VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING & PUBLIC HEARING
APRIL 28, 2022
ZoningBoard@hastingsgov.org


Chairman Quinlan: Let's call the meeting to order here. It's the Zoning Board of Appeals meeting on Thursday, April 28th. I'd like to welcome our new Zoning Board member Richard Griffin – welcome, Richard – and I think you'll find this at least very interesting if nothing else, okay?

To begin with, when you come up to the microphone I would like you to identify yourself and your address so we know who is it. Everything is being recorded and we want to know who everyone is. So that's number one. I want to welcome you all to the Zoning Board meeting. The way we're going to run it is very, very easy. We're going to have the proponent come forward and make their presentation, then we're going to have the public's comment if they're here – and if they're not here we'll talk about letters and things like that we may have received or may not have, or e-mails – and then we're going to have questions by the Zoning Board members one by one. Then we're going to vote. It's going to be very simple. Last but not least, Buddy are the mailings in order?

Bldg. Inspector Minozzi: I have been informed by my staff that all the mailings are in order.

I. AGENDA

Chairman Quinlan: We're going to take each case as it appears on the agenda tonight because it seems like there's nothing that's going to be too long, hopefully. So case number one is number 07-22.

Case No. 07-22
Samantha & Jeremy Smith
29 Buena Vista Drive
Relief from the strict application of the Village Code Sections 295-68F.2(a)[2] & 295-68F.1(b) w/295-20B(6) for the reconstruction and enlargement of a rear deck at their single-family dwelling located at 29 Buena Vista Drive. Said property is located in the R-10 Zoning District and is also known as SBL: 4.20-12-4 on the Village Tax Maps.
Nonconformity details for deck are as follows:

1. Development Coverage: Existing - 50 percent; Proposed – 54.5 percent; Required Maximum – 35 percent {295-68F.2(a)[2]}; Variance Required – 19.5 percent

2. Rear Yard Setback to Deck: Existing – 28 feet; Proposed – 22.83 feet; Required Maximum – 24 feet {295-68F.1(b) w/295-20B(6)}; Variance Required – 1.17 feet

Mitchell Koch, Mitchell Koch Architects: Good evening, I'm the architect for Jeremy and Samantha Smith, 29 Buena Vista Drive. I am formerly of Hastings and currently resigning in Irvington. Don't hold it against me though.

Attorney Whitehead: I won't hold it against you 'cause I live there [laughter].

Mr. Koch: Essentially, this project is to enlarge a deck. Here's the survey. And this is the existing deck, with a kind of curved front sort of like the bridge of the ship, with great views of the Hudson. The proposal is to enlarge the deck so it's 12 feet deep by 22 feet wide. And you can see we've eliminated the stair just to kind of create a little extra space because we're pushing, and in some places exceeding, boundaries. The deck is conforming with regard to setbacks on the sides because there is an allowed 6-foot encroachment of the ground floor deck, if you will, into required setbacks. However, you can see we are going beyond the pale there. That little sliver here of the deck, we were in about 13 square feet. So one of the variances we're seeking is with regard to encroaching in a required rear yard setback.

The big ticket item really is the fact that it's a very small lot and the house, if you look at building coverage and development coverage, is quite high relative to the lot size. So we look at development coverage and we're limited to 35 percent in an R-10 zone. And the existing coverage is at 50 percent, in fact. We're asking to enlarge that just a little bit. One thing that's noticeable is that all the properties at this part of Buena Vista are lovely but they're very narrow lots. This one is about 50 percent of the 10,000 square feet you would normally have in an R-10 district, so a lot of the development coverage. If we go to this little plot plan here you can see a large asphalt driveway and some paving in the front; pavers, a slate walk, and some paving to the rear of the sides. That's really, in large part, what pushes us over the 35 percent limit. We're asking the Zoning Board to allow us to do this.

I would point out that the neighbor's house immediately to the north of us has a deck that's, in fact, very similar. You can see it in the photograph here on the left. It's similar to what we're proposing, and we designed it so it wouldn't exceed the line of the neighbor's deck either. I
would just say the Smiths have solicited letters of support from their neighbors, and I believe you've received them. The neighbors, all the pertinent neighbors I think on the two sides and the rear, have been very supportive with regard to this. Just very quickly, here's a rendering of what the deck might look like in the back of the house. You can see in the background the arc of the existing railing of the deck behind it.

Do you guys have anything else to add?

Jeremy Smith, applicant: No, not off the tip of my head.

Bldg. Inspector Minozzi: You have to come up the podium to speak, please.

Mr. Smith: No, I don't necessarily have anything to add. I'm here with my wife, Samantha Smith. I think Mitch outlined it pretty well. We're just looking to extend the deck from our existing deck just to gain us a little bit more space to put a table out there and entertain. Actually, our neighbors who live next door to us are here as well in support, in addition to the letters you've seen. We did solicit everybody in our proximity and everybody's been very supportive of it, so we're hoping you'll approve it as well. Ask any questions.

