

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 24, 2016**

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, March 24, 2016 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Chairman Matthew Collins, Boardmember Ray Dovell, Boardmember David Forbes-Watkins, Boardmember Marc Leaf, Attorney Steve Wrabel, and Building Inspector Charles Minozzi, Jr.

Chairman Collins: We will get underway. Good evening, ladies and gentlemen. Welcome to the March 24 Zoning Board of Appeals meeting. We have three cases on our docket: 03-16, 04-16 and 05-16. The last case involves one of our sitting Boardmembers so he will obviously recuse himself for that one. The first two we'll begin. We are shy of the fifth Zoning Board member tonight. We have four, which means we have a quorum but it also means it is conceivable one of these cases may end in a deadlock. We like to have an odd number in case of a tie, but we do have a quorum and that's the important thing.

Building Inspector Minozzi: Did Adam say he wasn't coming?

Chairman Collins: Yeah, both Adam and Sean.

Building Inspector Minozzi: OK, I will take his stuff back down tonight.

Chairman Collins: Before we get underway, Buddy, how are we with the mailings?

Building Inspector Minozzi: I've been informed by my staff that all the mailings are in order.

Chairman Collins: OK, very good.

**Case No. 03-16
Soon Ja Kim
189 Warburton Avenue**

For View Preservation approval as required under section 295-82 of the Village Code for the addition of a three-seasons viewing room on her single-family dwelling at 189 Warburton Avenue. Said property is located in the R-10 Zoning District and is known as SBL: 4.130-138-11 on the Village Tax Maps.

Chairman Collins: Why don't we begin with Case 03-16, Soon Ja Kim, for 189 Warburton Avenue seeking view preservation for addition of a three-seasons viewing room at her home. If you can just take us through your project, whenever you're ready. Take your time getting set up.

And then what I'll ask, for anyone presenting tonight or anyone who wishes to be heard on any case, we have two microphones available for you; one that's right on the floor, and a handheld microphone. Whenever you're speaking, just make sure you introduce yourself so our remote stenographer can capture your name.

Soon Ja Kim, applicant: I am Soon Ja Kim. I'm the owner of the house located at 189 Warburton Avenue.

Cable Access Director Corso: That microphone's not on.

Chairman Collins: Oh, just one second, Ms. Kim. Hang on. We just need to turn your microphone on. Thanks, Jen. Can you hear that?

Building Inspector Minozzi: You have to hold it closer to your mouth. The microphone's on and the battery's new.

Chairman Collins: Can you hear it?

Ms. Kim: My current house [unintelligible]. I'm going to add [unintelligible] and viewing room at the back of the house, which will not be seen. [Unintelligible] that back area, OK?

Cable Access Director Corso: Can she actually use the other microphone?

Chairman Collins: Just one second, Ms. Kim. I'm sorry. Let's just check it. It's a lot easier, Jen.

Cable Access Director Corso: That's fine.

Chairman Collins: It sounds like, Buddy, there's a system in the back room that needs to be activated for that thing to be working. We'll get on it.

Ms. Kim: Can you hear OK? Yeah, I have a hearing problem.

Chairman Collins: You're good.

Cable Access Director Corso: Thank you.

Ms. Kim: So this is the house, the front side. And the back side is ... you know, this is ... I'm going to put it up, and it's not square, it's angled. But it's really small, it's 14 feet is the widest area, OK? This is going to be here. This is the zoning analysis. Can you see this?

Chairman Collins: I think we have all the drawings.

Ms. Kim: Warburton Avenue is ...

Building Inspector Minozzi: Try to speak as much into the mic as you can, Ms. Kim.

Ms. Kim: Yeah. Warburton Avenue is here, the property's here ... stretches way down to the Hastings trail by the railroad track up the hill. These are the steep hills. We're going to build right behind the house. This is only three seasons (ph), the reason being that several, except winter months when the leaves are all off. I can see the beautiful view of the river. This ended up seeing the Palisades cliff because of the trees nearby and the parks and the neighbors. It's all over. So can't see anything other than the Palisade cliff. What can I do?

