Zoning Board of Appeals Village of Tarrytown Regular Meeting Village Hall – 1 Depot Plaza January 8, 2024 7:30 p.m.

PRESENT: Chairwoman Lawrence; Members Rachlin, Kaplan, Kudla;

Counsel Addona; Secretary Meszaros

Member Young, First Alternate Jolly, Second Alternate Isaacson; Village ABSENT:

Engineer Pennella

Ms. Lawrence opened the meeting at 7:30 pm.

APPROVAL OF MINUTES - December 11, 2023

Ms. Kaplan moved, seconded by Ms. Rachlin, to approve the minutes of the December 11, 2023 meeting as submitted.

The secretary recorded the vote:

Ms. Lawrence:

Yes

Member Rachlin:

Yes

Member Kaplan:

Yes

Member Kudla:

Yes

All in favor, Motion carried, 4 - 0

CONTINUATION OF PUBLIC HEARING

Gotham Design Planning and Development - 25 South Washington Street Variances to demolish the existing two-story single-family home and 1 ½ story detached garage in order to construct a new three-story primary structure with 3 dwelling units and parking.

Padriac Steinschneider, the project design coordinator, with Gotham Design Planning and Development, appeared on behalf of the property owner and presented a PowerPoint presentation, attached as "Exhibit A" to these minutes.

He explained that they have narrowed the building and shifted it over 2 feet to accommodate the exact same existing driveway width. Ms. Lawrence asked if they still need an easement and if they have made any progress with an agreement with the neighbor. Mr. Steinschneider does not believe he needs the easement since the garage construction was approved in 1987 without the easement and they are keeping the same driveway width by moving the house over 2 feet. Ms. Rachlin and Ms. Kaplan thought that the driveway use was approved with a handshake back in 1987. Mr. Steinschneider said that both driveways in his plan are wide enough to accommodate cars, which he can show. Ms. Lawrence referred to an earlier letter received on behalf of the owner which seemed that they were open to discussion. Mr. Steinschneider said that letter was received a while back. Since then, he has visited the property and has had multiple pleasant conversations with the owners and the daughter-in- law. He explained that the use of the driveways would not change; they would just be formalizing it in writing. At this point, he has no confidence that the owner will enter into an easement agreement in writing.

Counsel Addona asked Mr. Steinschneider to point to the exact language where it says the ZBA approved the driveway. Mr. Steinschneider referred to the 1987 plan that was approved by this Zoning Board and the Planning Board, which shows the driveway. Counsel Addona said that the Zoning Board minutes only referred a 3 ft. side yard setback and she did not see any arrangement about the driveway. Mr. Steinschneider believes that the 3 ft. side yard variance was for the garage. He advised that with his current plan, the driveways that serve each property will continue to remain as is.

Ms. Lawrence believes this should have been put in writing. Mr. Steinschneider said there were no concerns at that time of this approval by both the Planning and Zoning Board, who approved the driveway on the plan. They have revised their plan for the house to be exactly where the existing house is so nothing will change. He noted that there was a stipulation in 1987 that only 3 cars plus a motorcycle could be on the property.

Ms. Lawrence commented that, since 1987, 25 S. Washington Street has had the right to use the driveway as a single-family dwelling. Counsel Addona asked if there was somewhere where is shows the dimension of the driveway. Mr. Steinschneider said the survey shows the dimensions which will remain as is since they have since narrowed the building and moved it over 2 feet.

Ms. Lawrence advised that this Board has not supported any number of units at this time as Mr. Steinschneider indicated in his letter. The Board has been listening to each presentation. The Board asked for alternate plan and the applicant reduced the units from 4 to 3 units. At this time, she advised that they are not at the point where they are supporting 3 units.

Counsel Addona advised that the Village Engineer would like a plan demonstrating that the cars can maneuver in and out of the parking spaces and the driveway. In addition, the variances for this plan will have to be re-noticed.

Mr. Steinschneider wanted to know if the plan made sense to the Board. Ms. Lawrence also has concerns about the room in the rear of the property for the cars to maneuver. Mr. Steinschneider said he will revise the plan to show the maneuverability of the cars and that it can be done. Counsel Addona asked if it was tandem parking. Mr. Steinschneider said that no one will have to move their car for someone else to get in and out of the area. There will be 5 spaces in the rear. The spacing is wider than the village parking lot next door and they have the 24 feet to allow for maneuverability.

Ms. Lawrence confirmed that they are reducing the width of the building from 21 feet to 20 feet. She would be happier with 2 units. Mr. Steinschneider showed the streetscape

which indicates that their proposal is shorter than the house to the south. The house next door is also a 3 family and almost the exact same height. With regard to the variances, this plan reduces the total coverage of building to 31.8%, where 35% is permitted. They are also providing 5 spaces on site, where 8 are required, reducing the variance to 3 spaces. He noted that he has visited the street to determine if there is a parking problem and observed that the only problem occurs on a Friday or Saturday night when events are happening at the Music Hall. He added that a drainage system will be installed under the driveway and parking area.

A brief discussion took place about updating the Planning Board on the revised plan since they liked the scenery loft, which is no longer proposed. Secretary Meszaros advised that the applicant could appear at the next Planning Board meeting. Meanwhile, the applicant should submit a revised plan showing the maneuverability for Mr. Pennella to review and update the denial letter so that the variances can be noticed for the February 12th ZBA meeting. Mr. Steinschneider noted that reducing the size of the 3rd floor would not affect the variances and he will update the plans as requested.

There was no one in the public who wished to comment.

Ms. Lawrence moved, seconded by Ms. Rachlin, to continue the public hearing at the February 12, 2024 meeting.

The secretary recorded the vote:

Chairwoman Lawrence:

Yes

Member Rachlin:

Yes

Member Kaplan:

Yes

Member Kudla:

Yes

All in favor. Motion carried. 4 – 0

NEW PUBLIC HEARING - Andrew and Miranda Eifler - 17 Castle Heights Avenue

The following public hearing notice was made available at the public hearing:

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Tarrytown will hold a public hearing at 7:30 p.m. on Monday, January 8, 2024 in the Municipal Building, One Depot Plaza, Tarrytown, New York to hear and consider an application by:

Andrew and Miranda Eifler 17 Castle Heights Avenue Tarrytown, NY 10591

For a variance from Chapter 305 of the Village of Tarrytown ("Zoning Code") for a second story addition above the garage and in the rear of the home with interior alterations, and a proposed 300 SF tool shed.

The property is located at 17 Castle Heights Avenue and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.80, Block 42, Lot 20 and is located in the R-20 zone. The Applicant seeks the following variance from the Zoning Code:

1. A variance of 883 SF from §305-25 Maximum Floor Area, which allows a maximum F.A.R. of 5,200 SF, where the pre-existing measures 5,695 SF, and the proposed, which includes the additions and shed, measures 6,578 SF.

Documents are available for inspection in the Planning and Zoning Office at Tarrytown Village Hall. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required by the Architectural Review Board. By Order of the Zoning Board of Appeals.

Lizabeth Meszaros Secretary to the Zoning Board

Dated: December 29, 2023

The mailing receipts were received and the signs were posted. Board Members visited the property on Saturday, January 6, 2024, due to the inclement weather forecasted for Sunday.