Chairman Quinlan: We're going to get to that as soon as we hear from the public. Is anybody from the public actually here that would like to speak out regarding this application? Charles?

Joseph Charles [Deal], 31 Buena Vista: I'm here tonight with my wife Patricia. We're here in support of the Smiths in their request for this variance. You just saw, referred to, 31 Buena Vista, the house immediately to the north. That is our house, and because of the topography, because of the close proximity and because of the sight lines, in my estimation there's no one who could be more affected than we could be by this. Given what we have learned before and what we've learned tonight, Patricia and I are absolutely certain there will be no detrimental effect. If there were any effect at all I think it would be positive. I think if the Smiths are able to improve the pleasure in their house and improve the value it can only help the neighborhood and thereby help us and improve our value. Thank you.

Chairman Quinlan: Thank you, Charles. Anyone else that would like to be heard either for or against this application? Did we get any letters?

Bldg. Inspector Minozzi: Yes, Mr. Chairman.

Chairman Quinlan: They're all in favor?
Bldg. Inspector Minozzi: We have five letters in favor. We have 25 Buena Vista, 19 Buena Vista, 40 Buena Vista, 28 Buena Vista and 24 Buena Vista.

Chairman Quinlan: All right, we'll make those part of the record, thank you. Anyone else? No. Let's have questions by the Zoning Board here. David, why don't you start?

Boardmember Chen: I really don't have any questions. I've read all the letters in support. I listened with great interest to your next door neighbor, and I agree. That was the one letter I hadn't seen and that was the one question I was going to have for you because I didn't see that address. But now that I've heard from them in person, and their full-throated support, I actually don't have any questions for you, Mr. Chairman.

Boardmember Heitler: No questions. I think it was clearly presented.

Boardmember Gaillard: No questions.

Boardmember Griffin: Seems to be pretty straightforward so no questions here.

Chairman Quinlan: I have no questions either. So can I have a motion?

Boardmember Chen: I can "move." On the matter of Case No. 07-22 at 29 Buena Vista Drive, move to approve the application for relief from the strict application of the Village Code Sections 295-68F.2(a)[2] & 295-68F.1(b) w/295-20B(6) for reconstruction and enlargement of a rear deck at their single-family dwelling located at 29 Buena Vista Drive. Said property is located in the R-10 Zoning District and is also known as SBL: 4.20-12-4 on the Village Tax Maps.

Chairman Quinlan: Let's have a roll here. David?

Boardmember Chen: "Approve."

Boardmember Heitler: "Approve."

Boardmember Gaillard: "Approve."

Boardmember Griffin: "Approve."

Chairman Quinlan: And so do I "approve."
On MOTION of Boardmember Chen, SECONDED by Boardmember Gaillard, with a roll call vote of all in favor the Board resolved to approve the application for relief from the strict application of the Village Code Sections 295-68F.2(a)[2] & 295-68F.1(b) w/295-20B(6) for reconstruction and enlargement of a rear deck at their single-family dwelling located at 29 Buena Vista Drive.

**Chairman Quinlan:** Good luck, and enjoy.

**Samantha Smith, applicant:** Thank you.

**Chairman Quinlan:** Enjoy that deck and enjoy the views of the Hudson River and Palisades.

**Bldg. Inspector Minozzi:** I like that attitude.

**Chairman Quinlan:** Okay, let's move on to the next case here. Case No. 08-22

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**Case No. 08-22**  
**Matthew & Jeta Wilson**  
**200 Broadway**

Relief from strict application of the Village Code, Sections 295-68F.1(b&c), to replace an existing shed at their home at 200 Broadway. Said property is in the R-10 Zoning District and is also known as SBL: 4.110-111-15 on the Village Tax Maps.

Variances sought for the new shed are as follows:

**Accessory Structure Rear & Side Yards:**
Existing – Side 8 feet/Rear 8 feet; Proposed – Side 2 feet/Rear 2 feet; Required Minimum – Side 8 feet/Rear 8 feet (295-68F.1(b&c)); Variance Required – Side 6 feet/Rear 6 feet

**Chairman Quinlan:** Kathy, good to see you.

**Kathleen Sullivan, representing applicant:** It's easier when you do this at home.
Attorney Whitehead: Those days are over for now.

Ms. Sullivan: That's okay, I'm happy to be here.

Attorney Whitehead: I still have one municipality who's remote for as long as they can be, which is another month.

Ms. Sullivan: We're here today, I'm here today, on behalf of the Wilsons, who are looking for approval to add a shed to their rear yard. I want to give you a little context about the project, the site, and what the goals are current and future. This is the front door of the house. It's a beautiful Carpenter Gothic on Old Broadway, going from Yonkers into Hastings. We think it's a carriage house from a Fraser Estate so it's one of the older buildings.

