

DRAFT FILED: 7/25/07
FINAL APPROVAL: 09/12/07

VILLAGE OF CROTON-ON-HUDSON NEW YORK ZONING BOARD OF APPEALS MEETING MINUTES OF JULY 11, 2007

MEMBERS PRESENT: Kathleen Riedy, Chairman
Rhoda Stephens
Witt Barlow
Doug Olcott

MEMBERS ABSENT; Ruth Waitkins

ALSO PRESENT: Joseph Sperber, Building Inspector

The meeting came to order 8:00

Kathleen Riedy, ZBA Chairman – Announced the location of fire exits to all in attendance of the meeting.

Riedy – Stated that the ZBA Secretary had been requested to contact the Village Attorney with respect to the issue of the number of adjournments an applicant can request.

The ZBA Secretary informed the Board that the attorney had been contacted and as soon as she receives his reply the Board will be notified.

HEARINGS:

Danny Oks/Something Good in the World, 138 Maple Street. 138 Maple Street. Located in a RB District and designated on the Tax Maps of the Village as Section 79.05 Block 1 Lot 39. Request for renewal of ZBA Resolution granted on 2/9/05 with respect to a school.

Mr. Oks and the representatives for “Something Good in the World” arrived late and the hearing was held last on the agenda.

The applicant and representatives of the school identified themselves as follows:

Danny Oks – I live at 101 Truesdale Drive, I am the owner of 138 Maple Street.

Terese Giammarco, Garrison, N.Y. and I 'm the Asst. Director of the School.

Donna Mikkelsen – 15 Lake Celest Drive, Garrison, N.Y. – I am the Director of the school and Barbara Sarbin is the President, but she was not able to be here this evening.

Oks – We are here to renew a ZBA Resolution that was issued three years ago. (February 9, 2005).

Mikkelsen – We run a non-public school up to first grade and we are allowed up to second grade with 22 students. We never have that many. We needed three acres and needed proper setbacks from the road, etc. Our entrance from the front also did not meet the regulations. A school needs to have three acres, but because our school is so small we are not required to have 3 acres. We never have any problems with parking. The parents walk the children to and from the cars to the school. We have had no problems in three years, so we are seeking to renew our Resolution to continue operating as we have been. We are just requesting a renewal of the Resolution that was granted on February 9, 2005.

Stephens – We put certain conditions on the Resolution and you are still limited up to second grade and using the ground floor. You were also living upstairs at the time.

Mikkelson – Yes.

Stephens – The School does not operate in the summer?

Mikkelson - No

Riedy – Where do the tenants upstairs park?

Mikkelson – On the paper street that we share with neighbors.

Barlow – In 2004 we granted area variances and street setback variances. Are they here for renewal of use variance?

Mikkelson – We have a Special Use Permit that was issued by the Village Board and we went to them a couple of months ago to renew it and they said their renewal would be contingent upon us getting a renewal with the Zoning Board.

Barlow – So you are not here for use permit?

Sperber – They are here for renewal of Resolution that was granted on February 9, 2005, that was for area variances.

Riedy – Looking at the Resolution dated February 9, 2005, there was a time constraint put on the Resolution because there was concern about the parking situation. There was a time constraint put on the resolution because there was concern about the parking situation on Maple St. because of the construction that was taking place at the High School.

Riedy – Is this application for another limited time or ...

Mikkelson – It was limited to us (“Something Good in the World”) being there so if we moved it would not apply to whoever moved into our space.

Barlow – It is consistent in time with the Special Use Permit that was issued by the Village Board.

Sperber– Yes. If the Village Board grants it again with an expiration date then they would also come back to the ZBA at the same time.

Stephens – When the Board grants a permit how long does it usually run?

Sperber – This one was for three years so I would expect they would not make it for less or they may make it for a greater amount ...

Stephens - Providing there are no problems with parking etc.

