

**VILLAGE OF ARDSLEY  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
WEDNESDAY, SEPTEMBER 17, 2014**

**PRESENT:** Patricia Hoffman, Chairman  
Michael Wiskind  
Jacob Amir  
Ellen Slipp  
Mort David

**Call to Order**

Ms. Hoffman called to order the regular meeting at 8:00 p.m.

**Announcements**

Ms. Hoffman announced the next Zoning Board of Appeals meeting is Wednesday, October 22, 2014.

**Approval of Minutes – July 23, 2014**

Minutes being revised and will be approved in October meeting.

**To Be Adjourned - Continuation of Public Hearings on Variance Applications**

Ms. Hoffman stated the following matter has been adjourned before.

**Ardsley Mall Inc. (by Ardsley Restaurant Group Inc.), 925 Saw Mill River Rd, Ardsley, New York. Section 6.20, Bl. 3, Lot 4 (901-935 Saw Mill River Rd), in a B-3 Shopping Center Business District. For a use variance to permit live entertainment at Pumpnickel Restaurant (§ 200-80.1A).**

At the applicant's request, the public hearing on this matter is adjourned to Wednesday, October 22, 2014.

Mr. David moved to adjourn this application to Wednesday, October 22, 2014, Zoning Board of Appeals meeting, seconded by Mr. Amir. Motion passed unanimously.

**Public Hearing - Application for a Variance from Village Code Requirements**

**Ni Nu Inc., 2 Bridge Street, Ardsley, New York.  
Section 6.70, Block 42, Lot 5, in a B-2 Special Business District.  
For a use variance to permit conversion of second floor commercial space  
into two one-bedroom residential units (Code § 200-73B).**

**Attendees:** Lino J. Sciarretta, Ni Nu Inc. Attorney.

Ms. Hoffman asked Mr. Sciarretta if he had the green cards to the village responses. Mr. Sciarretta stated that he did not have them but he will submit them and stated that his client was away on vacation. Ms. Hoffman stated that a notice of mailing has been sent.

Mr. Sciarretta stated that he was present on behalf of the Applicant, Ni Nu Inc. Ni Nu Inc. has been in the Village for quite some time and they are seeking a use variance for the use of a second floor space to convert the space into two single bedroom apartments. Mr. Sciarretta apologized for Ni Nu and the architect not being present this evening and stated they will be here for the next meeting.

Mr. Sciarretta stated that the Bucci's have been looking to rent that commercial space for a couple of years now. Mr. Sciarretta submitted his letter of August 11, 2014. In his letter he mentioned a brief history of the property. He mentioned that the last commercial tenant was an entity called Vinyl King what he did not mention was before that there was an entity that was a spa. Since Vinyl King left, the place has been vacant for over two (2) years. What applicant has done is listed the property with Houlihan Lawrence and posted the ad on Craig's list. In those two (2) years, there have not been any bites for a commercial type of use but they have had quite a bit of inquiries for residential use/apartments. Mr. Sciarretta stated that by way of background of the property, the Bucci's have 2 Bridge Street and they also have 646 which is the auto body shop. 2 Bridge Street is the pizzeria and 646 Saw Mill River Road is the auto body shop. 646 already has residential in it so in terms of the actual property itself, applicant would not be deviating from the character of the neighborhood. With respect to the second floor itself, the Bucci's have been trying to rent it for commercial.

The applicant Bucci's did offer the first floor tenant a lease for the second floor but the existing tenant decided to rent it. Applicant tried lowering the asking price and the former tenant still left the premises. Mr. Sciarretta will provide actual dates and copies to the Board of the advertisement of the rental property.

Mr. Amir questioned the parking requirements. Mr. Sciarretta stated they are actually being reduced. Presently for commercial, four (4) spaces are required and for residential, two (2) spaces are required.

Ms. Hoffman asked if there is a variance granted for parking. Mr. Sciarretta stated that there was a waiver issued by the village board. He said it was 32 required but now the waiver is 25. Ms. Hoffman stated that you cannot have both the waiver and the reduction. What the original amount required was 32 and the village board granted you a 30%. Then they reduced it saying that you only need 25. What we need to know is the actual requirement because you are changing use. Ms. Hoffman asked for confirmation that applicant has a waiver from the village

board and a variance from the zoning board. Ms. Hoffman requested that Mr. Sciarretta find out what the proper parking requirements are. Ms. Hoffman wants to know what the actual calculated current use is with the commercial upstairs and downstairs.

Mr. David stated that the site plan does not show the entrance to the upstairs. He asked Mr. Sciarretta if he knew where the entrance is. Mr. Sciarretta stated that it is in front of the pizzeria to the side. There is an entrance with a single staircase leading up to the second floor.

Mr. David expressed a concern about the property being flooded. Mr. David stated that the property owner has absolutely no control over the flooding and is concerned about tenants not having access to their homes being that it can be potentially flooded. He stated that the restaurant had been closed after Hurricane Sandy for two weeks.

Mr. Wiskind asked what the residential component of the existing building is and Mr. Sciarretta stated that there are two (2) one-bedroom units above 646 Saw Mill River Road. When asked about 2 Bridge Street's construction, Mr. Sciarretta believed that the Bucci's built 2 Bridge Street.

Mr. Wiskind asked what the present rents are. Mr. Sciarretta stated that the first floor rent is \$2,809.08 per month; taxes are \$11,000.00 for this year and insurance is separate.

Ms. Hoffman asked what the breakdown on the taxes is. It was stated that there are \$39,000.00 in expenses. Ms. Hoffman requested an explanation for the building that has the pizza place and the building that has the auto body shop. Mr. Sciarretta's understanding is \$39,000.00 is for the 2 Bridge Street parcel; however, the snow removal covers both. The taxes are \$29,795.14 and the insurance is \$7416.73 and snow removal and permit fees is \$2,800.00. The owners also have to obtain permits from the Village which is approximately \$500.00 per year. Mr. Sciarretta stated that he will appear with the Applicant Ni Nu and the architect on October 22, 2014 to discuss further details and list of items requested from applicant.

Hearing was adjourned until October 22, 2014 as a continuation the Board will need and like to see the numbers ten (10) days before the meeting.

### **Public Comments**

None

### **Adjournment**

There being no other business the meeting was adjourned.

On motion of Mr. Amir, seconded by Mr. David, the meeting was adjourned at 9:00 p.m. Motion passed unanimously.

Respectfully submitted,

Donna Fusco

Recording Secretary