

Members Present:

Peter Klose (Chairman)
Daniel Jean-Gilles
Glen E. Keene,
Peter Voletsky
Alan Englander Alternate
Don Hammond

Also Present:

Walter Sevastian, Village Attorney
Don Yacopino, Building Inspector
Bob Galvin—Village Planner (present)

Absent:

1. ***1 Spear Street River Rowing Association. Continuation of site plan application for the construction of Boathouse with roofed boat racks, oar storage rack and wood framed deck.***

Klose RECUSES.

Building Inspector-- Current proposal reduces the overall size of the structure and moves it from the TFR zoning district to the Waterfront Development District (WF), where it is a permitted use. Correspondence from the Village Attorney to the applicant indicates this will be a River Rowing Association pavilion with a lease agreement to operate on Village property. The Village Board has referred the application to the Land Use Boards. This proposal has not yet received approval from ARB, as required by VON§360-2.5B (2)(a)[6]. Application complies with zoning requirements. Village Engineer comments enclosed.

Ivan Rudolph Shabinsky presenting for RRA-- Win Perry Architect. Mr. Perry will locate the trees on the plan and submitted updated plans. Presenting various additional views with the site lines added to the plan, including view from Piermont Avenue and the Claremont (Google). Impact on views and trees-- Site Plan has been amended to show which trees are impacted. 13 trees are there, 7 will be taken down-- replacement trees to be replaced. Photographic studies showing how the building looks from various directions -- River Club parking lot four photos with the building drawn in. View from the Piermont is a Google earth view of the building from the 4th floor of the Claremont. First one from the church.

Also submitted Google earth view sheds-- upper story views not blocked in any way.

Reiterated the fact that the Village Board has supported the use of the area for water front-- recommendation or comments on what is before Planning board relative to Planning issues.

Village Board should be the Lead Agency for SEQRA and VB to Publish its intent to be Lead Agency-- Site Plan Review application-- looking for comments and approval for the Village Board. Feedback as to what can be a benefit to the Village as a whole.

Public

Calvin Parker--concerned about the second floor, and that his views are still blocked.

Mr. Wax. New image does not truly represent what the structure-- will look like-- claims it is not a fair representation-- concerned about the license agreement -- village trustees will have the final project-- Business-- being run. Mr. Wax also agreed that if the photos were fair representations that the building was “piddling” and should not be objected to.

Paul Curley-- 8 Depew -- concerned that Plan A-- engendered ill will amongst the neighbors-- going to give away property-- balance of interest-- wants the overall plan to be enthusiastic-- interior for storage. Concerned that second floor not needed.

Mr. Sevastian explained the rolls of the various boards, and noted the VB preference for this type of waterfront use.

Ira Speigal-- went to the workshop meeting-- History-- been addressed. Was concerned about the height, recognized that it was VB issue as to the use proposed.

Motion to close public comment by Voletsky, second Hammond- vote 5-0.

Board discussion-- wonder if doubling the size of the building and lowering the roof whether that would work-- response by RRA is that the turning radii etc. would be impacted. Thought that this plan accounted for the parking loss, future expansion of the park and concerns of the RRA.

Peter Voletsky to work on a report to the VB Observations-- Please map out the trees-- consider the second floor-- wants to know more about the full coordination.

Dan Jean-Gilles-- two different plans-- strikes him as too big a building and would like to see if design could encroach on parking spots next to current plan to lower height. Defers to rest of Planning Board.

Motion to recommend positively to the Village Board was proposed by Voletsky, and passed with comments by each board member to follow in the attached report to the Village Board.

2. 76 Main Street Application to convert second floor office space to residential use and recommendation to Zoning Board of Appeals.

Building Inspector--The following area variances will be required from Article IV VON§360-4.3 Dimensional Standards Table 4-1:

4 Dwelling Units where 2 are permitted.

3 of 4 Dwelling units less than 600 sq.ft. where 600 sq. ft. is required.

Preexisting nonconforming rear yard setback of less than 15 ft. above first floor where 15 ft. is required.

Applicant-- Kier Levesque-- Presenting for owner Girolomo Loconsole.

In this case the building is two story-- increase-- preexisting non-conforming-- creating new non-conformity—wants to have 4 apartments, where two are permitted by code. No additional parking -- no additional parking needed because these are proposed as “studio” apartments and under the code size. Argument by the Applicant is that there have been other recommendations for smaller apartments at 122-124 main street-- above the herb lack hardware-- there are other efficiency apartments-- mechanical room-- takes away from the overall size, but that only involved one apartment.

Chairman Klose recognized that the residential over commercial in downtown and especially on Main has been encouraged, but was concerned about the variance for density and size of the apartment. Applicant argued that others had been approved like 19 main street- 318 square feet-- apartment that was non-conforming—but it was noted that each of the other places where these were granted provided off street parking. These proposed apartments have none.

