

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 25, 2015**

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, June 25, 2015 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember David Forbes-Watkins, Boardmember Sean Hayes, Boardmember Adam Anuskiewicz, Boardmember Marc Leaf, Village Attorney Linda Whitehead, and Building Inspector Charles Minozzi, Jr.

Chairman Collins: All right, ladies and gentlemen, we're ready to begin. Thank you for joining us for our June Zoning Board of Appeals meeting. We have one case on our docket, 25 Circle Drive for Michael Fuller, which we'll get right into in a moment. But before we do, Buddy, how are we on the mailings?

Dep. Bldg. Inspector Minozzi: The mailings are in order.

Chairman Collins: All right, very good.

**Case No. 06-15
Michael Fuller
25 Circle Drive**

Relief from the strict application of the Village Code, Sections 295-68.F.1.c, 295-20.F and 295-55.A, for alterations and an addition to their single family dwelling at 25 Circle Drive. Said property is in R-10 Zoning District and is also known as SBL: 4.40-41-10 on the Village Tax Maps.

**Variance is sought for the extension of an Existing Nonconformity:
Extension of nonconformity for second-story addition in side yard on a corner lot: Existing – 16 feet; Proposed – 16feet; Required Minimum - 30 feet {295-68.F(1)(c), 295-55.A and 295-20.F} – variance required 14 feet**

Chairman Collins: We'll let, then, the applicant begin. I just ask that anyone who's speaking use either our mic on the stand here in the middle of the room or our portable mic by our Building Inspector. Any time you're speaking for the first time, just introduce yourself into the microphone so that our transcriber can capture your name.

Please go ahead. Please present, and just take us through your plan. I believe you have been

here before. Is this your second time?

Voytek Oktawiec, AIA, project architect: No, it's my first time. Good evening, members of the Board. I am a registered architect in the State of New York. I was retained by Michael Fuller, who is applicant for the variance. Michael, regrettably cannot be today present because he has his daughter's graduation. He somehow obliged me to say that he regrettably is not present.

Chairman Collins: He has his priorities straight.

Mr. Oktawiec: We are asking ... I know that this project was previously on the agenda of the Board, but it was ...

Chairman Collins: Pardon me, I'm sorry.

Dep. Bldg. Inspector Minozzi: Can I see that microphone.

Chairman Collins: We'll make sure the microphone is on.

Dep. Bldg. Inspector Minozzi: You just got to hold it closer to your mouth.

Mr. Oktawiec: I am not used to this. I'll try.

Chairman Collins: Is that better?

Female Voice: Much better.

Mr. Oktawiec: I'll try.

We are asking to do ... not to do any misspellings, I will say that we are asking for a variance, according to Section 295-68.F(1)(c) for a corner lot. The property located as a corner lot of Circle Drive and Chestnut Drive. We have two zoning resolutions of the town of Hastings' section which is Section 295-55.A, which says prohibition against extension of nonconformity. I will try to somehow describe this. The second is 295-20.F on a side yard ... like if it's on a corner lot it cannot be less than a required front of 30 feet. We are asking for variance for 15 feet.

I'll start with a description of the project. As I mentioned before, Michael already went before the Board, with all the neighbors asking for a different solution. It seems to me that I am in a particular filing, which is a brand-new filing, hired by him. We tried to listen to the

neighbors, and we eliminated from the project everything ... like I say, I was not a part of this hearing, but thanks to the technology I could somehow see this on your website. We tried to eliminate from the project and take into consideration all of the concerns of the neighbors. Previously, the extension was on the side. There was some concern regarding the view lines, taking the view from the neighbors. All this was eliminated with the design. We only remain the part which is tiny, which is 10 foot 6 by 12 foot 6, which is not in any views.

I'll start by stating that the project is an addition on the second floor – I'm just pointing to this – which is an addition to the existing master room and some kind of interior repositioning and renovating the master bath and the closet. It's not a huge scope of work. The second board somehow is showing visual of the project. That's the extension, a sitting room/sunroom. We tried to be contextual, use materials which are related to the house. There is a beautiful view in the front, we tried to emphasize this. We took the color cues, of course, and the material from the existing house. We used partial existing elements, stucco, siting the same, matching contextual materials, same details like in the existing house. The addition is really a sitting room/sunroom, which will be indicated on the plans. It has a glass roof, so on Circle Drive you can almost look this glass enclosure through the room.

Boardmember Dovell: Can you hold up just a second? Can you identify the two streetfronts on your site plan in the upper right-hand corner?