I want to see a beautiful river view. That's why it's three season, not four season. The three-season room, that's what I'm going to build. Then I'm asking for your approval. I do have some pictures and elevations. I don't know whether you want to see them.

Chairman Collins: Please bring your pictures up, Ms. Kim, yes.

Ms. Kim: These are current tree (ph) from the northwest. You can see because you can see this back where I'm going to build it. That's on top of the current existing roof. This will become like each side. Away for the west side you can see this. They're all within smaller than current dormer. Dormer is this one. That's receded (ph) smaller than the dormer so extending the brick (ph) like this.

I don't know, I tried to ... you have to see this. This side is the north side elevation, this is from the south, and these are the east. This is west. This is the basement, this is the ground floor, this is the second floor with this thing is going to be right on top of that roof. That is an aerial view. This is the house. Our area is very small. It's only 14 houses are there, that's our immediate area. Then there has been a Hastings bridge between the Greystone, and then here is around Pinecrest Drive there is a park. So very uncrowded, really small, nice village. I want to fit into there without disturbing anyone's anything. That's what I decided to do so.

Chairman Collins: OK. Really, we're talking about only view preservation. That's the only ...

Ms. Kim: No, no, no. I know. This is zoning in the zone within the setback.

Chairman Collins: Right, that's all fine. So really we're only here to talk about the view. We're talking about a 14-foot intrusion towards the river for your viewing room. We'll all take turns giving you feedback, for those who want to share it.

My sense is, it's a lovely design and will give you, obviously, this enhanced view of one of the Village's very best features. It looks to me that the impact on the view would be most noticeable if you were staring either due south or due north, and maybe close to parallel with what is now the rearmost-facing part of the house. Which is to say I think, based on your drawings, that the impact on the river view appears to be very modest. I see nothing objectionable. I know the Planning Board approved view preservation, and I'm inclined to agree.

Does anybody have any comments that they'd like to share, or questions?

Boardmember Forbes-Watkins: I think this is a very unique idea. And walking around the grounds and the issue of view preservation, there's simply ... the only place I could conceive of anyone having any issue would be the people to the south of the house. There is such a huge panorama at the point where Ms. Kim's house is located that I cannot conceive of anyone complaining of losing vision of a tiny, tiny bit. I think it's a perfect no-problem for view preservation.

Ms. Kim: Thank you.

Chairman Collins: Anything else to add, questions? Marc, you good?

Boardmember Leaf: I'm good, thank you.

Chairman Collins: I just have a letter to enter into the record. This was offered up by Maya Elbaum – if I get any names wrong I apologize – of 169 Warburton Avenue. She has written a letter in support of your project. So we will enter that into the record; nice to have that show of support.

Does anyone in the audience wish to be heard on the matter? OK. Then if there are no further questions or comments from the Board, and none from the audience, can I get a motion?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Leaf, with a voice vote of all in favor, the Board resolved to grant, with respect to Case 03-16, 189 Warburton Avenue, view preservation approval for the addition of a viewing room at the rear of the dwelling.

Chairman Collins: The vote's unanimous. Congratulations, good luck with your project. Thank you.

Ms. Kim: Thank you.

**Case No. 04-16
Jessica Silvester & Daniel McNamara
17 Pinecrest Drive**

For View Preservation approval as required under section 295-82 and a variance for relief from the strict application of code sections 295-55.A, & 295-68.F.(1)(a) of the Village Code for the redesign and reconstruction of the existing roof within an existing nonconforming front yard setback on their single-family dwelling at 17 Pinecrest Drive. Said property is located in the R-10 Zoning District and is known as SBL: 4.100-96-14&15 on the Village Tax Maps.

Variance is sought for the extension of an Existing Non-conformity:

**Front Yard: Existing – approximately 16.16 feet;
Proposed – approximately 23.42 feet; Required Minimum – 30 feet {295-55.A. and 295-68.F.(1)(a)}**

Chairman Collins: All right, next up we have Case 04-16, Jessica Silvester and Daniel McNamara for 17 Pinecrest Drive, seeking view preservation approval as well as a variance for front yard. Again, anyone presenting make sure you have a microphone near your mouth at all times, and just introduce yourself before you begin.

