

**VILLAGE OF ARDSLEY
ZONING BOARD OF APPEALS
REGULAR MEETING
WEDNESDAY, FEBRUARY 25, 2015**

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, March 25, 2015 @ 8:00 P.M.

Approval of Minutes – January 28, 2015

Mr. David abstained from the 12/17/14 Minutes.

Minutes were approved and passed unanimously as amended.

Respectfully submitted,

Donna Fusco
Recording Secretary

Public Hearing – Application for Side Yard Variance (Village Code § 200-26B)

Laura Bucci & Ryan Fischer, 24 Major Applebys Road, Ardsley, New York. Section 6050, Block 22, Lot 6, in an R-3 One-Family Residential District. For proposed second story addition above existing non-conforming building with north side yard setbacks of 10.5 ft., and 15 ft. minimum side yard width requirement.

Present: Patricia Hoffman, Chairman, Michael Wiskind, Jacob Amir, Ellen Slipp, Mort David.

Attendees: Mrs. Laura Bucci-Fischer, Ryan Fischer and Joshua Flowers, Architect.

Ms. Hoffman read the Legal Notice into the record.

Open Public Hearing at 8:07 P.M.

Mr. David stated that he needed a clarification as to the certain individuals' present being that Ms. Laura Bucci is a/k/a Laura Bucci-Fischer.

Ms. Hoffman confirmed that Ms. Bucci is a/k/a Laura Bucci-Fischer.

Green cards were presented by Joshua Flowers to the Zoning Board along with the Affidavit of Mailing. Twenty-four cards were sent out and fifteen replies came back. Mr. Flowers explained that the Fischer's are an expanding family and that is the reason why they are asking for a variance.

Ms. Hoffman stated to Mr. Flowers that the Application is not signed and not notarized.

Mr. Flowers presented the actual site plan to the Board and described the proposed addition in detail. The variance is to add one room upstairs where there are two bedrooms currently in the house. He explained that they were present to ask for a variance so they can build on top of the existing residence. Mr. Flowers described where the building will take place. One room will be added to the residence. The second floor is where the addition is going and a coat closet is being added to the first floor as well as shifting the front door over. He stated that the stairs cannot be moved and further stated that there is talk about re-siding the home. After the addition is added on to the house, the rest of the house will follow suit. Mr. Flowers also stated that no encroaching will take place on the right side because he is going straight up with the addition.

Mr. Flowers further explained the footage on each side of the house. Mr. Flowers also stated that he is trying to preserve the charm of the neighborhood with the proposed addition. He does not want to put a box on top but he is trying to keep the roof lines at a pitch rather than having the low pitch. He wants to maximize the pitch as best as possible to keep the higher pitch to keep the aesthetics, charm and character. Mr. Flowers mentioned that he is taking

down the faux stone in the front of the house and intends to get the older charm back to the home.

Mr. Wiskind asked if they are intending to replace the shingles on the other portion of the house. Mr. Flowers stated that there is talk about re-siding the entire home as well as the replacing the shingles, different gutter work, new windows and soffit eaves trim. He stated that the rest of the house will follow suit.

Mr. David asked where the current home drains to. Mr. Flowers stated that they are not increasing any of the drainage or impervious area plans whatsoever. Currently the drainage is all underground and runs off into the rear of the property.

The Board asked if the deck was already on the home when it was purchased. The deck was an existing deck when the home was purchased.

Ms. Hoffman reviewed the plans with Mr. Flowers relative to the roof top and the increase of square footage. Mr. Flowers believes it will be approximately 8 ½ feet and it will be staying under a three feet height maximum. He stated that they had a delicate balance and did not want to raise the entire roof and then in raising the entire roof up higher, now the new roof is even further away than the existing roof. He is trying to find the best balance of both worlds by keeping a nice street presence and not having it appear as though someone stuck a box on top of it.

Motion to grant variance

Motion to close public hearing.

Close Public Hearing at 8:30 P.M.