Mr. Oktawiec: Upper right. This corner? We have Circle Drive and Chestnut. This is the addition where I'm pointing. The first view is from Circle Drive, this way.

Boardmember Dovell: So the photograph on the left side is Circle Drive.

Mr. Oktawiec: Yes, this is a rendering.

Boardmember Dovell: I understand that.

Mr. Oktawiec: The second view is from the corner, taken directly from here, from Circle Drive and Chestnut Drive. This is kind of unrealistic – which I will show you in a moment – because in reality all these beautiful pine trees, evergreens are really covering the side. You are not able to see anything like this. We tried to emphasize to see the project. This is a real view, so it's probably invisible. It's behind all these conifer trees. We tried, in this rendering, to show you what's behind. That's a view from Chestnut Drive.

Boardmember Dovell: OK. Previously, it was right on ...

Mr. Oktawiec: It was right here.

Boardmember Dovell: So it shifted around the corner by 90 degrees, and it's on the same porch element that you had before.

Village Attorney Whitehead: I believe the original application included both.

Mr. Oktawiec: It included both.

Village Attorney Whitehead: It was this front and also the side.

Mr. Oktawiec: In the hearing there was no objection to this. We changed the strategy because instead of repositioning inside and exposing the master bathroom to the outside we did the interior renovation. We made the master bedroom smaller. This originated a need to have this transitional space of the sitting room and sunroom.

I'll go to this board, which shows the beautiful pine trees in the corner. This is a front view with the cedar trees, which screen the actual views to the addition; always some kind of layering of the greenery which covers the addition. That's a view which really happened on the previous hearing because it was taking the view from the neighbors. Now it's not happening. Really, everything stays from the angle view the same.

Now switching to quickly summarize the plans. We have this sitting room, 10 foot 6 by 12. We're redoing this bathroom and creating this space. We really started maybe a greenhouse, but it we tried to find the architecturally solution which somehow is contextual to the house. It's not a peak because it has the glass roof and creates a transparency in the view. This is a large family; four children, two adults. This whole project stems from the 21st century lifestyle and trying to accommodate the old house, which is beautiful. It has a gambreled (ph) roof, but it's not really Dutch colonial. There was a certain hardship between the tension of the lifestyle and accommodating to the lifestyle of a large family. We cannot achieve it in a different way so this was a strong and dramatic solution. So we really scaled down everything to this element.

Now I am moving to a view of the octagonal view of the elevation. This is a side view from Chestnut Drive. This is a rear view, which doesn't feature any elevations of additions. Then we have the front view from Circle Drive, and the side view from Circle Drive. That's all. I think with the scaling down, going back to the boards and redesigning this, it's not really harmful in any way to the neighborhood. We are kindly asking to grant the variance.

Boardmember Dovell: Can you go back to the plan just for a moment? Initially, there were two small additions proposed. Point to where the original one was going to be, the bathroom.

Mr. Oktawiec: The original one was over here. This was a bathroom. This was entirely closets.

Boardmember Dovell: That's all internal to the house. So the size of the addition is minus one big piece.

Mr. Oktawiec: Yes, it was eliminating 60 percent.

Boardmember Dovell: So the only piece we're looking at is this piece. The required setback along that street line is what?

Mr. Oktawiec: From simple driveway we are complying because we have 44 feet and 30 is required. From Chestnut Drive is required 30, we have 16. But on the other hand, the existing is already noncomplying.

Boardmember Dovell: Right. So what you're asking for is about a 14-foot setback.

Mr. Oktawiec: Yes, and we continue what is already there.

Boardmember Dovell: You're building up on that at that point.

Mr. Oktawiec: Right.

Boardmember Dovell: OK. I just needed to understand the scope of the reduction that you're proposing.

Chairman Collins: I'm trying to understand the applicant's goal with the addition. You talk about a growing family and four children. This is a room that sits off of a master bedroom. What exactly is it that the applicant is hoping to achieve with this space?

Mr. Oktawiec: It goes to the lifestyle in such a room, which is a sitting room and also kind of sunroom. It has a glass roof. It's a transitional space between outside and inside. Also, we change this existing master bedroom. It depends on the season. The river is not visible now, but I'm pretty sure that during the winter you can have a view and west sun. It's trying to make this space to the lifestyle of the owner. That's his desire.

Boardmember Anuszkiewicz: Does it have a glass roof? Is that what you said?

Mr. Oktawiec: Right, but it's very shallow. I can come back to the certain view.