Alex Stojanovic, project architect: Sure. Hi, my name is Alex Stojanovic. I represent Jessica Silvester and Daniel McNamara for this project, which is on 17 Pinecrest Drive. I'll first go to the view preservation issue that has to do with the fact from the Aqueduct, where the adjacent property continues really along the entire path there is a view that will be

somewhat a little bit touched by the fact that we want to raise the roof of the addition to be at the highest point existing now continuous instead of slagging (ph) down. In the hearing last week the Board approved that because it's really a sliver that will be lost.

So this is the point – and it's hard to see maybe on that image, I'm not sure from your files you have that – the image when you walk on the Aqueduct. This is the addition from the '60s, and we would kind of even out the line that now exists only at an angle, losing maybe a sliver of the view there. But at the same time, as you can see from the picture, this is the most open view the Aqueduct actually has. Because the previous owner had really done a great job in clearing that view with the town – actually in collaboration – down from Warburton and opening it up at the point where the fall of the Palisade (ph) happened a year-and-a-half ago. If you walk the Aqueduct from Washington towards Pinecrest this is the moment when you actually see the view and the river in the most open manner.

We are also suggesting – and now it's about the zoning issue – raising the roof of the house by approximately 18 inches; still within the height that's allowable, but creating a larger footprint above the 7-foot allowance. Now we have 150 square feet in the attic bedroom, which is a master bedroom with a bathroom, and we'd like to enlarge the square footage we have there to something more usable than the just 150 square feet that now is on the dormers for the rest of the square foot that you have. So maintaining the same square feet, but enlarging the roof to create a little more height. We're going from 150 square feet to approximately 500 square feet, so it's really more than doubling the square footage just by raising the roof but not enlarging in any way the walls of the existing room.

You'll see now in these images again, the straight line coming up from Warburton up Pinecrest, what you would lose is the sky view going up off the straight line. I don't know if you know the building at all. It has this very strange '60s architecture of broken-shaped roofing lines that also created many water problems to the building because it's hard to maintain those ridges because they're not linear. This would kind of clear that so that we have one – you know, took pictures left and right – and be able to really maintain the water flow in a controlled manner.

In terms of the zoning issue, very small in here. The lower volume that we denominate (ph) as the greenhouse is 13 feet from the front setback. The front setback should be 30 feet so we are really way within that line existing. We're going to remove that volume and keep the line of this addition that was done in the '60s in line with the building. We're still not conforming, but we are enhancing the situation by removing 7 feet of volume that now is really protruding into the nonconformity.

Boardmember Forbes-Watkins: This is the area D on your drawing.

Mr. Stojanovic: Area D, correct. That would be eliminated completely.

The façade will now remain in line with the porch of the building that is existing and continues. I can show you a roof plan that actually better explains the change. This is the greenhouse now with this whole glass that protrudes beyond. The idea is to maintain the line of the building straight. Just the roof would protrude as a cover for the sun exposure towards the west, which is a sunset. But the actual façade is straight in line with the porch.

Boardmember Dovell: So you're decreasing the degree of noncompliance?

Mr. Stojanovic: Correct, by approximately 7 feet.

Chairman Collins: Yeah, we don't usually see that where you have an existing nonconformity, but actually after you're done with it that nonconformity will be less severe.

Building Inspector Minozzi: It'll be less severe protruding into the setback, but it's going up. That's where the problem was.

Mr. Stojanovic: Right. The reason why it's going up has to do both with the inside of the roofing lines. And here you have the volume existing, where to the northwest corner the volume is much higher. So this roofline then slopes down towards the south and the porch, cutting the porch in half kind of. You see from the porch the roof of the diagonal. But from the building itself – from the old building – it comes sloping down the opposite way. We have five different roof pitches within that small volume. So clearly, you could expect some water problems because drainage is not the easiest thing to achieve in this manner.

The idea would be to come up to the existing height with a new wall towards the north and create a wall that aesthetically would kind of tie in with the base of the building which is a stone clad now. Then have the roof help us basically create this straight line, with one eave really towards the west and the other one sloping down towards the east in the back. And lowering the roof is a pagoda-type of roofing because we don't need the double height everywhere. But the only access we have to this volume from the main one is really the middle. So to create a passage where you actually can have a real headroom. At present, you're walking basically from the little terrace within this roof down the spiral stair. But the ceiling really comes down at you, I think it's 2 feet away.

