

DRAFT FILED: 4/16/02
FINAL APPROVAL: 6/12/02

VILLAGE OF CROTON-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS MEETING MINUTES OF APRIL 10, 2002

MEMBERS PRESENT: Donald Sapir, Chairman
Rhoda Stephens
Ruth Waitkins
Paul Rolnick
Tom Szoboszlai

MEMBERS ABSENT:

ALSO PRESENT: Joseph Sperber, Code Enforcement Officer

The meeting came to order at 8:00 P.M.

The Chairman of the Board announced the location of fire exists to all in attendance of the meeting.

HEARINGS:

Christina Ranjan, Warren Road. Section 67.10 Block 1 Lot 14.01. Located in a RA-40 District. Request for a total side yard variance with respect to the construction of a new one-family dwelling.

The Board stated that they were in receipt of a letter, from Mr. Sheer, Attorney, for the Ranjan's, requesting an adjournment.

Mr. Lieberman - 17 Warren Road, Expressed his objection to the request for an adjournment. His reason for the objections was that this was the applicant's third (3rd)

request for an adjournment and each request was submitted on short notice (one day prior to the meeting). Mr. Lieberman also stated that he felt it was inconsiderate on the part of the applicant and to the concerned neighbors interested in the hearing. Mr. Lieberman stated that he had received an invitation from friends to visit Costa Rica, but he had to decline the invitation because of his personal interest and concern for this matter.

Corry – Mrs. Corry, 25A Warren Road, stated that she also objected to the applicant's request for an adjournment. Mrs. Corry stated that the applicant has already been granted three adjournments. Mrs. Corry stated that she felt the applicant has been given more than sufficient time to submit the additional information that the Board requested at the first meeting in January.

Mrs. Corry also stated that it was inconsiderate of the applicant to request so many adjournments and on such short notice. She stated that she feels that she has been forced into the expense of hiring an attorney to fight an application that she feels never should have been granted a Site Plan Approval in the first place.

Mrs. Corry stated that she never received the Legal Notice to attend the Planning Board hearing for the original sub-division and when she finally found out about the hearing it seemed as though the plans had already been discussed and had preliminary approval. She believes the reason she was not noticed properly was because of an address change that had taken place without her knowledge. Mrs. Corry stated that it was also not clear to her as to what her rights might be with respect to these issues.

The Board apologized to the concerned neighbors for the inconvenience and stated that the Board will submit a letter to Mr. Sheer requesting that all future requests for adjournments be submitted seven (7) days prior to the meeting and a reason for the adjournment must be given.

Request for adjournment granted.

Hearing was adjourned until May 8, 2002.

Cecilia J. Kachanoski & Janusz Solarz, 16 Oneida Avenue. Section 79.09 Block 10 Lot 18. District RA-5. Request for a side yard variance with respect to a proposed second floor addition to a one-family dwelling.

Karchanoski – Stated that she was requesting a side yard variance for a second floor addition in order to provide much needed space and separate bedrooms for her two daughters and there is no other way to construct an addition without the need for a variance.

The applicants neighbor *** stated that she was concerned with respect to the height of the addition and she felt that the proposed plans would make her feel “boarded in.”

Karchanoski - stated that they would have no objection to adjusting the elevation plans.

The Board granted an adjournment in order to give the applicant sufficient time to submit revised elevation plans.

Hearing adjourned until May 8, 2002.

Peter Franzoso, 12 & 12A Mt. Airy Road. Section 68.17 Block 1 Lot 51 & 51.1. Located in a RB District. Request for consideration with respect to an application for a fill permit.

The owner of “Elmer Suds” restaurant was present for the meeting and expressed his concern with respect to the proposed application for a fill permit and existing drainage problems that Mr. *** is already experiencing on his property. Mr. ** stated that he was fearful that the proposed fill application would create additional drainage problems for his property.

Mr. Fransozo stated that he felt he should not be held responsible for the existing drainage problems that Mr. *** was currently experiencing, but he assured Mr. *** that his proposed fill application would not create additional problems to Mr. ***Property.

After further discussion and deliberations the Board closed the hearing and made the following decision:

Rolnick – Made Motion to grant the application for a fill permit for a total of 250 cubic yards of fill for the property located at 12 Mt. Airy Road and a total of 200 cubic yards for 12A Mt. Airy Road with the following conditions:

1. According to Section 230-75(B) of the Village Code and;
 - 3 (b) – “.....the nature and extent of landscaping on the site shall be such that the “fill” will not hinder or discourage the appropriate development or use of “neighboring” land and buildings or impair the value thereof.
2. If it is found or determined that as a result of the Fill being brought in it exacerbates the existing drainage situation of the neighbor(s) and the Village Engineer deems it necessary or prudent to have studies done and, if the studies determine that the problem is caused by the applicant, then the cost of the study will be paid by the applicant and if the Village Engineer so orders any remediation or mitigation measures they shall also be at the expense of the applicant.

Motion second by Stephens

Vote - 5-0

Respectfully submitted,

Janice Fuentes
ZBA Secretary
4/10/02