Samuel F. Vieira, RA, the project architect, appeared on behalf of the property owner, Andrew Eifler, also present. He showed the proposed plan which will create a gym, guest room, and small bathroom above the existing garage. The roof will be raised 2.5 feet but the footprint will not be expanded. At the rear of the main house, they will take the westerly side eaves and raise the roof up to a habitable height so that the two bedrooms will have larger windows for views and more sunlight, but more importantly for two emergency egresses. The space between the dormers will have a home office with two windows and on the other side of the middle bedroom will be a laundry room.

The house has over a 3,000 s.f. footprint with no basement. It is on slab with a crawlspace, with minimal storage. In order to provide for additional storage for the owner, he showed the proposed 300 s.f. shed on the property, which is zoning compliant for setbacks and height. The elevations show that only the expansion above garage is what will be visible from the street. The dormer in the rear where the roof is raised is not visible from the street and it will be 2 feet lower than the main house.

With regard to the variance request, the house is an oversized lot that sits on 2 acres. The allowable FAR for R-20 zone is 5,200 s.f. The existing FAR is 5,695 s.f. They are proposing to increase the FAR to 6,578 s.f., which is 883 s.f. over what is existing, broken down as follows:

Area above the garage: 330 s.f.
Raising dormer 2nd floor: 250 s.f.
Proposed shed: 300 s.f.

Total: 883 s.f.

With regard to the proposed shed, Mr. Viera noted that the code allows sheds up to 100 s.f. to be excluded from the FAR calculation. Since they are proposing a 300 s.f. shed, it must be included in the FAR calculation. He also pointed out that if this house were in a R-80 zone, which is the approximate size of the property (83,000 s.f.), the allowable FAR would be 11,600 s.f. In addition, if they were to just look at the garage and dormer expansions, and not include the shed, the variance request would only be 583 s.f., which is just 10% of the existing square footage of the house.

Mr. Vieira also noted that the large terrace area in the rear of the home has also been included in the FAR calculation and the 1,200 s.f. basement area, which is above the foundation, must also be included and inflates the FAR number.

Mr. Vieira referred to his submission letter noting that he does not believe that the intent of the FAR code applies to this property. The FAR was adopted by the village to prevent developers from buying homes and making them so big that they no longer fit in with the character of each neighborhood. In this case, the properties to the west in the R-20 zone, along Castle Heights, are, for the most part, oversized lots. They range from 1.3 to 1.9 acres, when compared to properties to the east, which range from .46 to .47 acres. The entire E.F. campus is also within this zone, so there is a wide range of lot sizes in this zone. He is not sure why these properties were included in the R-20 zone when the map was drawn since many are oversized.

Mr. Vieira confirmed with Ms. Kudla that the shed will not be seen from the street.

Ms. Lawrence has concerns about taking the largest home in the area and adding more square footage onto it. Mr. Vieira noted that they are only adding on 583 s.f. to the home, the additional 300 s.f. is for the shed for storage of equipment. Essentially, the existing home is a one-story house; the second floor is built into the attic.

Ms. Kudla pointed out that this lot is considerably larger that the other properties in the area. Ms. Lawrence said she is not necessarily saying that it won't fit it, nor will it stand out, since there are other large homes in the area. They have had cases before them where the proposed increases would not fit in with the rest of the neighborhood. This home may make be larger, but not exceptionally larger.

Ms. Kudla pointed out that they are downhill from the other homes. If they were looking up, it would look significantly larger, but that is not the case.

Mr. Vieira noted that there are 3 principal additions and two of them will not be seen from the street. The expansion above the garage will be raised but it will be blended in to reduce the visual impact and, again, they are not going above the existing height of the home.

There was no one in the public who wished to comment. There were no more questions from the Board.

Ms. Rachlin moved, seconded by Ms. Lawrence, to close the public hearing.

The secretary recorded the vote: Chairwoman Lawrence: Member Rachlin: Yes Member Kaplan: Yes Member Kudla: Yes All in favor. Motion carried. 4-0

Ms. Rachlin read through and responded to the criteria for an area variance as follows:

- 1. That no undesirable change will be produced in the character of the neighborhood nor will a detriment to nearby properties be created by the granting of the area variance. Ms. Rachlin stated that the proposed project will not bring an undesirable change to the neighborhood.
- 2. That the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance. Ms. Rachlin stated that the benefit sought by the applicant cannot be achieved by some other method other than the area variance.
- 3. That the requested area variance is not substantial. Ms. Rachlin stated that the requested variances is not substantial when considering the lot size.
- 4. That the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Ms. Rachlin stated that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
- 5. That the alleged difficulty was self-created which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance. Ms. Rachlin stated that the alleged difficulty is self-created but that does not preclude the Board from granting this variance.

Ms. Kaplan moved, seconded by Ms. Kudla, to grant the 883 s.f. FAR variance and authorize Counsel Addona to prepare a Resolution memorializing the discussion during the public hearing to also include general conditions of approval.

The secretary recorded the vote:

Member Rachlin:

Yes

Member Kaplan:

Yes

Member Kudla:

Yes

Chairwoman Lawrence:

No

Motion carried. 3 – 1

ADJOURNMENT:

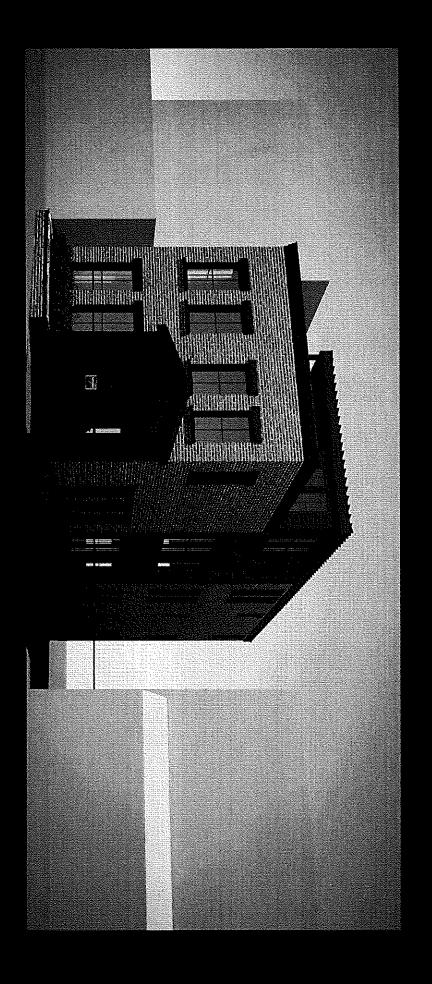
Ms. Kaplan moved, seconded by Ms. Rachlin, to adjourn the meeting at 8:25 p.m.