Building Inspector Minozzi: I had to duck.

Mr. Stojanovic: Yes, and it's been like this for a long time. This is the Clark's house, it's a

historic Hastings building that has a real civil rights history tied into it.

Chairman Collins: There's a sign on the front.

Mr. Stojanovic: It has a sign to it, and it's very famous people that had lots to do with that period. They actually spent time, and it's been reported in the *New York Times*. It's a very illustrative place, but I think it should be also a livable place for the client. It wouldn't take anything away from the spirit of the house, I don't think.

Boardmember Dovell: So you're also decreasing the building coverage.

Mr. Stojanovic: Correct, we are.

So in a nutshell, and just to get back to the main house, in the roof this is the dotted line in red. It kind of shows the existing roofline and the proposed one, which would be 18 inches taller to be able to get what we need in terms of roof height and taking advantage of the room that's there now, but just getting a little bit more headroom within. Even though it's a three-floor height, the clients would like to have a master bedroom still up there because the view is the best, obviously. But the view is good from any point here because it's straight out. It's very close to the previous project's location so you're really looking at the Palisades.

Chairman Collins: OK, do you have anything further?

Mr. Stojanovic: I think this is it.

Chairman Collins: OK. Well, as I said we don't often see cases that, in the end – though you're building up into a nonconformity – the extent of that nonconformity, as measured by a yardstick, is actually going to be less than it was beforehand for what seems to be a very sensible addition that solves multiple problem. I assume this makes the risk of water leakage go down significantly ...

Mr. Stojanovic: Significantly, yeah.

Chairman Collins: ... because you're taking out some of those angles ...

Mr. Stojanovic: Yeah.

Chairman Collins: ... and making it more livable on the inside in a way that seems to be very much in keeping with the overall character of the home. I looked at the view impact and, again, we have a situation where it looks like the view impact is very minimal and very

carefully done. So I certainly have no objections to this and I think you did a fine job in your presentation. I don't have any questions about the project.

Any other questions from the Board?

Boardmember Leaf: Nothing here, Matt.

Boardmember Forbes-Watkins: No.

Chairman Collins: OK. Ray, anything further?

Boardmember Dovell: Nothing.

Chairman Collins: OK. Then we'll turn it over to the audience. Is there anyone in this case that wishes to be heard, have any questions?

Charles Gilliam, 87 Pinecrest Parkway: I just want to ask a couple questions.

Chairman Collins: Yeah, if you could just come up, sir. We're down to one microphone. So if you could just do me a favor before you speak. We need to have your voice recorded so speak into the microphone and please introduce yourself first.

Mr. Gilliam: [Off-mic].

Building Inspector Minozzi: Hold on one second. The mic's working.

Chairman Collins: We'll check it, Jen, hang on. Can you just speak into it?

Mr. Gilliam: Hello.

Cable Access Director Corso: It's on.

Chairman Collins: All right, great. I'm sorry, can you repeat your name again?

Mr. Gilliam: We sit basically directly behind this house. Can you explain something? The roof here, how high is it going up?

Mr. Stojanovic: This is the existing roofline here, which is dotted in red. It's going 18 inches from where it's now.

Mr. Gilliam: OK, 18 inches. And how far across?

Mr. Stojanovic: It's the same width, it's just going up.

Mr. Gilliam: OK. Now this over here, this roof that slants down ...

Mr. Stojanovic: The red line shows you what the roof is now, basically. It kind of slants down and then goes kind of straight towards the front, or towards the west. So it's the view. This will be the filling part and we basically want to keep up the height you have existing now and bring it just straight over.

Mr. Gilliam: Oh, it's not coming up here.

Mr. Stojanovic: No, no, no.

Mr. Gilliam: OK, it's coming across to meet the porch?

