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VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
ZONING BOARD OF APPEALS

Held March 27, 2008 at 8:00 p.m.,  
Seven Maple Avenue, Hastings-on-Hudson, New  
York 10706-1497.

P R E S E N T :

- Brian P. Murphy, Chairman
- David Deitz, Board Member
- Stanley Pycior, Board Member
- David Forbes-Watkins, Board Member
- Ray H. Dovell, Board Member
- Marc A. Leaf, Alternate Member
  
- Deven Sharma, Building Inspector
- Marianne Stecich, Board Counsel

Nina Purcell, RPR  
Shorthand Reporter

1                   Zoning Board of Appeals - 3/27/2008

2                   CHAIRMAN MURPHY: Good  
3 evening. This is the March 27, 2008  
4 zoning board of appeals meeting. We have,  
5 I believe, three cases on the agenda  
6 tonight. The first case is No. 7-08,  
7 Coolidge Hastings LLC. The second case is  
8 No. 8-08, Tjo Abirizk, sorry about that.  
9 And case No. 9-08 is Peter Seidenberg and  
10 April Johnson. Mr. Sharma, are all the  
11 mailings in order?

12                   MR. SHARMA: Yes. They are  
13 all in order.

14                   CHAIRMAN MURPHY: We had  
15 extended the first case, Coolidge Hastings  
16 LLC, from last month's meeting. Is the  
17 applicant here today or the representative  
18 of the applicant?

19                   MR. SHARMA: No, they are  
20 not here. They actually did not present  
21 their case at the planning board either.  
22 They haven't submitted any new material.  
23 So by default I guess they are not  
24 necessarily withdrawing the application,  
25 but they are not here. They are not

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2           pursuing it at this time.

3                       MS. STECICH:    The planning  
4           board consideration should have nothing to  
5           do with the zoning.

6                       MR. SHARMA:   They were  
7           supposed to do a site plan --

8                       MS. STECICH:    They have to  
9           do some storm water stuff, but actually I  
10          had told them that the planning board --  
11          that when they were on the last planning  
12          board meeting and there was a -- no. They  
13          were off the agenda.   They were put off  
14          the agenda, because there was a lot of  
15          information that they needed to provide  
16          regarding drainage, certainly in the storm  
17          water.

18                      And I informed the planning board  
19          at that time that I thought it made more  
20          sense and wouldn't really hold up the  
21          project -- it made more sense, because the  
22          zoning board should first make the  
23          determination about the size of the  
24          parking spaces, because that's really  
25          essential to what their designing is going

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2           to be. And it could change it a lot. So  
3           I don't quite understand it. They weren't  
4           advised not to come, right?

5                       MR. SHARMA: I did not. But  
6           I think Angie had advised them not to come  
7           to the planning board meeting.

8                       MS. STECICH: Yes.

9                       MR. SHARMA: We had asked  
10          them to provide a lot of information. I  
11          didn't get any new information.

12                      CHAIRMAN MURPHY: We left  
13          the last meeting with the request that  
14          they provide us additional information to  
15          support their application. We don't have  
16          any additional information. So my only  
17          question is, can we take a vote? Should  
18          we take a vote or should we just deny the  
19          application as in default?

20                      MR. SHARMA: Or default it  
21          to the next meeting.

22                      MS. STECICH: I probably  
23          would vote on it.

24                      CHAIRMAN MURPHY: Is the  
25          board okay if we defer it?



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2           coming right now.

3                       CHAIRMAN MURPHY:   That's  
4           fine.  Would you like to wait for your  
5           architect?

6                       MR. ABIRIZK:  Yes.

7                       CHAIRMAN MURPHY:  Why don't  
8           you take a seat then and we will hear the  
9           next case.  And when he is here, we will  
10          reconvene your case.

11                      We will move on to the  
12          application of Peter Seidenberg and April  
13          Johnson, 156 Cochrane Avenue, application  
14          for a two-story addition and request for a  
15          variance for the front yard setback.

16                      MR. BUSCHFRERS:  Hello.  
17          Good evening.  May I address the board?  
18          My name is Max Buschfrers.  I'm the  
19          architect representing Peter Seidenberg  
20          and April Johnson.  Unfortunately the two  
21          of them regret they cannot attend the  
22          meeting.  They are both musicians, and  
23          they have to work tonight.  But I'll try  
24          to do my best to introduce the project.

25                      First of all, I would like to

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2 highlight the location of the existing  
3 house within the property. The property  
4 faces Mount Hope and Cochrane Avenue. The  
5 original house was built in the early  
6 1900s. It had an addition which was  
7 completed, I believe, in the '80s. And we  
8 are looking to extend the house further.

9           We believe that the best location  
10 for this addition is in line with the  
11 existing structure. One of the problems  
12 that this is presenting is that the  
13 existing structure is encroaching into the  
14 required setback. The required setback is  
15 30 feet. The existing house is about 14  
16 feet and .94 from the property line.

17           Earlier in the design project --  
18 the design process we had a couple  
19 options. The proposed addition could be  
20 built in the center of the property as  
21 upright, but this presented a couple of  
22 problems. First of all, there is severe  
23 slope on the property. It can be seen on  
24 one of the elevations. The property drops  
25 about 7 feet from one end to the middle of

1           Zoning Board of Appeals - 3/27/2008  
2           the property. In this satellite image,  
3           you can see the location of the existing  
4           house and the neighboring houses.

