

Village of Croton-on-Hudson
Zoning Board of Appeals Meeting of
October 14, 2015

PRESENT: Rhoda Stephens, Acting Chair
Alan Macdonald
Doug Olcott

ABSENT: Christine Wagner
Joe Sperber, Assistant Building Inspector
Village Board Liaison

1. CALL TO ORDER:

The Zoning Board of Appeals Meeting of October 14, 2015 was called to order at 8:05 P.M.

2. NEW BUSINESS:

- a) **Piccirillo, Michael, Agent for Daniel Bennett – 36 Palmer Avenue.** Located in a RB District and designated on the Tax Maps of the Village as Section 78.08 Block 3 Lot 38. Request for total side yard variance for a proposed addition.

Kaitlin Bennett, wife of Daniel Bennett, was present at the meeting. She explained that the variance was needed for the addition of a mudroom and bathroom on the first floor. The Bennetts are requesting a 4-foot total side yard variance for the addition.

Mr. Olcott asked if the addition would leave enough of a side yard and Mrs. Bennett replied that it would be narrow but was doable.

Acting Chairman Stephens asked if there was any other possible plan to add the mudroom and bathroom. Mrs. Bennett said that because of the plumbing and piping this was the only feasible plan.

Mr. Macdonald followed up by asking why the addition could not be added to the back of the house and Mrs. Bennett explained that such a plan presented too many issues. The basement entrance would need to be relocated, the loss of some of the backyard and patio, the need for a hallway between the kitchen and a new bathroom, and the high cost of it all, were reasons not to pursue relocating the addition to the back of the house.

Acting Chairman Stephens then asked if the addition provided another exit and Mrs. Bennett replied that the addition would make a third exit; there is a second exit from the basement.

The hearing was then opened to the public and with no one stepping forward, the public hearing was closed.

Acting Chairman Stephens asked the Board members for their thoughts. Mr. Olcott said he had no issues other than the resulting side yard being a little narrow but that it was already a little narrow. Mr. Macdonald said he did not care for the plan but understood the need for a second bathroom. Acting Chairman Stephens added that she understood the high cost deterrent of placing the addition at the back of the house.

Mr. Olcott then made a motion to grant the 4-foot total side yard variance for the proposed addition and Mr. Macdonald seconded the motion. The motion passed with a vote of 3 to 0 in favor.

b) Tsagarakis, Dino, Agent for Rakis Inc. – 215 South Riverside Avenue & Bungalow Road. Located in a RA-5 and a C-2 District and designated on the Tax Maps of the Village as Section 79.09 Block 1 Lots 52, 53 & 54. Request for renewal of ZBA Special Permits under Code Section 230-51(C) and Code Section 230-52(B) for existing parking lot (Section 79.09 Block 1 Lot 52) on Bungalow Road.

Mr. Tsagarakis was present at tonight's meeting. He said he is requesting the special permit be renewed for a period of 5 years.

Mr. Olcott questioned whether the Board could legally grant a special permit for such a term and after some discussion it was decided that the Village Engineer, Dan O'Connor, and Joseph Sperber, Assistant Building Inspector (and usual attendee but absent from tonight's meeting), would have rejected the application if the Board could not legally grant the 5-year term for the special permit.

Acting Chairman Stephens asked if the maintenance of the property had changed at all and Mr. Tsagarakis replied that there was no change and that the greenery was being maintained.

Mr. Olcott said he had passed by the property and that it looked nice. He said the maintenance of the property had been the big concern of the neighbors when the permit was last granted.

Acting Chairman Stephens noted that there were no neighbors present tonight so it probably meant there must not be any concerns presently. She then opened the hearing to the public but no one stepped forward and the public hearing was then closed.

Acting Chairman Stephens then asked the Board members for their thoughts. Mr. Macdonald said that his only concern had been the questionable term limitation, but the Board had decided it was not an issue. Mr. Olcott said he felt that the Applicant had held up his end with regard to the maintenance and overall appearance of the property and that there were no neighbors present tonight objecting to the variance renewal.

Mr. Macdonald made a motion to grant the renewal of the Special Permit for a term of 5 years with the conditions set forth in the draft resolution. Mr. Olcott seconded the motion. The motion passed with a vote of 3 to 0 in favor.

3. APPROVAL OF MINUTES:

Acting Chairman Stephens made a motion to approve the amended minutes and resolution of the September 9, 2015 Zoning Board of Appeals meeting. The motion was seconded by Mr. Macdonald. The motion passed 3 to 0 in favor.

Acting Chairman Stephens wanted it noted that no Village Liaison was present at tonight's meeting.

4. ADJOURNMENT:

The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Toni Cruz
Secretary, Zoning Board of Appeals