

**MINUTES
VILLAGE of ARDSLEY
ZONING BOARD of APPEALS
REGULAR MEETING
WEDNESDAY, DECEMBER 22, 2021**

PRESENT: Michael Wiskind, Chair
Jacob Amir
Dr. June Archer
Mort David

1) Call to Order

The Chair called the regular meeting to order at 8:07 pm.

2) Announcements and Approval of Minutes

Announcements

The Chair announced that the next meeting of the Zoning Board of Appeals is scheduled for Wednesday, January 26, 2022, at 8:00 pm.

Approval of Minutes

Dr. Archer moved, and Mr. Amir seconded, the approval of the Minutes of the Zoning Board of Appeals meeting of November 24, 2021, as amended.

Vote: 3 in favor, 0 opposed, 1 abstaining, as follows:

| | |
|--------------------------|---------|
| Michael Wiskind, Chair – | Aye |
| Jacob Amir – | Aye |
| Dr. June Archer – | Aye |
| Mort David – | Abstain |

3) **Public Hearing**

Application for Variances from Village Code Requirements

Shea and Jennifer Gallante

38 Heatherdell Road, Ardsley, New York

Section 6.50, Block 20, Lots 3 & 15, in an R-3 One-Family Residential District

For proposed additions, where the existing and proposed side yard widths are less than Fifteen Feet (Code § 200-26B).

Present: Michael Wiskind, Chair
Jacob Amir
Dr. June Archer
Mort David

Also Present: Jennifer Gallante
Steve Dimovski, Dimovski Architecture PLLC

The Chair read the Legal Notice.

Open Public Hearing

Mr. Dimovski produced the green cards received in response to the 32 notices mailed.

Mr. Dimovski stated that this is an application for an addition in the rear and on the side of the house. Mr. Dimovski pointed out that they do not propose going beyond the existing footprint, that the side of the house has an existing outdoor covered space which the proposed side addition would be over, and that the proposed rear addition is over an existing garage. Mr. Dimovski added that the proposal does not intrude into the rear yard setback, and that the 4.51 side yard setback will remain the same.

Mr. Dimovski explained that the proposal is to take down the enclosed porch that had previously been added and to open up the space of that enclosed porch and the existing living room to create a nice size living room. Mr. Dimovski added that above that space will become a bedroom. Mr. Dimovski stated that they also proposed adding a full bathroom off the master bedroom. Mr. Dimovski stated that it is a small house and that the owners need more space for bedrooms for the five people who live there, and pointed out that they are not being greedy, that the rooms will be of average size. Mr. Dimovski added that no other variances are required and that the bulk, size and character of the house as proposed will be in keeping with the neighborhood.

Mr. Amir pointed out that there appears to be ample room to expand behind the house and on the other side, and asked if it was not conceivable to use these areas for an extension. Mr. Dimovski stated that they studied several options, but that because the house is quite

small, other options would have required changing many things in the interior and would have resulted in the whole addition being slightly larger. Mr. Dimovski explained why that would not work for the interior layout, and gave the kitchen as an example. Mr. Dimovski showed that the kitchen as proposed is not huge but goes straight back, while in another scenario, half of the kitchen would be a jog over.

The Chair noted that applicants' lot is only fifty feet wide. Mr. David pointed out that although the subject property is non-conforming, neighboring properties have far wider than fifteen-foot side yards. The Chair stated that the map shows the location of the house to the left of the subject property but not the location of the house to its right. Mr. David stated that he visited the site and thought there was forty or fifty feet between the subject home and its neighbors, and therefore the addition would not be "on top of" an adjacent property. Mr. Dimovski opined that this is the narrowest property in that area and that the property to the right (#40) appears to be oversized. Mr. Dimovski also mentioned that he had received a call from the owner of the property to the left (#36), who described his own house and property as small, and asked Mr. Dimovski about setbacks. The Chair noted that there appears to be a fifty-foot lot between the subject property of #38 and its neighbor at #42. Ms. Gallante stated that the neighbor to the right is actually #40 and #42, as the property is comprised of two lots with one house. Mr. David suggested that a variance here would not negatively affect the neighborhood by overcrowding. The Chair pointed out that the neighbor at #36 could do an addition up to fifteen feet from the property line and then the two homes would only be 23 or 24 feet apart. Mr. Dimovski opined that the neighbor at #42 would not be able to subdivide the property because of the current requirement of 75-foot wide lots.

The Chair asked if there will be room to turn a car into the driveway. Mr. Dimovski replied that there will be room, though you may have to do a K-turn. Mr. Dimovski referred to the site plan to explain that the front of the house is set back 25-feet from the property line, and the existing footprint on the right side of house does not go back quite as hard to the existing house, so that makes a softer turn.

The Chair stated that the proposal is for two additions, and that the one on the left is adding a second story to a pre-existing non-conformity, which is a situation the Board has dealt with before and generally does not present a problem. The Chair pointed out that the addition on the right side of the house does increase the non-conformity, though it is not visually apparent from the front. Mr. Dimovski contended that if the addition were set back a few feet further, it would create problems with the plan for the interior layout without making a significant difference in the view. Mr. Amir acknowledged that the location of the house, which does not front a side street, renders the addition on the right side unobtrusive. Mr. Dimovski agreed, and added that it will not be visible through the trees.

Mr. David asked if drainage would impact the area, and asked where the additional water coming off the roof would go. Mr. Dimovski noted that the property slopes backward, and stated that per the Ardsley Village Code, they will be required to install Cultec units, which they probably will locate in the backyard behind the deck, as well as a trench drain for driveway runoff. Mr. Dimovski stated that these measures would catch all additional runoff, yielding a zero net increase in stormwater runoff.

The Chair asked if the driveway area will increase, and Mr. Dimovski replied that it would increase slightly, and added that the net increase overall is only a few hundred square feet. The Chair asked about the increase in gross land coverage, and asked if the deck is counted in the current land coverage. Mr. Dimovski replied that the deck is counted and that the land coverage will increase from 1,129 to 1,591 square feet, for an increase of approximately 400 square feet. Mr. Dimovski added that at 1,195 square feet, they are below the maximum building coverage allowed, and the Chair acknowledged that they are much below the allowed, which Mr. Dimovski believes to be just under 4,000 square feet. Mr. Dimovski stated that regardless of the building coverage, the proposal will yield a zero net increase in storm water because of the storm water management required by the Village Code.

The Chair asked if any member of the public wished to speak in support of or in opposition to the application, but no member of the public was present to speak.

Mr. Amir moved, and Dr. Archer seconded, to close the Public Hearing.

Vote: 4 in favor, none opposed, none abstaining, as follows:

| | |
|--------------------------|-----|
| Michael Wiskind, Chair – | Aye |
| Jacob Amir – | Aye |
| Dr. June Archer – | Aye |
| Mort David – | Aye |

Close Public Hearing

A poll of the Board showed unanimous support for granting the variances. Mr. Amir will draft a Resolution to be voted on at the January 2022 meeting of the Board.

4) Adjournment

There being no other business before it, the Zoning Board of Appeals adjourned its meeting at 8:33 pm.

Respectfully submitted,
Judith Calder,
Recording Secretary