5                   Building an addition in the center  
6           of the property would bring the addition  
7           what we think would be too close to the  
8           existing properties. Again, this could be  
9           done as upright, but the proposed addition  
10          would be closer to the existing houses  
11          than it would otherwise be.

12                   Also, if the house -- if the  
13          addition was to be located on the center  
14          of the property, the amount of paving area  
15          required to -- for the new parking area  
16          would have to increase. And the front  
17          yard and the backyards would be severed  
18          from the house. The layout of the house  
19          would further difficult, putting the  
20          addition on this location.

21                   We believe that while the proposed  
22          location of the addition requires a  
23          variance, it has a number of benefits.  
24          First of all, the proposed addition would  
25          be far from the existing houses.

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2           Secondly, the proposed addition --

3                       CHAIRMAN MURPHY:   Excuse  
4           me.  The existing houses you are talking  
5           about are the houses on LeFurgy Avenue?

6                       MR. RIO:  Yes.

7                       CHAIRMAN MURPHY:  You are  
8           talking about their backyards?

9                       MR. BUSCHFRERS:  Correct.  
10          Also, building an addition facing Mount  
11          Hope would keep the elevation of the house  
12          with the same massing.  It will not  
13          increase the amount of house that you see  
14          from Mount Hope.  Furthermore, this is a  
15          dead end street.  And the existing  
16          houses -- well, the existing house is  
17          fairly close to Cochrane Avenue as well.  
18          We believe that building the addition in  
19          this location would not detract further  
20          from the views from that location.

21                      CHAIRMAN MURPHY:  All  
22          right.  And the proposed addition, it is  
23          the setback from Cochrane Avenue, that  
24          dead end portion of Cochrane?

25                      MR. BUSCHFRERS:  Yes.

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2                   CHAIRMAN MURPHY:    As I  
3                   understand the plans, the proposed  
4                   addition will actually be slightly further  
5                   away from Cochrane than the existing house  
6                   in terms of front yard setback.

7                   MR. BUSCHFRERS:   It would be  
8                   about 18 inches further.  But yes, the  
9                   existing house is about 14.94 feet.  The  
10                  proposed addition would be 16.20 feet.

11                  CHAIRMAN MURPHY:    Would the  
12                  proposed addition in the backyard side be  
13                  any closer to the houses on LeFurgy  
14                  Avenue, the existing home?

15                  MR. BUSCHFRERS:   No, it will  
16                  not.  The existing home has a couple of  
17                  decks, and even the exterior wall of the  
18                  house would be closer to the neighboring  
19                  houses than that of the proposed addition.

20                  CHAIRMAN MURPHY:    And tell  
21                  me, why does the applicant need expansion  
22                  of the space?  The only thing that caught  
23                  my eye, it's a significant expansion of  
24                  the square footage of the existing home.

25                  MR. BUSCHFRERS:    Right.

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2           This is a house that -- again, it is a  
3           house that was built in the early 1900s.  
4           It has three bedrooms upstairs which are  
5           quite small for today's standards. It has  
6           a small kitchen as well. And the purpose  
7           of the addition is to provide a larger  
8           kitchen, a larger master bedroom upstairs.  
9           So the basic premise is to provide a space  
10          for the family where they can live  
11          comfortably.

12                   CHAIRMAN MURPHY: Is there  
13          going to be an addition of any bedrooms or  
14          just an expansion of an existing bedroom?

15                   MR. BUSCHFRERS: There will  
16          be one additional bedroom.

17                   CHAIRMAN MURPHY: Okay.  
18          Yes. Mr. Rio?

19                   MR. RIO: Yes. My name is  
20          Arthur Rio (ph) of 2 Fairmont Avenue,  
21          Hastings. And I was asked to speak on  
22          behalf of the applicant also. There is  
23          another aspect of this. I believe they  
24          wrote you a letter saying that April lost  
25          her father, and her mother will come and

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2           visit and stay with them on occasion. And  
3           that was the reason for the additional  
4           bedroom. Also, the addition -- there is  
5           an addition presently if you face the  
6           house on the left-hand side, and the  
7           addition to the right-hand side will  
8           actually balance the structure. So what  
9           will -- what you'll have is a center  
10          portion of the home in addition to the  
11          left which is existing in addition to the  
12          right, so there will be a sense of balance  
13          to the structure.

14                           CHAIRMAN MURPHY: Thank  
15          you. One moment.

16                           MR. FORBES-WATKINS: As I  
17          understand the drawings, you're going to  
18          take the concept of the front porch and  
19          bring it around on the new addition, is  
20          that correct?

21                           MR. BUSCHFRERS: That's  
22          correct. And there is a little bit of a  
23          discrepancy, because the site plan that  
24          you see before you has -- shows only a  
25          deck. What happened is we filed a number

1           Zoning Board of Appeals - 3/27/2008  
2           of weeks ago, and we continued developing  
3           the design. And we felt that one change  
4           that would benefit the look of the house  
5           was to continue the existing porch and  
6           wrap it around the front. So yes, we are  
7           taking a number of the elements of the  
8           existing structure and continuing them on  
9           the new structure.

10                       MR. FORBES-WATKINS: How  
11           many trees are going to be knocked out by  
12           this process?

