

VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK

ZONING BOARD OF APPEALS

Held February 26, 2009 at

8:00

p.m., Seven Maple Avenue,

Hastings-on-Hudson, New York 10706-1497.

P R E S E N T :

Brian D. Murphy, Chairman
Stanley Pycior, Deputy Chairman
Marc Leaf, Board Member
David Forbes-Watkins, Board Member
Ray H. Dovell, Jr., Board Member

Deven Sharma, Building Inspector
Charles D. Wucherer, Deputy Building Inspector
Marianne Stecich, Board Counsel

VALERIE E. MONACO

Court Reporter

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2 CHAIRMAN MURPHY: Good evening
3 everyone. We're here for the February 26,
4 2009 Zoning Board of Appeals meeting. We
5 have only one case on our agenda tonight.

6 Linda Osborn, 17 Villard Avenue for
7 placement of a prefabricated metal ramp in
8 the front yard.

9 Mr. Sharma, are the mailings in
10 order?

11 MR. SHARMA: Mailings are in order.

12 CHAIRMAN MURPHY: Without any
13 further ado, Ms. Osborn, if you'd like to
14 briefly present the application. Thank
15 you.

16 MS. OSBORN: Linda Osborn, 17
17 Villard.

18 My mother was living in Michigan.
19 She had two strokes. She's coming to live
20 with me. She cannot walk. We needed a
21 disability ramp. We put one going up to --
22 I have an accessory apartment. She lives
23 in the accessory apartment. We put a ramp
24 in so that she could get in and out of the
25 house. That's it.

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2 CHAIRMAN MURPHY: I think the board
3 members have had a chance to just drive by
4 the property. So we read your submission.
5 I thank you for that. I think it lays out
6 the case pretty well. The bottom line is
7 your mom is in need of a wheelchair ramp.
8 And just to be clear, the entrance where
9 the ramp is, is that the only access to the
10 accessory apartment?

11 MS. OSBORN: There is an access
12 through my house and it's even more
13 difficult to get out of the house that way.
14 Because it's -- I think it's an additional
15 step inside the house, it would be two
16 additional steps. And there's furniture on
17 either side of that door, her side and my
18 side. So it's like, you know. But that's
19 the primary entrance.

20 If you had to, you know, if you
21 wanted to set it up, you could go through
22 the other way. But it would be a whole lot
23 of trouble. And she'd still need a ramp.

24 CHAIRMAN MURPHY: Well, the need
25 for the ramp is apparent and I don't see

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2 another way to accomplish that. And is the
3 door -- the other door is that also on
4 Villard?

5 MS. OSBORN: Yes.

6 CHAIRMAN MURPHY: So it wouldn't
7 alter essentially the location of the
8 temporary ramp in the front of the yard?

9 MS. OSBORN: Move it what? 15 feet
10 west, 20 feet west. If you were to move it
11 to the other stairway, it would simply be
12 moved 15 or 20 feet to the west.

13 MR. PYCIOR: It appears as though
14 it would have to be steeper because there
15 is less --

16 MS. OSBORN: Yes. Well, I think
17 the steps -- I think it has one more step,
18 yeah.

19 CHAIRMAN MURPHY: And the ramp, as
20 you submitted, is temporary or it's
21 removable?

22 MS. OSBORN: It is a portable. It
23 is considered a portable ramp. It has no
24 footing connected. It's actually connected
25 to the porch. It rests on the porch and it

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2 has a drop in handle. So you pull it out
3 and take it. It's sort of cumbersome to
4 pick up a lot but it's considered a
5 portable ramp as opposed to a permanent
6 structure.

7 CHAIRMAN MURPHY: Anyone else on
8 the board have any questions for
9 Ms. Osborn?

10 (No response.)

11 CHAIRMAN MURPHY: Hearing no
12 questions or comments from the board, is
13 there anyone in the audience who wishes to
14 be heard?

15 Seeing no one, hearing none, it
16 seems to me this is a pretty
17 straightforward case and the ramp should be
18 approved for the required yard.

19 Do I have a motion for --

20 MR. PYCIOR: I just want to ask
21 Marianne. This is a temporary --

22 MS. STECICH: You may want to put a
23 time limitation. Well, otherwise, once you
24 have the variance, it would be permanent.

25 MS. OSBORN: Well, I have no

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2 intention of keeping it once --

3 Oh, my next door neighbor.

4 MS. STECICH: So for the time I

5 would say the mother is in the home. If

6 that seems to be maybe a reasonable --

7 CHAIRMAN MURPHY: So condition it

8 on the period of time for which your mom is

9 living with you.

10 MS. OSBORN: Correct, correct.

11 CHAIRMAN MURPHY: Okay.

12 MS. OSBORN: That's fine.

13 CHAIRMAN MURPHY: And I see one of

14 your neighbors has joined us.

15 Would you like to be heard, at all,

16 on the application or --

17 MR. CHIU: Um, sure.

18 CHAIRMAN MURPHY: Okay. If you

19 wish.