Stephens – In the February 9, 2005 Resolution it was also limited to K thru 2nd grade and you said you also have pre-school. That would have to be changed under the conditions of the Resolution.

Oks – I think the main concern was that it did not go beyond second grade they were not concerned about Pre-K.

Stephens – I understand, but it will need to be changed in the Resolution.

Barlow – The Board of Trustees Permit states it will not go beyond 2nd grade.

Stephens – But, they said they are not licensed for Pre-K.

Mikkelson – The state does not require licensing for Pre-K.

Stephens – So they are doing more than just a school.

Riedy – How many Pre- K students do you have and how many K thru 2nd Grade?

Mikkelson – We have a total of 17 students at different times and different days. The pre-school children do not come every day.

Riedy – Any other questions?

Fred Martucci – 148 Maple St. – I have lived here since 1979. I am on the same side of the street as the school. Approximately four houses up from the school. I spoke against the application three years ago and today too. I am also here for people who could not come. They are the Garone family on 144 Maple Street, which is two houses up, Settepani family at 152 Maple Street, which is five houses away. Mr. Settepani is retired and is a bus driver for them. Sorry, he could not be here. The Phillips family at 149 Maple Street, Font family at 150 Maple Street, and the Doyle family at 155 Maple Street, who live across the street three houses up from the park. I do not think the Asbury Methodist people are here. I spoke to Don Daubney at the July Village Board Meeting and he said the Asbury Methodist people felt the school has exacerbated traffic. He said he would not mind if I quoted him. Three acres are needed to have a school and they do not have it. Mr. Daubney also stated that he does not have an issue with the quality of the school but the appropriateness of the variance that will cause future problems. I am not sure how many of the Board Members that are here tonight are new.

Stephens – Two

Martucci – I think I need to inform the members that are still here of the issues that showed up in 2004 when the Village Mayor showed up at a Village Board meeting and commented that he was confident that the application would be supported by the Village Board and he felt there would be adequate parking. At their 2004 ZBA meeting they said they were going to apply to the Village for speed bumps and signage with respect to speed limit reduction in the area. On Maple Street where I live there is 17 feet for school buses, trucks, and SUV's to park and get by. The construction of the High School is over and they used to let the seniors park behind the High School. They are no longer allowed to park there. Ms. Mikkelson was asked how the parking was, well this year because of the construction it has been horrendous. We have people turning around in our driveway all the time. The biggest issue is the park across the street at the intersection of Old Post

Rd. and Maple Street. There is a house where the insurance company used to be that is now a doctor's office and there is a home where there was once a real estate office and then there is the Blue Pig that used to be a deli. On that side of the street you can only park on the west side of the street. I am not talking about the quality or the integrity of the school. I retired last year and I am there during the day. Do you know how hard it is to get a bus down the street when there is parking on both sides of the street and when a person opens a car door? There are cars that have to stop just so other cars going in the opposite direction can get by. This is an accident waiting to happen.

Riedy – Have you yourself observed anything related to safety issues and the school?

Martucci – Double parking. I observed double parking when they are dropping off the kids at the school. I do not know who it is. It happens from the doctor's office to up past me. I can't see any further up the street. There is also double parking when dropping kids off for little league.

Riedy – Did the neighbors you mentioned earlier raise any issues as far as parking? The Phillips and the Fonts share a driveway and people are always turning around in their driveways. By granting the variance you are only making a bad situation worse.

Riedy - Anyone else like to be heard?

Nassa Napalla – My daughter has attended the school for two years. I have never had a problem with parking. My child always gets out on the curb side and all the administrators have made the rules very clear. I have never seen any of these issues. We are very careful of following rules. The only double parking I have seen is the oil trucks. I drop my daughter off about 9:00 and I am only there for a minute. There are lots of parents there and we are very concerned about safety and we take our time even if I have to go up the road to park. I take my time to do it.