Boardmember Anuszkiewicz: So it's all glass?

Mr. Oktawiec: No, the roof is glass and you have fenestration.

Boardmember Anuszkiewicz: The roof itself is glass, almost like a greenhouse structure.

Mr. Oktawiec: Yes. The roof itself is glass.

Chairman Collins: I'm curious if you can talk about how much of the design element that's in the rendering you think will actually be implemented. I'm looking at this, and in the rendering that I have here you have what looks like siding on stucco. And you have what appears to be, to me, slightly different shading. I have to say that the window design for the part that faces Circle Drive from afar looks almost like a stadium television screen. I mean, it's huge and seems to be fairly out of character with the way the rest of the house is windowed. How much of what we're seeing here is indicative of the actual aesthetic design intent?

Leo Chang: I work with Michael and, at times, Mr. Oktawiec here. Mainly the reason for Michael's proposal here is that this is the only part he can really view towards the Hudson River. He wanted something, within the private domain of this sitting room, that he can look out and maximize the view. The only way to achieve that is to put a picture window of a certain maximum size that he could put into this elevation. If you look at the elevation, it is big but I don't see it as being ... like if you're looking at it from the inside it's a small room. He only wanted to emphasize the view. As you can see, all the other elements in the house, the windows are maybe double hung everywhere. And a double hung window will give you the character of the incredible view that he wants. That is a lifestyle choice for him. That he wants to see a clear view without any divided lights whatsoever. That's what came about. The size is something we tried to achieve, where you can see the whole view without obstruction.

Chairman Collins: We'll come back to that. But is it right that you're proposing something that's gray on off-white stucco, and siding instead of stucco?

Mr. Chang: There's nothing gray. The house has this kind of earthtone beige stucco color. Maybe in the printouts it looks a little gray, but it's actually matching the exact colors of the house. The siding is wood.

Chairman Collins: So you are proposing siding on stucco?

Mr. Chang: Yeah. There's a mixture of all the elements that are around the house. On the Chestnut view we tried to integrate the idea of making it look a little proportionately smaller by breaking up the materials.

Chairman Collins: I can understand your perspective in presenting this from the applicant's point of view, very much from inside the house. And I can certainly understand why you'd want to maximize the amount of glass to maximize the view. But I have to say, from the outside I don't like the look of it. It does not look like it's in keeping with the rest of the house and it sort of creates – from Chestnut Drive in front, and without any color at all in your drawings – like this massive window right into the house that breaks the symmetry and style of the front. For me, I don't see the aesthetics from the outside. I understand there was a point of view on the inside, but from the outside it just really doesn't look good.

Mr. Oktawiec: I want to answer this. There were two design approaches. To answer the question, I mentioned that we considered first a sunroom or sitting room. It should be just a greenhouse sitting on the top. Some kind of element of a green architecture additionally. We tried to find a solution which is between. Maybe the problem is that those renderings don't express this in the way it should be, and I blame myself. Outside, when you're looking through this large window, first of all it gives the owner whatever his lifestyle is and a quality of almost a Zen-like space. We call it the view to infinity or horizon. From Circle Drive, you will be looking at this element and it almost disappears. You're looking through the glass, through the glass ceiling, and you're seeing a dormer there.

It has this ephemeral quality. This is not solid architecture, and this was our intention. To create an element which will have some kind of context through the use. The rendering, it should be exactly the same color, exactly the same siding as the dormers of the house. But create an element which blends, and in certain views disappears. That was intentional, the design.

Chairman Collins: For the Circle Drive-facing view, is that facing west?

Mr. Oktawiec: This is facing west, yes.

Chairman Collins: You have a fairly large glass surface that goes in there. Any thought on reflection in the afternoon, and is that going to turn into a giant mirror?

Mr. Oktawiec: Yeah, we talked about the coating. There is coating on the glass. It doesn't create a reflection. This is an architectural element which will be helping the house to maintain balance of energy. So it is E4 glass with a coating. There will be additional sunshades, which in renderings were expressed.

Mr. Chang: We were looking at manufacturers for the skylight so we asked all those questions about insulating or using Roman shades, some kind of mechanical shades when needed. All those things are being considered for how they want to use it.

Chairman Collins: Again, I'm more thinking about pedestrian and vehicle traffic on Circle Drive at a certain time of day, and will this create a new reflective surface that is going to create – for lack of a better term – a "light polluting effect" on Circle Drive as it captures the setting sun. Not so much the impact on the inside.

