support in my packet.

Boardmember Forbes-Watkins: I did not, either.

Chairman Murphy: Does any other Boardmember ...

Mr. Wechsler: It was in the view preservation packet.

Chairman Murphy: OK. But is that your neighbor immediately to the east?

Mr. Wechsler: They're to the southeast of us, up the hill and southeast. On the other side of the Aqueduct.

Chairman Murphy: Got it. OK.

I certainly understand the reasons for the application, and it's a beautiful home in a beautiful area. I guess I just wanted to make sure. The only concern I had, of course, is the required front yard setback is 30 feet in that zone. The existing is only 4 feet. So we obviously want to ... I want to make sure that what is being proposed is not being proposed ... there's no change in that 4-foot setback.

Mr. Wechsler: There's no change. It will not go any further out than to cover that bottom stair that comes into the house.

Chairman Murphy: And just for me, what's approximately the width of the eave extension over that stair?

Mr. Wechsler: I would say it's five stairs up. So what would be the normal footage for a 5-step rise? Five feet, or 8 inches per step?

Chairman Murphy: No, I'm talking about across the stairs.

Mr. Wechsler: Well, it would be 40 inches maybe.

Chairman Murphy: So 4 or 5 feet? Ray, did you happen to look at that dimension?

Boardmember Dovell: The scope of work is to demolish the existing stair, and then rebuild it?

Mr. Wechsler: And rebuild it in the center of that. It would be the same length, that's right.

Boardmember Dovell: So how far does it currently extend into the front yard? Is it exactly the same dimension?

Mr. Wechsler: It's going to be exactly the same dimension.

Boardmember Dovell: So it's 6-1/2 feet from the face of the existing house. And the width remains the same?

Mr. Wechsler: The width will remain the same.

Boardmember Dovell: Is that shown on these drawings here?

Mr. Wechsler: It should be, yes.

Boardmember Dovell: "Demolition plan," OK. No, it's wider, right? You're showing a wider stair.

Building Inspector Sharma: It certainly looks much wider, the cover itself.

Boardmember Dovell: If I look at your drawing number one, it shows a width that ...

Mr. Wechsler: The cover is the width of the existing porch.

Boardmember Dovell: Then drawing, then, is inconsistent. Drawing number one shows a less wide stair.

Mr. Wechsler: I apologize.

Boardmember Dovell: Right here. That's showing the existing stair to be demolishes; this is showing the new stair proposed that extends out it looks like about another 3 feet. It's another 3 feet wider.

Mr. Wechsler: Yeah, they brought the stairs to the width of the porch.

Boardmember Dovell: And then the extension covers the whole width of it.

Building Inspector Sharma: The width is shown to be of the cover itself, plus-minus 9 feet 11 inches on his drawing.

Chairman Murphy: Nine feet 11 inches? Because I couldn't figure it out.

Boardmember Pennington: It's on number three, segment three at the bottom.

Building Inspector Sharma: Nine-A-zero-one.

Boardmember Pennington: Yeah, it's hard to read, but it's there.

Building Inspector Sharma: It's very small.

Chairman Murphy: I just can't read it. OK, so we're basically widening to 9 feet 11 inches the cover for the front porch steps, but without changing the setback toward that front yard line.

Boardmember Pennington: How is then we're getting to a proposed zero feet from an existing 4?

Building Inspector Sharma: No, the cover actually comes right up to property line.

Mr. Wechsler: Up to cover the step.

Boardmember Pennington: Right. So is the existing zero, and the proposed zero?

Chairman Murphy: No. Existing is 4 feet. In the application it says "no change is proposed."

Building Inspector Sharma: Proposed is zero.

Boardmember Pennington: I read the proposed to be zero, so that there would be a further 4-foot encroachment up to the line.

Boardmember Forbes-Watkins: That's for the roof, though, not for the stair.

Chairman Murphy: Not for the step.

Building Inspector Sharma: Yeah, for the roof.

Boardmember Forbes-Watkins: So the roof goes from being 4 feet back to zero feet.

Mr. Wechsler: That's right.

Boardmember Forbes-Watkins: So it conforms to the current.

Chairman Murphy: Well, let me ask you this, Mr. Sharma. On the applicant's application, under the setback zoning requirements for the front yard, it says no changes being proposed. That's why I'm confused, then. Because I'm just trying to figure out what impact, if any, the overhang over the new set of stairs is going to have.

Mr. Wechsler: No, I understand. It will have no impact over the existing nonconformity. It comes up to the line that currently exists.

Building Inspector Sharma: The roofs are permitted to extend, I believe, 2 feet into required yard. Since the whole house is into the required yard, the setback measures up to whatever the farthest part of the building is – that being the roof. So where are we saying no change? In here, I guess. So that would not be right. Existing, if it's 4 feet, as a matter of fact it should be measured up to any overhang of the roof. But you have measured it up to the building itself.

Mr. Wechsler: Right.

Building Inspector Sharma: But the roof over the stair comes up to the property line. So the actual setback for the structure is zero when it gets built out. Marianne, would that be correct?