VOTE 5-0 in favor of application

RESOLUTION

WHEREAS, Laura Bucci & Ryan Fischer, 24 Major Applebys Road, Ardsley, New York, have applied to this Board for a side yard variance from the requirements of Section 200-26B of the Zoning Code of the Village of Ardsley for permission to add a second story addition to the above existing non-conforming building, and

WHEREAS, this application is made under the authority of Section 200-26 Subdivision B of the Zoning Ordinance of the Village of Ardsley, affecting premises known as 24 Major Applebys Road, Ardsley, New York and designated as Section 6.50, Block 22, Lot 6 on the tax maps of the Village of Ardsley, and

WHEREAS, a public hearing on this application was held by the Ardsley Zoning Board of Appeals at the Municipal Building, 507 Ashford Avenue, Ardsley, New York on February

25, 2015 after due notice by publication and it was granted with the promise that the Application will be appropriately signed and notarized tomorrow, and

WHEREAS, at the hearing Laura Bucci, Ryan Fischer and Joshua Flowers appeared in support of the application and no one appeared in opposition and all those who desired to be heard were heard and their testimony recorded, and

WHEREAS, this Board after carefully considering all testimony and the application finds the following:

That the requested side yard variance was considered in light of the New York State requirements for a use variance for the points listed.

The alleged hardship has not been a self-created hardship by the Applicants.

The impact on the immediate area will be minimal. That the Applicants already have purchased a non-conforming property and the existing structure already encroaches on the property line and the additional height of the building will have no further impact on the structure

Having reviewed all those facts, the Board is determined that the granting of the side yard variance as requested is appropriate.

NOW THEREFORE, be it resolved that the Application of Laura Bucci & Ryan Fischer is granted.

Motion made by Mort David, Seconded by Michael Wiskind, five votes in favor, motion carried, application granted.

Respectfully submitted,

Donna Fusco
Recording Secretary

Public Hearing – Application for Gross Land Coverage Variance (Village Code §200-83C)

Rachael Methal & Sterling S. Smith, 11 McKinley Place, Ardsley, New York. Section 6.110, Block 102, Lot9, in an R-3One-Family Residential District. For proposed driveway widening with proposed gross land coverage of 4,658 s.f., exceeding 3,911 s.f. maximum permitted subject to Planning Bd. Special permit approval.

Present: Patricia Hoffman, Chairman, Michael Wiskind, Jacob Amir, Ellen Slipp, Mort David.

Attendees: Rachael Methal and John J. Annunziata, Civil Engineer

Open Public Hearing at 8:40 P.M.

The Applicant, Rachel Methal submitted green cards and Affidavit of Mailing and stated that all green cards were returned except one. The one that was not returned is the neighbor next door to the garage side of the house. Ms. Methal assumed that the neighbors received it and stated that they have been aware of the driveway expansion. Ms. Methal knocked on the neighbor's door on 2/25/15 and there was no answer.

Ms. Hoffman stated that she is satisfied that Notice is complete.

Ms. Methal stated that the dominant reason for requesting a gross land coverage variance is that her parents visit part of the year and her father is handicapped. The entrance to the house is through the garage which is in front of the driveway and she wants clearance so that her father is not in jeopardy. Ms. Methal stated that four people live in her house and two more people visit. Ms. Methal's parents visit six months out of the year and the garage on the property is a detached garage. The parents stay in the apartment in the back of the house and the apartment was set up prior to the purchasing of the home. As of April 2015, Ms. Methal has been the owner for three (3) years. Ms. Methal further stated that they have four cars presently parked in the driveway and there are four drivers in the house.

The Board stated that the Methal's are way over land coverage permitted. The Methal's are entitled to 39 feet and they are at 42 now and they want to go to 46 5/8 feet. Ms. Hoffman stated that this will be referred to the Planning Board for a Special Permit for ground coverage and will come back to the Zoning Board of Appeals for a variance.

It was stated by Ms. Methal that there is no parking in front of the Ms. Methal's house because they are on a curve and across the street parking is always full with the neighbors' vehicles and that is why she is requesting this variance. Ms. Methal stated that she does not park cars in her garage and she has bikes, a snow blower and equipment in her garage. Mr. Annunziata stated that the existing driveway is twenty (20) feet wide so Ms. Hoffman asked why not ask for 2-3 feet being that it is a huge request asking for 18 1/2 feet of coverage and Ms. Hoffman further stated that the Methal's will be 1000 feet over. Ms. Hoffman stated that the Board will ask for review and comment from the Planning Board and in Ms. Hoffman's

opinion; this is a very large request from Applicant. Ms. Hoffman stated that she wanted to finish the service on notice issue because the only neighbor on notice not to respond is on both lists; she asked if the date of the mailing was actually February 14th and confirmed that the applicant had the affidavit of mailing. Because that name was on both lists, Ms. Hoffman does not see why it should be an issue. The board's concern is to make sure that everyone has had an opportunity to review the notice. Ms. Hoffman is satisfied that notice has been given.