Mr. Chang: Right. I think the house is high above enough from the road. This is taken from the road at eye level from the opposite end of the street. Like the house right in front of this. The cars are coming down the hill, all the way down. It's a one-way road, then most people park from the opposite end. So very minimal cars pass through there except those people that live and do things around the neighborhood. It's not like an avenue where cars pass every second. So it's like once in awhile there'll be a car passing by.

Dep. Bldg. Inspector Minozzi: Unfortunately, Circle Drive is two-way, not one-way. It's one-way around the corner.

Mr. Chang: It's two-way, but there's only a lane for basically one car to pass each time.

Village Attorney Whitehead: But it could be going either way.

Chairman Collins: One last question for me for now, and then the others on the Board. What are the dimensions of the Circle Drive-facing window, how big?

Mr. Chang: The window is 6 feet wide and 6 feet tall.

Chairman Collins: So 36 square feet of window space.

Any other questions or comments from the Board?

Boardmember Forbes-Watkins: My first concern here is that this addition is sitting on top of an open porch. Is that correct?

Mr. Chang: Yes, there's an existing ...

Boardmember Forbes-Watkins: When are you planning to come and ask us to close that in? It's going to be cold in that room, it's going to be winter in that room, and it's going to be lousy in that room from about December 1 or March 31. So all of a sudden you're going to be coming back to us in awhile saying we can't live in that room, we need a new floor down below. I think either we bring it all together and decide on it at one time, or we forget it. It just doesn't make sense to me to do that that way.

Mr. Oktawiec: I will be talking in the name of the applicant, Michael Fuller. I don't think that he wants to ever close the porch. Like I say, this is an element of a sitting sunroom.

Boardmember Forbes-Watkins: You're going to sit and freeze your butt off.

Mr. Oktawiec: It's his lifestyle, but we really ran a calculation. We're really insulated.

Mr. Chang: We were considering this window company that has triple-glazed glass so it would meet a higher insulating value for this matter. I wouldn't say this is a real concern. If the like that space, whether to enjoy in the winter or not, that's their choice in that sense, I would say. Our proposal, we're thinking about things like that because they want to utilize that space. The porch as it is is large enough, but they don't need that much porch there. They want to utilize that porch in the right way and this is what they want to do.

Boardmember Forbes-Watkins: The porch is going to stay a porch – it's just going to have a roof over it, a bigger roof.

Mr. Chang: But it's useless for them to have that much of a porch.

Dep. Bldg. Inspector Minozzi: Just keep in mind that the floor has to be insulated to code because it's now becoming habitable space. Just to keep that in the back of your head.

Boardmember Dovell: The entire addition is 10 by 12, so it's 120 feet. It's actually a very small addition.

Mr. Chang: It's very small.

Dep. Bldg. Inspector Minozzi: You have to speak into the microphone, sir, please. The reason you have to speak into the microphone, sir, this is being recorded for the minutes. So everything you say is being transcribed, so that's why you have to speak into the microphones.

Mr. Oktawiec: The entire addition is 132 square feet, which is 12 foot 6 inches, 10 feet 6 inches outside dimension. A very small room.

Boardmember Dovell: And the window, again, is roughly 6 by 6. In terms of window, it's not really a big window. The fact that it's undivided I think has Matt troubled.

Chairman Collins: It just doesn't look like it's in keeping; it sort of breaks the lines of the house.

Boardmember Dovell: In terms of the size of a window, a 6 by 6 is not a big window.

Mr. Oktawiec: We're open to suggestion and want to accommodate.

Chairman Collins: Again, coming back to things that just look to me out of place, I know he wanted an undivided and that's the applicant's right to ask for that. But you're pursuing siding as opposed to stucco. Is there a reason for that?

Mr. Oktawiec: There were existing elements you have, but we chose stucco. All the dormers have the siding so we went this avenue. We thought it was a designing element between greenhouse and almost an addition that's very contextual and the right thing to use.

Chairman Collins: So the big window is 6 by 6, but it looks like it's flanked by smaller windows. Is that correct?

Mr. Oktawiec: Yes.

Chairman Collins: So total window space, including the paneled windows on right and left, does that add about another 2 feet on either side?

Mr. Oktawiec: Thanks correct.

Boardmember Dovell: In fact, it's bigger.

Chairman Collins: It's a bigger piece of glass, just not all of it is unbroken.

Mr. Oktawiec: The side windows are just smaller.