Autumn Saunders – I am the parent of a child that has attended the school for three years. I live at 95A Grand Street. Sometimes I walk my child to school. Parents do take care when dropping their children off. You may be picturing 17 children but they are not all coming at the same time. There are five different classes. The two year old class has only two children and they are only picked up at 11:00 A.M. At the most you might have 10 children at one time. From 8:00 to 9:15 it is stagnant. I can usually pull right up in front of the school. There are many more High School students taking up that space. Teenagers are not that cognizant with respect to children when driving. As a resident I think that parking on both sides is an issue that can be taken up in another arena. There is

also an option to park in the Municipal Lot and by the High School. As far as parking and safety I do not see it as an issue for the school not to exist. I just do not think it is causing a safety issue. We are well briefed with respect to protocol as to parking and dropping the kids off.

Riedy – What time do you drop off your children?

Saunders – Between 9:00 – 9:15

Riedy – How many cars do you think are from the High School?

Saunders – Over fifty to seventy percent.

Barlow – How can you tell?

Saunders – I see them coming out of the school.

Barlow – Even at that time of the day?

Saunders – You can tell. They are not mini vans.

Riedy – Thank you. I just wanted your overall impression.

Saunders – When there are little league games it is always filled with cars. Where I live it is a turn around driveway and it is just part of living on a main street.

Elizabeth Knoll – I am the parent of a daughter that has attended the school for three years. I live in Cortlandt. I feel I practically live here. I am there between 8:30 AM – 3:00 PM. I wait there for my daughter. I see all the high school students coming and leaving. At 2:15 it is hard to get a spot. I do not think this school affects the parking on both sides of the street at all. I have never seen a parent double park in the three years my daughter has attended the school. They do not park in the driveway of the school. There are no spaces for the parents to park there. The issue is really brought to the attention of all the parents to follow the rules.

Genevieve Holcomb – I agree with everything that was said by the other parents. When my son started school I concerned about the drop off but I found it was not nearly as bad as I anticipated. There is always a spot to park. It is drilled into us that we need to be good neighbors and citizens and we want the children to be safe. Children's Space down the road has more children at their facility.

Toomsen Tasha – 20 Van Wyck - I was at the previous hearing in the past. I am familiar with those issues. I asked parents how it has been with the parking and traffic and they say it is sager now than it has been because of all the rules and guidelines. Particularly, how they have to remove the child from the sidewalk side. It is a lot safer than being in the parking lot at Shop-Rite. They are really given guidelines.

Lutz Hess – 947 Orchard Street Peekskill, I have a son who has attended 1 year at the school. I never saw parents double parked. We follow the rules that are given out during the beginning of the year and we talk about not making U-turns in other peoples driveways. I always find a spot. I have never seen the cars parked any farther than five houses beyond the school. This is around 9:00 AM and 11:00 AM when he is picked up.

Steve Quinn & Jenia Tuscano – 138 Maple Street.:

Quinn - We live on the second floor of the school. We have a birds-eye view of what goes on. We have never seen anything like reckless parking. They park and then they walk their children inside and it looks safe.

Tuscano - I only see teachers parking on the other side of the road and students. The parents are not there very long. We are there often because of our schedules and we live upstairs. We are watching a lot. We are not monitoring them. We enjoy watching the children. We do not have any children of our own. The parking situation goes on long after the school is closed because of the little league park.

Riedy – How long have you lived there?

Tuscano – Since January 1st of 2007.

Riedy - So, you are speaking as to what you have observed from January 1st 2007, until now?

Tuscano – Yes.

Julie Nord - 146 Maple Street – I am three houses away. I can't say enough good things about the school. They have a great curriculum and offer great community service. I have been there some days when there have been a school meeting. It seems there is a much greater problem during Little League. Maybe to put a speed bump would help. I think there is more of an issue with speed when cars travel at very high rates and may

need to be addressed with speed bumps or speed limit signs. I think the variance request should be approved. They are good about telling parents to be conscious of this.

