

Nyack Planning Board—July 1, 2013

Members Present:

Peter Klose (Chairman)- not present
Daniel Jean-Gilles – not present
Glen E. Keene
Peter Voletsky, Acting Chairman
Alan Englander

Also Present:

Walter Sevastian, Village Attorney –not present
Don Yacopino, Building Inspector
Bob Galvin, AICP—Village Planner

Absent: Klose and Jean-Gilles

1. ***63 North Midland Avenue. Walter Aurell for Camp Venture. Application for a rear yard addition over existing deck, and recommendation to Zoning Board of Appeals. Property is in TFR Zoning District. Application received conditional ARB approval on 6/19/2013. Side elevation, window proportion and shutters to be shown on drawings. ARB chose not to offer any recommendation to ZBA.***

The following pre-existing dimensional and developmental standards are nonconforming: Minimum lot area of 3160sf where 5000sf is required; Lot width of 40 ft where 50 ft is required; Minimum front yard of 6.6 ft where 15.8 ft is required and Minimum side yard of 3.2 ft where 5 ft is required. Per Article I VON § 360-1.9E Nonconforming buildings. The alteration, enlargement or horizontal extension of a building that is nonconforming with respect to dimensional and development standards, as specified in Article IV of this chapter, shall require a variance from the Zoning Board of Appeals. The increase in the height of a wall or roof that is nonconforming is prohibited

An area variance is required from this code section.

Walter Aurell representing applicant, Camp Venture – bedroom addition on footprint of existing rear yard deck – need recommendation to ZBA on area variances for non-conforming, pre-existing dimensions — Building Department noted an area variance from the ZBA is required from the TFR code section. Application has been reviewed by ARB and received conditional approval.

Nothing in the proposed addition appears to be overly significant from the perspective of the Planning Board’s review of the neighborhood, size, and characteristics of the proposed addition, which seems reasonable in terms of parking, screening, sight lines, and other planning issues.

The neighborhood is a homogenous area with mid-size frame houses from the early 20th century. The subject premises are typical to the street – On the east side of the street, all houses are relatively small with small backyards and set tight to the street with porches that are close to the property line. All houses appear to be somewhat “non-conforming” in the general neighborhood.

Public Comment -- None. Motion by Acting Chair Voletsky (second by Keene) to close public hearing. **Passed. VOTE 3-0.**

BOARD -- Village Planner indicated that the proposed action is for a single family residence and is a Type II action under SEQRA pursuant to 6 NYCRR. 617.5 (c) (9). As a Type II, no further SEQRA review is required and it is automatically determined to be consistent with the policies of the LWRP.

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*Resolution of the Board-- Acting Chair Voletsky moves (second by Glen Keene) to make a positive recommendation to the ZBA to grant the requested area variances: (1) Lot width of 40 ft. where 50 ft. is required, (2) Pre-existing front yard of 6.6 ft. where 15.8 ft. is required, (3) minimum side yard width of 3.2 ft. where 5 ft. is required and (4) Minimum lot area of 3,160sf where 5,000sf is required; All are non-conforming with respect to dimensional and developmental standards of Article IV VON§360-4.3. Vote to recommend the requested variances, subject to the conditions above stated or other reasonable conditions to be imposed by the ZBA. **Approved. VOTE 3-0.***

*Resolution of the Board as to Site Plan--Acting Chair Voletsky moves to accept (second by Alan Englander) Site Plan dated 5-10-13 and revised 5-20-13, and approved subject to no additional lighting and all exterior lighting down facing, with no spillover to adjoining properties and subject to reasonable conditions imposed by the ZBA. **Approved. VOTE 3-0.***

2. **24 Haven Court. Kier Levesque for Robert Sbordonne. Site Plan application for a rear yard deck. Property is in TFR Zoning District.** Proposal complies with Zoning Code. Proposal received ARB approval on 6/19/2013.

Again, this neighborhood is composed largely of small houses close to the street-- with generally small side yards. No objections to the proposed deck from any neighbors - ARB approval on 6-19-2013 with no conditions. Nothing in the proposed deck appears to be significant from the perspective of the Planning Board's review of the neighborhood, size, and characteristics of the proposed deck, which seems reasonable in terms of size, screening, sight lines, and other planning issues.

Public comment- None. Motion made by Acting Chair Voletsky (second by Englander) to close public hearing. **Passed. VOTE 3-0.**

BOARD— Similar to the previous action, the Village Planner indicated that the proposed action is for a single family residence and is a Type II action under SEQRA pursuant to 6 NYCRR. 617.5 (c) (9). As a Type II, no further SEQRA review is required and it is automatically determined to be consistent with the policies of the LWRP.

*Resolution as to Site Plan--Acting Chair Peter Voletsky moves (second by Glen Keene) to accept and approve the Site Plan dated June 4, 2013 subject to all exterior lighting, if any, down facing and any reasonable conditions imposed by the ARB. **Approved. VOTE 3-0.***

Other Business: A motion was made by Acting Chair Peter Voletsky, seconded by Member Alan Englander to approve the June 4, 2013 Minutes. **Approved 3-0.**

Motion to adjourn by Acting Chair Peter Voletsky, seconded by member Glen Keene.
Approved. Vote 3-0.

Meeting adjourned at 7:54pm.