

Zoning Board of Appeals  
Village of Tarrytown  
Special Meeting  
July 18, 2006 8 p.m.

PRESENT: Chairwoman Lawrence; Members Jolly, Maloney; Counsel Shumejda;  
Secretary D'Eufemia

ABSENT: Ms. James

Ms. Lawrence stated this Special Meeting was called since the Board did not have a quorum at the meeting on July 10<sup>th</sup> so no action could be taken at that time.

CONTINUATION OF PUBLIC HEARING – SWIFT – 15 BIRCH WAY

Mr. Sam Vieira, architect, stated he had been on vacation last week and Mr. Arraiano from his office had presented the application. Tonight, Mrs. Swift is ill and could not be present; however, she wanted the Board to know that she brought the plans to all her immediate neighbors as had been requested. Mr. Vieira noted this has received Planning Board approval and the matter will be heard tomorrow night by the Architectural Review Board so three certified mailings have been done to the neighbors.

Ms. Lawrence questioned whether anyone wished to address the Board on this matter. No one appeared.

Mr. Jolly stated he had questions last week but those had been answered.

Mr. Maloney stated he recently attended a barbecue at which several of these neighbors were present and they seemed to be in favor of the proposal.

Mr. Jolly moved, seconded by Mr. Maloney, and unanimously carried, that the Board determines there will be no significant adverse environmental impact as a result of this proposal.

Mr. Maloney 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 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

therefore grants the following variances to allow a house addition at 15 Birch Way:

1. Increase in the degree of non-conformity: (§305-18A(1))
  - (a) Minimum lot size is required to be 15,000 sq. ft. and 11,499 sq. ft. exists.
  - (b) Minimum lot width at building front is required to be 115 ft. and 59.73 ft. exists
  - (c) Maximum principal building coverage allowed is 20% (2,300 sq. ft.) and 21% (2,458 sq. ft.) exists
  - (d) Minimum front yard setback is required to be 27 ft. and 6.1 ft. exists
  - (e) Minimum single side yard setback is required to be 14 ft. and 8.6 ft. exists
  - (f) Minimum rear yard setback is required to be 30 ft. and 12.7 ft. exists
  - (g) Minimum distance from accessory structure to side yard is required to be 14 ft. and 4.5 ft. exists
2. Maximum principal building coverage allowed is 20% (2,300 sq. ft.) and 29% (3,379 sq. ft.) is proposed (§305-9)
3. Maximum total coverage of all buildings allowed is 25% (2,874 sq. ft.) and 30% (3,465 sq. ft.) is proposed (§305-9)
4. Minimum two side yards required is 30 ft. and 22.6 ft. is proposed (§305-9)
5. Minimum rear yard is required to be 30 ft. and 7.22 ft. is proposed (§305-9)
6. Maximum Floor Area Ratio allowed is .333 (3,829 sq. ft.) and .399 (4,589 sq. ft.) is proposed (§305-107C)

subject to:

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

#### ADJOURNMENT

Mr. Maloney moved, seconded by Mr. Jolly, and unanimously carried, that the meeting be adjourned – 8:05 p.m.

Kathleen D'Eufemia  
Secretary