Mikkelson – I just wanted to address a couple of things. We did try to apply for a speed bump and sign and Barabara Sarbin addressed someone in the Village about it. That was one of the first things we did. I lived there for five years myself, so I do know what it is like there. We have been in operation for five years. It started as day care. There are people who are employed full time and are expecting to work next year and they count on us as being part of the community and they are happy with us. We are not asking to stay forever. Three years would be fine. I do not want to respond to the political issues.

Oks – I am also an ex-parent whose daughter went to that school for two years. Now as a landlord I am a frequent visitor. I have never ever seen anyone double parked. I have never seen any parent dropping off other than on the passenger side. Never, never. Now when I come to visit in the morning I never have a problem parking except once when there was a graduation at the high school. I never felt it was an accident waiting to happen. I felt a lot safer dropping her off at 138 Maple than taking her to the Blue Pig. I do think parking can get very edgy when there are baseball games at the park. They park on one side and cross the street to play baseball which you never see with the school. I feel the school does provide a great service to the community. There are a lot of parents interested in that kind of education and I feel it is important that the school exists there.

Riedy – Anyone else like to be heard?

There was no reply.

Hearing closed.

Riedy - Made Motion to Grant a renewal as set forth in ZBA Resolution Dated February 9, 2005, provided that the variance shall be co-terminus with the "Special Permit" that is now pending with the Village Board and with the condition that it shall be in force only as long as "Something Good in the World" is the principal.

Stephens - Second the Motion

Vote: 3-1 - In Favor - Riedy, Stephens, Olcott
Abstained - Barlow

Alexander & Susan Skrelja, 56 Truesdale Drive. Located in a RA-9 District and designated on the Tax Maps of the Village as Section 79.09 Block 7 Lot 5. Request for a variance with respect to a proposed addition of a vestibule.

Mr. Skrelja - Our home was built in 1948 and it was built so you immediately enter the living room. There is no place to put shoes, stroller, and umbrellas or hang coats, etc. I am requesting a front yard variance to construct a vestibule. It will also help to keep mud and dirt from being tracked into the living-room.

Mrs. Skrelja – The main purpose would be for the desperately needed storage and esthetically it would make the house look nicer.

Mr. Skrelja - We are also hoping to get the variance because our roof needs to be replaced and it would be able to flow all in one if we were able to construct the vestibule the same time as the roof repair. We brought pictures.

Pictures submitted for the record.

Picture A - Shows the front of the house. Currently there is an open porch and living room as you enter and there are stairs to the bedrooms. When you enter you are immediately in the living-room. Currently we have to configure the furniture so you are not bumping into it as you enter.

Picture A -Is taken from the street.

Olcott – You are extending the width and length of the stairs?

Mr. Skrelja– Yes

Mrs. Skrelja – It will be 8 ft. x 6 ft.

Picture B – Shows the front

Picture C – shows the street in relation to the front door.

Picture D – Is the side view.

Picture E- Is from the other side - East side

Picture F- shows the side angle from the current open porch where the proposed enclosed vestibule will be.

Mr. Skrelja – My drawings were just to give you an idea to show where the property line ends. Our grass actually goes beyond the actual property line. I know you would have to grant a front yard variance but the grass actually extends beyond our property line shown on the survey.

Riedy– You just moved in correct? And we had this matter before us not so long ago.

Mr. Skrelja– Yes it held up the closing.

Stephens – you said you would have a window on the other side.

Mr. Skreija– The architect said there will be a window, but I do not have the drawings..

Barlow – Will the proposed dormer be lower than what you have now ? What you drew is not what you are showing in the pictures. Will it have the same slope?

Mr. Skreija– I apologize it will be the way it is shown in the pictures.

Olcott – you will keep the same peek it will just be enclosed.

Discussion followed over drawings.

Stephens – How will it be finished?