All in favor. Motion carried. 4-0

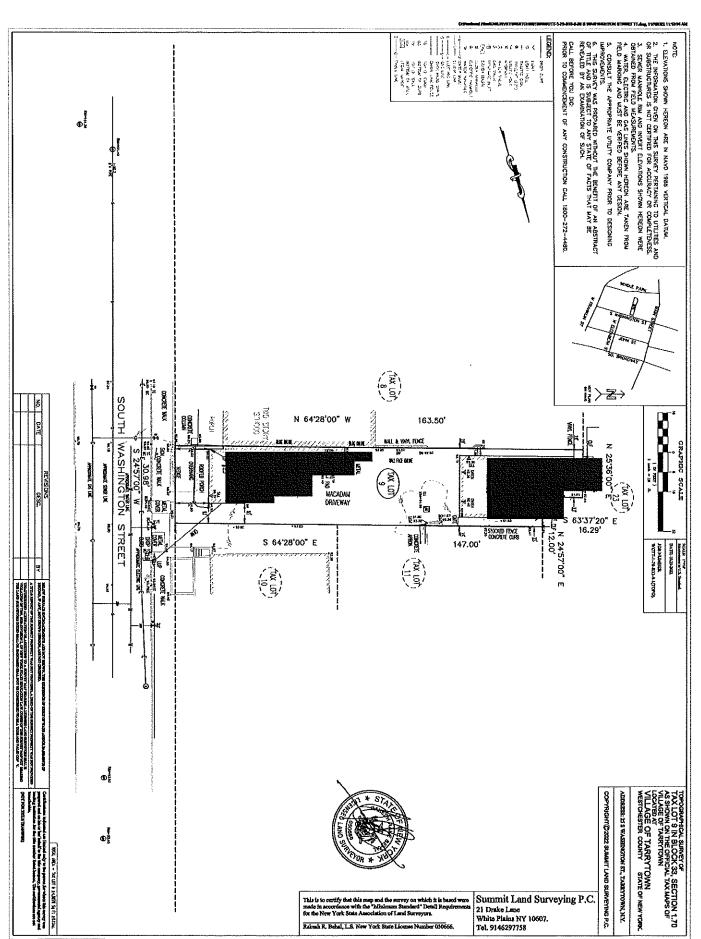
Liz Meszaros- Secretary

EXHIBIT "A" GOTHAM DESIGN PLANNING & DEVELOPMENT 25 SOUTH WASHINGTON STREET APPLICANT POWERPOINT PRESENTATION

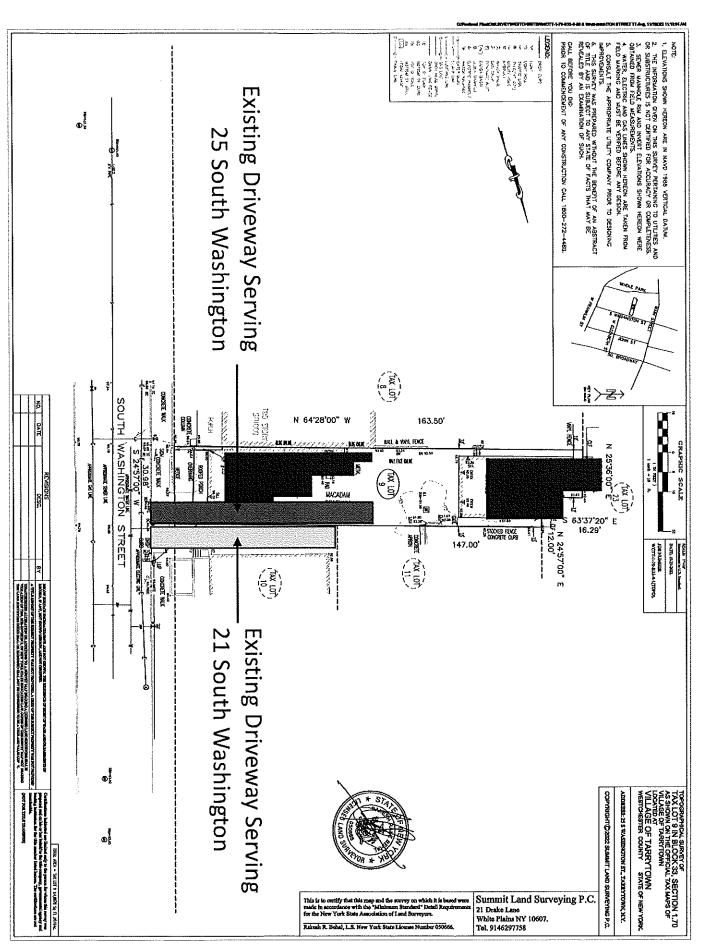
25 South Washington Street Tarrytown



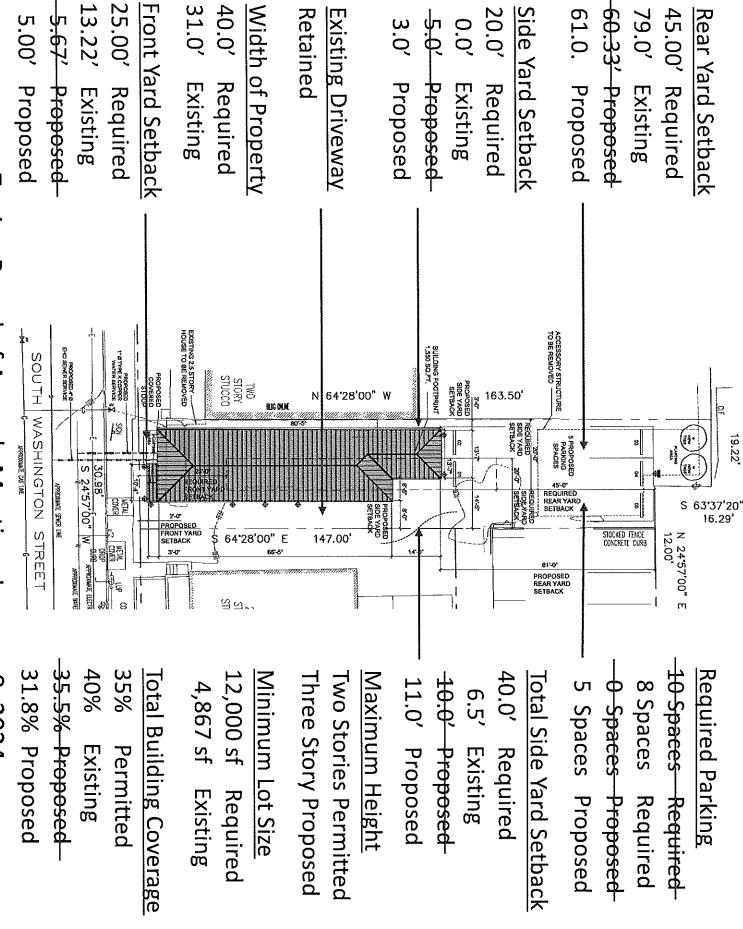
Zoning Board of Appeals Meeting, September 11, 2023



Zoning Board of Appeals Meeting, September 11, 2023



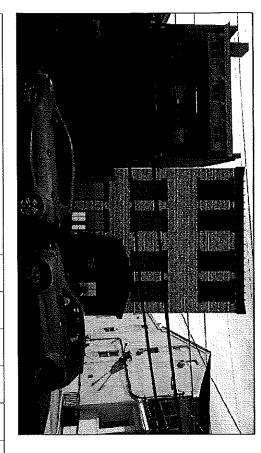
Zoning Board of Appeals Meeting, September 11, 2023