This is the site. You can see the house right here. What they have is a situation where they're putting the shed and have some neighbors with existing homes – their homes or utility buildings – that are adjacent to the lot lines. And we're going to refer back to that. This is another example of one of the conditions we're looking to address. This is the view going on the wrong direction on Broadway, but the white car is right in front of their house. This is the dumpster and this happened when the interior …

Chairman Quinlan: Kathy, can I just interrupt for a second? I saw your letter and I appreciate it, but the future plans I'm not really … we're not here to judge or un-judge that, and we're just here to hear about the shed. So if you could just move on to the shed I really appreciate it. It's not that we don't think it's important – and I think it may come back to us some day, I have no idea – but we'll wait 'til then.

Ms. Sullivan: Okay, understand. Thank you. This is their house, with the setbacks, existing house, Old Broadway. In the back right corner you see the neighbor's auxiliary building, which is close to the lot line, and there exists a home to the south which is close to the lot line. What they'd like to do is have approval for two variances from the rear yard and the side yard setback. This shows the change that happens. The big blowup plan here shows what's by right. What they've asked, there's a very large stump they started to take out that's causing some problems. Instead of owning a variance for 6 feet into the setback, they'd like a variance of 4 feet into the setback, actually lessening the request.

Attorney Whitehead: On the side?

Ms. Sullivan: On the side, yes, and it's because of a large stump. I can show a picture of it.
The picture below here is the shed. It's going to be used for yard things. They don't have a garage or any outdoor storage, and it's a fairly small home. This is, again, just a little bit of what the situation would be in the future, but I won't address that right now. Down below, this is a view from the south, this is the building itself, their home. This is the auxiliary building. Right where that sort of light-colored thing is is where the shed would go. We feel it's keeping to character, in a funny way, with the community. It's kind of a precedent for these types of close-to-the-lot-line buildings, and this allows them to take advantage—I can speak to this one up here, but they have a very large yard—and they'd like to try to keep preserved, and maybe do some things in the future, which are shown here.

They've had an engineer take a look at the site plan for the driveway and a garage, which is something down the road we don't have to get into. This just shows a view of the property. This is the house close to the lot line, this is the auxiliary building here, and this is the corner they're hoping to put their shed in. I'll just walk you around the yard. This is coming around the left, the door side. This is a view from a new patio they've put in looking out to the north. This is a view from the north looking across to the southern part of the property. Again, this shows the house. This is the house that has the auxiliary building, this is the house that's close to that, where they are. This is a view standing where the shed is, looking back at the house and the property. This is, again, coming around the house and showing the patio.

This is the famous stump that no longer is there but is still causing some problems. But this is the corner it would be tucked into. This is a view a little further away, and this is a view coming up. This is the neighbor. The property line runs right around the fence. The stump shows where the shed will go. And this is, again, another shot of that. These are just the engineer's drawings for some future plans.

Chairman Quinlan: I'm not interested in the future plans right now. I mean, it's not that I'm not interested but not at this meeting.

Ms. Sullivan: I understand.

Chairman Quinlan: We'll talk about that later if it ever comes before us, okay?

Ms. Sullivan: Right, good. That's everything at this time.

Chairman Quinlan: Thank you, Kathy.

Ms. Sullivan: You're welcome, thank you.
**Chairman Quinlan:** Is there anybody in the public that’s here tonight either for or against having this shed? Having none, I know we’ve got some letters here.

**Bldg. Inspector Minozzi:** You have a couple of letters. We have three e-mails of support. One’s from 45 Amherst, one is from 196 Old Broadway, and one is from 41 Amherst – all in support.

**Chairman Quinlan:** We can make those part of the record?

**Bldg. Inspector Minozzi:** Absolutely.

**Chairman Quinlan:** Let's see if there's any questions here. David?

**Boardmember Chen:** I don't have any questions.

**Boardmember Heitler:** I just want to clarify. So the proposed side yard setback is 6 feet and rear is 2?

**Ms. Sullivan:** The proposed side yard is 4 feet, because of the stump.

**Attorney Whitehead:** So the variance is 4.

**Boardmember Heitler:** Is for 4 and 6.

**Male Voice:** 4 and 2.

**Bldg. Inspector Minozzi:** No the variance.

**Attorney Whitehead:** The variance is 4 and 6.

**Boardmember Gaillard:** The two letters of support are from the two neighbors on Amherst, is that correct?

**Attorney Whitehead:** And from the one next door.

**Chairman Quinlan:** Right next door where you saw the lot line going right there.

**Boardmember Gaillard:** I have no questions.
Boardmember Griffin: That same lot is the one where the other shed, the other building, is? That's part of the property from one of the letters that were supporting? What's the distance …

Bldg. Inspector Minozzi: No, that house is on Warren Street, 111 Warren. There's actually no letter from them.

Boardmember Griffin: Okay. And what would the distance be between those two sheds. The shed that's on the adjoining property and your shed now.

Attorney Whitehead: It's a garage, a pretty big garage.

Chairman Quinlan: Yes. It's more than a shed, Richard.

Ms. Sullivan: Here's what you're talking about?

Attorney Whitehead: The big garage structure, which will actually block their view.

Boardmember Griffin: There's one you had that was corrected post-stump. Maybe that's the best one to look at?

Ms. Sullivan: I'm not sure we had post-stump in here.