Mrs. Skrelja– Identical white siding.

Stephens – So you are looking for a variance of ...

Mrs. Skreija– Eight feet by six feet

Mr. Skrelja– It is the distance from the front door.

Sperber – It will be 6.1 ft.

Sperber – what they have now is fine you are allowed to encroach because it is open. Now they are enclosing it so it needs a variance.

Riedy – Anyone else like to be heard?

There was no reply.

The Board stated that they were not comfortable making a decision without plans showing how the proposed vestibule will tie in with the existing roof line.

The Board unanimously agreed to adjourn the hearing until September to allow the applicant time to submit the plans.

Riedy – Made Motion to adjourn the hearing until September 12, 2007

Stephens – Second the Motion

Vote:4-0- In Favor – Riedy, Stephens, Barlow, Olcott

Hearing Adjourned

Tanya Cole-Lesnick, 10 Old Post Rd. So. Located in a C-1 District and designated on the Tax Maps of the Village as Section 78.08 Block 7 Lot 5. Request for a variance with respect to a proposed sign and according to Section 230-44 (4) (a) (1) (2) (3) of the Village Code.

Lesnick -I have a practice and want a shop in the back and want a sign on the outside of the glass door of my building.

Stephens – This will be flat against the building and not perpendicular?

Lesnick - Yes.

Riedy – To Mr. Sperber, Building Inspector – Is this the right Section of the Code?

Sperber - I recommended she put three sections of the Code because she was not clear if she wanted to put something on the side of the building or not. So instead of taking a chance that she would not have everything she needed for the board she entered all three.

Riedy– So Section 230-44(P) is the correct Code. (Correction was made to the applicant’s original application and the variance request amended to read “According to Section 230-44 (P).

Sperber – Correct. It is only that one that you need to consider for the variance?

Stephens – Is the driveway that goes down considered a paper street?

Sperber – I do not think it is considered a paper street. This application will also need to go before the VEB.

Lesnick – If the hours of business change will I need to go and get permission for a new sign every time that changes?

Stephens– I do not understand the necessity of a sign for a place that is only being used once a week.

Lesnick -I would just like to give the information that a sign would offer.

Riedy – Page six of your application – what you attempted to do is show the scale?

Lesnick – Yes. It is not perfect it is a rough drawing.

Riedy – (Reading from drawing for the proposed sign) “Please note: the decorative hardware should only have the outer wall showing behind it.”

Lesnick - I just wanted to let you know there would not be decorative hardware.

Riedy - Any other questions?

There was no reply.

Hearing closed.

Riedy – Made Motion to grant the application according to plans submitted and to amended the application to read “according to Section 230-44(P) of the Village Code.

Stephens – Second the Motion

Vote: Riedy, Stephens, Barlow, Olcott

Harry McCormack, 142 Cleveland Drive. Located in a RA-5 District and designated on the Tax Maps of the Village as Section 79.05 Block 3 Lot 19. Request for a height variance with respect to a proposed two-car garage.

William Witt, Somers, N.Y., Architect for the applicant. We have a variance request for height. The required height is 15 feet and we are requesting a height of 19 feet to provide storage. It is now an existing garage. It was built in the 1920’s. You cannot get a model

car in it. It is undersized for storage and a car. It is a gable roof that we are proposing. It is 100 ft. or more from the road. The storage space we are trying to create is in no way excessive. There will be no electricity and no plumbing. It will be just for storage for lawn equipment and Christmas decorations, etc. The pitch of the roof will match the main house. It will be slightly higher than what the Code allows. The topography of the land appears much lower for the grade. There is one window in the back. There will be exposed rafters and no heating. There will be an access door in the center of the garage. The ceilings are not a legal height to be used for anything other than storage. It cannot be used for living space or any use other than storage.

Riedy – Where do you keep your decorations now?

Mrs. McCormack – All over the place.