Mr. Stojanovic: To meet the porch. Basically, really from the existing height that we have existing now on the north wall, just continuous 100 percent straight. The problem is exactly here. That when you come down this roof is so steep you actually end up really ... well, you're tall, you would have to duck because it's not a very comfortable. It's the only entrance other than from the garden, of course, from the house. By raising it up at the straight line you'll actually be able to walk ... it's still only 7 foot 6 at the entry. It's not a huge opening, but at least it's straight. You don't feel like you have to ...

Mr. Gilliam: No, this is what I was not clear on. I wasn't sure what was happening here, but I see.

Mr. Stojanovic: Right. This height is maintained and just butts against the porch.

Mr. Gilliam: Yeah, you lose a little.

Mr. Stojanovic: You do lose a little, but it's a straight line now instead of having this varying that you see at present.

Mr. Gilliam: By increasing the height here, you pick up how much space?

Mr. Stojanovic: I pick up actually like 300 square feet within, but it's about 7 foot high just by going 18 inches.

Chairman Collins: Thank you, Mr. Gilliam.

Mr. Gilliam: Thank you.

Chairman Collins: Does anyone else wish to be heard, any other questions? Then may I get a motion?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell, with a voice vote of all in favor, the Board resolved to approve Case 04-16, 17 Pinecrest Drive, for view preservation and the variance on the front yard: existing, approximately 16.16 feet; proposed, approximately 23.42 feet; with a required minimum of 30 feet.

Chairman Collins: The vote is unanimous. Congratulations.

Mr. Stojanovic: Thank you very much, thank you.

**Case No. 05-16
Debra Oaks & Marc Leaf
30 Floral Drive**

For relief from the strict application of code sections 295-68.F.(1)(a) and 295-68.F.(1)(b) of the Village Code for the creation of a front, side and rear addition, to their single-family dwelling at 30 Floral Drive. Said property is located in the R-10 Zoning District and is known as SBL: 4.40-34-4 on the Village Tax Maps.

Variations are sought for the following:

- 1. Front yard setback: Existing – approximately 34.3 feet; Proposed – approximately 26.8 feet; Required minimum – 30 feet {295-68.F.(1)(a)}. Seeking 3.2-foot variance.**
- 2. Rear yard setback: Existing – approximately 29.4 feet; Proposed – approximately 29.4 feet; Required minimum – 30 feet or 30% {295-68.F.(1)(b)}. Seeking 0.6-foot variance.**

[Boardmember Leaf recused]

Chairman Collins: We transition to our final case, seeking front yard and rear yard setback variances. Because the case involves our alternate, he obviously will step away from the bench. We have now two active mics so you can choose whatever is easiest for you. Just again, introduce yourself into the microphone for the first time so our stenographer can pick up your name.

Douglas Alligood, project architect: I'm representing Debra Oaks and Marc Leaf. We are requesting two variances, one for the front yard setback and one for the rear yard setback. I'll start with the rear yard.

This is a site plan of the existing conditions. This line here is representing the 30-foot required rear yard setback. This section of the house, approximately a foot, is encroaching on that rear yard setback. It has a stone foundation for the garage and it's also carrying two floors; one floor the full width and the second floor actually goes to that line, a little more than half of that width. The variance for the rear yard is requesting to reconstruct the existing ground floor wall in that same location, and build a new wall on the second floor the full length of the ground floor wall.

Chairman Collins: OK, got it.

Mr. Alligood: I have elevations that can describe that in a little more detail.

Chairman Collins: OK.

Boardmember Dovell: For a grand total of 6 inches of encroachment?

Mr. Alligood: I believe it's between 6 inches and a foot, something like that. It keeps going; this survey is in decimal. Actually you're right, it's 7 inches. This is an elevation of the east side of the house, which is facing the neighbors. The front of the house is over here, this is that setback line, and this is the amount of the house – ground floor, basement and second floor – that's existing beyond the rear yard setback. There's the rear view of the house showing the profile of the encroachment.

Chairman Collins: You're replacing the lower wall and building that wall up to the second story. What's the reason why?

Mr. Alligood: That is a very good question. I just have to get my bearings straight.

Chairman Collins: Take your time, take your time.

Mr. Alligood: Sorry.

Chairman Collins: That's OK. We're very good on time, and you're the last one on the docket so you can take all the time you want.

