

Zoning Board of Appeals  
Village of Tarrytown  
Regular Meeting  
March 14, 2005 8 p.m.

PRESENT: Chairwoman Plunkett; Members Jolly, James; Counsel Shumejda;  
Building Inspector/Engineer McGarvey; Secretary D'Eufemia  
ABSENT: Ms. Lawrence

PUBLIC HEARING – WROBEL – 70 SHELDON AVENUE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing at 8:00 p.m. on Monday, March 14, 2005, in the Municipal Building, 21 Wildey Street, Tarrytown, New York to hear and consider an application by

Krzysztof Wrobel  
70 Sheldon Avenue  
Tarrytown, NY 10591

for a variance from the Zoning Code of the Village of Tarrytown for property located at the above address regarding converting the home from 1.5 stories to 2.5 stories

1. Increase in the degree of non-conformity (§305-18A)
  - (a) One side yard setback is required to be 10 ft. and 4.5 ft. exists
  - (b) Two side yard setbacks are required to be 22 ft. and 13.7 ft. exists.
  - (c) Minimum lot area is required to be 7,500 sq. ft. and 4,993 sq. ft. exists
  - (d) Minimum lot width is required to be 75 ft. and 50 ft. exists
  - (e) Maximum accessory building coverage is permitted to be 6% and 8.23% exists
  - (f) Maximum principal building coverage is permitted to be 24%; 47.45% exists; 48.15% is proposed
  - (g) Maximum total building coverage is permitted to be 30%; 55.68% exists; 56.38% is proposed
  - (h) Floor Area Ratio is permitted to be 0.43; 0.47 exists; 0.48 is proposed

Documents are available for inspection in the Office of the Village Clerk at Tarrytown Village Hall. The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 25, Block 72, Lot 34 and is located in an R-7.5 (Residential) zone.

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

The Board reported receipt of the following memo, dated March 14, 2005, from Stephen A. McCabe, Environmental Review Officer:

“Wrobel – 70 Sheldon Avenue – I have reviewed this application for conversion of a 1.5 story house to a 2.5 story house. As Environmental Review Officer, I make a recommendation that the Zoning Board of Appeals issue a negative declaration in that there appears to be no adverse environmental impact from the proposed project, pursuant to the State Environmental Quality Review Law.”

The Secretary noted the applicant had mailed the legal notice to neighbors late so the hearing would therefore have to be adjourned.

No one appeared to address the Board on this matter.

Ms. James moved, seconded by Mr. Jolly, and unanimously carried, that the hearing be continued at the Board’s April meeting.

PUBLIC HEARING – COUGHLIN – 60 SUNNYSIDE AVENUE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing at 8:00 p.m. on Monday, March 14, 2005, in the Municipal Building, 21 Wildey Street, Tarrytown, New York to hear and consider an application by

Thomas and Barbara Coughlin  
60 Sunnyside Avenue  
Tarrytown, NY 10591

for a variance from the Zoning Code of the Village of Tarrytown for property located at the above address regarding construction of a one-story addition to the east side of the residence and construction of an open deck on the east side of the residence requiring the following variance:

1. Increase in the degree of non-conformity (§305-18A)
  - (a) Lot area is required to be 7,500 sq. ft. and 5,207 sq. ft. exists
  - (b) Lot width is required to be 75 ft. and 41.66 ft. exists
  - (c) One side yard is required to be 10 ft.; and 9.83 ft. is proposed
  - (d) Accessory building to side yard is required to be 10 ft. and 2.96 ft. exists

Documents are available for inspection in the Office of the Village Clerk at Tarrytown Village Hall. The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 14, Block 53, Lot 59 and is located in an R-7.5 (Residential) zone.

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

The certified mailing receipts were submitted.

The Board reported receipt of the following memo, dated, March 14, 2005, from Stephen A. McCabe, Environmental Review Officer:

“Coughlin – 60 Sunnyside Avenue – I have reviewed this application for construction of a one-story addition to the east side of the residence and construction of an open deck on the east side of the residence. As Environmental Review Officer, I make a recommendation that the Zoning Board of Appeals issue a negative declaration in that there appears to be no adverse environmental impact from the proposed project, pursuant to the State Environmental Quality Review Law.”

Mr. Joseph Bertolino, associate of Sean McCarthy, architect, stated they are proposing to remove the existing covered porch and create a 7 ft. x 17 ft. addition to the rear of the house and a 14 ft. x 17 ft. deck. The proposed addition will provide a larger kitchen for the Coughlin family. This is an undersized lot – it has 5,207 sq. ft. where 7,500 sq. ft. is required and the lot width is 41.66 ft. where 75 ft. is required. The variance being requested is the minimum variance to improve the home. It will benefit the Coughlins greatly and will pose no detriment to the neighborhood. The project cannot be constructed any other way because of where the kitchen is located. The difficulty is not self-created.

Upon inquiries from Chairwoman Plunkett, Mr. Coughlin stated four people reside in the house; the addition proposed is one-story; there will be no changes to the front of the house. Mr. Coughlin noted the current kitchen is quite small. From wall to wall it is about 9 ft. and if four people are seated at the kitchen table, you can't open the refrigerator. There will be no sliding glass doors and where the house extends out, there will be no windows facing the neighbor. Mr. Coughlin stated he has spoken to his neighbors and the ones most impacted stated they favored the project and others expressed no opinion.

Chairwoman Plunkett questioned whether anyone wished to address the Board on this matter. No one appeared.

Upon inquiry from Mr. McGarvey, Mr. Coughlin stated the garage is used for one car.

Ms. James moved, seconded by Mr. Jolly, and unanimously carried, that the Board issues a negative declaration that there are no adverse environmental impacts from the project, pursuant to the State Environmental Quality Review Law.

Ms. James moved, seconded by Mr. Jolly, and unanimously carried, that the hearing be closed and the Board having arrived at the findings required by the ordinance:

1. That the benefit to the applicant outweighs any detriment to the health, safety, and welfare of the neighborhood
2. That the proposed variance will not create an undesirable change to the neighborhood or detriment to the neighborhood
3. That the benefit the applicant seeks to achieve cannot be achieved by any other feasible method
4. That the variance is not substantial in the Board's judgment
5. That the variance would not have an adverse environmental impact on the neighborhood
6. That the Board finds the variance is the minimum one deemed necessary and will preserve and protect the character of the neighborhood and the health, safety and welfare of the community

grants the requested variances subject to:

1. Approval of plans by the Building Inspector
2. Approval of plans by the Architectural Review Board
3. Obtaining a building permit within two years.

#### ADJOURNMENT

Ms. James moved, seconded by Mr. Jolly, and unanimously carried, that the meeting be adjourned – 8:25 p.m.

Kathleen D'Eufemia  
Secretary