20 MS. OSBORN: Well, I just presented

21 that we had to put a ramp because my mom is

22 disabled and it goes to her house and they

23 asked if anyone would like to speak and you

24 walked in, so.

25 MR. CHIU: Oh, good timing.

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2 CHAIRMAN MURPHY: Please just
3 identify yourself.

4 MR. CHIU: Peichung Chiu. And I'm
5 the next door neighbor. I don't see any
6 personal objections to having the ramp
7 there. It's not the prettiest thing but I
8 understand that she needs some way of
9 getting her mother in and out of the house.
10 My opinion is for the time being, she needs
11 it, give it to her. If at some later date
12 when her mother moves out, then if she --
13 then she could remove it. I would hope
14 that, you know, some time if this kind of
15 situation ever occurred to me, that the
16 village would consider in my favor of such
17 situation.

18 I see that -- I don't know how the
19 zoning works. I don't know if it's because
20 of like the visual aspect or something like
21 that, but I see houses with fire escapes
22 that are very unsightly. I know obviously
23 that's a safety issue. But this is a
24 quality of life every day type of thing.
25 So I hope you guys consider in her favor.

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2 CHAIRMAN MURPHY: Thank you. We
3 appreciate you coming.

4 Stanley, I think this is a good one
5 just put a time restriction on the
6 variance.

7 Would you like to make that motion
8 for us?

9 MR. PYCIOR: I'd like to move that
10 we approve the variance for a front-yard
11 setback. And that the variance is
12 contingent upon Ms. Osborn's mother being
13 in the residence at the house on 17
14 Villard. When she is no longer in the
15 residence, the ramp would be removed.

16 MS. OSBORN: I have a question.
17 Because my mother is in deteriorating
18 health and currently she's -- currently
19 she's in rehabilitation at Green. We
20 anticipate her coming out in the next week
21 or two, but I need a definition of
22 residence. As long as her stuff is still
23 there? Would that be considered residence,
24 like her furniture?

25 CHAIRMAN MURPHY: Sure, of course.

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2 MS. OSBORN: As long as we
3 anticipate her coming home because I don't
4 know.

5 MS. STECICH: That is not an issue
6 when you're on vacation for two months,
7 you're still a resident.

8 MS. OSBORN: She might go to
9 someplace for three months and come back
10 because we can't tell.

11 CHAIRMAN MURPHY: That's fine. I
12 think the condition is understood until you
13 know longer need it.

14 MS. OSBORN: Yes.

15 CHAIRMAN MURPHY: But at that point
16 then it should be removed.

17 MR. FORBES-WATKINS: Second.

18 CHAIRMAN MURPHY: All in favor?

19 MR. PYCIOR: Aye.

20 MR. LEAF: Aye.

21 MR. FORBES-WATKINS: Aye.

22 MR. DOVELL: Aye.

23 CHAIRMAN MURPHY: Aye.

24 The vote is unanimous. Ms. Osborn,
25 thank you.

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2 We have a very short meeting
3 tonight. That's the only case.

4 Did the board members have a chance
5 to read through the minutes from last
6 month's meeting, the
7 January 22nd meeting? Any changes please
8 let our reporter know.

9 MR. FORBES-WATKINS: Yes, I would
10 like to note that I understand abbreviating
11 my name, it's too long, et cetera. But in
12 the future if you need to abbreviate,
13 please make it Forbes rather than Watkins.
14 Throughout I'm listed as Mr. Watkins.

15 CHAIRMAN MURPHY: Okay. Duly
16 noted.

17 Anything else? I didn't notice any
18 typos or corrections.

19 Do we have a motion to approve the
20 January 22, 2009 Zoning Board of Appeals
21 meeting minutes?

22 MR. FORBES-WATKINS: So moved.

23 CHAIRMAN MURPHY: Second?

24 MR. PYCIOR: I will second.

25 CHAIRMAN MURPHY: All in favor?

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2 MR. PYCIOR: Aye.

3 MR. LEAF: Aye.

4 MR. DOVELL: Aye.

5 MR. FORBES-WATKINS: Aye.

6 CHAIRMAN MURPHY: Aye.

7 Marianne, Mr. Sharma, anything

8 else?

9 MR. PYCIOR: Our next meeting is.

10 MS. STECICH: Do you have any
11 applications, Deven? The way it's been
12 coming in, we may not have a meeting.

13 CHAIRMAN MURPHY: If there are any
14 applications for the next meeting,
15 Mr. Forbes-Watkins informs me it will be
16 March 26th.

17 And with that this meeting is
18 adjourned.

19 (Time noted: 8:12 p.m.)

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C E R T I F I C A T E

I, Valerie E. Monaco, do hereby
certify that the foregoing transcript is a
true and accurate transcript taken by me on
this 26th of February, 2009.

VALERIE E. MONACO
Court Reporter