Mr. Alligood: I have these elevations, and I started to explain it.

Building Inspector Minozzi: You got to use the microphone again, please.

Mr. Alligood: Now I need my pen. What we have is this elevation is, again, the east elevation showing the side of the house. The shaded area here shows the existing encroachment. What we have in the existing house is a 6-foot headroom in the bedroom there.

Chairman Collins: Wow.

Mr. Alligood: And it really ... I don't even think it complies as a bedroom. I don't know if you've seen my client recently.

Chairman Collins: We see him every month. Yeah, that's not compatible.

Mr. Alligood: What we're looking for is to increase the height of that second floor. Of course I can't find the elevation that shows that height, but it is approximately 3 feet of additional height to bring it up to code and comfortable.

Chairman Collins: Marc Leaf-compliant.

Mr. Alligood: Yes. The whole point of not bringing it back is, the framing ... this is stone foundation in that location underneath that house, then it just becomes this bizarre hardship of framing just to move it a foot with the bearing wall. The joists are going that way. So changing it is just kind of a nuisance, an expensive nuisance, to reframe it.

Chairman Collins: Sure, that makes a lot of sense. You also mentioned improving thermal performance. I assume you're talking now about insulation and just keeping the house warm, or cool.

Mr. Alligood: Yeah, that house ... the addition in the back of the house here was probably built – I don't know this for a fact – at a different time from the original house. It's built on a different type of construction, and it doesn't feel as sturdy and doesn't perform as well. It's not as airtight. What we do is, when we build this thing with proper insulation meeting the

current code we're not going to change everything in the house. We can rebuild that wall, possibly get a new roof, airtight windows – and it's better.

Chairman Collins: OK, that's a good explanation of the rear yard and makes a ton of sense to me.

Mr. Alligood: So I'll move on to the front yard?

Chairman Collins: Yeah, go for it.

Mr. Alligood: Now I'm going to go through this whole shuffle again. I'll start with this drawing here. Again, starting with the existing site plan, there is no encroachment on the front of the house for the existing condition. This line represents the front yard setback. There's a portico that is covered. In other words, I have the photographs here and it extends out from the house, but doesn't ... I do not have the photograph. Oh boy, here we go. On the north front, top of the drawing and top of the page, you can see this is a covered second-story porch – or partially covered by the roof – and that porch then covers the entrance to the house. But there's no foyer, so when you walk into the house you're in the main living space. Again, it's a thermal issue and also a transition.

Chairman Collins: A flow issue.

Mr. Alligood: Correct. What we are proposing is to extend a foyer out underneath that existing portico. That foyer will then extend into that same exact zone and will be within the front yard setback; it'll come right out to the 30-foot setback line. What that'll provide is a nice entrance that's, again, a transition space. If we tried to do that within the house right now you'd bump into the stair. There wouldn't be any space inside the house to actually create this kind of foyer. That's why we want to push it out to the front yard setback.

Chairman Collins: Sure.

Mr. Alligood: Then the porch is this hatched area here, the covered porch. It's truly a porch, it's not enclosed, it's an exterior space with a roof over it. The reasoning behind this porch is twofold. I'll put the microphone down.

Building Inspector Minozzi: It might roll off. The reason for this porch – extending the porch out beyond the setback line – is that if you were to cut the porch off at the setback line there would be no connection between one half and the other because of the foyer that we're placing out in front.

Chairman Collins: You'd have two porches.

Mr. Alligood: Essentially, and they would be approximately 4 feet front to back, which is sort of useful but not exactly.

Chairman Collins: Yeah, it's not really a porch.

Mr. Alligood: So what we're looking for here is a minimal intrusion into that front yard setback of 3 feet.

Chairman Collins: So now there'll be a 7-foot porch? Is that right?

Mr. Alligood: Approximately, yeah. So that you're able to walk past somebody, you're able to sit comfortably, and it connects a nice roofline across the entire front of the façade. We think that's actually more in keeping than having some bump coming out of the house.

Building Inspector Minozzi: Mr. Chairman, just a reminder to the Board that the reason it's here is because it's covered. If it wasn't covered we have that provision, that depth provision, in our code where it would be compliant. He has to bring it to us because it is a covered porch.