Mr. Chang: Again, we were trying to balance that large picture window. So we thought the two casements on either wide will maintain that feeling that it's not so big. We tried different

approaches where everything looks like a greenhouse, and it's just too much. Then I tried to say, OK, let's do all the windows the same height. But in the end, we end up with this kind of outline for the front. I think it's the best look from outside as well as from inside. Because we don't have all these same windows going all the way around. It doesn't look like a greenhouse or a train depot. In that way, I think we tried to achieve a little balance on the front as well as on the side and the other side.

Chairman Collins: Marc, anything?

Boardmember Leaf: I don't have anything else.

Chairman Collins: I think I'm eager to give the neighbors a chance to weigh in. I think the fact that you're building up – especially coming back from the applicant's last time here, and reducing a significant portion of the proposed addition and building up on an existing nonconformity does show an eagerness to minimize the overall impact, which is always appreciated. I think I made my point clear on where I stand on the aesthetics, but that's not enough on its own. Given the relative modest size of what you're proposing is not enough to turn it away on its own.

But if there are no other comments from the Board at that time, then I would invite anyone of the neighbors or anyone else who would like to speak or ask a question just to make sure when you do so introduce yourself into the microphone and that way we'll capture your comments for the record.

Wendy Grayson, 20 Circle Drive: I live directly across the street from the Fullers. I never received notification that this meeting was occurring.

Dep. Bldg. Inspector Minozzi: I have proof of her mailing right here.

Ms. Grayson: Never got it, and another house never got it.

Mr. Oktawiec: I think it's another check that this was mailed to you we had received from the post office.

Ms. Grayson: But no one picked it up because we never got the receipt. Anyway, we got it for the last one, we didn't get it for this one. I'm just making ...

Chairman Collins: No, I appreciate you letting us know.

Ms. Grayson: I don't know what the process is for ...

Chairman Collins: The process is, the applicant has to submit the mailings. Unfortunately, we can't hold the applicant responsible for the actual delivery. But it is useful when we hear that those deliveries haven't happened. I'm sorry to hear it.

Ms. Grayson: And a couple of other people the same. But anyway, I think these pictures were taken before several trees were cut down on the property. They had a number of trees that were diseased or something and had to be cut down. So that should be noted.

I also don't see this as being that different from the last presentation in terms of adding volume to the property. It's a house that sits up several levels. The rest of the houses are below it so it's kind of this beacon at the corner, particularly without the trees that kind of blocked it before. I feel like it's becoming kind of a McMansion, which doesn't really suit the neighborhood. The proposed addition is, to me, so glaringly out of whack with the rest of the house. I mean, the aesthetics it – beautiful 1912 house – is suddenly having this huge box put on the front right side, which makes it feel a little lopsided. Maybe he's trying to scale it down, but it seems very lopsided.

I also, like you, have an aesthetic objection to the mixed-use of stucco and siding. I don't think those materials work together on the property. And in terms of the skylights, I'm concerned about the light that's going to be emitted. There's already uplighting at the house, there's lighting at the pool, and now there'll be lighting on the other side of the house. So it gives off a lot of light to the neighborhood, which hadn't been there prior to these additions.

Again, it's just not integrated into the roofline, not integrated materials, and not integrated into the style of the house. So I feel like it's a very glaring proposed addition. And I am one of the houses that is directly across the street.

Chairman Collins: Sure, OK. I appreciate your point of view. I'll let you, Mr. Chang, weigh in in a moment. I had a question that I think the neighbor prompted. That is, they were talking about 132 square feet of new space. What's the overall interior space of the house, as is?

Mr. Oktawiec: I'll start with the zoning in this. Zoning it controlled by the lot coverage which, right now, is allowed 25 – we have 16 percent. So this doesn't really add anything ...

Chairman Collins: No, it wouldn't because you're building up. But what I'm asking is how many square feet are in the house. Because it gets to the severity of how much of an increase is this 132 square feet really amount to in the grand scheme of its overall size.

Mr. Oktawiec: Total building area 10,481 square feet.

Chairman Collins: That's before the addition?

Mr. Oktawiec: This is with the addition of 132 square feet.

Chairman Collins: I know it can seem like it's a substantial addition, but really in the grand scheme ... compared to the total square footage inside the house this is a relatively modest increase.

Mr. Oktawiec: I wanted to respond to the cutting of the trees and the size of the addition, and night light pollution. First, in the cutting of the tree I wanted to point out that none of the trees which screen right now the house ...

Ms. Grayson: Yeah, the corner trees are there. But it's the trees un-circled that provided a lot of shading and blocking of things.

