

Village of Croton-on-Hudson  
Zoning Board of Appeals Meeting of  
February 13, 2013

PRESENT: Seth Davis, Chair  
Andrew Levitt  
Alan Macdonald  
Rhoda Stephens

ALSO PRESENT: Joe Sperber, Assistant Building Inspector

ABSENT: Doug Olcott  
Village Board Liaison

**1. CALL TO ORDER:**

The Zoning Board of Appeals Meeting of February 13, 2013 was called to order at 8:02 P.M.

**2. PUBLIC HEARING:**

- a) **Guinee, Megan** - 91 Truesdale Drive. Located in a RA-25 District and designated on Tax Maps of the Village as Section 79.09 Block 5 Lot 6. Request for front yard variance, and variance to increase perimeter of building for a proposed accessory apartment.

Ms. Guinee was reapplying for the same variances that had been granted by the Board on October 19, 2011 and which were now null and void due to the fact that no work had begun on the project within the one year expiration date. Mr. Levitt had joined the Board in December and had not been present at the prior appeal, so Chairman Davis asked Ms. Guinee to present the application again.

She explained that the front yard variance was needed to repair the front staircase and landing which she and her husband feel is unsafe in its present condition. She is also seeking a variance to increase the perimeter of the building to create an accessory apartment. The accessory apartment would include altering the garage, which in turn would reduce the slope of the driveway allowing for safer access in and out of the garage. Financing difficulties had prevented the commencement of work within the required time frame.

Ms. Stephens asked if tonight's application was exactly the same proposal the Board had seen in 2011. Ms. Guinee said it was. Chairman Davis added that there was one procedural change in that on January 17, 2012, the Village Board had approved the special permit required for the accessory apartment. Mr. Sperber then added that the variance chart on the plans showed the requested front yard variance of 5.19 feet disagreeing slightly with the site plan chart right above it; however the 5.19 feet appeared to be more than needed assuming the site plan to be more accurate.

Chairman Davis said he understood the concern regarding the garage and driveway posing problems because of their location on a steep incline. Ms. Guinee said that was true, adding that the front portico was not useable and was eroding. The proposed plans would call for a wider and safer portico. Chairman Davis noted that is so doing, the applicant would be building outward, encroaching into the front yard, thus requiring the front yard variance. This in turn would be increasing the perimeter of the building. Village Code prohibits increasing the building perimeter in order to accommodate an accessory apartment, thereby explaining the second variance request.

Chairman Davis, stated that the Board, when hearing the application in 2011, felt that the proposed changes were all substantial improvements. After getting confirmation that the accessory apartment would be over the garage, Mr. Levitt said that having gotten approval for the special permit from the Village Board and with the steep driveway issue, the proposed plans made sense.

Chairman Davis asked that it be noted that the application included a letter of support from Susan Lunden who resides at 118 Truesdale Drive. This same letter had been included with the prior application package. Also to be noted, Chairman Davis had received an email from Mr. Olcott (absent from tonight's meeting) in support of the application.

The hearing was then opened to the public. No one stepped forward and the hearing was closed.

Ms. Stephens then made a motion to grant a 5.19-foot front yard variance and a building perimeter variance for a proposed accessory apartment. The motion was seconded by Mr. Macdonald and was approved by all four Board members present.

### **3. APPROVAL OF MINUTES:**

Mr. Levitt made a motion to approve the amended minutes of the January 09, 2013 Zoning Board of Appeals meeting. The motion was seconded by Ms. Stephens. The motion passed 4 - 0 in favor.

Ms. Stephens wanted it noted that the Village Liaison had not been present at tonight's meeting.

### **4. ADJOURNMENT:**

The meeting was adjourned at 8:37PM.

Respectfully submitted,

Toni Cruz  
Secretary, Zoning Board of Appeals