

Minutes of the Zoning Board of Appeals Meeting held on November 10, 2020 at 7:30PM

Present: Karen Ungerer, Chairwoman
Kevin Abrams, Craig Brady, Andrew Zoumas
Absent: Attorney Robert Dickover, Joseph DeVenuto
Also, Present: Mayor Timothy Egan

Chairwoman Ungerer, opened the meeting with the pledge of allegiance, introduced the board and stated that the next meeting will be held on December 9, 2020.

1. Executive Session: N/A

2. Approval and Acceptance of Previous Minutes:

Motion was offered by K. Abrams, seconded by C. Brady, to approve and accept the minutes of the meeting held on October 14, 2020. Chairman Ungerer conducted a roll call of the Board which resulted in the motion being:

ADOPTED	AYES	4	Ungerer, Abrams, Brady, Zoumas
	NOES	0	
	ABSENT	1	DeVenuto

3. New Business : N/A

4. Action on Decisions: N/A

5. Public Hearings:

A. Burke –

Continuation of Public Hearing for a Special Permit to allow for a second dwelling unit for an additional family member within the existing single-family dwelling pursuant to Section 310-35 of the Village Code. The applicant includes a proposed addition to be used as a bedroom and conversion of an existing 3 season room to a kitchen. Said addition is 210 square feet and will not exceed the permitted expansion of existing finished area (25% maximum) Said property is located in the R2A Zoning District at 26 Pine Hill Road in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 218 Block 2 Lot 58.

Chairwoman Ungerer stated that the 239 was received from the county on October 29th and it was left to local determination. With no further comments received from the public or the board a motion was made by K. Abrams, seconded by A. Zoumas to close the public hearing. Chairman Ungerer conducted a roll call of the Board which resulted in the motion being:

ADOPTED	AYES	4	Ungerer, Abrams, Brady, Zoumas
	NOES	0	
	ABSENT	1	DeVenuto

B. Kasenit –

Continuation of Public Hearing for an area variance to permit the conversion of a pre-existing non-conforming use (vacant warehouse) to a single-family dwelling. Pursuant to Section 310-6(B) and 310-7 a minimum of 10,000 sq. ft. lot area is required with a minimum front yard of 25 sq. ft., a minimum side yard of 10 ft., a minimum rear yard of 30 ft. with a maximum lot coverage of 35%, combined side yard of 20 ft., and minimum lot width of 75 ft. Said property has an existing lot area of approximately 3,271 sq. ft., with a front yard of 16 ft. (to edge of pavement), one side yard has 0 feet, a rear yard of 2 ft. with lot coverage of 39%, combined side yard at 13 ft. and a lot width of 56 ft. Said property is located in the R0.25A Zoning District at 39 Park Avenue in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 220 Block 5 Lot 44.

Chairwoman Ungerer stated that the 239 was received from the county on October 29th and it was left to local determination. With no further comments received from the public or the board a motion was made by C. Brady, seconded by K. Abrams, to close the public hearing. Chairman Ungerer conducted a roll call of the Board which resulted in the motion being:

ADOPTED	AYES	4	Ungerer, Abrams, Brady, Zoumas
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NOES	0	
ABSENT	1	DeVenuto

6. Building Inspectors Report: N/A

7. Deliberations on closed Public Hearings:

A. Burke –

Now, therefore, The Zoning Board of Appeals resolves to issue this Special permit as said proposal is depicted on the plans identified above and upon the conditions outlined below, and the Chairwoman (or her designee) is authorized to sign the plans upon satisfaction of those conditions below noted to be conditions precedent to such signing.

The special conditions are as follows:

1. This approval is for one additional dwelling unit to be occupied by the owner and mother-in-law of the applicant, only, being a person directly related to the co-owners of the principal dwelling unit, as described within the application packet. This approval hereby incorporates this description by reference, and this description of use and occupancy shall serve as the outer limit of the activities that can be carried out without amended approval being granted.
2. In the event the property is either sold or the additional unit is vacated, this special permit will become null and void. -*The property shall then be restored to its original single-family status and permanent cooking facilities (i.e., stove) shall be removed.
3. All facilities are subject to an annual inspection by the Building Department and the owner shall make the premises available for that inspection upon due notice from the Building Department. Failure to make available shall render this Permit null and void.
4. This special permit approval does not authorize any construction. No indoor or outdoor amenities or accessory structures or outdoor fixtures-including but not limited to walls, mechanical units, etc. – may be constructed, place or erected without approval of the building inspector or the Zoning Board of Appeals, as the case may be.
5. The homeowner and the intended occupant shall sign the special permit upon its approval by the Zoning Board of Appeals.

By roll call a motion to issue the special permit was voted as follows:

Chairman Ungerer:	AYE
Board Member Abrams:	AYE
Board Member Brady:	AYE
Board Member DeVenuto:	ABSENT
Board Member Zoumas:	AYE

B. Kasenit-

In employing the balancing tests set forth in Village Law Section 7-712-b (c), and taking into consideration the Board’s findings as set forth herein, the Board hereby determine to grant the following variances as requested.

1. Grant of a variance permitting a lot area of 3,271 square feet where a minimum of 10,000 square feet is required.
2. Grant of a variance permitting front yard setback of 16 feet where 25 feet is required.
3. Grant of a variance permitting a side yard setback of 0 feet where 10 feet is required
4. Grant of a variance permitting a combined side yard setback of 13 feet where 20 feet is required.
5. Grant of a variance permitting a rear yard setback of 2 feet where 30 feet is required.
6. Grant of a variance permitting a lot width of 56 feet where 75 feet is required.
7. Grant of a variance permitting a lot coverage of 39% where the maximum lot coverage permitted is 35%.

By roll call a motion to issue the special permit was voted as follows:

Chairman Ungerer:	AYE
Board Member Abrams:	AYE
Board Member Brady:	AYE
Board Member DeVenuto:	ABSENT
Board Member Zoumas:	AYE

8. Adjournment

With no further business to discuss, a motion was offered by K. Abrams, seconded by A. Zoumas, to adjourn the meeting at 7:44 PM.

ADOPTED	AYES	4	Ungerer, Abrams, Brady, Zoumas
	NOES	0	
	ABSENT	1	DeVenuto

Jessica McClennan, ZBA Secretary