Attorney Whitehead: It's not an overlay, the ones on the beginning.

Boardmember Griffin: That one, the upper right.

Attorney Whitehead: It shows the relationship.

Boardmember Griffin: I just wasn't sure about the scale. But as long as there doesn't seem to be a problem between those two buildings – as far as you ever having to work on the other building, getting equipment in and out, that kind of thing – and as long as we feel like there's sufficient space between those buildings I don't see a problem with it.

Ms. Sullivan: Great, great comment.

Chairman Quinlan: I just have one question. How big is the shed?
Ms. Sullivan: 10 by 14 in footprint.

Chairman Quinlan: That's a good-sized shed. Okay, I have no further questions. So can I get a motion?

Boardmember Griffin: I can give it a try. In Case No. 08-22, Matthew and Jeta Wilson at 200 Broadway, I move to approve relief from strict application of the Village Code, Sections 295-68F.1(b&c), to replace an existing shed at 200 Broadway.


Chairman Quinlan: Yes, it's a new shed.

Bldg. Inspector Minozzi: That's what was on the application and it's why it's listed that way.

Chairman Quinlan: That's the way it's listed, but I think it's new.

Boardmember Griffin: Should I re-read it? For their new shed at their home at 200 Broadway. The variances sought for the new shed – actually this has "new shed" – are as follows: accessory structure rear and side yards – there's no existing – proposed, Side 5 feet/Rear 2 feet; minimum required 8 side and 8 rear. Variance required would be side 4 and rear 6.

Chairman Quinlan: All right, let's have a vote.

Boardmember Chen: "Approve."

Boardmember Heitler: "Approve."

Boardmember Gaillard: "Approve."

Boardmember Griffin: "Approve."

Chairman Quinlan: And I "approve" also.

On MOTION of Boardmember Griffin, SECONDED by Boardmember Gaillard, with a roll call vote of all in favor the Board resolved to approve relief from the strict application of the
Village Code, Sections 295-68F.1(b&c), for the construction of a new shed at 200 Broadway. The variances sought for the new shed are as follows: accessory structure rear and side yards – there's no existing – proposed, Side 5 feet/Rear 2 feet; minimum required 8 Side and 8 Rear. Variance required would be Side 4 and Rear 6.

Chairman Quinlan: I just want to mention one thing, not to digress. I was over to see the house this afternoon and it has a very interesting history. It's a caretaker's house from the Fraser Estate. It's an old house – what about 1850? – and one the oldest. The lots are crazy over there just because of that. I just thought I'd bring that up because it was just a very interesting piece of property and a very interesting house with a very interesting history.

Ms. Sullivan: They've done a very nice job in restoring it.

Chairman Quinlan: And have done, really. So thank you very much and good luck.

Ms. Sullivan: Thank you very much, appreciate your time.

Attorney Whitehead: Those three houses there are all really old.

Chairman Quinlan: They're all cottages.

Attorney Whitehead: And that garage structure is pretty interesting.

Chairman Quinlan: Like you said, it does block the view from the house. I won't ask you what you were doing in there, Linda.

Attorney Whitehead: I knew the former owners.

Chairman Quinlan: All right, the next case.

Case No. 09-22
Lillian Ringel & Joshua Berman
21 Pleasant Avenue
Relief from strict application of the Village Code, Section 295-68F.1(a&b) with 295-55A, for creation of a second story rear addition and new front porch roof on their single-family dwelling located at 21 Pleasant Avenue. Said property is in R-10 Zoning District and is also known as SBL: 4.40-28-3 on the Village Tax Maps.
Nonconformity details are as follows:

1. Front Yard Setback: Existing to Porch – 23.38 ft; Proposed to Roof – 23.38 feet; Required Minimum – 30 feet {295-68F.1(a)}; Variance Required – 6.62 feet
2. Rear Yard Setback: Existing and Proposed to Addition – 26.03 feet; Required Minimum – 30 feet {295-68F.1(b) w/295-55A}; Variance Required – 3.97 feet
3. Extension of an Existing Nonconformity in Relation to the Rear Yard Setback {295-55A}

Christina Griffin, project architect: Good evening, good to see you. I'm here to seek three variances for extensions and renovations we're planning to do at the Berman-Ringel residence. I'm going to … first of all, I have to find out how to …

Attorney Whitehead: Been a long time, right?

Ms. Griffin: Yeah, we're doing everything for the first time in a while. Let's see if this comes up. We're planning to add a family room addition and a garage, and renovate the existing kitchen. But in order to do the work, we're planning … and we're also adding a front porch. If you look at this site plan here you'll see this section in the front that's shaded in dark gray here. This is a proposed front porch. Right now it's an existing stone platform. We're planning to put new columns and a new roof over this platform. This porch has a setback of 23.3 so we would need a variance to build the structure above the platform because the front yard minimum setback is 30 feet.

