

Members Present:

Peter Klose (Chairman)
Don Hammond
Daniel Jean-Gilles
Peter Voletsky

Also Present:

Chief Building Inspector: Donald Yaccopino
Village Attorney: Walter Sevastian

Absent: Ted Sestak

1. 77 Sixth Avenue. Don Monaco. Application to remove six trees.

Type II unlisted Action under SEQRA.

Robert Helmke(Village Arborist) report received January 3, 2011 agreed with the recommendations of some of the applicant's position. Applicant discussed the matter with the Board and agreed to maintain the Yellow Poplars identified as 32", 30" and 30" Trees numbered 1, 4, and 6—on the report of Helmke dated December 22, 2010.

Motion to close public hearing Chairman Klose seconded by Peter Voletsky closed 4-0

Motion to accept the removal of the trees identified, subject to the Applicant's agreement to retain option to retain the Poplars identified as 1, 4 and 6; and remove 2, 3 and 5 Seconded by Peter Voletsky. Vote 4-0.

2. 87 Sixth Avenue. Mark Comito. Application to remove three trees.

Removed from agenda. Approved based on hazardous conditions by Building Inspector

3. 42 Main Street. Sage Management. Application to amend previously approved site plan. Original proposal was to connect on-site drywell overflow drain to Main Street storm drains which were presumed to exist. It has been determined that there is no Main Street drainage system between Broadway and Gedney Street.

Type II unlisted Action under SEQRA.

After brief discussion, it appears that the Village Engineer must render an opinion as to whether the amended site plan requesting no overflow into the non-existent Main Street Drainage system is required. Applicant and Building Department will solicit the opinion of Village Engineer to consider the change and opine as to whether it is satisfactory or should be altered. Returned to Village Engineer for sign off.

Public hearing held open for further investigation.

4. ***137 First Avenue. John Colgan for Grace Episcopal Church. Application to convert single family residence with day care center on first floor to a two family residence and request for recommendation to ZBA for required variances.***

Building is in TFR zoning district. Proposed two family use is a permitted use replacing a use requiring a special permit to operator. Per VON§59-5.3 (Dimensional Standards) nine (9) variances required from Dimensional Standards Table 4-1. Specifically:

- a). Variance required for Minimum Lot area of 3525sq.ft. where 10,000 sq. ft. is required.*
- b). Variance required for Minimum Lot width of 38’ where 75’ is required.*
- c). Variance required for Lot depth of 90’ where 100’ is required.*
- d). Variance required for One Side Yard setback of 1.0’ where 5’ is required.*
- e). Variance required for Both Side Yard setback of 7.0’ where 11.4’ is required.*
- f). Variance required for Rear Yard setback of 27.5’ where 27.83 is required.*
- g). Variance required for building height of 2 ½ stories where 2 stories are permitted.*
- h). Variance required for FAR of 0.65 where 0.43 is permitted.*

Public Hearing: Type II unlisted Action under SEQRA.

Presented by the applicant. Appears that the applicant is going to return this two family home to residential use, more in keeping with the neighborhood. There are no known changes to the structure, and all of the variances are pre-existing non-conforming.

Motion to close public hearing Peter Klose seconded by Hammond. Vote 4-0

Positive recommendations to ZBA for all requested variances (a-h) based on the fact that the neighborhood is distinctly one and two family residences on smaller sized lots, with no commercial use and similar to other houses in the neighborhood, and it appears that no significant changes or impacts will occur by the conversion of this space to the original use as a two family residential dwelling no sizing location of the house are considered and existing conditions. Moved by Chairman Klose seconded by Don Hammond. Vote 4-0.

5. **94 North Franklin Street. *Application to amend approved site plan for underground Utilities to be run overhead. Letter outlining Orange and Rockland’s position enclosed.***

Type II unlisted Action under SEQRA.

Considered in conjunction with the next application. Chairman Klose and entire Board expressed initial dissatisfaction with the application. This cluster sub-division was granted to keep the flavor of the street. The overhead wires with no significant large growth trees will severely impact the view shed and aesthetic quality of the project. The sub-division regulations clearly and expressly require the applicant to bury the utility lines. Chairman Klose requested that all three houses be done with electrical underground. Applicant objected through the Engineer Jay Greenwell. Building Inspector had not required the third house to have utilities underground.

Motion to close public hearing on both applications #5 and #6 (95 and 104 North Franklin Street) by Chairman Klose seconded by Daniel Jean-Gilles. Vote 4-0

Motion to deny application by Chairman Klose seconded by Daniel Jean-Gilles vote (4-0).

6. **104 North Franklin Street. *Application to amend approved site plan for underground utilities to be run overhead. See 94. N. Franklin above.***

Motion to close public hearing on both applications #5 and #6 (95 and 104 North Franklin Street) by Chairman Klose seconded by Daniel Jean-Gilles. Vote 4-0

Motion to deny application by Chairman Klose seconded by Daniel Jean-Gilles vote 4-0.

Other Business

Motion to approve November 1, 2011 minutes by member Jean-Gilles. Second by Klose. Passes 4-0.

Meeting adjourned 8:25 pm