Mr. Oktawiec: This is an amazing tree. The owner told me, I mean (inaudible) even to touch it, the cedar tree. I've never seen such a beautiful tree.

Chairman Collins: Let me ask you this question. Are there any trees that are shown in this depiction that are no longer there?

Mr. Oktawiec: Like I say, I was hired two months ago so it's really hard for me to evaluate this.

Ms. Grayson: I don't know how to describe them, but the trees on the top left picture.

Mr. Chang: This picture was taken two months ago when we were preparing for the previous hearing. So it's the same picture that was shown last time. Those trees were there at the time, which is around March. So basically, they're still there if you double-check. They might have grown.

Ms. Grayson: All right, I'll double-check. But a lot of trees were cut down.

Mr. Oktawiec: Not in the timeline that you're speaking at that point.

Ms. Grayson: Well, I'm not going to get taken an argument about it because I'm not sure of the timeline of when you took the picture. From where I sit, I see the house much more clearly than is evident in those pictures.

Mr. Oktawiec: Yeah, this picture was taken right around a couple months ago. I was there, and there hasn't been any removal.

Chairman Collins: OK, sound like the ...

Ms. Grayson: Whatever.

Chairman Collins: At least for now, the point either can't be settled or is settled enough. Did you have any other follow-ups?

Ms. Grayson: No, I don't think so.

Chairman Collins: Does anyone else wish to be heard, or have questions or comments?

Sheldon Heard, 17 Chestnut Drive: I have nothing against certainly improving the house. It's a large house and it's an attractive house as it stands. As Wendy said, in the back where I look at it it's got a huge amount of glass. And, as well, on the other side there's a pool that generates a ton of light. I would just concur with what was expressed earlier – and with your views, Mr. Collins – that if this can be done in a way that's consistent with the feel of the neighborhood, and it doesn't make it more of a kind of beacon in a very prominent spot in the neighborhood – it's probably the biggest. It tends to generate a huge amount of light and be kind of a distraction. If this can be done in a way that's not aesthetically completely inconsistent with what exists and doesn't make it a brighter kind of louder presence in the neighborhood, I appreciate the fact they've scaled it back. But I just want to mainly concur with Wendy and add my voice, so thank you.

Chairman Collins: OK, thank you for your comments.

Mr. Heard: Can I just say one more thing? I wanted to clarify one thing. You had mentioned it's a growing family. As far as I understand it, two of the four kids are adults; they're over 20.

Chairman Collins: Well, the growing family was my comment.

Mr. Heard: And the third one, I guess, just graduated tonight. So I think the family might be shrinking.

Mr. Oktawiec: I think, coming from my own family because my son is getting married, sometimes kids are coming back with children. I want to somehow answer this issue about

the light pollution. I see it's a concern, and we really took this into consideration. Because of Michael and Bonnie's lifestyle they want to have this view to infinity, or whatever we call this, this big window. But through the technology – through all this sunshades – when it comes to dark, when the house is becoming a beacon, this is not going to happen. Because it's not in their lifestyle. There are very few people who would like to have a big window. This will always, starting with a time like we are right now, they're really screened with curtain devices. This addition will never be a beacon progressing light and showing the master suite to the neighbors.

Chairman Collins: Go ahead.

Mr. Chang: Something about the light issue, it's sheltered by the evergreens which never fall, the leaves, or anything. So it's kind of muted. And the large glass is facing towards the water, right?, and is up a little higher. So I think we tried to accommodate that it doesn't become so big in that sense, right? The other question about it not following any of the considerations about how the house contextually is, we tried to carry the trim of the eave around the corner and then match it up. We cannot go any higher, and it cannot be any lower because the 8 foot high is almost to where the ceiling's going to be. That's why it's a very small space, a very intimate space, but they like it to be ... you know, it has the maximum view towards the water, just like you desire whatever it is on your property in that sense.

The other issue about the glaring lights, the pool I think he's going to take down those lights that are facing towards the pool. But those are things that can be talked among neighbors: you know, let's try to make some nicer lighting that everybody can be comfortable around the pool. I've never been there at night so I don't know exactly what that is.

Ms. Grayson: The lighting that he's taking down around the pool is being taken down because the electric wires are on the neighbor's tree. A new neighbor moved into that house and they want the wires off their tree. That's why the lighting's coming down. So I don't view this as lighting that will be minimal or additive or will create a beacon. It's already a beacon, and that is lighting will be additive to the lighting that's already there. There's lighting going up the steps, there's lighting at the pool, and there's uplighting in the trees. So I just view this as additive.