Zoning Board of Appeals Meeting, January 8, 2024

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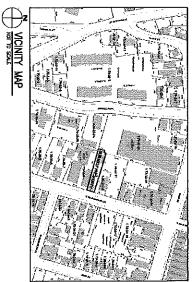
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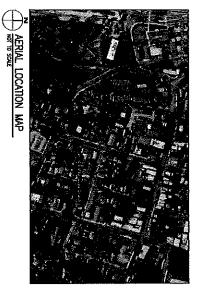
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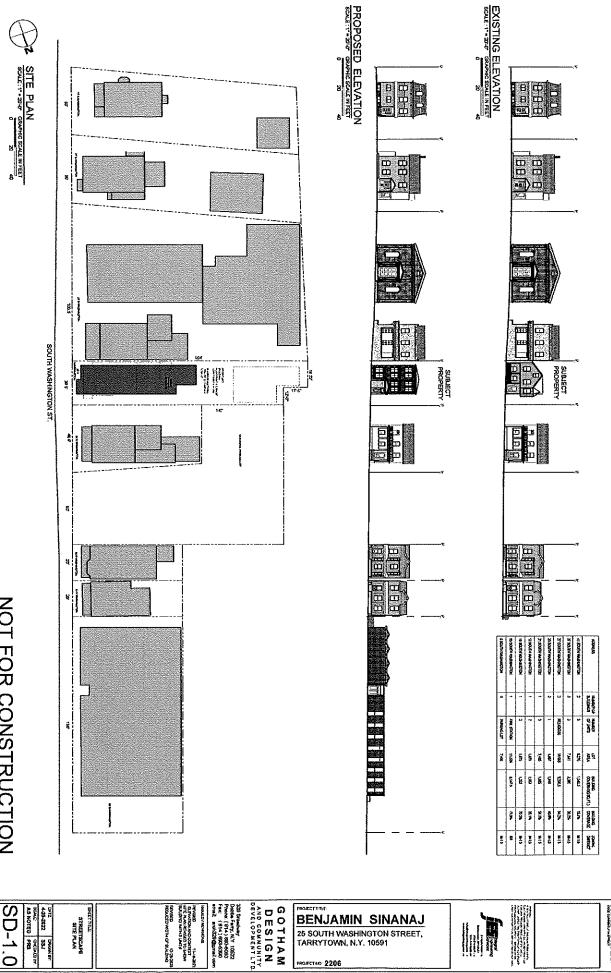
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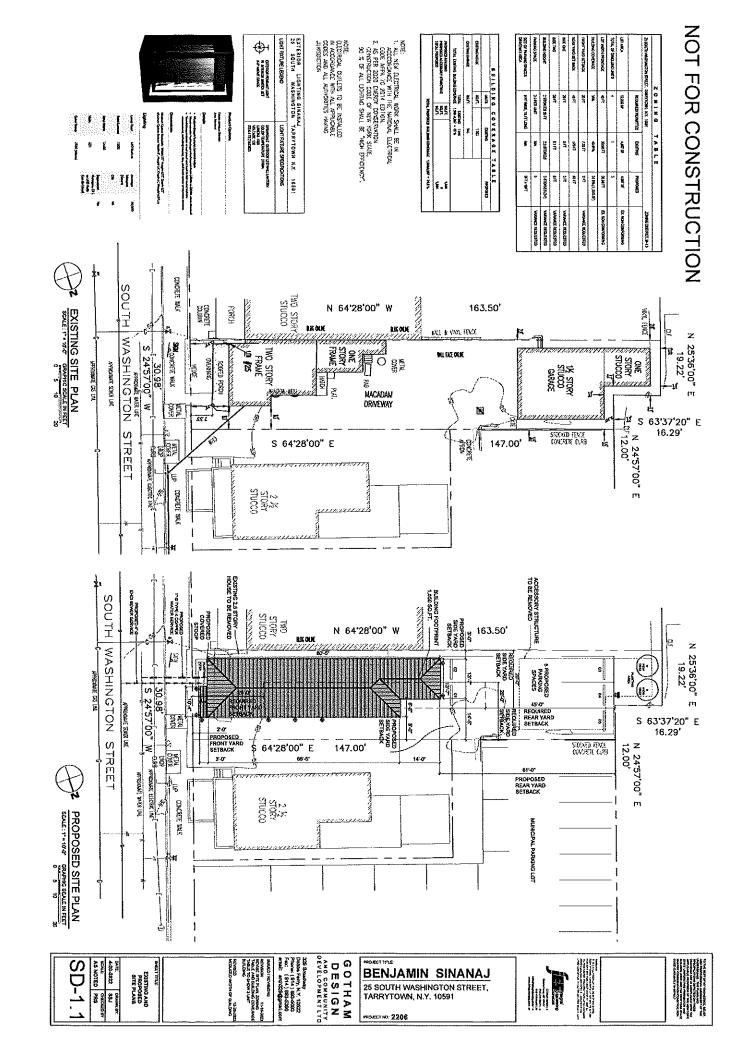


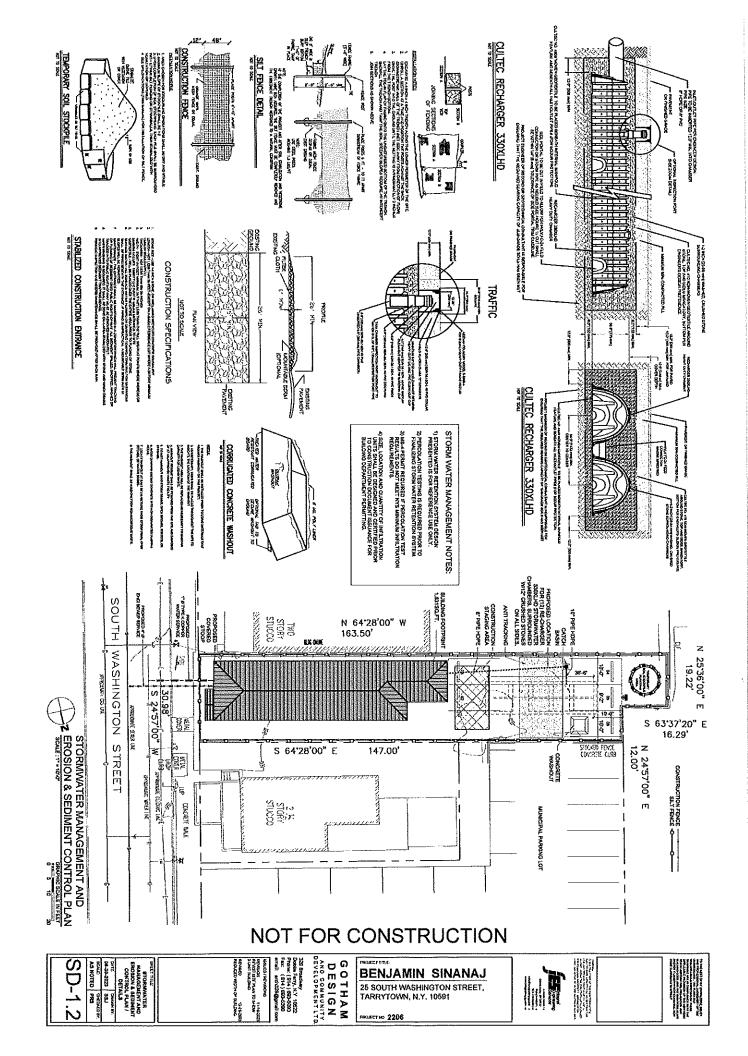
25 SOUTH WASHINGTON STREET, TARRYTOWN, N.Y. 10591