Witt - We are adding a room on the first floor so they will have all the main functions on the main floor and above it will be a new master sweet on the second floor.

Riedy – Will it have a basement?

Witt – Yes. There will never be access to the basement because of the grade so there will not be a set of stairs or a door.

Barlow - So how will you enter it?

Witt – There will be a hatch.

Riedy – Are your grandchildren living with you?

Mr. McCormack– No. But, grandchildren have a lot of plastic stuff today. It would be a lot easier if we were able to store it in the attic.

Barlow – Has the foundation for the garage been poured?

Witt – yes.

Barlow – So if the variance is not granted what would you do?

McCormick - We would do without the attic.

Witt – When measuring the height it is measured from the slab to the highest point of the roof peak. Correct?

Sperber – Correct.

Discussion followed over plans.

Witt– Showed pictures of what the garage would look like if they built it according to code (flat roof). But they want a gable roof – it is more esthetically pleasing.

Riedy – This would be a fifteen foot high flat roof?

Witt – Yes. It would look like that if the roof was made flat.

Discussion followed over plans.

Barlow – Have you spoken to you neighbors?

McCormick – Yes. I supplied a list of neighbors that were contacted to the ZBA Secretary and no one has indicated any problem with it. I explained to them why we are doing the addition. Our present house has a bathroom only on the second floor. That is basically why we are doing the addition to prepare for our old age in case our health deteriorates. We want to stay in this village. We presently us a crawl space and I literally crawl to get to boxes and at my age it's really not an option for me. That is really the main reason for it and architecturally it will match the house. It would not look right any other way.

Mrs. McCormick – We have letters signed from everyone from a list of neighbors that was given to us by the ZBA Secretary. The list was more extensive than we thought. As you see twenty five letters we received. A four foot higher roof would not block their views.

Barlow –If anyone would be affected it would be the house to the left across the street.

Mr. McCormick – we are screened by evergreens and the other neighbors are also screened and their topography sits about twenty feet higher than our lot.

Barlow - Are those neighbors in these letters you gave us?

Mr. McCormick–Yes.

Barlow – What kind of siding? Will it be shingles to match?

Witt - Yes. The whole house will be resided. It is actually vinyl that is made to look like shingle.

Olcott – The whole house will look the same.

Witt– Yes..

Stephens – You are asking for a four foot variance?

Witt – Correct and that would only occupy 25 percent of the structure.

Riedy – Anyone else like to be heard?

Mrs. Sheehan -146 Cleveland– I also signed a letter of approval. My brother asked me to get a copy of it so he could also have a copy of what I signed. I think it is a great idea and they have wonderful grandchildren that do come a lot. I would also like to put up trees for shade on the side of my property. My only question is will there be adequate drainage and would it be too close to the property line? We are excellent neighbors. That is the two things my brother was concerned about.

Riedy – There is no application for a side yard variance. The plans submitted are consistent with the front yard variance.

Mrs. Sheehan– I live in the house and I own the house. If ever I sell I will split it with my brother so he has his interest.

Sperber– You will not see any drainage plans. They needed to get a variance. The pitch of the roof will not make the drainage greater. The construction plans show a leader where the water will go and drain into a 180 gallon drywell. The storm water will be captured into that drywell. It should make no difference whether it is a 15 foot roof or a 19 foot roof.

Riedy – If your brother has a concern about these plans they are on file at the Village Engineer's office and any day he can go to the village to view them.

Mrs. Sheehan – I trust their judgment. My brother is out of state and he can't come down. I am also planning on putting in screening.

Barlow – You plans to plant screening is not because you do not want to see your neighbors new garage; correct?

Mrs. Sheehan – No, No. I would just like to put some screening in.

Anyone else like to be heard?

There was no reply.

Hearing closed.

Barlow – Made Motion to grant the application as submitted

Stephens – Second the Motion

Vote: 4-1 – In Favor – Barlow, Stephens, Waitkins, Olcott

Opposed - Riedy

APPROVAL OF 6/13/07 MINUTES:

Stephens – Made Motion to accept the minutes as corrected and amended.

