

DRAFT FILED: 11/17/08
FINAL APPROVAL: 12/10/08

VILLAGE OF CROTON-ON-HUDSON ZONING BOARD OF APPEALS
MEETING MINUTES OF NOVEMBER 12, 2008

MEMBERS PRESENT: Rhoda Stephens, Acting Chairman
Doug Olcott
Alan Macdonald
Roseann Schuyler

MEMBERS ABSENT: Kathleen Riedy

ALSO PRESENT: Joseph Sperber, Asst. Bldg. Inspector

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

Rhoda Stephens, was appointed as acting Chairman, by Kathleen Riedy, Chairman, due to illness.

Rhoda Stephens, Acting Chairman – Announced the location of fire exits to all in attendance of the meeting.

HEARINGS:

Asbury Methodist Church, 17 Old Post Road South. Located in a C-1 District and designated on the Tax Maps of the Village as Section 79.05 Block 1 Lot 52. Request for relief from Section 230-44-P-(4) (a) (4) and further requests a Special Permit according to Section 230-162(b) of the Village Code to allow a second free standing sign.

Nick Rudick, Hudson Sign Company – I represent the applicant. According to Section 230-44(P) (4) (a) (4) of the Village Code, it states there cannot be two free standing signs on one property without a Special Permit.

Stephens – What are you hoping to erect?

Rudick – A free-standing sign similar to the sign that is there now.

Stephens – You have gone before the Visual Environment Board. This Board is not held to what they recommend, but we do take their recommendations into consideration when making our decision.

Rudick - Yes. I understand. They suggested the sign be parallel to the road. We are willing to take that suggestion into consideration.

Stephens – Personally, I think that is the better idea in terms of being able to see the sign in both directions. They also made a suggestion in terms of the hedges.

Rudick – Yes. The shrubs are only thirty two inches high and the sign will be lowered to sixteen inches over the hedges.

Stephens – Where will it be located?

Rudick – The sign is currently seven feet from the sidewalk. Since we are changing the orientation of the sign, we will move it back one foot. That will be eight feet from the sidewalk.

Stephens – And the need for the sign?

Rudick – The old sign needs replacing...

Schuyler – According to the Code you are appealing that Section where buildings are set back twenty five feet or more, correct?

Rudick – Yes and the sign will be four and one half feet high.

Stephens – Anyone else like to be heard?

There was no reply.

Hearing closed.

Schuyler – Made Motion to grant a Special Permit with respect to Section 230-162(b) of the Village Code to allow a 2nd free standing sign and to grant relief from Section 230-44-P-(4) (a) (4) of the Village Code with respect to freestanding signs where a building is set back from the curb line a distance of 25 feet or more and the application is further granted according to plans submitted with the following conditions:

The applicant shall comply with the October 15, 2008, recommendations of the VEB, Advisory Board, as follows:

The sign shall be reduced to 4 ½ feet in height in order for the sign not to extend above the hedge that borders the sidewalk.

The sign shall be positioned farther back from the street and parallel to the street rather than at an angle as proposed.

Olcott – Second the Motion

Vote: 4-0 – In Favor - Olcott, Schuyler, Stephens, Macdonald

Lynn Perton & Kerry Pisano, 2 Observatory Drive. Located in a RA-9 District and is designated on the Tax Maps of the Village as Section 79.09 Block 7 Lot 6equest for a front yard variance with respect to a proposed addition.

Lynn Perton, Applicant – I am speaking on behalf of my husband and my architect Mary Ting, who is with me tonight. We are requesting a variance to construct a sunroom on our corner property. We purchased the property in 1989 and we have had two variances approved to the house, which is already non-conforming. Our request is for a five foot setback from a house that is already non-conforming. The addition will be a thirteen foot by eighteen foot sunroom. The house is a small expanded Cape. This addition will greatly expand our livability. Right now we spend all our time in our living room. We propose to add the sun room off of our master bedroom and hope to use it for many years to come. We will also be making alteration to the interior. The addition will match what was done on the first level. It will be a very simple style. It is one floor with windows around it. It balances our garage on one side and the sunroom will be on the other side.