Zoning Board of Appeals Meeting, January 8, 2024

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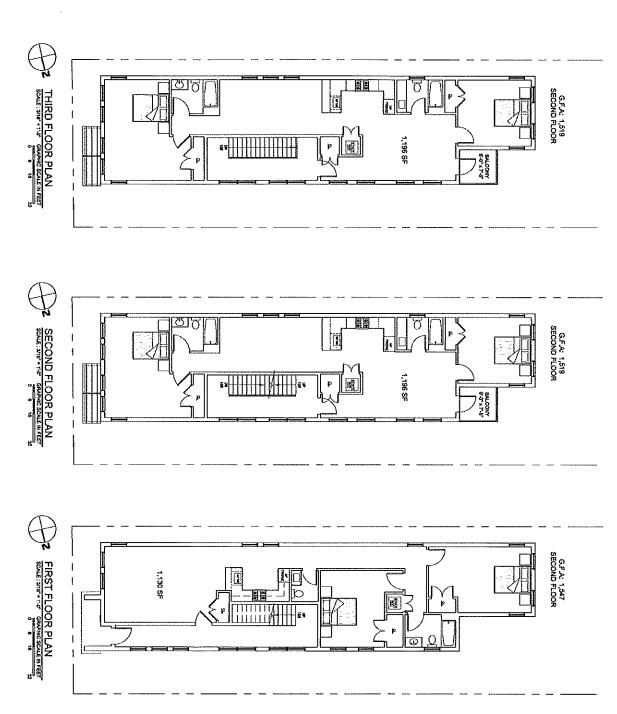




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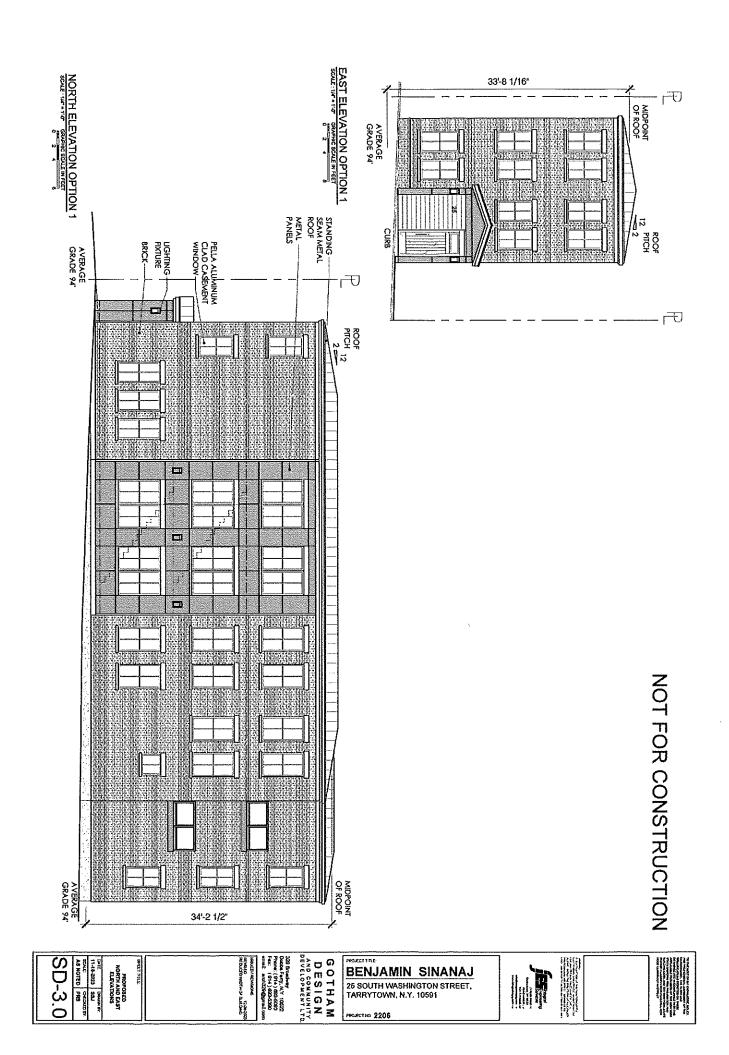


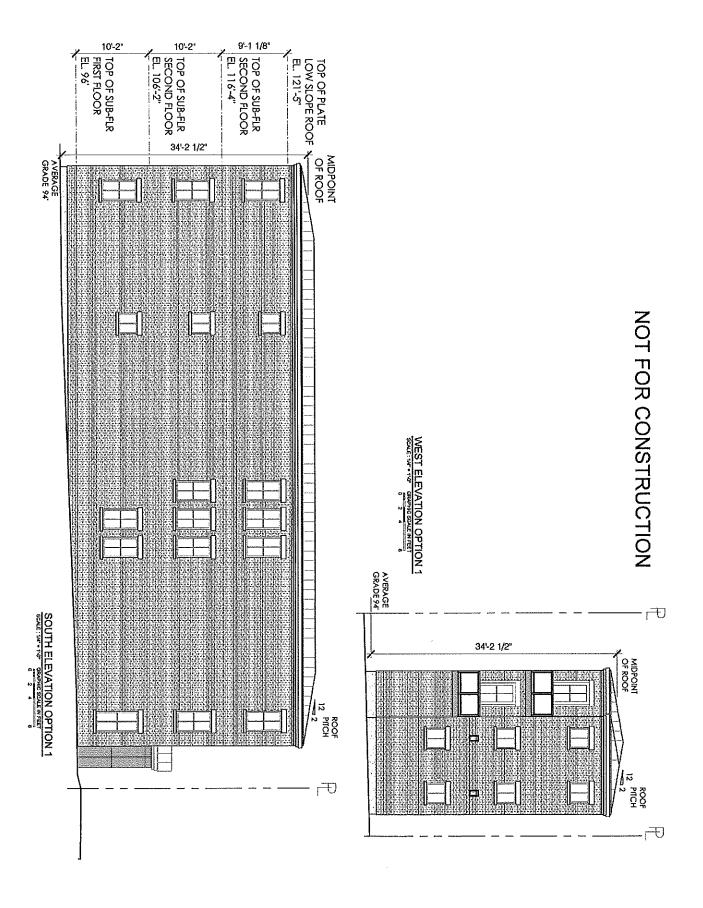
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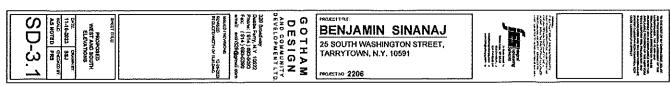
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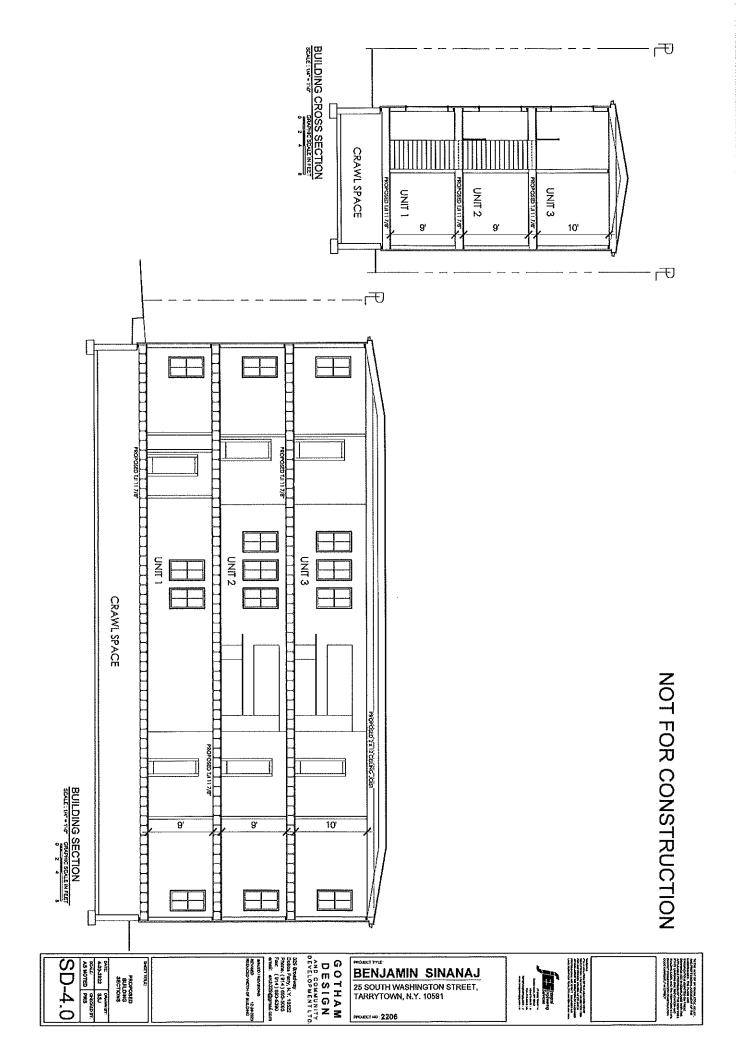
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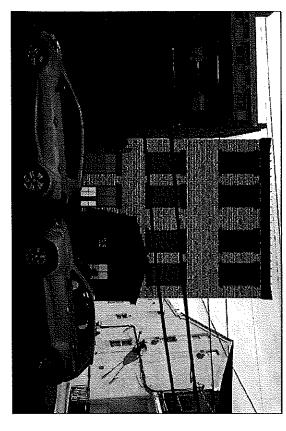