The other variances we need relate to this structure in the back, if everyone can see my cursor. This is an existing one-story structure, and the roof comes down to below 8 feet. It's currently a laundry-bathroom. We'd like to raise the ceiling up 8 inches so we can match the ceiling height inside the house of 8 foot 3. Because we're extending the wall of this piece we need a variance due to the insufficient rear yard setback. It is currently 26 feet instead of the 30-foot minimum. We also need a third variance because this is going to be a nonconforming structure.

Here are photographs of the house. This is the front of the house, the front façade. If you look at the second photo I think you can see the stone platform that exists. What we're planning to do is put a front porch onto this house, reusing the big stone pillars that already exist there. You can see it's a very stark façade, and I think the porch will complete the look of this house which is a traditional Colonial. Then if you look at the photograph on the lower
left you'll see the structure in the back. This roof comes down, so the ceiling height is 7 foot 7. Our plan, our proposal, is to remove the roof and raise it up so we can have the ceiling height align with the existing ceiling inside the house. This structure is currently nonconforming, and we're extending it.

I just have some of the existing plans of the house so you can get an idea. We have a finished basement, and on the first floor I just wanted to point out this is the area in the back where we have, currently, a laundry and bathroom with low ceiling height. That's where we would like to raise the ceiling. In the front of the house there's a very nice stone structure there and that's where we want to put the new porch.

Here are our new plans, I'm going to go right to that; I'm going to skip the basement and go right to the first-floor plan just to show you where the new front porch is and the piece we're rebuilding in the back that will now become part of the new expanded kitchen. I'm skipping the areas of work that do not need a variance. This is our front façade. This is the elevation that shows the proposed porch. As you can see, there's a very nice detail on the house with these heavy stone pillars. We're planning to repair them and then reuse them for supports for our columns and our new roof structure here. This is the site elevation of the porch. Then in the back of the house, this piece here is the one-story piece we're planning to reconfigure and renovate so we can raise the roof and tie it in with the roof of the new family room addition.

This is a side view showing the two additions that need variances: the front porch on the left and the one-story extension on the right. The design of these additions is to blend as much as possible with the existing house; the same material, same treatment of trim, same window style. This is a section, and I just brought this with me. It's not what I submitted because it's a little more detailed. It just shows that the old part of the house here has a drop ceiling and low roof that we need a variance for to raise it up so it ties in nicely with the rest of the house and be able to expand the kitchen. That's my presentation.

**Chairman Quinlan:** Good job. Anybody here from the public that wishes to be heard either for or against this application? Any letters?

**Bldg. Inspector Minozzi:** No, sir.

**Chairman Quinlan:** All right, let's have questions from the board. David?

**Boardmember Chen:** I don't have any questions. I would like to have seen at least a letter in support. But I trust that at least there's no one expressing any opposition in the area, this isn't going to start some kind of neighborhood brawl.
Bldg. Inspector Minozzi: We haven't received anything in objection either.

Boardmember Chen: All right, I have no other questions.

Boardmember Heitler: I think it's straightforward in a sense. And these variances are in the height, in a way, because there's no change in the footprint. The front deck is there and the existing footprint of the kitchen is there so we're really not changing much from a coverage point of view, I guess, in a way. Again, it seems reasonable. And I think from the elevations it's possible to tell, but the porch seems relatively open in character. In other words, it's not a very big change to the massing. You're still able to look through and past the porch so it seems, again, that if anything I think you could say it has a positive impact on the streetscape in terms of scale without adding a lot of mass.

Boardmember Gaillard: I had a few questions just to make sure I understand the elevations. Are you also changing the … this is not a purview of the board, but are you changing the siding of the house as well, to shingles? Or is it shingles now and it's staying that way? It's just the elevations look different.

Ms. Griffin: There is a lot of repair work on the house so we will be putting new shingles on not necessarily the whole house, but the idea is to match existing.

Boardmember Gaillard: This is matching existing, it's not changing. Just because of the character of the neighborhood I was looking at the elevations.

Ms. Griffin: But there's actually a lot of disrepair. Everything we plan to do is to match existing, even if we have to replace quite a bit of the siding.

Boardmember Gaillard: Got it. Then when was the house built?

Ms. Griffin: I think around 1910.

Boardmember Gaillard: Was there a porch at the front of the house originally?

Ms. Griffin: We don't know, but it seems like it's almost missing.

Boardmember Gaillard: It looks like it was.

Ms. Griffin: If you look at the photographs it just seems like it should've been on the house.
Boardmember Gaillard: And a very large platform, with pillars. So it doesn't make sense if that's just a little … it's a very large entry platform. I have no issue at all with the back – that's totally reasonable – or an issue with the front. I just think the only sticking point I could see is with the character of the neighborhood. One would seem to argue there was probably a porch there originally 'cause I just don't know why you would have pillars like that without. It seems to make a ton of sense to me.

Ms. Griffin: I'm just going to go back to the photographs. There are many houses in the neighborhood with porches, too. I have some photographs here. I guess this one here has a porch. These are immediate neighbors, but I just know that area pretty well and it's not uncommon to see a porch, especially around the corner on South Calumet. There are quite a few porches, and I do believe this will make the house really fit better in the neighborhood and have more character.