Chairman Collins: Right.

Mr. Alligood: Again, the hatch is fairly light, but this is the line of the setback. This area here, and this kind of ... it's not exactly a colonnade, but these columns are open in between there, and that's open as well.

Chairman Collins: There are no windows or screens on any of this.

Mr. Alligood: Nothing proposed like that, just a small railing. It's mostly decorative, you're not really going to fall off of this. There's probably maybe a foot down here, and the grade is above on that side. The hill is coming towards the house on that side.

Boardmember Dovell: Do you have stairs going up to the foyer from grade, or is it at grade?

Mr. Alligood: Let me see, there are two steps.

Boardmember Dovell: Two steps.

Mr. Alligood: To get from grade. Because the way the street is profiled it's sloping this way across the site.

Boardmember Dovell: It's sloping down.

Mr. Alligood: That ground floor is elevated from the part of the hill that's kind of sloping down. You end up with two steps in front of the foyer.

Boardmember Dovell: So if you go straight into the new foyer and you make a right, can you get to the porch? I mean, it looks like it must be a foot between the pier and the face of the foyer.

Mr. Alligood: Right. Yeah, that is an attempt to keep this encroachment to a minimum, really. Maybe the pier wants to slide out a little bit away from the foyer.

Boardmember Dovell: But how do you get to the porch?

Mr. Alligood: Just by walking from the side, really. You're coming in from the mud room on the ...

Boardmember Dovell: From the side. So you can only get to the porch ... but you can't get to the porch from the foyer.

Mr. Alligood: Not as currently drawn; not unless we added a door from the side, where you walked through this little space. And it is pretty narrow.

Boardmember Dovell: Because it's a little slot. It looks like it's maybe 18 inches at best, right?

Mr. Alligood: Yeah, that's true. I mean, obviously it really wants to be a deeper porch in response to that question, or we would put a door on this side or that side. What we put was, we added a mud room over on the northeast side.

Boardmember Dovell: Right, so the mud room is the only way you can really get onto the porch.

Mr. Alligood: Onto that side, and then this side here you're going down the hill and coming in from the back.

Boardmember Dovell: And then on the other side you have to get onto the porch from

outside the house.

Mr. Alligood: Right. The connection we want to establish is through here. I agree that these two columns are really kind of in the way and maybe they want to pull slightly out or adding a door in here, but I think that starts to get a little bit ...

Boardmember Dovell: Or this foyer could slide back to the house a little bit so you could actually get across.

Mr. Alligood: Yeah. I think we have the space to do that inside here. This foyer we're going to pull back ever so slightly. You could get ...

Boardmember Dovell: The foyer's 6 feet in depth, right?

Mr. Alligood: Yep.

Chairman Collins: It wouldn't take much to create a flow.

Boardmember Dovell: It just seems like you're keeping it to a minimum variance and not getting something that's really usable.

Chairman Collins: And, Mr. Alligood, you mentioned that you really wanted – at least I took from your remarks – to create a cohesive, full frontal porch that wouldn't require exclusive access from either side, essentially creating two separate porches that aren't combined. I think it's good advice.

In this Boardmember's position, I think this is a modest incursion into the front yard. I think the idea of being able to move the foyer in a little bit to create some space can do that.

Boardmember Dovell: Or pulling the face of the porch out a little bit.

Chairman Collins: Right, "a little bit." You've got some room here to play with it, and I think it would not be egregious.

Boardmember Forbes-Watkins: I think we ought to point out, too, that it appears the property line is back from the street about 15 feet.

Chairman Collins: Yeah, the applicant mentions that.

Boardmember Forbes-Watkins: The net result is that the front façade, or the front porch

or wherever, is well back from 30 feet from the road but not from the property line.

Chairman Collins: Right. But all told, the visual that's given – sort of the optics of it – are actually very deep; well within what you would expect and certainly generous for the norm for Hastings.