Village Attorney Stecich: I'm lost, Deven. Right now, you're saying the whole thing, including the roof, is set back 4 feet.

Building Inspector Sharma: That's what they're showing. I don't know what the roof overhang is.

Boardmember Dovell: The roof goes right to the property line, if I'm not mistaken.

Boardmember Forbes-Watkins: As does the stair.

Boardmember Dovell: No. According to the plan, the stair is set back about a foot.

Village Attorney Stecich: You mean existing. The existing roof goes to the property line?

Boardmember Dovell: I don't think there is an existing roof. Is that right?

Mr. Wechsler: No, there's no existing roof.

Village Attorney Stecich: At that point. And the house is 4 feet. So then the setback's 4 feet.

Boardmember Dovell: Right.

Village Attorney Stecich: And now the roof goes to the property line.

Building Inspector Sharma: The roof over the stairs comes all the way practically up to the property line.

Village Attorney Stecich: Yeah, so it's going from a setback of 4 to a setback of zero.

Building Inspector Sharma: Yeah, correct.

Mr. Wechsler: That's right.

Chairman Murphy: But what you're saying is, because the stairs are right at the property line, that's ...

Boardmember Dovell: Well, the stairs are still shown a foot from the property line. The bottom newel post shows a foot from the property line.

Boardmember Forbes-Watkins: It shows here a half a foot on this.

Building Inspector Sharma: That's correct.

Chairman Murphy: All right. So the only issue the need for the setback offsetting the extent of the incursion in the front yard. Mr. Wechsler, 30 feet is the required. And you're right up on the line, so that's not usual. But I understand. It's there, it's fine, it's a problem, you're trying to fix the problem. And I appreciate that, I do.

I was little confused about the lines.

Boardmember Forbes-Watkins: The question is even is this the front yard or the side yard.

Chairman Murphy: Well, it's technically the front yard. So the question is, does it have any meaningful impact, I think, on either the character of the neighborhood or on the neighbors that would not be offset by the improvement in access to the home and shelter.

Mark, go ahead.

Boardmember Pennington: I drove by the house this evening, and it looks to me like if the eave is going to be extended forward from its current location it's going to come into some trees that are existing there now.

Mr. Wechsler: There is an oak tree there. We may have to lose one of those trees.

Boardmember Pennington: So then what is going to be done with the drainage from the roof?

Mr. Wechsler: [off-mic], and that will go into the existing gutter system.

Boardmember Pennington: So the eave that's extended will have gutters around its full extent?

Mr. Wechsler: Yes.

Boardmember Pennington: And it will capture the rain.

Mr. Wechsler: It will capture the water.

Boardmember Dovell: It's a small point, but that's not documented anywhere on the elevations or the plans – the guttering, that that might be added.

Chairman Murphy: Well, we could make that a condition. That if we approve the extension for the front porch roofline that it be properly guttered and drained.

Mr. Wechsler: OK.

Boardmember Dovell: The drawing on A-0-0-1 shows 4 feet from the existing house to the lot line. Is that to the face of the house, or is that to an eave condition?

Mr. Wechsler: I don't know. I apologize.

Boardmember Dovell: You see what I'm referring to here?

Boardmember Pennington: Drawing A-0-0-1.

Boardmember Dovell: Right. It shows a dimension of 4 feet to, it looks like, the face of the building. There's some dotted lines that look like they're rooflines, but there are no dotted lines around that.

Mr. Wechsler: Oh, actually there's a roofline much higher than this that this will fall under. And it does not go out any further than the existing roof of the main house.

Village Attorney Stecich: That being the case, then, Deven, then the existing setback is zero.

Mr. Wechsler: [off-mic]

Boardmember Dovell: If you look at drawing three, you've got a roof plan here. Note 11, I think, says "face of building – line of first-floor exterior wall." Then the dark black line – here, you can see it here – this is the lot line here.

Mr. Wechsler: Yes.

Boardmember Dovell: This is what's called the face of the building. Note 11 says "face of building." And then the heavy black line is the roof eave line, which is still set back from the

property line by what looks like about 2 feet. You see it's 2 feet? So this is the furthest connection to the lot line.

Village Attorney Stecich: So the setback's 2 feet.

Boardmember Dovell: The setback looks like it's about 2 feet from the edge of the roof.

Building Inspector Sharma: Because of the roof being projected.

Boardmember Dovell: Projecting out.

Building Inspector Sharma: So the current setback up to the roofline is 2 feet, and now it's going to be zero feet.

Village Attorney Stecich: But it also means that the roof is not completely under ... the lower roof is not completely under the outer roof.

Boardmember Dovell: And that's pretty consistent with all the graphic work here.

Chairman Murphy: The real question is, has the applicant provided the minimal change needed to solve this program, given the setback incursion which is really right to the property line. Even though I understand it's the lower-level roof, it's the first-level roof. Are we satisfied that that's the minimum necessary to solve the problem, without making a further incursion and without altering the character of the neighborhood or creating some other issue.

Boardmember Dovell: Well, I think the width of it would fall into that category of maybe ... you could do the same thing with the existing width of the stair. You would have the same effect by covering that.