Boardmember Gaillard: I agree. That was my only question.

Chairman Quinlan: I agree with what everyone has said so far. It just amazes me that there's no roof there already. I mean, it just doesn't make sense to spend that much on a beautiful porch and not have put up something to protect you when you're looking for your keys, it's raining, and you're trying to open the front door. So I have no problem with that. The back makes a lot of sense, you're just raising the roof to get a little bit more air and space and everything. So I have no problems, no questions. All right, can I get a motion? Did we get Richard? I'm sorry.

Boardmember Griffin: I do have a question about the part of the roof you're raising above the kitchen. Are you raising that entire section of the roof or just the section that's above the kitchen? There.

Ms. Griffin: This strange overhanging roof we're actually removing and removing the deck as well because we're building a new deck on the other side. We're raising this piece of roof here, and that roof will tie into our new roof that comes around the house and onto the new family room addition. In order to tie all the roofs together and have an integrated fascia board and common interior ceiling height we have to raise this roof up.

Boardmember Griffin: And there's a window right above that. Is that going to … I saw in your drawing it looked like when you raised the roof it was going to be kind of flush.

Ms. Griffin: We are creating a copper pocket that's flushed, or cut out, in that roof to come
around. You see the elevation.

**Boardmember Griffin:** Okay, that's all.

**Chairman Quinlan:** Okay Richard, sorry there.

**Boardmember Griffin:** No worries.

**Chairman Quinlan:** That's why I have everybody sitting around here to help me.

[Laughter]

Can I have a motion?

**Boardmember Gaillard:** I don't have it in front of me to read.

[Laughter]

**Chairman Quinlan:** You can do it, Brett, I know you can.

**Boardmember Gaillard:** I'm going to try, guys. I make a motion to approve – that's how I start? – relief from strict application of the Village code, section 295-68F.1(a&b) with 295-55A, for creation of a second story rear addition and new front porch roof on their single-family dwelling located at 21 Pleasant Avenue. Said property is in R-10 zoning district and is also known as SBL: 4.40-28-3 on the Village tax maps. Did I say I make a motion to approve yet?

**Chairman Quinlan:** Yes, you did.

**Boardmember Gaillard:** Do I need to keep reading the nonconformity details?

**Attorney Whitehead:** No.

**Bldg. Inspector Minozzi:** Maybe just mention the case number.

**Boardmember Gaillard:** I'm learning, everyone, how to do it.

**Attorney Whitehead:** That's okay because we're doing resolutions now so it doesn't matter.
Boardmember Gaillard: Case number 09-22.

Chairman Quinlan: Good work, Brett.

Boardmember Gaillard: It wasn't the best, but I'll get there.

Chairman Quinlan: We've got time. Okay, let's have a roll call. David?

Boardmember Chen: "Approve."

Boardmember Heitler: "Approve."

Boardmember Gaillard: "Approve."

Chairman Quinlan: And Richard, I'm not forgetting you this time.

Boardmember Griffin: I'll "approve," too.

On MOTION of Boardmember Gaillard, SECONDED by Boardmember Heitler, with a roll call vote of all in favor the Board resolved to approve Case #9-22 for relief from the strict application of the Village code, Section 295-68F.1(a&b) with 295-55A, for creation of a second story rear addition and new front porch roof on their single-family dwelling located at 21 Pleasant Avenue.

Chairman Quinlan: Good luck. Thank you for a very clear presentation.

Ms. Griffin: Thank you very much.

Chairman Quinlan: Finally, case number 10-22, 15 Spring Street.

Case No. 10-22
15 Spring Street (Former Hastings Funeral Home)
15 Spring Street Realty LLC

For View Preservation Approval as per Section 295-82 and demolition of the existing building and construction of a new structure, creating a mixed-use
occupancy to include 10 parking spaces in the basement, (one) retail space, (one) one-bedroom apartment on the rear of the ground floor level, and five dwelling units on the second and third levels at their commercial property located at 15 Spring Street. Said property is in the CC Zoning District and is known as SBL: 4.30-22-34 on the Village Tax Maps.

Chairman Quinlan: This is before the Zoning Board tonight only for view preservation, nothing else. So we're not dealing with a variance, we're just dealing with view preservation. Linda, would you like to report?

Attorney Whitehead: The Planning Board has reviewed this and recommended view preservation approval.

Chairman Quinlan: So who's here?

Edward Weinstein, project architect: I'm the architect for 15 Spring Street LLC.

Chairman Quinlan: Good evening, Mr. Weinstein. Nice to have you back in Hastings.

Mr. Weinstein: [Laughter] thank you. No, I never left. My office is currently at 125 Fairmont Avenue in Hastings.

Chairman Quinlan: We haven't seen you for awhile, that's why I was asking.

Mr. Weinstein: It's been awhile. Well, you're back on the Zoning Board and I'm back before the Zoning Board.

Chairman Quinlan: Like my son says, "Back to the future."

