

**REGULAR MEETING
ZONING BOARD OF APPEALS**

Village of South Nyack
South Nyack, New York

August 4, 2015

PRESENT: Roger Seiler – Chairman

Bruce Forrest – Member

Charles Cross – Member

Richard Holt - Member

Frank Richards – Member

DeWitt Rulon - Alternate Member

ALSO PRESENT:

Jill Schwarz – Village Clerk

Sokuna Mam – ZBA Secretary

Robert Knoebel – Attorney for Zoning Board

Absent: David Majewski – Building Inspector

Mr. Seiler called the meeting to order at 7:30 pm. There is one item on agenda. Hearing noticed on July 22, 2015 in Journal News.

- An appeal by Miriam Hoffman for variances from Article XI, Section 110-11.1, Nonconforming Building and Uses and Table of Use and Bulk Requirements, Schedule 1, Page 2 of the Zoning Law of the Village of South Nyack for variances to permit minimum total lot area required, minimum front yard setback & minimum side-yard setback. The premise is a single family dwelling located at 221 Piermont Avenue, South Nyack, NY 10960 and identified on the Tax Map as Section 66.62-2-42, located in an R-12 Zoning District.

Case # 1: 221 Piermont Avenue, South Nyack, NY 10960

Appearing: Robert Silarski, Architect

Mr. Silarski explains the project which is the demolition of an existing concrete stair case and an existing vestibule on the north side of the house, and the construction of a new addition will contain a main floor powder room. The house currently has no bathroom at the main floor which will the proposal is to put the addition in the same place as existing vestibule. The new addition will be approximately be 3ft longer than the old addition, the existing is 6inches long, proposing 2.9inches longer extending toward the west. The vestibule is currently facing north, and proposing window facing east, reason because of privacy to the neighbor's property and best suits the layout of the proposed powder room. The project requires variances for existing non-conformities proposed not to be made worse. The lot size where 12,000 square feet is required in the zone of R-12, the lot is currently 9,142 square feet that will remain the same. The house is located between Clinton and Piermont. It has two front yards. The minimum of the front yard is

35ft. The existing setback is 19.1ft on Piermont Ave and 10.1 on Clinton Ave; the proposed is to remain the same. The minimum side yard is 15ft. The existing condition on the north side of the property is 6.7ft and proposed to remain the same. Two yard total doesn't apply to this project, because there's only one side yard available, 35ft is required side yards. The existing and proposing remains the same at 6.7ft. The powder room is minimum size, but gets the job done.

Mr. Seiler measured the existing dimensions of the vestibule. The length he measured was 6ft toward the lot line on the plan should 6'3".

Mr. Silarski, stated measurements were taken from Thomas A. Donovan survey dated February 9, 1984

Mr. Forrest asked did Mr. Seiler measured from the fence or from the property line?

Mr. Seiler stated, the existing vestibule is presently 4ft and proposed is 4ft 3inches and there is no effect on the neighbors.

Mr. Knoebel referred to the conditions sent by the Planning Board meeting of June 17, 2015. The correction to the bulk table has been made. Tree protection of the crabapple is shown on the plan. The reconnected the roof leader is, to existing discharge. Conditions of the variance are to be approved.

There is no representative from the Building Department present.

There are no members of the public present.

Mr. Cross moved to close public hearing.

Mr. Holt seconds.

On a roll call, the vote was as follows:

Ayes:	6
Nays:	0
Abstain:	0

Meeting adjourned 7:50pm.

Now, upon said hearing and upon the evidence adduced thereat, it is hereby found and determined that:

FINDINGS OF FACTS

Mr. Cross: (1) not a significant variance (2) benefit to the applicant granting of the area variance (3) area variance is exempt from review under SEQRA (4) the applicant answered the questions that were being asked.

Mr. Forrest: there's a small change of the existing footprint change but can't change property shape and size.

Mr. Cross: made a motion to grant the variance to Miriam Hoffman for demolition of an existing vestibule and concrete stairs, and construction of a new addition which will contain the main floor powder room. The premise is located 221 Piermont Ave, South Nyack, NY 10960 and identified on the Tax Map as Section 66.62-2-42, located in an R-12 Zoning District. This is a Type 2 SEQRA declaration with no negative environmental impact.

Mr. Forrest seconds

OLD BUSINESS:

Mr. Forrest: moved to approve June 2, 2015 Zoning Board of Appeals minutes.

Mr. Richards: Seconds

New Business: Welcome Sokuna Mam, Deputy Village Clerk as the Secretary Zoning Board of Appeals and secretary Planning Board. Welcome Dewitt as Zoning Board of Appeals alternate

Respectfully submitted,

Sokuna Mam
Zoning Board Secretary

Approved: _____