

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
ZONING BOARD OF APPEALS  
REGULAR MEETING & PUBLIC HEARING  
SEPTEMBER 14, 2023**

*Meetings held by the Zoning Board of Appeals are  
live-streamed via WWhoH-TV (Channel 75 or FIOS 43)  
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**PRESENT:** Chairman Jeremiah Quinlan, Boardmember David Chen, Boardmember Josh Heitler, Boardmember Richard Griffin, Village Attorney Taryn Ramey, and Building Inspector Charles Minozzi, Jr.,

*\* (Meeting joined in progress )*

**Chairman Quinlan:** So first of all, Charles are the mailings in order?

**Bldg. Inspector Minozzi:** I have been informed by my staff, Mr. Chairman, that the mailings are in order.

**Chairman Quinlan:** Okay. So today we have only one case on the agenda.

**I. AGENDA**

**Case No. 19-23  
Amanda Wright  
10 Goodwin Street**

**Relief from the strict application of Village Code Sections 295-20C(2) in relation to 295-68F,1(a) for creation of a front porch at the single-family dwelling at 10 Goodwin Street. Said property is located in the R-10 Zoning District and is known as SBL: 4.140-146-24 on the Village Tax Maps.**

**Nonconformity details of the proposed porch are as follows:**

**Paving on a Required Yard: Existing – N/A; Proposed – 65 square feet;**

**Allowed – None {295-20C(2) w/295-68F,1(a)};**

**Variance Required – 65 square feet.**

**Chairman Quinlan:** The architect is here to explain to us what they're looking for, and the floor is yours Gabriel.

**Gabriel Ce – Gabriel Koch Ce Architect:** I'm the architect representing the owners of 10 Goodwin Street. A short presentation showing the petition we're here for: it's a 65 square foot patio – Buddy and I went back and forth on this between a small terrace or a small patio and I think the definition is it qualifies – that encroaches into the front yard. That's why we're seeking a variance for front yard ... an area variance for front yard encroachment of a small patio of 65 square feet.

The existing conditions: here is a current survey. You'll notice the driveway. There is a set of stairs that leads people from the driveway up to front door of the house, which is one story higher than the driveway. This was an improvement made back in 2015. This house used to have a path from the street straight up to this front door. There's a big depression here – you can really appreciate that from the survey – and this driveway is quite steep going down. There used to be a path here that would lead you directly to the front door. This was removed seven years ago, and the only way you can enter the house from the front door now is walking down the driveway. That imposes a few issues with the family and their guests when they come to their house: everybody has to walk to the driveway, cars are parked there, it's not the most functional way of accessing a house.

Again, the existing condition. You'll see what we are proposing is within the existing footprint of this stair. We're basically taking ... you know, the stair right now is a L-shape. So you go up three risers. There's a landing, you turn, and then you have the remaining risers until you get up to the front door. We are proposing ...

**Chairman Quinlan:** Can I just interrupt you for a second? Do we have the handheld? Could you just show us exactly what you're talking about on the picture?

**Mr. Ce:** Yeah, sure.

**Bldg. Inspector Minozzi:** Here, Gabriel. Just take this, come up to the screen and point.

**Chairman Quinlan:** Just point to let us know ...

**Mr. Ce:** It's on. Just hold it close to your mouth.

**Mr. Ce:** Alright. I have to adjust the distance from my mouth. So those are the three risers I'm describing. Right now you come to the driveway, park your car – if you're the mailman or any delivery person or a guest – walk down the driveway. You go up three risers. There's a landing, you turn and then there's the remaining set of steps until you get up to the front door. What we are proposing – and you're going to see it in a second once I flip these lights – is to get this section of the stair, rotate here so you go up this way, recreate the original path

I was describing earlier on from the curb so the mailman or anyone who comes to the house can just walk straight, doesn't have to go up. It's a more leveled access to the house. The stair will come up here, and this set – where the stair is now – we're gonna fill that and create a larger landing or small patio which is triggering me to be here; the front yard encroachment. Also remediate a noncompliant landing that is right now in front of the front door that I think is about 14 or 16 inches deep. Expanding that landing up to this point so having a proper landing; a place where you can come, put your bags down, open the door, get to your house.

Let me go back. These are the photos of what the house looks like right now. You can appreciate how lower the driveway is and the set of stairs I was describing. The proposed conditions I highlighted here in red so you have a good sense of the 65 square feet that is encroaching on the front yard requirement. Here's the new set of stairs. The three risers will remain, we'll build up the rest of the stair up to this elevation. And then we'll have another two risers here to get up to this landing to negotiate the increment topography here. Then the entry door remains what it is; we're just recirculating (ph) access to the house.

