

BOARD OF APPEALS
January 25, 2023

PRESENT: Chairman: Greg Varone
 Member: Jamie Grecco
 Member: Dan McLaughlin
 Member: Mike Tesoro
 John T. Pierpont
 Building Inspector: Max Dao
 Village Manager: Lindsey M. Luft

ABSENT: Member Kathy Soderberg

Chairman Greg Varone opened the meeting and introduced the members of the Board.

MINUTES

The minutes of December 14, 2022 were approved.

Deputy Manager Pierpont presented the application of Mr. & Mrs. LePorte, 550 Monterey Avenue, for a variance to allow the extension of a house with a lot area of 12,515 square feet where 15,000 square feet are required, and for a special permit to allow the addition to a house in excess of 500 square feet.

Eric Jacobsen, RA rose to review the proposed addition. HVAC will have to be located lawfully. No exterior audio system. Lighting was discussed.

No comments.

The Board reserved decision.

Deputy Manager Pierpont presented the application of Mark & Andrea Peltz, 3 Sherwood Avenue, 163.83-1-84, for a variance to allow the extension to a house with an existing lot area of 5,500 square feet where 10,000 square feet are required, a street frontage of 55 feet where 75 feet are required, street setbacks of 19.8 feet and 25.9 feet where 35 feet are required and a side yard of 8.6 feet where 10 feet are required,

James Nicolazzi, RA appeared before the Board to discuss the proposed project.

No comments.

The Board reserved decision.

Deputy Manager Pierpont presented the application of Catherine & Roger Krulak, 150 Jackson Avenue, 166.35-1-55, for a variance to allow the extension of a house with an existing street setback of 26.9 & 31.9 feet where 35 feet are required and an existing side yard of 6.4 feet where 10 are required.

John Iannicito, RA reviewed the project with the Board. Lighting and exterior HVAC were discussed. There is no audio equipment proposed.

No comments.

The Board reserved decision.

Deputy Manager Pierpont presented the application of Mr. & Mrs. Shrestha, 119 Reed Avenue, 163.76-1-29, for a variance to allow the extension of a house with an existing side yard of 4.6 feet and 6.3 feet where 10 feet are required.

Karen Fellner, RA rose to review the application.

No comments.

The Board reserved decision.

Deputy Manager Pierpont presented the application of Mr. Ray Carotenuto, 1441 Roosevelt Place, 167.46-1-37 & 38, for a variance to allow the re-establishment of a buildable lot with a street frontage of 33.30 where 75 feet are required.

Michael Mastrogiacomo, PE appeared before the Board to review the application.

Chairman Varone stated that it is his understanding that a non-conforming lot adjacent to and under the same ownership is merged with the adjacent lot as a matter of State Law.

Mr. Mastrogiacomo stated that he would provide the Board with the chain of title for each lot as reflected in the deeds for each lot at the next meeting.

Chairman Varone asked to have the Village's outside counsel provide an opinion as to the applicability of State law with regard to this matter.

Richard Jaklitsch, 1410 Roosevelt Avenue asked to look at the proposed plan.

Chair of title search for each lot.

Public Hearing held open until next meeting.

No comments.

The Board reserved decision.

The Board granted a 60-day extension to obtain a building permit to Mr. & Mrs. Kalehoff, 520 Pelhamdale Avenue, 163.84-1-64.

The Board considered the application of Mr. & Mrs. LePorte, 550 Monterey Avenue, 164.77-1-6, for a variance to allow the extension of a house with a lot area of 12,515 square feet where 15,000 square feet are required, and for a special permit to allow the addition to a house in excess of 500 square feet.

After discussion and upon motion duly made and seconded, it was unanimously resolved that

WHEREAS, there are special circumstances and conditions applying to this building and land which do not apply generally to the land and buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of the regulations appealed; and

WHEREAS, the circumstances and conditions are such that the particular applications of the conditions of the zoning ordinance would deprive the applicant of the reasonable use of the land and building; and

WHEREAS, the granting of the variance sought will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and

WHEREAS, the requirements for a special permit set forth in the zoning ordinance, as pertains to this application have been met,

NOW THEREFORE BE IT RESOLVED, That the application of Mr. & Mrs. LePorte, 550 Monterey Avenue, 164.77-1-6, for a variance to allow the extension of a house with a lot area of 12,515 square feet where 15,000 square feet are required, and for a special permit to allow the addition to a house in excess of 500 square feet be and hereby is granted.

The Board considered the application of Mark & Andrea Peltz, 3 Sherwood Avenue, 163.83-1-84, for a variance to allow the extension to a house with an existing lot area of 5,500 square feet where 10,000 square feet are required, a street frontage of 55 feet where 75 feet are required, street setbacks of 19.8 feet and 25.9 feet where 35 feet are required and a side yard of 8.6 feet where 10 feet are required.

After discussion and upon motion duly made and seconded, it was unanimously resolved that

WHEREAS, there are special circumstances and conditions applying to this building and land which do not apply generally to the land and buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of the regulations appealed; and

WHEREAS, the circumstances and conditions are such that the particular applications of the conditions of the zoning ordinance would deprive the applicant of the reasonable use of the land and building; and

WHEREAS, the granting of the variance sought will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and

NOW THEREFORE BE IT RESOLVED, That the application of Mark & Andrea Peltz, 3 Sherwood Avenue, 163.83-1-84, for a variance to allow the extension to a house with an existing lot area of 5,500 square feet where 10,000 square feet are required, a street frontage of 55 feet where 75 feet are required, street setbacks of 19.8 feet and 25.9 feet where 35 feet are required and a side yard of 8.6 feet where 10 feet are required, be and hereby is granted.

The Board considered the application of Catherine & Roger Krulak, 150 Jackson Avenue, 166.35-1-55, for a variance to allow the extension of a house with an existing street setback of 26.9 & 31.9 feet where 35 feet are required and an existing side yard of 6.4 feet where 10 feet are required.

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WHEREAS, the circumstances and conditions are such that the particular applications of the conditions of the zoning ordinance would deprive the applicant of the reasonable use of the land and building; and

WHEREAS, the granting of the variance sought will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood otherwise detrimental to the public welfare, and

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The Board considered the application of Mr. & Mrs. Shrestha, 119 Reed Avenue, 163.76-1-29, for a variance to allow the extension of a house with an existing side yard of 4.6 feet and 6.3 feet where 10 feet are required.

After discussion and upon motion duly made and seconded, it was unanimously resolved that

WHEREAS, there are special circumstances and conditions applying to this building and land which do not apply generally to the land and buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of the regulations appealed; and

WHEREAS, the circumstances and conditions are such that the particular applications of the conditions of the zoning ordinance would deprive the applicant of the reasonable use of land and building; and

WHEREAS, the granting of the variance sought will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and

NOW THEREFORE BE IT RESOLVED, That the application of Mr. & Mrs. Shrestha, 119 Reed Avenue, 163.76-1-29, for a variance to allow the extension of a house with an existing side yard of 4.6 feet and 6.3 feet where 10 feet are required, be and hereby is granted.

The Board considered the application of Mr. Ray Carotenuto, 1441 Roosevelt Place 167.46-1-37 & 38, for a variance to allow the re-establishment of a buildable lot with a street frontage of 33.30 feet where 75 feet are required.

After discussion and upon motion duly made and seconded, it was unanimously resolved that the application is held over until next meeting.

The next meeting is scheduled for Wednesday, February 22, 2023

ADJOURNEMENT

There being no further business, the meeting was adjourned.

Village Clerk

