

Board of Appeals
January 16, 2014

Members Present: Roger Smith, Chairman
Chris Drutjons
Todd Brice
Richard Ubert
Scott Erath
Alison Varley, Alternate Member

Also Present: Tom Whalen, Code Enforcement
Debra Pagan, Secretary to the ZBA

Meeting called to order at 7:00 p.m.

Chairman Smith welcomed everyone to the January 16, 2014 meeting of the Zoning Board of Appeals, and introduced all the members.

Mr. Smith stated applicants are hereby notified that any/all agreed concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

Mr. Smith announced that the application of Leonie D. Williams of 47 Willis Avenue has been postponed till the February 20, 2014 meeting.

Chairman Smith called for a motion to approve the minutes of the December 19, 2013 meeting of the Board of Appeals, copies of which were sent to all members of the Board, with no corrections. Mr. Erath so moved; Mr. Ubert seconded the motion.

Vote on the Motion	Mr. Erath	-aye
	Mr. Ubert	-aye
	Mr. Drutjons	-aye
	Mr. Smith	-aye
	Mr. Brice	-aye

Motion Carried: 5 ayes 0 nays

Application of **RICHARD JAYCOX** (14-01-01). Applicant seeks to exceed the permitted building height, encroach the required front and side yard set-backs pursuant to elevating the existing two-story one family dwelling and the addition of front/rear/side entries with associated open decks/landings pursuant to Sections 183-46, 183-50 and 183-51 of the Village Code. Premises located on the N/s of New Point Place approximately 281' E/o South Bayview Avenue in a Residential B District k/a 25 New Point Place a/k/a SCTM #101-12-6-62

Findings:

1. Owned the home for 24 years
2. Raising existing home from 24'6" ridge height to 32'3"
3. Existing deck in rear also being raised and existing side entrance to add staircase
4. 12'6" new front yard setback for easy entrance for elderly
5. No one spoke for or against applicant

Motion was made by Mr. Drutjons, and seconded by Mr. Erath, to approve the application with the following stipulations:

1. Not to exceed 32'3" ridge height
2. Applicant must abide by all applicable Federal, State and Local Codes
3. Applicant must obtain all necessary permits
4. Applicant must conform to plans as submitted.

Board of Appeals
January 16, 2014

Vote on the Motion	Mr. Drutjons	-aye
	Mr. Erath	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Ubert	-aye

Motion Carried: 5 ayes 0 nays

Application of **PETER T. IMBERT** (14-01-03). Applicant seeks a height variance from the code required 30' to 33' pursuant to a proposed observation deck/tower from addition to the proposed and Planning Board approved new two-story one family dwelling pursuant to Section 183-29 of the Village Code. Premises located on the S/s of Griffing Avenue approximately 350' W/o Grand Central Avenue in a Residential BB District k/a 70 Griffing Avenue a/k/a SCTM #101-12-3-43

Findings:

1. Final height is 33' from grade
2. Structure in BB Zone and abuts A Zone
3. Set-back 50' to garage
4. Flood Zone 6 – 8' recommended, homeowner more comfortable with 10'
5. No one spoke for or against applicant

Motion was made by Mr. Ubert, and seconded by Mr. Erath, to approve the application with the following stipulations:

1. Applicant must abide by all applicable Federal, State and Local Codes
2. Applicant must obtain all necessary permits
3. Applicant must conform to plans as submitted.
4. Stay within 33' height from grade

Vote on the Motion	Mr. Ubert	-aye
	Mr. Erath	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Drutjons	-aye

Motion Carried: 5 ayes 0 nays

Application of **MARIA FELDMAN** (14-01-04). Applicant seeks to exceed the permitted lot coverage, encroach the required front yard set-back and further encroach the non-conforming side yard and aggregate pursuant to the addition of a front roofed over open porch pursuant to Sections 183-15, 183-16 and 183-17 of the Village Code. Premises located on the S/s of Coles Avenue approximately 126' W/o Ocean Avenue in a Residential A District k/a 12 Coles Avenue a/k/a SCTM #101-11-6-11

Findings:

1. Owned home for 4 years
2. Existing porch is 8'
3. Staying within original footprint
4. 24' setback
5. No one spoke for or against application