13                       MR. BUSCHFRERS: There is an  
14           evergreen that is very close to the house  
15           and -- but we -- which might have started  
16           as a decorative shrub, and it is just too  
17           close to the foundation. That is the only  
18           tree that is coming out. There is a large  
19           deciduous tree -- I believe it is a  
20           Japanese Maple -- that we are working  
21           around to keep. There are a couple of  
22           evergreens that might need to be removed  
23           to make room for the driveway. But we are  
24           trying to keep as much of the privacy that  
25           the trees offer as possible.

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2                   MR. FORBES-WATKINS: My  
3 interest there is frankly I don't like to  
4 see garages being in front of a building,  
5 and this will look like one. So the more  
6 covering in the planning the better.

7                   MR. BUSCHFRERS: Right.

8                   MR. DOVELL: What is the  
9 current separation from the existing house  
10 and the neighbor on Furgy, do you know?

11                  MR. BUSCHFRERS: The  
12 separation between --

13                  MR. DOVELL: What is the  
14 distance between the two houses currently?

15                  MR. BUSCHFRERS: It is about  
16 30 -- I would say there is about 60, 55 to  
17 60 feet.

18                  MR. DOVELL: Between the  
19 two?

20                  MR. BUSCHFRERS: Between,  
21 yes. If we look at the property having a  
22 depth of 100 feet, I would say that it is  
23 about between 50 and 55 feet.

24                  MR. DOVELL: I'm speaking  
25 about -- I'm looking at your aerial

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2           photograph, the house to the right.

3                       MR. BUSCHFRERS: Correct. I  
4           would say it is about 50 or 55 feet.

5                       MR. DOVELL: It is about 55  
6           feet?

7                       MR. BUSCHFRERS: Yes. To  
8           the property line. I believe that this  
9           house, if it has the correct setbacks,  
10          that would add another 15 feet, so that  
11          will bring us to 70 feet currently from  
12          wall to wall.

13                      To go back to your questions  
14          about the bedrooms, actually, we -- one of  
15          the things we are doing, out of the four  
16          bedrooms that are existing in the house,  
17          on the second floor we are combining two  
18          of them into a larger bedroom. So the net  
19          added amount of bedrooms is zero. What we  
20          are adding is one bathroom.

21                      CHAIRMAN MURPHY: Do you  
22          have a measurement for the square footage  
23          of the proposed driveway area?

24                      MR. BUSCHFRERS: The  
25          proposed driveway area will be 960 square

1           Zoning Board of Appeals - 3/27/2008  
2           feet or less. That was brought up to my  
3           attention early on. But I can have the  
4           outline of the original proposed, and I  
5           kept it for the record. However, I  
6           reworked the layout to make sure that it  
7           falls below that.

8                         CHAIRMAN MURPHY:    Okay.

9                         MR. PYCIOR:    What surface  
10           would the driveway be? Have you decided  
11           that?

12                        MR. BUSCHFRERS:   We haven't  
13           decided that. But I was thinking about  
14           brick pavers more than asphalt. But I  
15           won't do gravel because the maintenance  
16           becomes a problem after you have plowed it  
17           a couple of times. But the brick pavers,  
18           they give you visually it's a softer  
19           surface than asphalt would be.

20                        MR. PYCIOR:    That was my  
21           concern. Thank you.

22                        MR. DOVELL:    You mentioned  
23           you explored other options for the design  
24           of the house and the possibility of adding  
25           to the back. And that it was not an

1           Zoning Board of Appeals - 3/27/2008  
2           efficient -- you felt there was  
3           inefficiency issues with adding back  
4           there.

5                         MR. BUSCHFRERS: Yes. Well,  
6           the proposed -- the other area that we  
7           considered was adding within -- working  
8           within the setbacks. The first problem  
9           that we saw was that we would be too close  
10          to the neighbors. Also, the way the house  
11          is laid out --

12                        MR. DOVELL: By too close,  
13          you mentioned there were some  
14          inefficiencies that would require a bigger  
15          addition if you had located it in that  
16          location. Your letter mentions that it  
17          would have to be larger if it was in a  
18          different location.

19                        MR. BUSCHFRERS: Yeah, but  
20          it would be about ten percent larger. It  
21          is not double the size.

22                        MR. DOVELL: If you  
23          increased that by ten percent, the depth  
24          of that addition would be 30 feet deep in  
25          the back. Is that a fair statement?

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2                   MR. BUSCHFRERS: Yes. We  
3 would be within 15 feet of the required  
4 setback. So we would be probably 30 feet  
5 closer to the neighbors. We would be  
6 within 40 feet of the neighboring house.

7                   MR. DOVELL: 40 feet of the  
8 neighboring house?

9                   MR. BUSCHFRERS: Yes.

10                  MR. DOVELL: Which means  
11 that the rear yard of the house on Furgy  
12 is a nonconforming lot. You would not  
13 have the 30 feet rear yard. Is that your  
14 understanding?

15                  MR. BUSCHFRERS: I  
16 understand that, yes. And I'm just  
17 working off from what I -- I didn't  
18 actually measure it. We just noticed that  
19 if the addition was built in the center of  
20 the property, it would be 30 feet closer  
21 to the neighboring house.

22                  MR. DOVELL: That, I  
23 understand.

24                  MR. BUSCHFRERS: And the --  
25 it presented a couple of problems with the

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2           circulation internally.

3                       CHAIRMAN MURPHY:    David, do  
4           you have any questions for the applicant  
5           or are you satisfied with the  
6           presentation?

7                       MR. DEITZ:    I don't have any  
8           questions.  I'm satisfied.  It is a  
9           relatively small variance.  It's in  
10          keeping with the other addition and the  
11          rest of the house.  I think it is  
12          tasteful.