Mr. Weinstein: Just to give you a little background, as Mr. Minozzi mentioned we've been through the Planning Board. Started a couple of years ago, but the pandemic got in the way of things. Mr. Sinatra, unfortunately, with his business was extremely busy and couldn't focus on this project. We revived it several months ago. We've been through the Architectural Review Board. They have granted approval, the Planning Board has granted final site plan approval and recommended we go to the Zoning Board for view preservation approval.

I'm sure you're all familiar with the property. It's located – the site plan is up here on the upper left – between 555 Warburton and 7 Spring Street, which is the Food for Thought
health food store. The site currently has what was the former funeral home and parking area. It backs up to the Chase Bank parking lot. And the front of the building is right opposite the entrance to the Village parking lot. You can see this is the proposed elevation of the building. It's fully compliant with zoning in terms of height, all the requirements. The Architectural Review Board determined it was consistent with the Village's downtown.

Here are some photographs where we have sort of shaded-in the massing of the proposed building. We might have gotten a waiver on view preservation, but if you look at the photograph to the right – which was taken at a time when there was a lot more foliage – it wasn't quite clear whether the proposed building would be blocking views of the Palisades. It's certainly not blocking views of the river. So on the side of caution we are coming before this board to request an approval in connection with view preservation. I could also show you a photo I took this afternoon where the foliage is not fully fleshed out. You can see it almost looks like … that's the Palisades behind it, but the Palisades are actually being blocked by the other building. If I zoom in you can see what we're looking at, a structure that's actually this building.

**Attorney Whitehead:** You don't see the Palisades.

**Mr. Weinstein:** You wouldn't see the Palisades. I don't think we're blocking anybody's view so we're here to request approval in connection with view preservation.

**Chairman Quinlan:** Okay, is there anybody here from the public that would like to be heard? Any letters?

**Bldg. Inspector Minozzi:** No, we received no communications on this.

**Mr. Weinstein:** And I should note 167 notices went out because it takes in all the apartment buildings on Maple.

**Chairman Quinlan:** Thank you. All right, let's have any questions from the board. David?

**Boardmember Chen:** I don't have any questions about the view preservation. I'm just curious, any prospective tenants for the retail space?

**Mr. Weinstein:** Well, we're not there yet. The building, Mr. Sinatra is not clear whether he will be the developer, whether he will take a partner, whether he will sell it once the approvals are granted. That's not determined. There's one 19-hundred square foot retail space and six apartments.
Boardmember Chen: It's prime retail space. I'm just very, very curious.

Mr. Weinstein: It is. I'd like to see Antoinette's move to the center of the building.

[Laughter]

Boardmember Heitler: I thought we were going to vote on Antoinette's moving.

[Laughter]

Mr. Weinstein: I haven't discussed it with her.

Attorney Whitehead: There's a parking lot right there.

Mr. Weinstein: The current location doesn't seem to be getting in the way of their business.

Boardmember Heitler: Do we know if there was public comment at the Planning meeting?

Attorney Whitehead: Not on view preservation.

Chairman Quinlan: Good question. Anything else?

Boardmember Heitler: Mr. Weinstein, in this photograph how high up would the ceiling, or the top of the roof, go as compared to the windows that are in the building in the foreground?

Mr. Weinstein: Let's go back to the other set of drawings I had up before. You could see it's sort of in the middle of the third story windows. But I should also note that the building has no windows on its west façade so it won't be blocking any views of the neighboring building.

Attorney Whitehead: It can't have windows on that side because it's right on the lot line.

Boardmember Heitler: And of course, there's just about 5 degrees out of 360 that would really have any potential blockage of the river and the Palisades. Anywhere else would be blocked by something else.

Mr. Weinstein: And it will, I think, improve the commercial area. It'll have continuous
retail frontage along Spring Street which I think will make for a healthier economic situation for the rest of the businesses.

Boardmember Heitler: Absolutely.

Boardmember Gaillard: Could we just look at the elevation again?

Mr. Weinstein: Sure. There's a rendering on the lower left.

Boardmember Gaillard: And the building in the photograph that was blocking the view of the Palisades is the one kind of cut off in the far left side.

Mr. Weinstein: Yeah, it was actually Village Hall. Actually you saw it in the photograph I blew up.

Boardmember Gaillard: Yes, the one you took today? That one?

Mr. Weinstein: Yeah.

Boardmember Gaillard: Could we just go back to the elevation one more time? Sorry.

Mr. Weinstein: The entrance to the retail space will be at the eastern end of the building because of the way the street slopes. So you'll be able to come right in to the retail space without any steps or ramps.

Boardmember Gaillard: It seems like maybe just a little bit of the corner of that you would see, but not much. I don't think it makes much of a difference, from my perspective.

Chairman Quinlan: Well, as we know the view preservation laws do not say there is going to be no blockage.

Boardmember Gaillard: Exactly.

Chairman Quinlan: If it's only doing 5 percent blockage, as an example – 95 percent you could still see the Palisades and the river – then I think the statute would be clear that that would be okay. But I have a question. I have no questions about the view preservation. But just out of curiosity, where are the cars going to go in?

