

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING & PUBLIC HEARING
FEBRUARY 29, 2024**

*Meetings held by the Zoning Board of Appeals are
live-streamed via WHoH-TV (Channel 75 or FIOS 43)
and online at WHoH-TV.org
ZoningBoard@hastingsgov.org*

PRESENT: Chairman Jeremiah Quinlan, Boardmember David Chen, Boardmember Josh Heitler, Boardmember Brett Gaillard, Alternate Boardmember Beth Haddock, Alternate Boardmember Brian Baldor, Village Attorney Linda Whitehead, and Deputy Building Inspector Chris Zielinski

I. CALL TO ORDER

Chairman Quinlan: Let's call to order the Zoning Board of Appeals meeting of February 29th, 2024.

So this is what's going to happen. You're going to present, sir, and when you do we'd like you to give your name and where you're from. and that should be your business address. Then we're going to see if anybody for or against has either e-mailed, written, or shows up to tell us what their opinion is. Then we're going to have questions by the board. If you want, you can have a little time for rebuttal if there's anything you'd like to clear up. We'll have motions, and that'll either be up or down. Do you have any questions?

Brian, thanks for coming, I appreciate it. Okay. Are the mailings in order?

II. AGENDA

**Case No. 02-24
445 Broadway Hastings Realty Corp
445 N. Broadway**

Relief from strict application of Village Code Sections 295-72E(3) for rebuilding of the front entrance steps and adding an ADA accessibility ramp to their multi-family residential property located at 445 N. Broadway. Said property is in the MR-1.5 Zoning District and is known as SBL: 4.80-60-2 on the Village Tax Maps.

**Nonconformity details of the proposed entry and ramp are as follows:
Development Coverage: Existing – 54.03 percent; Proposed – 54.19**

percent; Allowed – 50 percent {295-72E(3)}; Variance Required – 4.19 percent

Chairman Quinlan: I have to recuse myself in this case, and Brett Gaillard is going to be the chair.

*** [Chairman Quinlan recused for this application – Boardmember Gaillard chairs]*

Attorney Whitehead: So we do need both of you (chuckle).

Acting Chairman Gaillard: Yes, that's perfect. Thanks, Jerry. So I think we're ready to start. I call it to order.

Attorney Whitehead: He already did. You can just read off the application.

Paul Fusco, Louis Fusco Landscape Architects: Our office is PO Box 362 in Pound Ridge, New York. We're the landscape architects for the project here at 445 Broadway. We're presenting, for the project, an ADA ramp for the front entryway. This is Broadway here on the left; this is the entire property; and the front of their building where we are doing our proposed work on their entry loop to the front door. There's a sidewalk that loops along with it. Then from that sidewalk we're looking to propose a ramp up to the front landing and front door.

This is the site plan, this is the existing asphalt driveway, drop off loop, existing concrete pathway, and the new proposed ramp system up to the front landing. We are proposing 150 square feet of additional lot coverage on an existing nonconforming lot. The percentages – we're allowed 50 percent coverage right now. They're at 54.03 and we're coming up to the 54.19, 0.16 percent, increasing coverage for the 150 square feet of additional impervious surface for the new ramp system. I think that covers the project overall, if there are any questions?

Acting Chairman Gaillard: What material are you going to use?

Mr. Fusco: The material's a concrete paver. So it'll be set on concrete, and it's a gray brick paver for that. Then there's a galvanized stainless – or not stainless, but galvanized steel – railing that'll be painted black.

Alt. Boardmember Baldor: Is the support concrete throughout? It is a ramp.

Mr. Fusco: Correct.

Alt. Boardmember Baldor: So is it on ...

Mr. Fusco: What we've done is to limit some of the disturbance. These red dots here are actually support piers, similar to like a concrete Sonotube® post. Then we're creating a grade beam along the edges that are only going down about 12 inches. So we're not fully excavating out 42 inches everywhere. We're only rising, I believe, 16 inches from the existing landing we have to get to across the whole ramp. So we need to support it because of that rise, but we're trying not to create a huge wall foundation system.

Alt. Boardmember Baldor: And currently there's no accessible route to the front door?

Mr. Fusco: Correct.

Alt. Boardmember Baldor: So you're correcting that.

