

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK
ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 23, 2016

A Regular Meeting was held by the Zoning Board of Appeals on Thursday, June 23, 2016 at 8:00 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

PRESENT: Chairman Matthew Collins, Boardmember David Forbes-Watkins, Boardmember Sean Hayes, Boardmember Marc Leaf, Village Attorney Linda Whitehead, Building Inspector Charles Minozzi, Jr.

Chairman Collins: So let me call to order the June 23, 2016 meeting of the Zoning Board of Appeals. We have one case before us.

Case No. 09-16 – Pablo Martinez 41 Columbia Avenue

Relief from the strict application of the Village code Sections 295-69.F.1.c, 295-20.F and 295-55.A, for alterations and an addition to his single-family dwelling at 41 Columbia Avenue. Said property is in R-7.5 Zoning District and is also known as SBL: 4.150-153-1 on the Village Tax Maps. Variance is sought for the extension of an Existing Nonconformity on a corner lot: Extension of nonconformity for second-story addition in side yard on a corner lot: Existing – 7.4 feet; Proposed to Addition – 9.3 feet; Required Minimum – 25 feet {295-69.F(1)(c), 295-55.A and 295-20.F.}; Variance Required – 15.7 feet

Chairman Collins: Before we get into the cases, Buddy, are the mailings in order?

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

Chairman Collins: OK, very good. Who is here to present on the matter of 41 Columbia Avenue? Is that you? Make sure you speak into a microphone.

Pablo Martinez, 41 Columbia Avenue: Where?

Chairman Collins: Right here, right on the stand here. If you can just introduce yourself into the microphone.

Mr. Martinez: I'm the owner of 41 Columbia Avenue. Our architect, Mitch Koch, was supposed to be here, but he forgot to come. He's running from his office right now.

Chairman Collins: Oh, he is. OK. If he's en route, do you want to wait for him? That's fine.

Mr. Martinez: If you don't mind waiting two more minutes, he didn't put it on his agenda. I honestly don't know what I'm presenting. I deposited all my faith in my architect, so ...

Chairman Collins: OK.

Mr. Martinez: Just waiting, so I'm going to sit here and wait, if you don't mind.

Chairman Collins: That's fine, of course. No, no, that's fine. We'll wait for Mitch.

Building Inspector Minozzi: We'll yell at him when he gets here.

Mr. Martinez: Thank you very much.

Chairman Collins: Yeah, that's a good idea. There's no reason why we have wait 'til the end. Why don't we take up the matter of the minutes just to get that out of the way. That's a good suggestion by Sean.

APPROVAL OF MINUTES

Regular Meeting of May 26, 2016

Chairman Collins: I forwarded you and Mary Ellen my markup ...

Building Inspector Minozzi: Yes, we got them.

Chairman Collins: ... based on the transcript. David, did you have any changes to note?

Boardmember Forbes-Watkins: No, nothing to note.

Chairman Collins: OK, Sean?

Boardmember Hayes: No.

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Hayes, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of May

26, 2016 were approved as amended.

Chairman Collins: I found that this edition of the minutes had quite a bit more mistakes in it.

Building Inspector Minozzi: Really?

Chairman Collins: Yeah, small stuff.

Village Attorney Whitehead: You have somebody different?

Building Inspector Minozzi: No, it's the same guy. You know what it might have been. It was like the 11th hour and we didn't have the minutes yet so I think he rushed through them. He may have rushed through a little bit when he got them to us and that could be the reason. But I don't know, I'm not sure.

Male Voice: (Off-mic).

Boardmember Leaf: That's his job.

Building Inspector Minozzi: Exactly.

Chairman Collins: I don't envy the task.

Building Inspector Minozzi: No, not at all.

Chairman Collins: And for the most part, in the series of things, considering the sheer volume of words that they have to capture it's a pretty good hit rate.

Building Inspector Minozzi: Yeah. It's a tough job, for sure.

Case No. 09-16 – Pablo Martinez 41 Columbia Avenue (Continued)

Chairman Collins: There he is. Come on in, it's all you.

Mitch Koch, project architect: It's all about *me*.

Chairman Collins: It's all about you, my friend.

Mr. Koch: Thank you for waiting. I apologize. I had a (off-mic).

Chairman Collins: That's all right. Take your time to get set up.

Mr. Koch: All right.

Building Inspector Minozzi: And when you're ready, Mitch, here's the mic.

Mr. Koch: Right.

Chairman Collins: So while you're getting set up, let me properly introduce this case. Pablo Martinez, 41 Columbia Avenue, looking for relief in relation to the extension of a nonconformity on the second-story side yard. The existing is 7.4 feet, proposed to the addition 9.3 feet; the required minimum is 25 feet. So looking for a bit more than a 15-1/2 foot variance in this case, obviously noting that there is already a preexisting nonconformity.

Building Inspector Minozzi: Yes, that's correct.

Mr. Koch: If you'll note the setback line – because it's a corner condition – covers more than half the house, of the existing house. Here, highlighted in red, is a half-story kind of storage shed attached to the bottom of the basement area. What we are proposing to do is enlarge it to create a walk-in closet basically. There would be no extension. I mean, we'll actually be using the foundation that's already in place. Our goal is to reiterate the existing little pedimented (ph) bay window that's on this side of the house in the back, and give this rather poor drawing ...

Chairman Collins: Make sure you speak into the microphone. There you go.

Mr. Koch: But here's the concept. It's basically to pick up the same elements of the roof, the same pitch, the same height – align it with the same overhang. The styling of the house is like a little mission bungalow that's been enclosed in the front. We want to work with that, and just push out over that existing half-story below, which has currently got a little shed roof on it, right?