13                      CHAIRMAN MURPHY:    Anything  
14          else from the members of the board?  Is  
15          there anyone in the audience who wishes to  
16          be heard?

17                      MR. REINSTEIN:    Sure.

18                      CHAIRMAN MURPHY:    Please  
19          identify yourself.

20                      MR. REINSTEIN:    Thank you.  
21          My name is Hal Reinstein.  I'm the  
22          resident at 161 Mount Hope, which is the  
23          brown house on the corner of LeFurgy and  
24          Mount Hope.  I think based on the site and  
25          what is there, this proposed addition is

1           Zoning Board of Appeals - 3/27/2008  
2           as sensitive a use of the property as is  
3           possible. I think one of the things the  
4           architect brought up is the slope of the  
5           property that comes down towards my house.  
6           And it would be a much bigger concern for  
7           me if an addition was put in back and  
8           there was blacktop along that slope to  
9           make a driveway to a garage. I think  
10          there are two beautiful trees. The  
11          Japanese Maple and the beech tree are  
12          closer to Mount Hope. And those would be  
13          terrible losses for the neighborhood. And  
14          the fact that they are preserved I think  
15          is extremely important.

16                 Also, that Store (ph) property  
17          which will be the Seidenbergs backs up to  
18          Hillside. And maintaining the backyard  
19          actually makes a nice corridor from  
20          Hillside to the rest of their property,  
21          some of which along the border of our  
22          property they have kept natural, as a  
23          forest understory which has been mostly  
24          lost in Hillside. And it is actually, you  
25          know, a very abundant wildlife area. And



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2           you. Anyone else in the audience wish to  
3           be heard? Yes, sir.

4                       MR. KANAR: I'm Steven  
5           Kanar (ph). My property is to the east on  
6           LeFurgy Avenue. It abuts their property,  
7           and I think it's fine the way it is. I  
8           would not want to see it in the back,  
9           since that would get closer to my house.  
10          I think that this is a, while unusual, I  
11          believe that this is a welcome addition.  
12          I don't see it impinging in any way on  
13          what -- in our backyard. And I would  
14          welcome it.

15                      CHAIRMAN MURPHY: All right.  
16          Thank you. Yes, Mr. Magun.

17                      MR. MAGUN: Hi, my name is  
18          Arthur Magun, 109 LeFurgy. I'm the third  
19          neighbor. You have all the neighbors here  
20          tonight. My house borders in the rear of  
21          the Store's house. The new owner's name  
22          is Seidenberg?

23                      MR. BUSCHFRERS: Seidenberg  
24          and Johnson.

25                      MR. MAGUN: It is nice to

1           Zoning Board of Appeals - 3/27/2008  
2           see the board again. Good evening. I  
3           came a little late. I'm sorry. I didn't  
4           realize you were going to go first. In  
5           reading through the application, I had a  
6           question that wasn't addressed but maybe  
7           you spoke about it before. And that is  
8           what is really the intent and purpose of  
9           the variance. It wasn't really spelled  
10          out in the letter. What is the need of  
11          the applicant for this significant  
12          addition to the house. I didn't really  
13          understand that. I thought it would be  
14          important to at least bring that out.

15                 I have the one significant concern  
16          I share with my neighbors, the feeling  
17          that the addition is tasteful and  
18          complements the house and the  
19          neighborhood. Whatever the purpose of it  
20          is, I'd be interested in. But I am  
21          concerned about the driveway. And maybe  
22          there has been a change. I see that there  
23          is a change in the driveway, because the  
24          drawing that I have is not that drawing.  
25          And my concern about the driveway -- and

1           Zoning Board of Appeals - 3/27/2008  
2           perhaps this drawing addresses it -- was  
3           in the original drawing it was much larger  
4           than 1,000 square feet. It was closer to  
5           1100, I believe.

6                   CHAIRMAN MURPHY: Yes, we  
7           did discuss that earlier, Arthur. You may  
8           not have been here. But Mr. Sharma is  
9           aware of that, and the applicant stated  
10          that he will be sure that the driveway is  
11          no larger than 960 square feet.

12                   MR. MAGUN: I heard that  
13          part. Is that the current configuration  
14          of the driveway?

15                   MR. BUSCHFRERS: Right. I  
16          left on this particulr drawing and you see  
17          it up close, to realize the original  
18          outline that is on the proposal.

19                   MR. MAGUN: Right. I  
20          remember it was more on an angle.

21                   MR. BUSCHFRERS: Correct.  
22          But just to show that that was brought to  
23          our attention and that we are  
24          acknowledging the need for a change, I  
25          show a driveway that fits within the

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2           required.

3                       MR. MAGUN:    Yes, because  
4           the driveway concerns me.  The house  
5           actually doesn't.  I think -- I mean the  
6           proposed addition.  The driveway is 1,000  
7           square feet of impervious, whatever it is,  
8           blacktop.  And it is a large area.  And I  
9           wasn't sure of what the need for such a  
10          large driveway really was.

11                      And then my final question about  
12          the driveway was, and this -- and your  
13          drawing addresses it a little bit -- the  
14          angle that you had originally drew it on  
15          was not perpendicular to Cochrane Avenue,  
16          which I think is a concern in terms of  
17          egress and ingress from the street.  The  
18          way you have it drawn now, it is more of a  
19          perpendicular.