When we moved in there was a tiny room that was nine feet by eleven feet and we were never able to use it as a TV or reading room. That is what we hope this sunroom will afford us. My architect Mary Ting did a wonderful job with the drawings. On page five it shows a hand sketch. It will jut out about eight feet and the setback on the bottom drawing shows the five foot setback.

Macdonald – Will there be a basement or slab on grade?

Ting – A crawl space.

Stephens – You are asking for a five foot variance in what direction?

Ting – Towards Observatory Drive.

Discussion followed over plans.

Ting – I believe that would be North West.

Olcott – Is there a reason why you cannot move the addition five feet back?

Ting – Symmetrically and esthetically it will look better.

Stephens – Will it project out any farther than 9 Sunset Dr?

Perton – No.

Discussion followed over plans.

Stephens – You say the finish will be similar to the front of the house? It will match?

Ting – Yes.

Perton – It will be wood and in the same style and color as the existing house.

Stephens – What is the square footage of the entire house?

Mr. Pisano – Owner – About seventeen hundred square feet.

Olcott – According to the plans submitted it is 1,522 sq. ft. for the existing and 738 sq. ft. for the proposed.

Stephens – Anyone else like to be heard?

There was no reply.

Hearing Closed.

Olcott – Made Motion to grant the application as submitted with the condition the siding will match the rest of the house.

Schuyler – Second the Motion

Vote: 3-1 In Favor - Olcott, Schuyler, Stephens
Against - Macdonald

Respectfully submitted,

Janice Fuentes
ZBA Secretary

11/12/08

RESOLUTION

Asbury Methodist Church, has applied to the **Zoning Board of Appeals** of the Village of Croton-on-Hudson, for a relief from Section 230-44-P-(4)(a)(4) and further requests a Special Permit according to Section 230-162(b) of the Village Code to allow a second free standing sign.

The property, 17 Old Post Road South, is located in a C-1, District and is designated on the Tax Maps of the Village as Section 79.05 Block 1 Lot 52 (&53).

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

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.

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

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

Olcott – Made Motion to grant a Special Permit with respect to Section 230-162(b) of the Village Code to allow a 2nd free standing sign and to grant relief from Section 230-44-P-(4)(a)(4) of the Village Code with respect to freestanding signs where a building is set back from the curb line a distance of 25 feet or more and the application is further granted according to plans submitted with the following conditions:

The applicant shall comply with the October 15, 2008, recommendations of the VEB, Advisory Board, as follows:

The sign shall be reduced to 4 ½ feet in height in order for the sign not to extend above the hedge that borders the sidewalk.

The sign shall be positioned farther back from the street and parallel to the street rather than at an angel as proposed.

Schuyler – Second the Motion

Vote: 4-0 – In Favor - Olcott, Schuyler, Stephens, Mcdonald

11/12/08

According to Section 230-164 (E)), “Unless work is commenced and diligently prosecuted within one (1) year of the date of the granting of a variance or special permit, such variance or special permit shall become null and void.

RESOLUTION

Lynn Perton & Kerry Pisano, has applied to the **Zoning Board of Appeals** of the Village of Croton-on-Hudson, for a front yard variance with respect to a proposed addition.

The property, at 2 Observatory Drive., is located in a RA-9 District and is designated on the Tax Maps of the Village as Section 79.09 Block 7 Lot 6.

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.

Variance requested is not substantial.

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

Schuyler – Made Motion to grant the application as submitted with the condition the siding will match the rest of the house.

Olcott – Second the Motion

Vote: 4-1 In Favor - Schuyler, Olcott, Stephens
Against - Mcdonald

11/12/08

According to Section 230-164 (E), “Unless work is commenced and diligently prosecuted within one (1) year of the date of the granting of a variance or special permit, such variance or special permit shall become null and void.