Motion was made by Mr. Erath, and seconded by Mr. Drutjons, to approve the application with the following stipulations:

1. Applicant must abide by all applicable Federal, State and Local Codes
2. Applicant must obtain all necessary permits

3. Applicant must stay within existing plans submitted to the Zoning Board of Appeals

Vote on the Motion	Mr. Erath	-aye
	Mr. Drutjons	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Ubert	-aye
Motion Carried:	5 ayes	0 nays

Application of **Christopher A. Eng** as agent for owner **NICHOLAS BROWN** (14-01-05). Applicant seeks variances to exceed the permitted building height, exceed the permitted lot coverage, reduce the required street frontage and erection of a new two-story one-family dwelling with front roofed over open porch and rear first and second story roofed over decks pursuant to Sections 183-44, 183-46, 183-49 and 183-51 of the Village Code. Premises located on the E/s of Central Avenue approximately 680' S/o Morris Street in a Residential B District k/a 61 Central Avenue a/k/a 101-11-8-17

Findings:

1. Lot coverage includes Boathouse and existing rear deck
2. Lowered ridge height from 38' to 32' proposed
3. Moving proposed new home back for 30' setback
4. One side yard will go from 12'7" to 7'9" on a 45' x 189' property
5. Existing boathouse and deck in rear will remain
6. No one spoke for or against applicant

Motion was made by Mr. Erath, and seconded by Mr. Ubert, to approve the application with the following stipulations:

1. Submit new plans to ZBA showing 32' ridge height from curb
2. All utilities under the deck in back of house shall be 12' from each property line.
3. Side yard must stay at 7'3" and 7'9"
4. Applicant must abide by all applicable Federal, State and Local Codes
5. Applicant must obtain all necessary permits
6. Applicant must stay within existing plans submitted to the Zoning Board of Appeals

Vote on the Motion	Mr. Erath	-aye
	Mr. Ubert	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Drutjons	-aye
Motion Carried:	5 ayes	0 nays

Application of **Thomas R. Conlon** as agent for **NORMA COBA** (14-01-06). Applicant seeks a use variance to convert a one-family dwelling to a two-family dwelling pursuant to Section 183-43 of the Village Code. Premises located on the N/s of Maple Drive approximately 526' W/o Broadway in a Residential B District k/a 47 Maple Drive a/k/a SCTM #101-1-1-33

Application denied at meeting.

Findings:

1. Summons for finished basement with no permit.
2. Construction did not conform to 2-family status
3. Ceiling too low
4. Owned property for 10 years
5. Multiple written complaints against applicant

Board of Appeals
January 16, 2014

6. 1 person spoke against applicant

Motion was made by Mr. Erath, and seconded by Mr. Ubert, to deny the application.

Vote on the Motion	Mr. Erath	-aye
	Mr. Ubert	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Drutjons	-aye
Motion Carried:	5 ayes	0 nays

Application of **Thomas R. Conlon** as agent for **MARGO PRZYBYLSKI** (14-01-07). Applicant seeks area variances to encroach the required right side yard set-back and required front yard set-back pursuant to the erection of a new two-story one family dwelling on the existing foundation of the previous two-story one family dwelling destroyed by recent fire pursuant to sections 183-50 and 183-51 of the Village Code. Premises located on the W/s of Locust Avenue approximately 87' S/o Lafayette Avenue in a Residential B District k/a 39 Locust Avenue a/k/a SCTM #101-2-1-14

Findings:

1. Owned home for 8 years before is was destroyed
2. Ridge height no higher than 28'
3. New home to be built on existing foundation
4. Not changing setback
5. Front porch roofed over
6. Crawl space of 4' – Access on north side with roofed over entrance.

Motion was made by Mr. Brice, and seconded by Mr. Drutjons, to approve the application with the following stipulations:

1. Applicant must abide by all applicable Federal, State and Local Codes
2. Applicant must obtain all necessary permits
3. Plans must be reviewed by the Planning Board

Vote on the Motion	Mr. Erath	-aye
	Mr. Ubert	-aye
	Mr. Brice	-aye
	Mr. Smith	-aye
	Mr. Drutjons	-aye
Motion Carried:	5 ayes	0 nays

Diane C. Sheridan, Administrator/Clerk

Meeting was declared adjourned at 8:40 p.m.