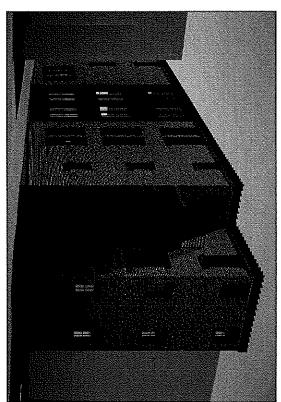


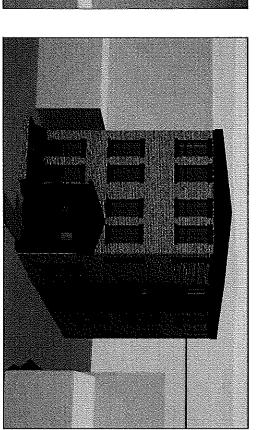




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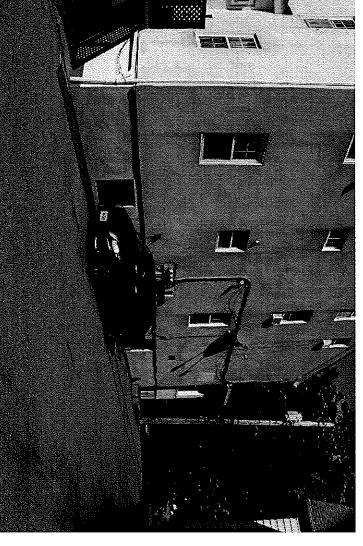
BUILDING RENDERINGS

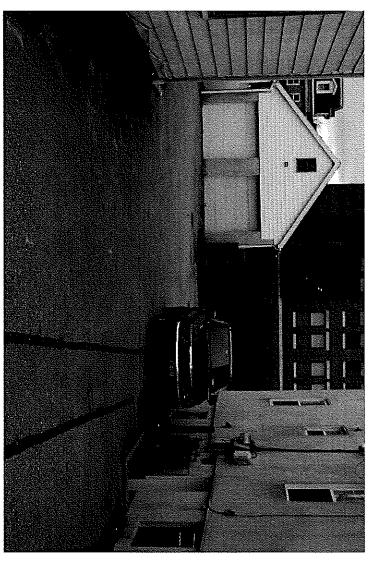
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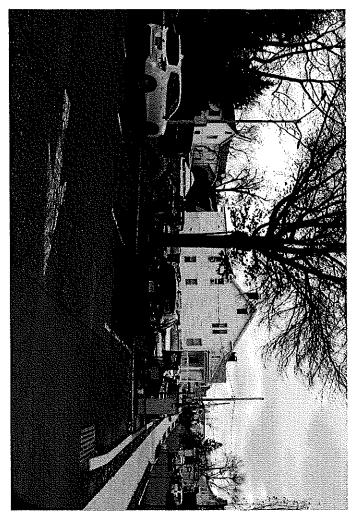
BENJAMIN SINANAJ 25 SOUTH WASHINGTON STREET, TARRYTOWN, N.Y. 10591

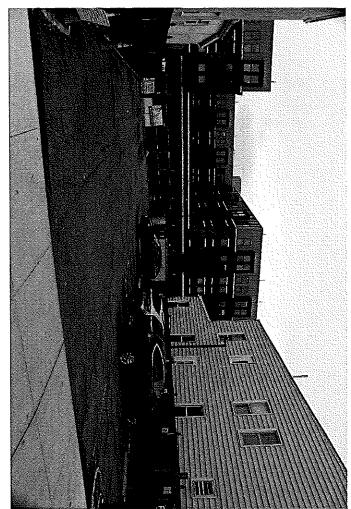


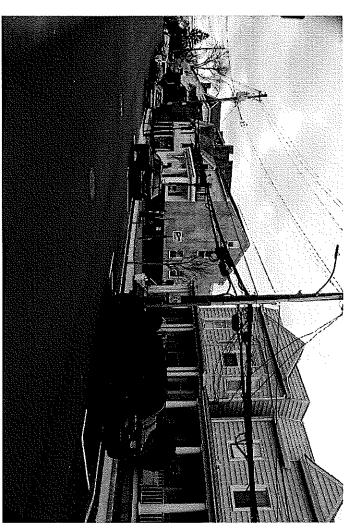


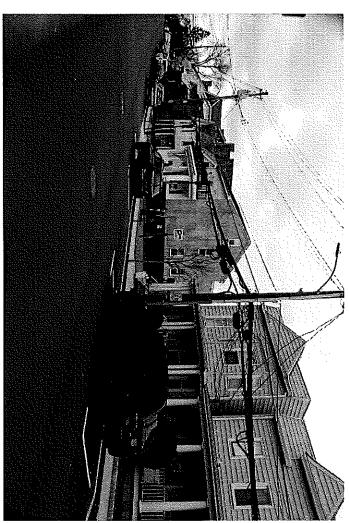






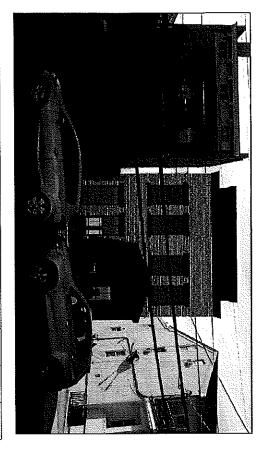






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FOR PE MEETING 11-27-2025	FOR PB	POR ZOA MEETING DE-TI-ZOZZ		FOR PE MEETING 07-04-2023		FOR ZEA MEETING 97-10-2022		LIST OF DRAWINGS	LIST

PROJECT DESCRIPTION

THIS PREJECT CONSISTS OF THE DEMOLTION OF A 2 STORY SHAQLE FAMILY HOUSE AND DETACHED CARACE PROPOSED IS THE CONSTRUCTION OF A 3 STORY SHILD DWG WITH 2 BEDROOM APARTMENTS ON EACH FLOOR, FOR A TOTAL OF 3 DWELLING UNITS

1. ALL PROPOSED WORK WE BEEN DESIGNED IN ACCORDANCE WITH AND SMALL BE PREFISIONED AND COMPLATED IN FULL COMPLANCE WITH THE 2020 NEW YORK STATE STRETCH CODE.