Mr. Alligood: First of all, yeah, I did mention that in the written report. This number here, we have 15 feet until you get to the street. And I completely agree that this dimension here, at a certain point I actually see my sketch lines printed that I had the foyer pushed a little bit back. Then what I did, I pulled it all the way out to the setback line and didn't do the corresponding move with the porch because I didn't want to encroach any more. I'm trying to really keep that to a minimum, but I agree this foyer could move in and allow that intended passageway, or connection, from one side to the other. This is actually really important to the client to be able to walk from one side to the next. And of course this foyer is an important part of a gracious entrance to the house and then keeping the outside out.

Chairman Collins: Right. I think you're talking about a fairly minor adjustment in the geometry of this, and then I think it all should work beautifully. I'll say that the design, the idea of it, I love. I think it's really, really handsome. And you solved the flow issue here, and I think not only do you have something that looks great but will be just as functional. And I see nothing to object to from a zoning perspective.

I hate to have you come back, but I think what we would suggest you do is go back to the drawing board, literally, and reconfigure this. Which will then create perhaps some slightly different numbers for us to consider. And then I think we should be able to go. The only alternative, I would think, is we could approve the front yard setback in this and then leave it to the applicant to figure out the back.

Mr. Alligood: The interior space, because it's conforming anyway.

Chairman Collins: Correct. The only limitation with that is, once we approve that it means if you were to decide you wanted to bump that porch further into the front yard you would have to come back for another variance, right?

Building Inspector Minozzi: See if we can make a caveat on the approval that the foyer is pushed back.

Mr. Alligood: Yeah.

Boardmember Dovell: If the foyer's pushed back it's not within the ...

Chairman Collins: And we approve this variance and he's good to go, right? But the issue is that if they decide the solution would require moving that porch forward into the front yard a little bit more, then the variance they would be asking for would be a little bit larger.

Mr. Alligood: Greater, yes.

Chairman Collins: I think we can approve this at the variance requested and then leave it to you to move the foyer in. It just takes one of the variables out of play for you.

Mr. Alligood: Understood. I actually prefer that. I mean, we talked about this quite a lot – me and the client – where we wanted just kind of respect for the neighborhood, et cetera and just try to ... what's the minimum this could be. I don't think we're going to go back and say, Hey, let's discuss moving this forward. I think, really, this idea of moving this back is the one that it actually needs.

Chairman Collins: OK, I'm then very comfortable with this project and have no other questions or, certainly, no concerns.

Any other questions from the Board?

Boardmember Dovell: It's very nicely done.

Chairman Collins: Does anyone in the audience wish to be heard on the matter? OK.

So then may I have a motion?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Dovell, with a voice vote of three in favor (Boardmember Leaf recused himself), the Board resolved, with respect to Case 05-16, 30 Floral Drive, approval of variances as follows: front yard setback existing, approximately 34.3, proposed, approximately 26.8, with a required minimum of 30 feet; and a rear yard setback existing, approximately 29.4 feet, proposed approximately 29.4, with a required minimum of 30 feet.

Chairman Collins: All right, the request passes. Thank you very much. Good luck to you on the project.

APPROVAL OF MINUTES

Regular Meeting of February 25, 2016

Chairman Collins: We have minutes to approve. I was able to share my suggested edits with Buddy electronically before the meeting. I will say that I saw very few things to change: a couple of word omissions. I think the biggest one I saw – the biggest thing that needed to be changed – is that there was an exchange between the attorney, Alexander, on 32-34 Washington and Adam where a remark that Adam had was attributed to me. I flagged that and adjusted that for the record. That was the biggest change I felt needed to be made.

Does anyone else have any other changes they wish to make to the minutes?

Boardmember Dovell: I didn't see anything.

Boardmember Forbes-Watkins: I found nothing.

Chairman Collins: You know, they've gotten much better. The quality of the output is getting really, really good.

Building Inspector Minozzi: Excellent. That's what we want to hear. Good.

Chairman Collins: I mean, the only things that are missing are when people are talking off-microphone.

Building Inspector Minozzi: Right.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Leaf with a voice vote of all in favor, the Minutes of the Regular Meeting of February 25, 2016 were approved as amended.

ADJOURNMENT

Chairman Collins: The next meeting is April 28.

Chairman Collins adjourned the Regular Meeting.

ZONING BOARD OF APPEALS
REGULAR MEETING
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