Mr. Wechsler: Absolutely.

Chairman Murphy: And the current width is, based on these drawings ... is it marked, Ray? Because I know what you're proposing is 9 feet 11 inches – call it 10 feet. It looks like perhaps it's 6 feet or thereabouts.

Mr. Wechsler: And I believe the intent was to center the stairs under the eave that's being constructed over the entrance. So it was really for the purposes of aesthetics and symmetry.

Chairman Murphy: I don't know, anybody else? Matt, or David, do you have questions?

Boardmember Collins: I think the answer to your question is that it is the minimum needed to solve the problem. I mean, they could ... to Ray's point, they could narrow it. But it seems to me it doesn't lessen the encroachment, or how much closer it's getting to the line, if they make it narrower. So I guess the footprint's a little bit smaller.

Chairman Murphy: Well, that's the issue, yeah. Is it going to be 10 feet or 6 feet? Does it matter to you?

Boardmember Dovell: Well, to cover it, if you offset the stair to the existing width you'd basically have a hole at the edge of the portico. So I think the reason for it was to align with the face of the house on the end.

Mr. Wechsler: It's also to align with what needs to be done in the back to cover the porch. OK? So we just wanted it to be symmetrical on both sides of the house.

Chairman Murphy: OK. And I guess there's a proposal to condition an approval, if that's how the Board feels about it, with proper guttering and drainage on the roof overhang – which certainly makes sense. It's not shown on the plan so we ought to do that just to make sure, Mr. Sharma, that it's done when executed.

Village Attorney Stecich: And you have him address the view preservation issue, too.

Chairman Murphy: Right. Any other questions on the setback? View preservation, if anyone wants to be heard. But again, I think if it's the minimum needed I can't imagine a meaningful impact on view preservation.

Boardmember Collins: Well, from that view, too. I had a hard time seeing what the actual impact would be.

Mr. Wechsler: There's no impact on the whatsoever. The foliage is so heavy in that area, and it's so far below the Aqueduct level, it doesn't impact it at all.

Village Attorney Stecich: That was the Planning Board's feeling.

Boardmember Collins: I suppose at the right time of winter, and going 20 miles an hour down the hill, you might catch it for a blink of an eye. But otherwise it's not an issue for me.

Chairman Murphy: Yeah, I have no issue with the view preservation. For me, it was just a question of understanding the setback implication. So I think I'm comfortable with that now.

Anything else on view preservation from the Board? No? Anyone in the audience wish to be heard? Seeing none, all right.

I guess we ought to have two motions: one on view preservation, and one on the front yard setback for the roof overhang on the front porch.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Collins with a voice vote of all in favor, the Board resolved [Case 19-11, at 18 Minturn Street, approval of an overhang porch roof over existing stairs, existing 4 feet, proposed zero feet, required minimum 30 feet, with the proviso that the roof will include proper gutters] XXX.

Boardmember Collins: Do we need, though, to restate that it's not over the existing stairs that we're approving it? It's actually going to go over new stairs. Does it matter? Right? Didn't we determine there's going to be an all new ...

Chairman Murphy: I think when David said "existing," he meant the setback that was existing.

Boardmember Forbes-Watkins: Right, correct, with respect to the porch.

Chairman Murphy: Your point makes the motion clear now. It's approval for the roof overhang over a new set of steps, as shown on the plans, conditioned on proper gutters and drainage.

Boardmember Forbes-Watkins: Correct.

Chairman Murphy: The vote's unanimous, 5-0. Mr. Wechsler, thank you.

Mr. Wechsler: Thank you for your diligence, Appreciate it.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Pennington with a voice vote of all in favor, the Board resolved Case 19-11, 18 Minturn Street, for view preservation approval for extending the roof over stairs.

Chairman Murphy: Vote's 5-0.

Mr. Wechsler: Thank you very much. Have a good night. Appreciate it.

Chairman Murphy: You're welcome.

Approval of Minutes, Regular Meeting July 28, 2011

Chairman Murphy: I guess just the minutes from our July 28, 2011 Zoning Board of Appeals meeting. I read through the minutes, didn't have any particular edits. Does anyone have any?

Boardmember Forbes-Watkins: One item. Page 17, Boardmember Dovell: "*It's already over an 'interpersonal' service.*" I think you meant "impervious," and not "*interpersonal.*"

Boardmember Dovell: That's a different board.

Chairman Murphy: OK, so that's on page 17, looks like line five, second entry for Boardmember Dovell: "*interpersonal,*" change to "impervious," yes?

Boardmember Dovell: "Impervious," yes. Thank you.

Chairman Murphy: Got to correct that kind of stuff.

Boardmember Pennington: That's the only thing I found.

Chairman Murphy: OK. You guys are good.

On MOTION of Boardmember Pennington, SECONDED by Boardmember Collins with a voice vote of all in favor, the Minutes of the Regular Meeting and Public Hearing of July 28, 2011 were approved as amended.

Chairman Murphy: Our next meeting October 27, 8 p.m. Marianne, nothing else. Right? Our meeting's adjourned, thank you.