2. AL ELECTRICAL WORK HAS BEEK DESIGNED AND SHALL BE PERFORMED IN ACCORDANCE WITH THE WITDWAL ELECTRICAL CODE NIFFA 70 2017 EDITORI.

3. ALL PLUMBNIC WORK HAS 1855N DESIGNED AND SHALL BE PERFORMED IN ACCORDANCE WITH THE 2020 NEW YORK STATE RESIDENTIAL BUILDING CODE.

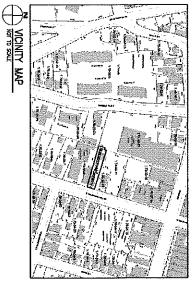
4. ALL MECHANICAL WORK HAS BEEN DESIGNED AND SHALL BE PERFORMED IN ACCORDANCE WITH THE 2020 NEW YORK STATE RESIDENTAL BUILDING CODE.

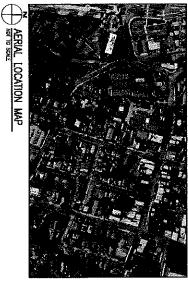
THIS BUILDING IS TYPE 58 CONSTRUCTION.

7, SCPARATE PERIAT REQUIRED FOR FIRE SPRINKLER SYSTEMS AND HVAC UNIT AND DUCTWORK

NOT FOR CONSTRUCTION







AS NOTED PRS

S

COVER SHEET



HEWSED STAGE	REVISED LIST OF SEAMINGS	DESIGNATION CONTROL	329 Brosdway Dobbs Ferry, N.Y. 10522 Phone: (914) 893-5033 Fax: (914) 983-5390 email: arch323/@gmail.c