20                      MR. BUSCHFRERS:  Correct.

21                      MR. MAGUN:  Okay.  I guess  
22          my real concern is shouldn't we be trying  
23          to design a driveway that is a minimal  
24          amount, not the maximum amount necessary  
25          for use of the house.  I think those are

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2           my concerns. And I had one little minor  
3           question. In the drawing there were  
4           railings on the roof of the addition, is  
5           that --

6                           MR. BUSCHFRERS:  
7           (Indicating).

8                           MR. MAGUN: Does that mean  
9           people are going to be using the roof or  
10          is that just decorative?

11                          MR. BUSCHFRERS: No, it is  
12          just decorative.

13                          MR. MAGUN: There is no  
14          opening to the roof?

15                          MR. BUSCHFRERS: There is  
16          not opening. It is a flat roof because we  
17          want to keep the existing views, but just  
18          to -- it's decorative.

19                          MR. MAGUN: So really the  
20          board -- my real question is the size of  
21          the driveway and is it necessary to have  
22          such a large driveway. Should some  
23          consideration be made to making it  
24          smaller, if that is functionally doable.

25                          CHAIRMAN MURPHY: Well,

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2           Mr. Sharma, do you have a copy of this  
3           latest drawing which shows the 90 degree  
4           driveway?

5                         MR. SHARMA: No. This is  
6           what I brought to his attention. If he  
7           wants to do the drawing the way it is  
8           shown, it is certainly over 960. And if  
9           that is what the intention is, he would  
10          have to go for the variance as well. But  
11          they mentioned no, they would modify it  
12          and do whatever is necessary to do  
13          whatever they can to be within. So it  
14          would be 960 or less. I do understand  
15          Mr. Magun's premise; if there is a way  
16          to -- you don't have to have 960. If 800  
17          square feet would work, then that's what  
18          we should try to do.

19                        MR. BUSCHFRERS: The purpose  
20          of the driveway is to allow two cars to  
21          park side-by-side and to be able to exit.  
22          So as long as we can reach that goal, we  
23          will be willing to look at an option that  
24          is smaller. Clearly it is not something  
25          that I'm particularly attracted to or

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2           Peter and April are as well. I mean, that  
3           is having a large paved surface on the  
4           front of the house.

5                       MR. SHARMA: One of the  
6           changes I would do and end up having, any  
7           runoff would be contained in the drainage,  
8           and any runoff is contained within the  
9           site and disposed of properly.

10                      MR. BUSCHFRERS: We are not  
11           intending to use asphalt necessarily. We  
12           will definitely consider using brick  
13           pavers as a way to soften the look of the  
14           paved area.

15                      CHAIRMAN MURPHY: Can you  
16           just please restate an answer to  
17           Mr. Magun's question for the purpose of  
18           the addition?

19                      MR. BUSCHFRERS: The house  
20           is located on a corner lot. This lot has  
21           two front yards. The required front yard  
22           is 30 feet. The existing house which was  
23           built in the early 1900s or late 1800s is  
24           within 15 feet of the property line. So  
25           it is already encroaching 15 feet into the

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2           required setback. The way that we laid  
3           the proposed addition in line with the  
4           existing house requires that we ask for a  
5           variance, because we would be 15 feet into  
6           the required setback.

7                       MR. MAGUN: That wasn't my  
8           question.

9                       CHAIRMAN MURPHY: The  
10          question was why do you need the  
11          additional space.

12                      MR. BUSCHFRERS: Okay.  
13          Again, this is a growing family. They  
14          have two children currently. The house is  
15          an older house with small outdated rooms.  
16          One of the things that drew him to this  
17          particular location was the long views to  
18          Mount Hope and the amount of greenery, and  
19          they want to take advantage of that. For  
20          that they would like to have a larger  
21          kitchen which is going to be part of the  
22          addition on the first floor and a larger  
23          master bedroom which will be on the second  
24          floor.

25                      Also, in keeping with the modern

1           Zoning Board of Appeals - 3/27/2008  
2           lifestyle, they would like to have a place  
3           to park their cars within their property  
4           which currently is not an option. You can  
5           park at the end of Cochrane Avenue. So  
6           that's basically -- some of the existing  
7           bedrooms are small for today's standards.  
8           So they are looking to combine those  
9           bedrooms into a larger bedroom as well.  
10          So in total the number of bedrooms doesn't  
11          change. We are adding a master bedroom  
12          but we are combining two of the existing  
13          rooms into a single bedroom as well.

14                   MR. PYCIOR: Mr. Buschfrers,  
15           how long would the front of the house be  
16           on the proposed plan? I see the  
17           dimensions for the addition, but I don't  
18           see a dimension for the addition, the  
19           existing house and the previous addition.

20                   MR. BUSCHFRERS: You're  
21           asking me about the elevations facing --

22                   MR. PYCIOR: Yes.

23                   MR. BUSCHFRERS: That would  
24           be 28, another 22, so that's 5 -- that's  
25           about 70 feet long from tip to tip.

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2                   MR. PYCIOR:    Okay.

3                   MR. BUSCHFRERS:  But the way  
4                   facing Mount Hope would remain about 27  
5                   for the new addition and about 32 for the  
6                   existing house.

7                   MR. MAGUN:    May I ask  
8                   another question?  I'm sorry.  Just -- I  
9                   just want to get back to the driveway  
10                  again.  You probably went over this and I  
11                  missed it in the beginning.  You are  
12                  building a two-car garage, is that  
13                  correct?