The circumstances are, it is currently a two-bedroom house. There are two little bedrooms in the half-story attic above. Celine is having her second child, so this is the time. Basically, this space used to be the dining room and they've been doing a lot of shuffling around to try to make this a master bedroom. We can squeak it, but this is really the only place for a

closet. As you can see, from the bed it is very tight. We'll maintain the existing bay, then this style will – like I say – kind of reiterate that look.

Building Inspector Minozzi: Mr. Chairman, if I can remind everybody – or if some people may not have been here – this is a house that came before us a few years ago for a second-story addition and was passed. Work was never done, and the owner sold the ...

Boardmember Forbes-Watkins: And added the stoop also.

Mr. Koch: And added the stoop also.

Chairman Collins: And added the stoop, yeah. The work was never done.

Mr. Koch: No, sir.

Chairman Collins: OK, interesting.

Mr. Koch: It was sold to the Martinez family, and I think this is something that Chris DiBenedeto had designed and just never went forward with.

Building Inspector Minozzi: That's correct.

Chairman Collins: OK, so this walk-in closet that you're proposing looks like it's going to add a little bit more than 50 square feet – if I'm seeing the dimensions – about 10 wide by 5-1/2 feet deep, or 5 foot 4 inches deep. But it will not extend – if I'm reading the orientations – all the way to the rearmost line of the house ... or not of the property, but of the home.

Mr. Koch: That's correct, yes. It's really only over the existing ... you can see it better in the little plot plan here. It's quite a good 3-1/2 feet off the back corner.

Chairman Collins: And you said it's built over a shed. Did I hear that right?

Mr. Koch: Yes, that's correct. It's easy to see it right here.

Chairman Collins: Yeah.

Mr. Koch: Here's that existing shed, and what we propose to do is just bring the same lines up, lose the roof, stucco it in the style of the house and, like I say, put this roof on it.

Chairman Collins: Go ahead.

Boardmember Forbes-Watkins: You say you're going to stucco it.

Mr. Koch: That's the goal, yeah.

Boardmember Forbes-Watkins: Because on the drawing it says it's going to be siding. And I think stucco makes a little bit more sense.

Mr. Koch: I have to agree with you, it's price-driven. Obviously stucco's a tad more, but we're like counting every penny here. As you can see, this ...

Boardmember Forbes-Watkins: There's a little bit of siding, but more of the stucco.

Mr. Koch: Yeah, mm-hmm. That's the goal anyway.

Boardmember Forbes-Watkins: Sorry I ...

Chairman Collins: No, no, no. That's fine. You have a mockup that shows sort of a photograph with an overlay; at least in my document it was page nine of a 10-page submission. It looks like you're building ... it looks like the door, the first-floor door to the shed, looks like it's built up into the addition that you're putting on.

Mr. Koch: Exactly. Here's the thought, anyway: it's a beautifully detailed little arch door, we don't want to lose that and we can actually engage it within the exterior of the addition, even though it will be ... you won't be able to access more than the lower half of the door that would be a recessed panel. If you studied it you would see a line right here, which will be where the line of the floor is. But we want to keep the shape because it's handsome and we can definitely incorporate it.

Chairman Collins: I see. It's a design element, though, not ...

Mr. Koch: No, it's not ... you know, there's a possibility that there'll be a small access to that crawl. It's really going to be rendered now as a crawl space below it. It's, I think, a step up from the basement floor level or something like that.

I do want to speak to one other element, from a pride point of view. We are considering matching the shed roof of the existing addition as a possibility. Although, like I say, the goal is – if we are approved here – go with a slightly larger envelope and get that roof to match the other roof.

Chairman Collins: I see, OK. But it doesn't change the variance from a zoning perspective. This is not going to impact the decision.

Well, the applicant has a need. You look at this house and you would say where would it make sense to build, or to add on, and this little nook has a bullseye on it. This is where ... anything with land.

Mr. Koch: Even we found it.

Chairman Collins: So whether you go with scheme one or scheme two strikes me as one step closer to filling in what feels like a space that is begging to be occupied by functional space. Even though, in raw numeric terms, it's a significant variance request against what is required in the code for the minimum, it's actually, if I'm reading this right, less to the side yard than the first floor by a couple feet?

Mr. Koch: Yes.

Chairman Collins: Again, I think you're minimizing the impact, considering the existing nonconformity. I think it's a project that has my support. Does anyone have any questions or comments on this project? All right. Does anyone in the audience wish to be heard?

Well, in that case may I get a motion?

On MOTION of Boardmember Forbes-Watkins, SECONDED by Boardmember Hayes with a voice vote of all in favor, the Board resolved to approve Case # 09-16, 41 Columbia Avenue, for the extension of an existing nonconformity. The required minimum is 25 feet and the variance required is 15.7 feet.

Chairman Collins: Your vote's unanimous. Congratulations.

Mr. Koch: Thank you.

Chairman Collins: Good luck on the project.

Mr. Koch: Sorry for my tardiness.

ADJOURNMENT

Chairman Collins: So with minutes approved, I'm adjourning the meeting. I think we're all set. Good luck.

Mr. Koch: Thank you.

On MOTION of Boardmember Forbes-Watkins, SECONDED by with a voice vote of all in favor, the Chairman Collins adjourned the meeting.

Boardmember Forbes-Watkins: We're due for ...

Chairman Collins: Your disclosure statement? Did that come in the mail today, or is this just an old request.

Boardmember Forbes-Watkins: What's our next due date for a meeting? July ...

Boardmember Hayes: 28.