Chairman Collins: I wanted to ask our architects on the Board if anything comes to mind for the treatment or the design of that really large glass space that might preserve what the applicant wants from the inside of the room as much as possible, but on the outside create something that is more consistent and perhaps less of a visual break relative to the rest of the house.

Boardmember Dovell: Could you put the image back up?

Mr. Oktawiec: Elevation.

Boardmember Dovell: What you're proposing, and point to the window?

Chairman Collins: Because that's the 6 by 6, but it's flanked by another, say, 2 foot by 6 foot window.

Mr. Oktawiec: Two foot by four feet.

Boardmember Forbes-Watkins: It's out of context with the rest of the windows in the building.

Chairman Collins: What I'm trying to go for here is, is there an alternative that would create something that is more aesthetically in keeping with the design of the house, which will I think make more peace with the neighborhood but at the same time preserve what the applicant is trying to achieve which is a maximal pleasing view from that room out to what, especially in the wintertime, will open up as foliage disappears. Is there some other way that that can be achieved?

Boardmember Anuszkiewicz: Well, I think there is. But generally, when we look at these kind of things, there are kind of two things we look at first. One is, is there another way to do this. And if not, that tends to make certain sense out of your request. The other thing is, is there really some kind of an overriding need for this on the house. Typically, we deal with a lot of houses that have been built outside of the allowable setbacks that are quite small and that actually do have families with young children that are growing and that do need extra space.

I think this is a very difficult case. Because, in fact, I don't really think you meet either of those. I think, in fact, you could put an addition on this house within the allowable setbacks of the property. And you are also adding on – even though you're adding in a minimal way – to the biggest house in the neighborhood, which is already much larger than all the neighbors. Which you can see on the site plan. On the other hand, it's very difficult because I think if we did say to you no you can't put that there because of those reasons – because, obviously, you're trying to build it in a setback that doesn't allow for that – it would be a much more complicated addition and wouldn't really be an expansion on the master bedroom. You could build it on the north side of that porch and it would be an expansion on another bedroom.

You know, it's not an easy case. And I think the reason you're hearing so much about the aesthetics is that in addition to the other arguments that are not really lining up, the people are having a problem with the way it looks. So I think it would behoove you to probably study that some more. How relevant that is to the zoning question I'm not sure, but it certainly is an issue for everybody here tonight.

Chairman Collins: I think it really gets to the question of the first consideration, right? Whether an undesirable change will be produced in the character of the neighborhood. On the one hand, to your point, this is a tough one. Because on the one had this is a 3 percent increase in the square footage of the home. This is a modest addition. On the other hand, that one small addition is creating a very distinctive visual character relative to the rest of the home. So what I'm trying to do is navigate away to a compromise that allows the applicant to achieve, as you put it, "a lifestyle benefit." I think it stretches plausibility for me to suggest that this is a room that somehow – given the overall size of the house and the fact that kids are probably more on the way out than they are on the way in, at least until grandchildren are in the picture – this was never a room that was going to accommodate all the kids getting together when it's off of the master bedroom.

This is a room that appears ... and, by the way, there's nothing wrong with it. But it appears that this is a room the applicant wants so he or she can step out of the bedroom and get a nice view. And, you know, there's nothing in the code that says they can't do that. But it does, to me, suggest that it's not a room without which the applicant is going to not be able to stay in the home. There'll certainly be able to stay in the home if this is not built. What I'm trying to do is say if we can give you an approval to build it can we do it in a way that at least more seamlessly blends with the design of the house, and find a compromise solution on that path.

Mr. Oktawiec: I strongly feel there is room for improvement. Even listening to your suggestion, we can somehow attempt to divide this window in comparison to the glass roof that is a certain division. Like go through the ceiling to the window. Because the openings in this house are big, more rectangular and proportional, but the same size.

Chairman Collins: Well, where they are big – if you look at the side elevation where they are big – they're generally divided quite significantly.

Mr. Oktawiec: This definitely exists. When thinking about the kind of Zen character and the Japanese essence, I think it's possible to achieve both – achieve this view and the openness to nature – with certain divisions of the glass.

Boardmember Dovell: There's another issue that relates to the glass. It's not that big of an issue, but when you coat glass it reflects more light. It's just the way glass works. So when

you put a coating on the glass it's going to, in fact, reflect more. I imagine the existing glass is new. It's existing glass, it's old glass, in the house.