Riedy – Second the Motion

Vote: 4-1 – In Favor – Stephens, Riedy, Waitkins, Olcott

Abstained - Barlow

Respectfully submitted,

Janice Fuentes

ZBA Secretary

7/11/07

RESOLUTION

Danny Oks/Something Good In the World, has applied to the Zoning Board of Appeals of the Village of Croton-on-Hudson, request for renewal of ZBA Resolution granted on February 9, 2005 with respect to a School.

The property at 138 Maple Street is located in a RB District and is designated on the Tax Maps of the Village as Section 79.05 Block 1 Lot 43.

A public hearing having been held after due notice, this Board from the application and after viewing the premises and neighborhood concerned finds:

There will be no undesirable change to the character of the neighborhood or detriment to nearby properties.

The impact with respect to parking is limited.

The children are not all dropped off and picked up at the same time due to different schedules and classes.

The entrance used is 60 feet from the property line.

According to discussions with the neighbors, during the hearing, the majority of the parking congestion seems to occur because of activities that are unrelated to their school and most take place when the school is closed.

References were to activities at the park, and parking on both sides of the street by High School Students during school hours.

NOW, THEREFORE, BE IT RESOLVED, that the applicants request to renew their ZBA Resolution dated February 9, 2005, is granted as follows:

Riedy - Made Motion to Grant a renewal as set forth in ZBA Resolution Dated February 9, 2005, provided that the variance shall be co-terminus with the "Special Permit" that is now pending with the Village Board and with the condition that it shall be in force only as long as "Something Good in the World" is the principal.

Stephens - Second the Motion

Vote: 3-1 - In Favor - Riedy, Stephens, Olcott
Abstained - Barlow

7/11/07

RESOLUTION

Tanya Cole-Lesnick, has applied to the **Zoning Board of Appeals** of the Village of Croton-on-Hudson, for a variance with respect to a proposed sign and according to Section 230-44(P) of the Village Code.

The property, at 10 Old Post Rd So., is located in a C-1, District and is designated on the Tax Maps of the Village as Section 78.08 Block 5 Lot 17.

A public hearing having been held after due notice, this Board from the application and after viewing the premises and neighborhood concerned, finds:

There will be no undesirable change to the character of the neighborhood or detriment to nearby properties.

There were no objections from the neighbors.

The proposed variance will not have an adverse affect on the physical or environmental conditions of the neighborhood or district.

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby **Granted** as follows:

Riedy – Made Motion to grant the application according to plans submitted and to amended the application to read “according to Section 230-44(P) of the Village Code.

Stephens – Second the Motion

Vote: Riedy, Stephens, Barlow, Olcott

7/11/07

RESOLUTION

Harry McCormack, has applied to the **Zoning Board of Appeals** of the Village of Croton-on-Hudson, for a height variance with respect to a proposed two-car garage.

The property, at 142 Cleveland Dr., is located in a RA-5, District and is designated on the Tax Maps of the Village as Section 79.05 Block 3 Lot 19.

A public hearing having been held after due notice, this Board from the application and after viewing the premises and neighborhood concerned, finds:

There will be no undesirable change to the character of the neighborhood or detriment to nearby properties.

There was no hardship. The request was for storage. The applicant presented the Board with twenty five letters from neighbors in approval of the application. Two of the neighbors are neighbors who will be directly affected.

The proposed variance will not have an adverse affect on the physical or environmental conditions of the neighborhood or district.

NOW, THEREFORE, BE IT RESOLVED, that the application is hereby **Granted** as follows:

Barlow – Made Motion to grant the application as submitted

Stephens – Second the Motion

Vote: 4-1 – In Favor – Barlow, Stephens, Waitkins, Olcott

Opposed - Riedy

7/11/07