DEVELOPMENT LTD

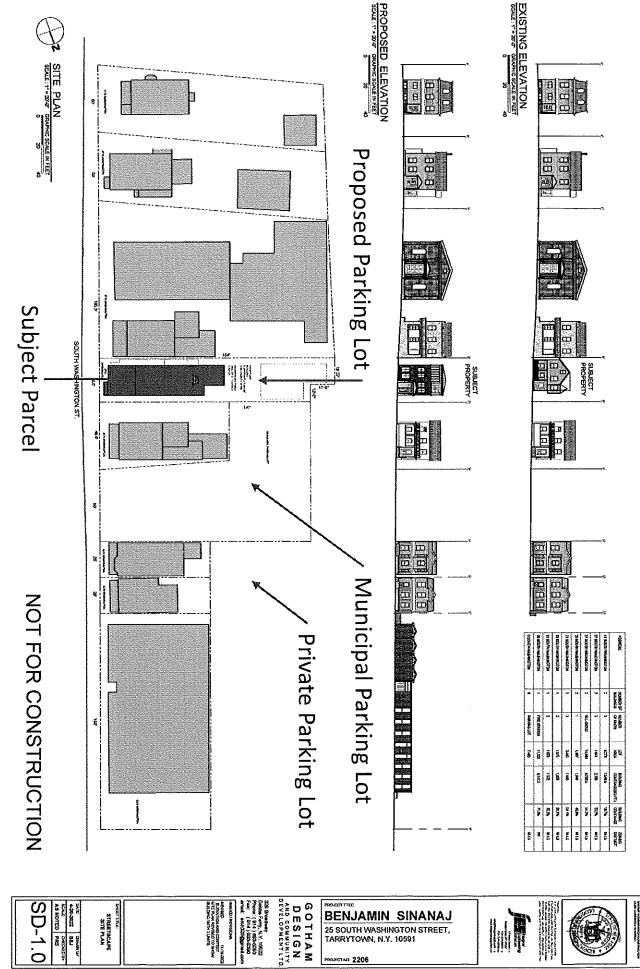
DESIGN

BENJAMIN SINANAJ 25 SOUTH WASHINGTON STREET, TARRYTOWN, N.Y. 10591 PROJECT NO.: 2206





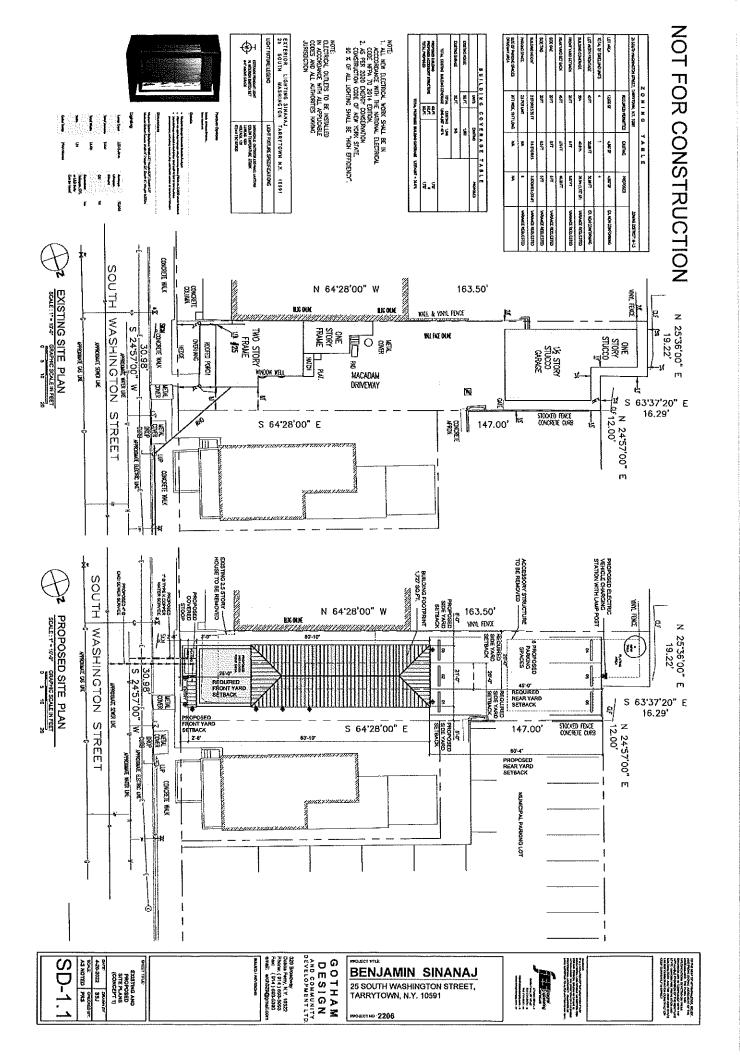


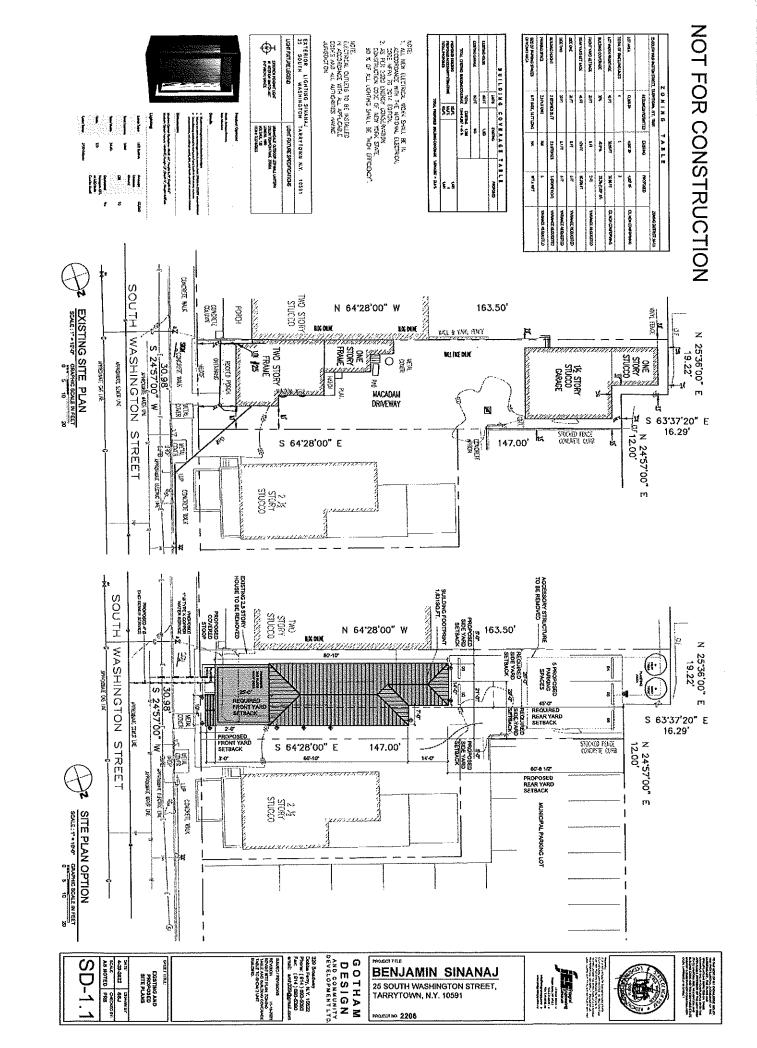


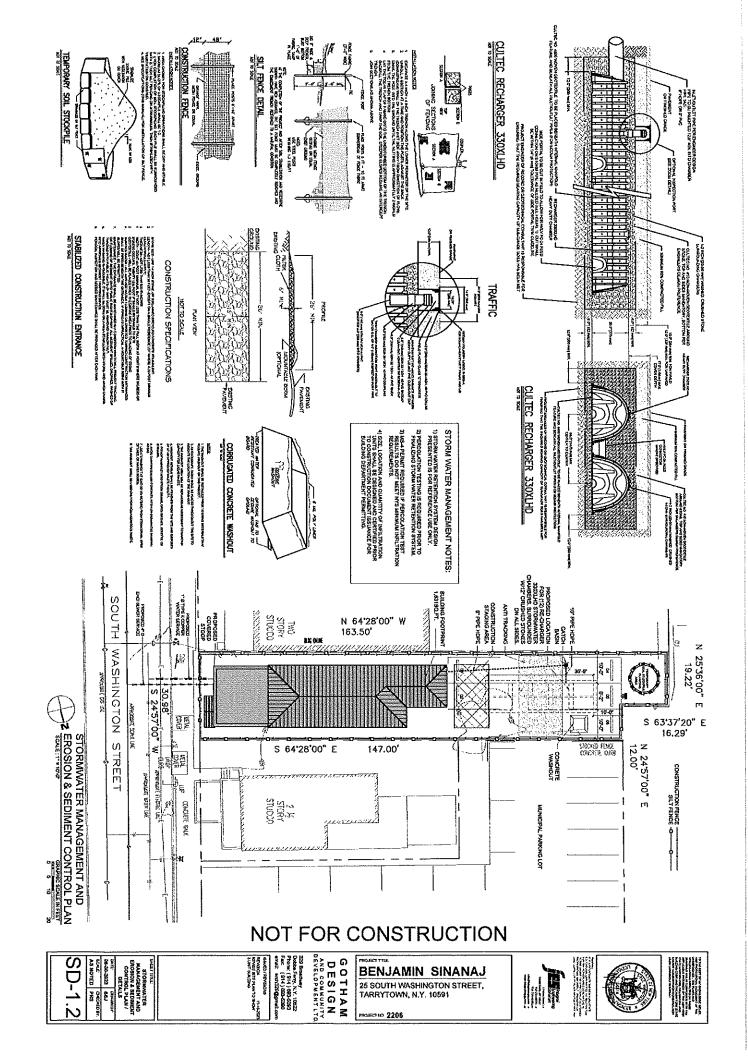
25 SOUTH WASHINGTON STREET, TARRYTOWN, N.Y. 10591

Zoning Board of Appeals Meeting, December 11, 2023

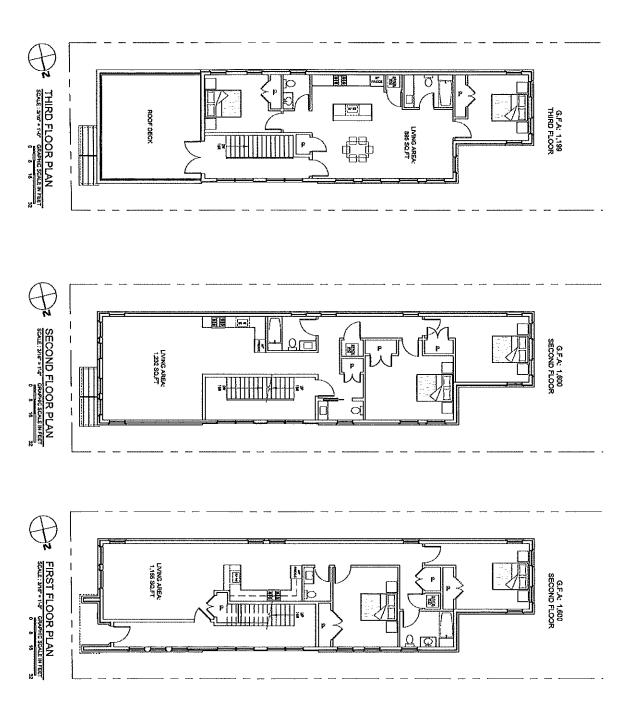








NOT FOR CONSTRUCTION



329 Broadway Dobbe Ferry, M.Y. 10522 Phone: (914) 693-5930 Fac: (914) 593-5950 emelt: arch328@gmeli.com GOTHAM
DESIGN
AND COMMUNITY
DEVELOPMENT LTD.

BENJAMIN SINANAJ 25 SOUTH WASHINGTON STREET, TARRYTOWN, N.Y. 10591

SALE CHECKED OF AS NOTED PRIS

SD-2.0

PROPOSED FLOOR PLAKS