Ms. Grayson: It's like a plate glass.

Chairman Collins: It's probably insulating, which is fine, but the coatings are something that will have a big effect on the impression of this, especially in the afternoon.

Mr. Oktawiec: We can study it. I've been a registering architect in the State of New York for 20 years. I remember that 20 years ago I had a client – totally different, a commercial project – but one of the requirements was not to create in the glass any reflection. I worked with the manufacturer to achieve this because this was a commercial project, not residential.

Mr. Chang: There's a lot of products out there that offer non-reflective. I would if that's an issue it's kind of a minor thing. That's something we will consider for this. The reason he keeps pointing out the same thing is that there are maple trees growing right in front of that porch right in front of the windows so they're like going to hover about 30 inches of your waist. These maple trees are covering, partially, that window. As you're right below on the street level it's basically hidden in some ways, kind of screened. All the trees around that corner kind of screened the large windows. He's going to have those trees because he lost the cedar tree sitting right on the door entry, the big one.

Chairman Collins: If you'd like to speak, ma'am, just come to the microphone and introduce yourself, please.

Nancy Balaban, 50 Circle Drive: I just want to say I have a severe hearing loss so I haven't been able to hear every single word. But I did get an e-mail with a picture of the addition. I've lived on Circle Drive for 54 years. That's a long time. That's a really pretty house. I walked by very carefully today to look at it, and I didn't that the proposed addition in any added to the house. In fact, I thought it detracted. So I don't have an architectural background, but I do live there and I care about Circle Drive and how it looks. I don't think that was a very nice addition, didn't do anything to the house to make it look any better. So I just wanted to say what I have to say.

Chairman Collins: Thank you very much. I think we're nearing a point where you, as a presenter on behalf of the applicant, can decide to proceed to a vote, if you'd like. Or you can withdraw and come back again with the new design.

Village Attorney Whitehead: They can just adjourn and come back.

Chairman Collins: You would adjourn the case and bring it back. I think you're getting a signal from us about what we would suggest you do. What I would ask, though, is if you in fact adjourn and come back with a revised approach. In addition to thinking about addressing the window, as we've talked about, spend some time looking at the renderings that are produced digitally for us. Because I'm looking at it, and what I'm seeing is a different color relative to the house, seeing it in a very different way than what you're presenting. You're telling me that it's going to match and I believe you, but it will make it a lot easier I think not only for us but also for the neighbors reviewing these plans to see the progress in trying to make this more in keeping with the house. To look at things like not only the window, but also your coloring. It'll just make it easier to sort of see that you're heading down the right way, if that makes sense.

Mr. Oktawiec: It does. I asked this question to Michael, the applicant, and he instructed me – because I respect any comments ... and like I say, we try to really look at the neighbors, at you, and that's why we reduced this project. And even why Mike will make a decision to go once more, not to continue the other which could start from the slate. But he also instructed me, as I say, that if you have a lot of objections to ask you for a result. The decision was ... I'm not really on the spot. I feel we should come back, but Michael instructed me to vote.

Chairman Collins: Well, you can still come back, right?

Village Attorney Whitehead: He could. But what maybe you want to do, since you don't have the opportunity to talk to him – we understand he wasn't available tonight – you can adjourn it and can discuss with him what you think the Board might want to see. If he decides he does not want to come back you can still withdraw and just not come back.

Mr. Oktawiec: Thank you so much for this.

Village Attorney Whitehead: So just adjourn it, and he can still write in a letter and say I'm withdrawing and not come back.

Mr. Oktawiec: Yeah, of course. Thank you very much. We'll be asking for this.

Chairman Collins: And thank you for coming back. I appreciate it. Thank you, and thank you for turning out with your questions and comments.

APPROVAL OF MINUTES

Regular Meeting of May 28, 2015

Chairman Collins: I sent my minutes to Mary Ellen earlier, and I saw a few odd sprinklings of words that I don't remember ever being uttered. But "cutthroat" ended up in the meeting minutes, which I thought ... I don't remember that being quite so ... anyway, I'll let my comments stand.

Dep. Bldg. Inspector Minozzi: Mary Ellen had a fun time this morning going over your comments. It was quite amusing.

Chairman Collins: But does anyone else have any comments or amendments to the minutes?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Anuskiewicz with a voice vote of 4 to 0 (Alternate Boardmember Leaf abstained), the Minutes of the Regular Meeting of March 28, 2015 were approved as amended.

ADJOURNMENT