

**Zoning Board of Appeals
Minutes
April 26, 2018**

Members Present: Richard Ubert, Chairperson
Tracey Cullen, Vice Chairperson
Todd Brice, Member
Eric Taylor (Alternate)

Corliss Baskerville, Secretary to Board

Absent: Bryan Donato, Building Inspector
Kirk Hurme, Member
Bill Ordon, Member

Meeting called to order at 7:02 pm.

Chairman Ubert welcomed everyone to the April 26, 2018 meeting of the Zoning Board of Appeals and introduced all the members. Chairman Ubert stated applicants are hereby notified that any/all agreed concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

Chairman Ubert informed the applicants that a full Board was not present due to circumstances beyond their control. Any application would require at least a 3-1 vote to be approved. If they so choose, the applicant could ask for a postponement to be heard until the entire Board was present. Christopher Pearson chose not to be heard. All remaining applicants chose to be heard.

Chairman Ubert asked the Board for a motion to approve the minutes from the March 15, 2018 meeting.

A Motion to Approve the March 15, 2018 minutes was made by Ms. Cullen and was seconded by Mr. Brice. Mr. Taylor did not vote, as he did not attend the entire March hearing.

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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Brice | aye |

Motion carried: 3 ayes 0 nays

Ms. Cullen explained the Board had an application from two months ago for the appeal of Ms. Jane Schmitt regarding 26 Unqua Place Ms. Cullen expressed a recommendation to approve the application of Jane Schmitt for the following reasons: the plumbing has been abandoned and is

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4. Applicant is seeking an 18-foot height variance so that he will have a safe location to store his tools and equipment.
5. Proposed structure is replacing an existing garage which is taller than the proposed structure.
6. One neighbor spoke against the application.

A Motion to Approve this application with the following stipulations was made by Ms. Cullen and seconded by Mr. Taylor.

Stipulations:

1. Applicant must conform to proposed setbacks and height presented on the survey and plans submitted.
2. Applicant must adhere to all Village, State and Local codes.
3. Applicant must appear before the Planning Board.

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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Taylor | aye |
| | Mr. Brice | aye |

Motion carried: 4 ayes 0 nays

Application of Grace Renda. Applicant seeks renewal of a previously approved by Special Exception, owner occupied conversion of a one-family dwelling to a two-family dwelling approved prior to March 10, 2010 with no change in ownership pursuant to § 184-43 C. (6) of the Village code. Premises located on the East side of Central Ave approximately 425 ft. south of Riverside St. in a "Residential B" District known as 84 Central Ave. a/k/a SCTM# 101-11-13-51.

Mr. Lawrence Colby, Jr., spoke for this application. Mr. Colby has lived in the home since 1979. He stated the dwelling is a two-family home and has never had any complaints against the property. Mr. Colby stated he was unaware that the special exception and permit had to be renewed until receiving a letter from the Building Department.

Findings:

1. Applicant has owned and lived in the home since 1979.
2. The dwelling is a two-family, owner-occupied home.
3. The dwelling has six bedrooms.
4. The property is well-maintained.
5. Applicant applied for a rental permit and special exception in 1983.

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5. Applicant is proposing 21 parking spaces.
6. Applicant has previously attempted to rent the property.
7. Applicant is staying with existing footprint.
8. No one spoke for or against this application.

A Motion to Approve this application with the following stipulations was made by Ms. Cullen and seconded by Mr. Brice.

Stipulations:

1. Applicant must go before the Planning Board.
2. Applicant must maintain all necessary permits.
3. Applicant must adhere to all Village, State and Local Codes.

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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Taylor | aye |
| | Mr. Brice | aye |

Motion carried: 4 ayes 0 nays

Application of Art of Form Architects as agent for Associated Property Holdings/John Goarin. Applicant seeks area variances for insufficient side yards, rear yard, lot coverage, parking and space for off-street loading, pursuant to a 6000 sq. ft. reconstruction/addition to the partially existing one-story masonry building with a 1753 sq. ft. second-story addition on the existing foundation pursuant to §§183-104; 183-105; 183-106; 183-129 and 183-130 of the Village code. Premises located on the East side of Deforest St. approximately 300 ft. South of Dixon Ave. (CR-2) in an "Industrial" District known as 21 Deforest St. a/k/a SCTM# 101-4-2-7.

Raymond Caliendo spoke on behalf of this application. Mr. Goarin has been a business owner of Related Services since 2004. Related Services is a restoration, masonry, roofing, heating, metal, union contracting firm operating since 1984 doing commercial public work on many high-profile buildings (i.e. NY Life, United Nations Development, Empire State Building and Stoney Brook University Hospital).

Chairman Ubert asked how the company would be handling deliveries. Mr. Caliendo responded the side yard area and easement of the north side would accommodate for that. Mr. Caliendo said some of the employee parking could be inside of the building if need be. Ms. Cullen inquired if vendors, clients and the like would be visiting the building to which the applicant responded since they are providing the service they normally go to the client. Ms. Cullen asked how parking inside of the building would occur? The applicant's architect responded the loading trucks are open flatbeds which would be driven into the building. Chairman Ubert suggested the applicant increase the setback to allow for more parking spaces. Further discussion ensued regarding the lot size and parking space availability. The applicant's

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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Taylor | aye |
| | Mr. Brice | aye |

Motion carried: 4 ayes 0 nays

Application of Bay Village Construction Corp. Applicant seeks to reduce the required side yard pursuant to the proposed erection of a one-car attached garage pursuant to § 183-51 of the Village Code. Premises located on the North side of Richmond Ave. approximately 235 ft. South of Bourdette Pl. in a "Residential B" District known as 302 Richmond Ave. a/k/a as SCTM# 101-13-18-10.

Jean Garguilo spoke for this application. Ms. Garguilo has purchased the home to renovate, beautify and put a family in the home. She lives two houses down from this property and passes it everyday on her way to work. She would like to make the home beautiful again and add the garage to make it more appealing to a buyer.

Branden Plank, 312 Richmond Ave., spoke in favor of the application. Mr. Plank owns the property adjacent to 302 Richmond Avenue.

Findings:

1. The home purchased as New York Rising home.
2. Applicant is seeking to elevate the home and add a one-car attached garage.
3. There is no abutting garage.
4. One neighbor spoke in favor of the application.

A Motion to Approve this application with the following stipulations was made by Ms. Cullen and seconded by Mr. Taylor.

Stipulations:

1. Applicant must conform to the plans submitted to the Board.
2. Applicant must maintain all Village, State and Local Codes.

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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Taylor | aye |
| | Mr. Brice | aye |

Motion carried: 4 ayes 0 nays

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4. Applicant must go before the Planning Board for architectural review.
5. Applicant must maintain all necessary permits.
6. Applicant can have a finished basement with no outside entrance.
7. Applicant must maintain all Village, State and Local Codes.

A Motion to close the public meeting and go into Executive Session was made by Mr. Ubert and seconded by Ms. Cullen.

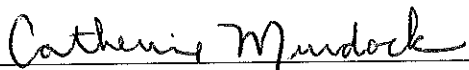
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| Vote on the Motion: | Mr. Ubert | aye |
| | Ms. Cullen | aye |
| | Mr. Taylor | aye |
| | Mr. Brice | nay |

Motion carried: 4 ayes 1 nay

A motion to close the Executive Session and adjourn the meeting was made by Mr. Ubert seconded by Ms. Cullen.

Meeting adjourned at 9:25 pm

Respectfully submitted:



Catherine Murdock, Clerk/Treasurer