Mr. Fusco: Yes, we're correcting that. Right now there's three steps up to the front door so we're correcting that with a ramp system.

Boardmember Griffin: And the project is the ramp only. Everything else is going to stay.

Mr. Fusco: Everything else is staying. The existing concrete walkway that's going around, there's cracks in an area so they are replacing that in-kind in place. And the front landing, that's an existing concrete landing. That's getting replaced as well to match the same stone material. But that's all in the same place.

Alt. Boardmember Baldor: Looks like the footprint is very small relative to the site. Did you look at all into opportunities for semi-pervious materials to diminish the impact for stormwater?

Mr. Fusco: We did. The concern with it is, because of a ramp system for ADA accessibility, the issue with some of the pervious material is the possibility of movement and shifting. Not that it's drastic, we do it a lot on flat surfaces. It's just for a ramp, for safety in case anything does shift and needs maintenance, we don't want to create any type of issue for the safety of the users.

Acting Chairman Gaillard: I had one question, and I'm sure you looked at this and there were reasons why it didn't work. But did you look at the geometry that more aligned with the shape of the roadway? Like a curve instead of the kind of angles that you have now?

Mr. Fusco: Yeah, there are some limitations associated with that. And we reviewed that with the architectural review board and recently just got approval from their office. We have to come 90 degrees into the curve. So the access we're coming off of has to be a 90-degree angle for code. So once we create that 90-degree angle everything gets a little difficult. This section here that's running parallel to the building, there's a unit owner here that we're trying to leave this void in space for some planting as well as planting in front of it to help soften the ramp.

Acting Chairman Gaillard: I figured you had, yes. Okay, are there any more questions?

Alt. Boardmember Haddock: I understand that was quite a discussion at the architectural review board.

Attorney Whitehead: And the planning board has already approved it.

Mr. Fusco: Yeah, the ARB approved it.

Attorney Whitehead: But you're last.

Acting Chairman Gaillard: Thanks.

Boardmember Heitler: I can say the dimensional requirements for accessible ramps are pretty unforgiving. So there's not a lot of room.

Acting Chairman Gaillard: Well, I think it's a nice project, and maybe we're ready to make a motion?

Attorney Whitehead: Even though there's nobody here. Just for the record?

Acting Chairman Gaillard: For the record. No members of the public, no letters?

Asst. Bldg. Inspector Hoyt: No letters, no. No e-mails.

Alt. Boardmember Baldor: In case number 02-24, 445 Broadway, Hastings Realty Corp, relief from the strict application of Village Code Sections 295-72E(3) for rebuilding of the front entrance steps and adding an ADA accessibility ramp.

On **MOTION** of Alternate Boardmember Baldor, **SECONDED** by Boardmember Heitler, with a voice vote of all in favor the Board resolved to grant the variance requested for rebuilding of the front entrance steps and adding an ADA accessibility

ramp to the multi-family residential property located at 445 N. Broadway.
Nonconformity details of the proposed entry and ramp are as follows: Development
Coverage: Existing – 54.03 percent; Proposed – 54.19 percent; Allowed – 50
percent {295-72E(3)}; Variance Required – 4.19 percent

Acting Chairman Gaillard: Okay, approved.

Mr. Fusco: Wonderful. Thank you very much.

Alt. Boardmember Haddock: Good job, Brett.

Acting Chairman Gaillard: I need a lot of help, but thanks.

APPROVAL OF MINUTES & ANNOUNCEMENTS

Regular Meeting of January 25, 2024

Chairman Quinlan: We have to do the transcript. Does anybody have any comments? Who was here last time? I was here, do we have three? Anybody have any additions, subtractions or anything else? Could I have a motion to approve?

On **MOTION** of Boardmember Heitler, **SECONDED** by Boardmember Baldor, with a voice vote of all in favor, the Minutes of the Regular Meeting of January 25, 2024, were approved as presented.

Chairman Quinlan: The next ZBA meeting is April 4th, I believe.

Attorney Whitehead: We moved that meeting.

ADJOURNMENT

On **MOTION** of Boardmember Baldor, **SECONDED** by Boardmember Gaillard, with a voice vote of all in favor Chairman Quinlan adjourned the Regular Meeting.