14                  MR. BUSCHFRERS:  Right.

15                  MR. MAGUN:    So is the idea  
16                  that the cars are going to be driven into  
17                  the garage and parked in the garage?  Is  
18                  that the purpose of the garage?

19                  MR. BUSCHFRERS:  Yes.

20                  MR. MAGUN:    So then the  
21                  large parking area is being -- the area  
22                  for the cars, just, again, my concern is  
23                  doing -- does this design really need  
24                  such a large driveway?  Can it be made  
25                  smaller, since the cars are going to be

1           Zoning Board of Appeals - 3/27/2008  
2           parked in the garage that is being built?

3                   MR. BUSCHFRERS:   The width  
4           of the driveway is 20 feet which is large  
5           enough to accommodate two cars driving  
6           into -- you can see it on the elevation  
7           here -- to drive into the garage.  And  
8           then either car would be able to pull out,  
9           turn and exit the house.  So I think we  
10          will try to make every effort to keep it a  
11          sensible and practical size.

12                   MR. MAGUN:   Okay.  Just to  
13          the board, I understand that and I  
14          appreciate that.  The safety issue I think  
15          is important in terms of the angle that  
16          the garage exits, because that street is  
17          at the apogee of a hill, and people come  
18          up that hill both ways.  And right where  
19          Cochrane is is at the top of the hill.  So  
20          if we have an opening that is coming out  
21          at an angle, as was in the original  
22          design, that concerned me from a safety  
23          point of view.  I think it will be very  
24          important that this driveway open on to  
25          Cochrane in a perpendicular fashion so one

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2           has to turn left into the street and can't  
3           just drive diagonally. Those of you who  
4           live by know that. Thank you very much.

5                         CHAIRMAN MURPHY: Thanks,  
6           Doctor. And I agree with Mr. Magun. I  
7           think the addition is fine. It is located  
8           in the right place. Even though it is a  
9           significant addition, the total added area  
10          is well, well within what is permitted on  
11          the lot. The only issue I really have is  
12          the driveway, so we need to make sure we  
13          minimize the square footage, that we are  
14          obviously within code. And also we'll  
15          make a record that the driveway access  
16          needs to be approximately a 90-degree  
17          angle to Cochrane because of the safety  
18          concern.

19                        On the other hand, just so we are  
20          clear, by angling it that way you will  
21          have to increase the turnaround area a  
22          little bit coming out of the garage. So  
23          you have to work within those constraints,  
24          and Mr. Sharma will be observant on that  
25          point. All right.

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2                   Anyone else from the audience wish  
3 to be heard? Anything else from our board  
4 members?

5                   MR. DOVELL: I was not  
6 originally convinced by the need for a  
7 variance in this application, thinking  
8 that you could, in fact, build in the  
9 back. But having walked up there and  
10 really appreciating from the aerial  
11 photograph the proximity of the neighbor  
12 on LeFurgy and also taking into account  
13 the slope, it seems like a very  
14 responsible site solution.

15                   You have taken advantage of the  
16 slope. You've created a much better  
17 situation for the neighbors on LeFurgy.  
18 And in terms of the architecture, I think  
19 it is a long house, but the scale is  
20 broken down, and it is all in  
21 comprehensible pieces that are sympathetic  
22 to the neighbors. So I think it is quite  
23 satisfactory.

24                   CHAIRMAN MURPHY: All  
25 right. I think the board is prepared to

1           Zoning Board of Appeals - 3/27/2008  
2           vote. Can I have a motion, please, on the  
3           variance for Peter Seidenberg and April  
4           Johnson, 156 Cochrane Avenue.

5                       MR. FORBES-WATKINS: I'll  
6           move the board approve the proposed  
7           addition to the two-story addition,  
8           proposed addition at 16.2 feet wherein  
9           your required minimum is 30 feet within  
10          the existing 14.94 foot variance that  
11          already exists. Is that clear?

12                      MS. STECICH: I would leave  
13          out the last part of 14.94. It could  
14          confuse -- exactly. Just leave it out.

15                      CHAIRMAN MURPHY: Shall we  
16          restate it? Do I have a second?

17                      MR. PYCIOR: I'll second.

18                      CHAIRMAN MURPHY: All in  
19          favor? Aye.

20                      MR. PYCIOR: Aye.

21                      MR. FORBES-WATKINS: Aye.

22                      MR. DEITZ: Aye.

23                      MR. DOVELL: Aye.

24                      CHAIRMAN MURPHY: The vote  
25          was unanimous. Congratulations. Thank

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2           you very much.

3                       All right. We will go back  
4           to Mr. Abirizk, 2 Hudson Street.

5                       MR. ABIRIZK: Our architect  
6           is here.

7                       MR. ABILLAMA: Good evening.  
8           My name is Tom Abillama, architect for the  
9           applicant. Sorry about the delay, about  
10          being late. The Abirizk family is here,  
11          Joe and his wife and his brother. The  
12          property that we are working on is located  
13          on Hudson Street. It is in a north end  
14          zone which requires to have property that  
15          is 10,000 square feet in area. But this  
16          area -- but this lot is nonconforming. It  
17          is 7500 square feet. And it is only 75  
18          feet in width. So the structure itself is  
19          also nonconforming.

20                      It has a side yard of roughly 10  
21          feet, where the required side yard should  
22          be 12 feet for a total of 30 feet. The  
23          total is okay with the existing structure  
24          as well as the proposed structure.