**Chairman Quinlan:** So the 65 square feet is what's in pink?

**Mr. Ce:** Yeah.

**Chairman Quinlan:** So when you say "risers," do you mean it's not steps but like a ...

**Mr. Ce:** Well the riser is the height of the step, right? It's the vertical portion of the step. That's what I meant by riser. This is a conceptual 3-D that shows what we are proposing with the new stair and landing. We're not expanding the footprint of the stair, we are just reconfiguring the stair in a way to create a proper landing for the house, which is here where the cursor is.

**Boardmember Heitler:** So the variances you're requesting are really just for the pathway that goes to the front. Is that correct, or ...

**Bldg. Inspector Minozzi:** No, the pathway is as-of-right. It's the actual landing, the 65 square foot landing, with the retaining walls. That's what he's here for. The pathway and the stairs are fine.

**Boardmember Griffin:** Perhaps you could just show it in the 3-D. Because to be clear, the covered area is as-of-right. Maybe just point to what's pink, what would be pink.

**Mr. Ce:** The front yard is somewhat diagonal to the house. It's basically somewhere along

this line here and up to where the stair ends. So this is square here that we are talking about.

**Chairman Quinlan:** So there's a fence or something right in the middle of the 65 square feet?

**Mr. Ce:** Right. There will be a railing, and here a pot of plants just to bring some greenery into this pathway. That's all what the railing is doing here. Also to protect your fall here because you are about 8 feet ...

**Chairman Quinlan:** So the thing on the left, that's the pathway.

**Mr. Ce:** Yeah, here.

**Chairman Quinlan:** Where are the stairs again?

**Mr. Ce:** The stairs are here.

**Chairman Quinlan:** Why do you need stairs there?

**Mr. Ce:** To come down to the driveway or to come up from the driveway if you park your car and want access to the house.

**Boardmember Heitler:** So now you can access it from either the driveway or ...

**Mr. Ce:** Exactly, yeah. And this entry path really provides a more level access to the house. I mean, I don't quite understand why it was removed on the previous project, but we are trying to reincorporate that as it's more functional.

**Chairman Quinlan:** So when it was originally done where you walked up the driveway, were they the same owners or new owners?

**Mr. Ce:** No, the 2015 project was different owners.

**Chairman Quinlan:** I didn't see any correspondence either for or against.

**Bldg. Inspector Minozzi:** No sir, we got none.

**Chairman Quinlan:** Have you talked to any of the neighbors about it at all?

**Mr. Ce:** No.

**Chairman Quinlan:** So there's nothing either for or against it.

**Mr. Ce:** Not that I'm aware of.

**Chairman Quinlan:** And we have nobody in the audience.

**Boardmember Griffin:** What a difference a month makes.

[Laughter]

**Chairman Quinlan:** All right, anybody else have any questions?

**Boardmember Chen:** Just did you explore any alternatives; anything, any way of doing this where you wouldn't have needed a variance?

**Mr. Ce:** No. To be honest, I did anticipate this being required as a variance. Originally my interpretation was that this was part of an access path, meaning a landing. But I think the oversized qualified it as something else. You have to do a larger surgery (ph) to this entry stair if we want to avoid the variance. As you can see from my site plan, the front property line, the setback, is right where the entry porch is.

**Boardmember Chen:** Got it, okay.

**Mr. Ce:** I don't see any way of avoiding that variance because of the proximity.

**Chairman Quinlan:** Anybody else have any questions?

**Boardmember Griffin:** The front door swings out at the moment, do you know?

**Mr. Ce:** No, it swings in.

**Bldg. Inspector Minozzi:** You have a screen door on it? The screen door would swing out?

**Mr. Ce:** I think I do have a screen, yeah.

**Boardmember Griffin:** 'Cause that's really the ... I mean, there's the code issue of the landing, but there's the actual sort of awkwardness and potential danger of stepping back off the landing in order to open the screen door.

**Mr. Ce:** Which happens right now.

**Chairman Quinlan:** So that's actually safer.

**Boardmember Griffin:** Yes, that's why landings have a code requirement at that level. So you can get away from the door without changing level.

**Bldg. Inspector Minozzi:** Your platform is supposed to be the same depth as width of the door. So a 3-foot door would require, by code, a 3-foot by 3-foot platform.

