

Pleasantville Zoning Board of Appeals Meeting
March 26, 2015

The Pleasantville Zoning Board of Appeals meeting was called to order at 8:15 pm, on Thursday, March 26, 2015 by Austin Campriello, Chairman. Present were: Austin Campriello, Chairman; Steve Block, Daniel Franklin, Steven Krauss and Erika Krieger, Members; Robert Hughes, Building Inspector; and Mary Sernatinger, Secretary.

- (1) **Case No. 2015-03 – Mr. and Mrs. Abe Gorsuch, 124 Bedford Road.** Proposal to legalize an existing open wooden deck constructed to the rear of the residence on-site in violation of Section 185-36.B.(1), Schedule I, “Bulking Requirements,” regarding a deficient side yard setback. Present: Mr. Gorsuch and Joseph Plouffe, Architect

Mr. Plouffe said the applicants purchased the house with the deck on it. When purchasing the house, it was discovered that the deck did not have a CO. A survey done in 1974 shows a deck with dimensions slightly smaller (approximately 1’6”). They would like to keep the deck as it connects with the kitchen and dining room and provides access to the back yard. The distance from the ground to the first floor is about four feet. If necessary, the applicants will make modifications to the deck to make sure it is sound.

Mr. Campriello did not understand how there could be a closing on the purchase of the house if there was no CO for the deck. Mr. Gorsuch said that Citibank did not think it was a problem.

The current deck was built sometime between 1974 and 2014. Mr. Hughes believed it was probably modified in the mid-1990s.

On a motion by Mr. Krauss, seconded by Ms. Franklin and unanimously carried, the Public Hearing was closed.

Based upon a review of the application of Mr. and Mrs. Abe Gorsuch, the Zoning Board of Appeals determined that it is the only Involved Agency and that the Proposed Action is classified as a Type II Action under Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQR.

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VOTING took place as follows:

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| Ms. Krieger | - | Approve, based on the balancing test. She thinks that one foot either way would make very little difference. Trying to comply with a 20-foot setback on a 50-foot lot would mean the deck could only be 10 feet wide. |
| Mr. Krauss | - | Approve, based on the balancing test. |
| Mr. Campriello | - | Approve. The balancing test tips in favor of the applicant. |
| Mr. Franklin | - | Approve. The deck seems to have minimal impact on anyone except the neighbor to the north, and that neighbor did not come to the meeting to complain, so it must be acceptable. |
| Mr. Block | - | Approve. |

(2) Minutes

The minutes of the February 26, 2015 meeting were accepted as submitted.

Respectfully submitted,

Mary Sernatinger
Secretary

These minutes have been accepted with corrections from Mr. Franklin, Ms. Krieger and Mr. Hughes.