25                      If you can see the hatched area,

1           Zoning Board of Appeals - 3/27/2008  
2           that is the area that we would like to  
3           have an addition to as well as along here.  
4           Had we opted not to ask for a variance,  
5           this hatched area would have been shorter  
6           by 2 feet. But as you can see, the bulk  
7           of the house would remain still in the  
8           side yard of 10 feet. And that is what I  
9           am saying is there is not much impact  
10          on -- with the addition that we are asking  
11          for. We are also adding another level  
12          above the existing structure. Let me run  
13          you through --

14                       MR. DEITZ: Do you need a  
15                       variance for the portion of the addition  
16                       on the left that runs the length of the  
17                       house?

18                       MR. ABILLAMA: Do I need a  
19                       variance for the front? No. The total  
20                       would still remain within 30 feet which is  
21                       okay. The only variance would be the 2  
22                       foot variance that we are asking for.

23                       MR. DEITZ: Okay.

24                       MR. ABILLAMA: The addition  
25                       on the site plan, the addition will allow

1           Zoning Board of Appeals - 3/27/2008  
2           us to have a driveway that would lead us  
3           to an underground below grade garage.  
4           Right now the parking is in the front. It  
5           is in this area, so we are moving this  
6           parking area and putting it in here.  
7           Also, there is also some parking existing  
8           on the side, which we will turn into more  
9           impervious surface than before. This one  
10          shows the floor plan. The basement will  
11          allow us to have a one-car garage just big  
12          enough for a one-car garage, and the  
13          remaining will still stay the same as it  
14          was.

15                 As far as the first floor, this  
16          will allow us to create a larger living  
17          room and open up the space to allow for a  
18          family room and a kitchen in the back. On  
19          the side here we'll gain a few feet in  
20          order to make another stair that goes down  
21          to the basement, because the front stair  
22          as you are going from the foyer will be  
23          sculptural and will only lead to the  
24          second floor. Had we opted to stay within  
25          the two foot setback, we could have

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2           stayed. But then that would require a  
3           little bit of a financial hardship in the  
4           sense that on the second floor we would  
5           have to put a steel beam of some sort, and  
6           that will complicate the structure.

7                   CHAIRMAN MURPHY: Can you  
8           explain that to me again, please? Excuse  
9           me. Out in the hall, Deven, can you ask  
10          them to pipe down. Explain that to me  
11          again, please, the -- on that side --  
12          this is the side we are talking about the  
13          variance, right?

14                   MR. ABILLAMA: Yes. This is  
15          the site here. If we had opted to stay to  
16          keep this within 2 feet as well as the  
17          second floor being aligned with this 2  
18          feet, we would have to create some sort --  
19          some kind of structural element to be able  
20          to support the second floor, if we had to  
21          keep this area open. It will complicate  
22          the structure and add more costs to the  
23          owner. And this will simplify the  
24          structure a little more. It will give us  
25          a little bit more area in the garage,

1           Zoning Board of Appeals - 3/27/2008  
2           which is also one of the main purposes for  
3           the addition.

4                       MR. DOVELL:  There is a  
5           small carport on the left side of the  
6           house that you are demolishing.

7                       MR. ABILLAMA:  Exactly.

8                       MR. DOVELL:  How wide is  
9           that carport presently?

10                      MR. ABILLAMA:  The carport,  
11           I have to have -- take a look at that on  
12           the site plan again.

13                      MR. ABIRIZK:  18 feet  
14           probably.

15                      MR. ABILLAMA:  Right now I  
16           would say 18 feet.  Yes.

17                      The second floor will end up  
18           having bedrooms with an open area and a  
19           den looking down to the open area.

20                      CHAIRMAN MURPHY:  So just  
21           so I'm clear, on the side with the  
22           carport, you are going to remove the  
23           carport.  You are also going to extend  
24           that out a few feet on that side.

25                      MR. ABILLAMA:  Right.

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2                   CHAIRMAN MURPHY:    And  
3                   that's -- all right.  You don't need a  
4                   variance for that side.

5                   MR. ABILLAMA:  No.

6                   CHAIRMAN MURPHY:  On the  
7                   side where you need the variance, are you  
8                   going to maintain the existing line?

9                   MR. ABILLAMA:  Exactly.  We  
10                  are going to stay flush with the existing  
11                  line.

12                  CHAIRMAN MURPHY:  Okay.

13                  MR. ABILLAMA:  This is the  
14                  proposed front elevation where we can  
15                  show I put the 2 feet here, which will  
16                  impact -- create a more uncomplicated  
17                  structure than this.

18                  MR. PYCIOR:  Mr. Abillama,  
19                  since you are adding a second floor with  
20                  three bedrooms, how many bedrooms does it  
21                  currently have?

22                  MR. ABILLAMA:  Right now it  
23                  has two bedrooms.

24                  MR. PYCIOR:  They will be  
25                  converted into different space downstairs?

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2                   MR. ABILLAMA: Right, living  
3 room, family, stuff like that. The family  
4 is growing obviously.

5                   CHAIRMAN MURPHY: Yes. I  
6 mean, it is an obvious significant  
7 addition and improvement. But there is no  
8 variance needed or requested. You are  
9 just within the total footprint area  
10 permitted. But because it is large, I  
11 wanted to make sure I understood why you  
12 needed the variance on the one side yard.  
13 And now I think I understand better why  
14 you needed to support the roof on the  
15 second floor and to keep, I guess, a more  
16 symmetrical line on that side of the  
17 house.