**Chairman Quinlan:** And how big? You say 65 square feet. How wide is it and how long is it?

**Mr. Ce:** It's about 8 feet on this direction, from the columns, the portico. And it's about ... this is all existing dimension so quick math here it's about 8-by-8 square, something along those lines.

**Bldg. Inspector Minozzi:** And he said the platform he has existing is 16 inches. So you can imagine opening a screen door on a 16-inch platform, how difficult that could be (chuckle).

**Chairman Quinlan:** Any other questions? Okay, can I have a motion?

On **MOTION** of Boardmember Chen, **SECONDED** by Boardmember Griffin, with a roll call vote of all in favor the Board resolved to approve the variance applied for in Case Number 19-23, 10 Goodwin Street, regarding the application for relief from the strict application of Village Code Sections 295-20C(2) in relation to 295-68F,1(a), the creation of a front porch at the single-family dwelling at 10 Goodwin Street. Said property is located in the R-10 Zoning District and is known as SBL: 4.140-146-24 on the Village Tax Maps.

**Chairman Quinlan:** Richard, you want to vote now? You're in favor?

**Boardmember Griffin:** "In favor," yes.

**Boardmember Chen:** "In favor."

**Boardmember Heitler:** "Favor."

**Chairman Quinlan:** All right, it's unanimous. Okay, good luck.

**Mr. Ce:** Thank you, Mr. Chairman. Thank the board.

**Chairman Quinlan:** Enjoy.

## **II. APPROVAL OF MINUTES**

**Regular Meeting of May 25, 2023**

**Regular Meeting of July 27, 2023**

**Chairman Quinlan:** We still have to do some minutes. We have some work to do here. We have two meetings. Let's start chronological. Does anybody have any changes to the May 25th, 2023, minutes? I don't.

**Boardmember Chen:** I don't believe I was there. I'm trying to remember who was there.

**Chairman Quinlan:** We still have three then. Richard, were you there?

**Boardmember Griffin:** I was.

**Chairman Quinlan:** I have no corrections of *that* particular meeting.

**Boardmember Heitler:** Let me double-check. I was not there.

**Boardmember Chen:** I was *not* there.

**Boardmember Chen:** I don't believe so. Don't we have the minutes here, the May minutes?

**Bldg. Inspector Minozzi:** No, I don't have the minutes with me.

**Boardmember Griffin:** For May? I've got them here.

**Boardmember Heitler:** It'll say.

**Chairman Quinlan:** Who's present?

**Boardmember Griffin:** Jerry, Josh, Lynn, Richard, Linda, and that is it.

**Chairman Quinlan:** You *were* there.

**Boardmember Heitler:** It does say I was California in my calendar.

[Laughter]

**Chairman Quinlan:** Not according to the minutes.

**Boardmember Chen:** Nice try, Josh.

**Chairman Quinlan:** All right, so no changes. So all in favor of approval of that meeting, May 25th, 2023. "Aye."

**All Boardmembers:** "Aye."

**Chairman Quinlan:** All three that were present. So that's good.

With a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of May 25, 2023, were approved as presented.

**Chairman Quinlan:** Now let's do July 27th. I know David was there, Josh was there, and I was there. So we have three. I do have some corrections on that.

**Bldg. Inspector Minozzi:** Okay, you want to give them to me, or send them to me?

**Chairman Quinlan:** No, I'm going to just do them right now. It's not that big of a deal. On page 12, the fifth line, the word "*board*" should be "boards" with an "s." On page 28, the third line, the first complete sentence should be, quote, "*But they were 'not' required to do so.*" The word "not" is going to after "*But they were ...* The new word is "not" ... required to do so. Page 44, line 17: the number "*60*" should be the number "6." Those are the three things.

**Bldg. Inspector Minozzi:** I just want to take that list for Mary Ellen, if you don't mind. Thank you, sir.

**Chairman Quinlan:** Anybody else.

**Boardmember Chen:** We can still vote to approve as so amended, right?

**Chairman Quinlan:** Yes. Anybody else have anything? All in favor?



On **MOTION** of Boardmember Chen, **SECONDED** by Boardmember Heitler, with a voice vote of all in favor the Minutes of the Regular Meeting and Public Hearing of July 27, 2023, were approved as amended.

### **III. ANNOUNCEMENTS**

**Next Meeting Date – October 26, 2023**

### **IV. ADJOURNMENT**

**Chairman Quinlan:** If there's nothing further, can I have a motion to adjourn?

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