Mr. Weinstein: You see on the elevation there's a garage door where cars are entering the
building on the west side and going down a ramp. There would be parking in the cellar.

**Chairman Quinlan:** So to the very end of the building, that's the entrance?

**Mr. Weinstein:** Yes.

**Chairman Quinlan:** There's going to be three apartments on each floor?

**Mr. Weinstein:** No, there's actually one on the first floor.

**Chairman Quinlan:** In the back?

**Mr. Weinstein:** In the rear.

**Chairman Quinlan:** By the Chase parking lot?

**Mr. Weinstein:** Yes. Then two and three, total of six.

**Chairman Quinlan:** So where are the two, second floor or third floor?

**Mr. Weinstein:** Two are on the second, three are on the third.

**Chairman Quinlan:** Okay, anybody else?

**Bldg. Inspector Minozzi:** Just so I can let the board know, this would've been subject to a waiver but there was just the slightest doubt that it may have interfered just as Jerry said, the chairman said. Just that 5 percent maybe. So with that slight doubt we had to come for a full hearing.

**Attorney Whitehead:** And the waiver permission in the code is only if it's determined that there's *absolutely* no impact at all on the view. Then there's the potential for the waiver.

**Chairman Quinlan:** Well, that's good. And it was interesting to see the plans and everything, right, for us?

**Boardmember Gaillard:** It's an exciting project.

**Chairman Quinlan:** I'm glad of that. So let's have a motion. Josh, your turn if you don't mind. Or David, would like to take it? He's got the most experience.
Boardmember Chen: I don't know how that happened. On case number 10-22, the application of 15 Spring Street, formerly the Hastings Funeral Home, for demolition of the existing building and construction of a new structure, creating a mixed-use occupancy to include 10 parking spaces in the basement, (one) retail space and (one) one-bedroom apartment on the rear of the ground floor level, and five dwelling units on the second and third levels at their commercial property located at 15 Spring Street. Said property is in the CC Zoning District and is known as SBL: 4.30-22-34 on the Village Tax Maps. In the application for a view preservation variance, I move that we approve.

Attorney Whitehead: Just view preservation approval, not a variance.

Boardmember Chen: Right, view preservation approval.

Chairman Quinlan: Let's have a roll call. David?

Boardmember Chen: "Approve."

Boardmember Heitler: "Approve."

Boardmember Gaillard: "Approve."

Boardmember Griffin: "Approve."

Chairman Quinlan: And I "approve" also.

On MOTION of Boardmember Chen, SECONDED by Boardmember Heitler, with a roll call vote of all in favor the Board resolved to grant view preservation approval to 15 Spring Street LLC in Case 10-22 for the demolition of the existing building and construction of a new structure, creating a mixed-use occupancy to include 10 parking spaces in the basement, (one) retail space and (one) one-bedroom apartment on the rear of the ground floor level, and five dwelling units on the second and third levels at their commercial property located at 15 Spring Street.

Chairman Quinlan: Good luck with that project.

Mr. Weinstein: Thank you.
Chairman Quinlan: It's good to see you again.

Mr. Weinstein: Good to be back.

Chairman Quinlan: So we have approval of the minutes.

II. APPROVAL OF MINUTES

Regular Meeting – January 27, 2022
Regular Meeting – March 24, 2022

Chairman Quinlan: Do we have enough people here to do it this time?

Bldg. Inspector Minozzi: We have everybody that we're going to have. We have a full board.

Chairman Quinlan: No, but January 27th we've had some people missing. Do we know who was here?

Attorney Whitehead: We need Sashi.

Chairman Quinlan: So we'll have to do that again. That'll have to wait until Sashi's actually going to be here, right?

Bldg. Inspector Minozzi: I'll make a note. David wasn't here, Brett you weren't here. How are we going to get three?

Attorney Whitehead: Was that the meeting that only had you, Ray and Sashi? Let me think about that. Technically, minutes don't need to be voted on.

Bldg. Inspector Minozzi: So that's the March meeting we're talking about? We need Sashi for the January meeting.

Boardmember Gaillard: I think I was there.

Attorney Whitehead: January we will never have three.
At
ttorney Whitehead: It's in the minutes, somebody look.

Chairman Quinlan: Brett's going to save the day here.

Attorney Whitehead: You know what? Even if Brett was there we still need Sashi because it'd only be the two of you.

Chairman Quinlan: So don't worry about it.

Attorney Whitehead: Let's do March.

On MOTION of Boardmember Chen, SECONDED by Chairman Quinlan, with a voice vote of all in favor, the Minutes of the Regular Meeting of March 24, 2022 were approved as presented.

Attorney Whitehead: So we still have to carry over January.

III. ANNOUNCEMENTS

Next Meeting Date – May 26, 2022

Chairman Quinlan: All right, the next meeting date is May 26th, a Thursday, at 7 p.m. And I guess we'll still be in person.

IV. ADJOURNMENT

Chairman Quinlan: That's it, the meeting's over. First of all, we need a motion to end the meeting.

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

Chairman Quinlan: All right, thank you everyone.