18                   MR. ABILLAMA: Exactly.  
19 That's the intent, yes.

20                   CHAIRMAN MURPHY: Any other  
21 questions from the board?

22                   MR. PYCIOR: No.

23                   CHAIRMAN MURPHY: Is there  
24 anyone in the audience that would like to  
25 be heard?

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2                   MR. ALUISIO: Good evening.

3                   Kenny Aluisio. I live on 170 Old Road. I  
4                   live right next to these fine people.  
5                   They are nice neighbors, growing family.  
6                   I wish them lots of luck with this. I  
7                   don't have any objections to it. From  
8                   what I understand, it's going to go up.  
9                   Instead of going up and in and up, it is  
10                  going to go straight up. That's my  
11                  understanding of it. My question, you  
12                  said something about the garage being  
13                  underground. Do you mean enclosed?

14                  MR. ABILLAMA: It is in the  
15                  basement. That's what I meant.

16                  MR. ALUISIO: The garage is  
17                  going to be in the basement?

18                  MR. ABILLAMA: Right. The  
19                  driveway is going to pitch down within the  
20                  allowable extra -- we are going down 15  
21                  percent from the curb to --

22                  MR. ALUISIO: The driveway  
23                  is going to be below the existing living  
24                  room?

25                  MR. ABILLAMA: Right.

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2                   CHAIRMAN MURPHY:    Can you  
3                   put up the drawing with the elevation.  I  
4                   think it is a little easier for  
5                   Mr. Aluisio to see it.

6                   MR. ALUISIO:    That  
7                   doesn't -- I was just curious about that.  
8                   It doesn't affect me.  But wherever he  
9                   wants to put the car in the basement, so  
10                  be it.  I have no objections.  Good luck  
11                  to them.  Thanks.

12                  CHAIRMAN MURPHY:    Anyone  
13                  else wish to be heard?

14                  MR. FORBES-WATKINS:   One  
15                  clarification, I believe you said, but I  
16                  just wanted to clarify that the old  
17                  blacktop will all be removed.

18                  MR. ABILLAMA:    Exactly, yes.

19                  MR. FORBES-WATKINS:   It will  
20                  be replanted?

21                  MR. ABILLAMA:    Provide  
22                  landscaping.  Exactly.

23                  CHAIRMAN MURPHY:    All  
24                  right.  There is nothing further, then.  
25                  If I could please have a motion on this

1           Zoning Board of Appeals - 3/27/2008  
2           application for a side yard variance at 2  
3           Hudson Street.

4                       MR. PYCIOR: Okay. I'd like  
5           to make a motion that we approve the  
6           variance for side yard variance where the  
7           required is -- excuse me a second. Where  
8           the existing is 9 feet 11 and a half  
9           inches and 35 feet, one half inch;  
10          proposed is 9 feet, one half inch and 30  
11          feet, one half inch.

12                      MR. FORBES-WATKINS: That is  
13          a typo. The proposed should be 9 and 11  
14          and a half.

15                      MR. SHARMA: Yes. There is  
16          a typo. It should be 9 feet 11 and a  
17          half --

18                      MR. PYCIOR: There is a  
19          typo. If I can try again. I'd like to  
20          move that we approve the variance for the  
21          side yard requirements where the existing  
22          is 9 feet, 11 and a half inches and 35  
23          feet, one half inch. The proposed is 9  
24          feet, 11 and a half inches and 30 feet,  
25          one half inch, where the required minimum

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2           would be 12 feet and 30 feet.

3                           CHAIRMAN MURPHY:    Do I have  
4           a second?

5                           MR. FORBES-WATKINS:   Second.

6                           CHAIRMAN MURPHY:    All in  
7           favor?   Aye.

8                           MR. PYCIOR:    Aye.

9                           MR. FORBES-WATKINS:   Aye.

10                          MR. DEITZ:    Aye.

11                          MR. DOVELL:   Aye.

12                          CHAIRMAN MURPHY:   Vote is  
13           unanimous.   Thank you very much.

14           Congratulations to you.

15                           All right.   I just -- we  
16           have received the minutes from last  
17           month's meeting, the February 28, 2008  
18           meeting.   If the board members have had a  
19           chance to look through that, if I could  
20           have a motion to approve -- the board will  
21           approve the minutes from the February 28  
22           meeting.   Can I have a motion to approve  
23           the meeting minutes.

24                          MR. FORBES-WATKINS:   So  
25           moved.

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CHAIRMAN MURPHY: Second?

MR. PYCIOR: I'll second.

CHAIRMAN MURPHY: All in favor? Aye.

MR. PYCIOR: Aye.

MR. FORBES-WATKINS: Aye.

MR. DEITZ: Aye.

MR. DOVELL: Aye.

CHAIRMAN MURPHY: Our next meeting will be April 24, 8 p.m. and this meeting is adjourned. Thank you very much.

(Hearing adjourned at 9 p.m.)

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STATE OF NEW YORK )  
 ) ss  
COUNTY OF WESTCHESTER )

I, Nina Purcell, Notary Public within and  
for the State of New York, do hereby certify:

That I reported the proceedings in the  
within entitled matter, and that the within  
transcript is a true record of said  
proceedings.

I further certify that I am not  
related to any of the parties to the action by  
blood or marriage, and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 2nd day of April, 2008.

NINA PURCELL,  
NOTARY PUBLIC