The Board discussed wheelchair access with Ms. Methal. Mr. Amir was trying to understand how expanding the driveway helps her dad into getting into the house. Ms. Methal explained that if the driveway was expanded that would avoid the cars having to be moved.

Mr. Amir stated that there is a less intrusive means to accomplish what they want to accomplish. Mr. David explained that the Zoning Board of Appeals is bound by law and not aesthetics as to what the Applicant is asking for and what the Applicant is asking for is far beyond what the law allows. Ms. Hoffman stated that the purpose of the Zoning Board of Appeals is to grant relief to Applicants who have a situation that they would like to relieve and they are coming to ask the Board to bend the rule for them. Our obligation to the Village is to grant the minimal amount of variance to achieve the Applicant's objective and goal. If the Methal's objective is that her dad needs extra room to get into the garage and at least two cars can get into the garage and two in the driveway or if she wants to move the cars over a small amount, it can be done.

Ms. Slipp suggested a ramp be placed in the front of the house. Ms. Methal stated the area is in the back.

The Applicant will go to the Planning Board for a Special Permit.

Motion to adjourn to 3/25/15 meeting.

Vote 5-0

Respectfully submitted,

Donna Fusco
Recording Secretary

Continuation of Public Hearing – Application for Sign Variances (Village Code § 200-82C(2)(a))

Astoria Bank (a/k/a Fed, Sav. & Loan Assoc.), 731 Saw Mill River Road, Ardsley, New York. Section 6.50, Block 30, Lots 3 and 4, in a B-1 General Business District.

For proposed new business name signs, exceeding the maximum permitted: (1) number of signs on building façade; (2) signage dimensions, in the aggregate; and (3) lettering height on each sign.

Present: Patricia Hoffman, Chairman, Michael Wiskind, Jacob Amir, Ellen Slipp, Mort David.

Attendees: Kevin Going of Going Sign & Servicing Company, Inc., Applicant's Representative and Sean Granholm, Vice President & Assistant Director of General Services & Facilities for Astoria Bank.

Ms. Hoffman read the Legal Notice into the record.

Open Public Hearing at 9:15 P.M.

Mr. Going was present with Mr. Granholm from Astoria Bank. Board asked Mr. Going for a rendition of the sign to Code. Mr. Going presented pictures of signs before the Board. Mr. Going said we are here to talk about size and stated that the bank will not put up a wood sign and if he felt that it takes us off the tracks that we are trying to go down. Mr. Wiskind asked the size of Sign 1C presented on the drawings and Ms. Slipp asked about the lighting. Mr. Going wants to go with 1C in the selection. Dimensions of the signs and the height of the letters on the sign were discussed. The Board reviewed the colored drawings that Mr. Going passed around. Mort David stated that the Board was given three (3) different renditions. 1A is the Bank's preference and 1C is the Hastings sign. Ms. Hoffman does not have an issue with the 13 inch sign. Aesthetically the Zoning Board needs to refer Mr. Going to the Board of Architectural Review. As per Ms. Slipp, the blue box is not aesthetically pleasing but ultimately the BAR will rule. Mr. Amir is granting a variance for 13 inch and stated it is rather deminimis. Mr. Amir stated that 1C looks better than 1A but he does not have a problem with 1A. No one in favor and no one opposed.

Motion to adjourn to the Board of Architectural Review for aesthetics.

VOTE: 5-0

The session ended at 9:35 p.m.

Adjournment

There being no other business the meeting was adjourned.

On motion of Mr. Amir, seconded by Mr. Wiskind, the meeting was adjourned at 9:40 p.m.
Motion passed unanimously.

Respectfully submitted,

Donna Fusco
Recording Secretary