ZBA has granted variances for less than 600 square feet- believe that the code should not be determining the density. Members of the PB hesitated because this has become a pattern of applicants to reduce the apartment sizes, not provide parking and increase the density. Asked the new planner to supply his opinion on this trend, on density in general and on this application in particular.

Applicant argued that he Believed that the market should control-- applicant submits some listings for rent dated May 22, 2012-- four of 6 listings are 400 or less and renting for \$1,500 to \$800. Sees a need for the smaller units-- not coming with cars. Applicant is providing sufficient parking spaces-- Code says that if existing 4 spaces-- Proposed does not increase the size --

Density for the moment-- February -- ZBA granted at 87 main Street 87 units per acre-- residential units per acre-- this application requests 60 per acre- doubling what is being requested.

Question how many apartments and how much density should be permitted.

Village Planner suggested that perhaps the NYS building code might have a level of habitable space. Peter Voletsky- and Alan Englander and Peter Klose are all concerned about the size of the living quarters. There is a need for the housing but what other problems (parking, health, safety) are we creating.

Village Attorney-- suggests that we can investigate what the appropriate size of the apartments might be a good idea. Recommendation to the ZBA—should be postponed until we have a better handle on the situation

Requested the Building Inspector to supplement the opinion with the facts.-- code provides that we need to give a recommendation to the planning board.

Voletsky would like to have an opinion as to how this fits into the scope of the plan and whether this type of proposed variances is in accordance with the master plan.

Member Hammond -- would like the planner's advice.

Dan Jean-Gilles-- would like to learn more about the habitable space requirements in the building code –

Alan Englander-- concerned about the density-- doubling the density recommendation for the building code and the planners opinion as to whether this increase in density- detriment to the neighborhood- balancing test

Public-- None

Application continued with consent of the applicant to next month to receive additional information prior to recommendation to the ZBA.

3. 150 Burd Street. Kier Levesque for Alex Vursta. Site Plan application to demolish existing commercial structures, construct multi story mixed use building and recommendation to Zoning Board of Appeals.

Applicant appeared and has reconsidered the plan and the project-- looking at it from a different perspective at the ARB and the on-sight—after discussion with Building and Planning, reconsidering the plan. Affordable housing board-- payment in lieu of

construction-- first time home buyers, etc. Reconsidering the situation given the size, lot and bulk being proposed. Will submit the Amended plans to the next board—the application is continued with the consent of the applicant. Application to be continued. Long Form SEQRA may be required.

4. 20 Fifth Avenue. Andrew Gale. Site plan application for a side and rear addition and recommendation to Zoning Board of Appeals.

Building Inspector--Existing house is a single family house on a corner property in the SFR-1 Zoning District.

a- Per VON§360-2.3E (4) (b): “Rear and side yards. On a corner lot, front yards are required on both street frontages, and one yard other than the front yards shall be deemed to be a rear yard, and the other or others, side yard. The minimum district requirements for each shall be complied with”.

b- An area variance from Article IV VON§360-4.3 Dimensional Standards Table 4-1 for a rear yard of 15 ft. where 25.37 ft. is required.

Current proposal reflects result of recent ARB workshop. Some, but not all, issues raised by Village Engineer’s report of August 6, 2012 appear to have been addressed.

CONDITIONAL APPROVAL AND POSITIVE RECOMMENDATION TO ZBA GRANTED BY ARB 9/19/2012.

Bart Rodi-- rear set back -- matter is exempt as a type II action under SEQRA. After extensive discussion of Stormwater, down facing lighting, drywells, and the proposed plan, which was previously approved by the ARB, the Planning Board discussed the fact that this will be an improvement to the lot and the neighborhood. No opposition from the only effected neighbor.

This is a type II action under SEQRA—not subject to review here (exempt).

Klose moves to close the public meeting, Hammond second and 5-0—closed.

Voletsky moves to make a positive recommendation to the ZBA to grant the requested variance on the grounds that the neighborhood will not be negatively impacted, that this is an improvement and in keeping with the neighborhood, second by Hammond and vote 5-0 carried. Applicant willing to agree that all exterior lighting would be down facing and no spillover.

Drainage calculation-- design of the drywell-- based upon the 100 year flood—did not want to locate in that place, but will not contest the Engineer’s opinion.

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Applicant system-- drainage to the drywell- creating rain gardens—considers his entire lot a rain garden. corner property has two front)-- rear yard of 15 feet.

Proposed addition is 2 stories -- gabled roof 30 tall. Other houses have various additions and the one to the south and across the street had some- Several meetings with the ARB-- work to blend into the neighborhood-- Adjacent neighbor named Meryl Harris went on record as positive. This is a 1930s Dutch colonial ARB insisted that the addition would step down the massing. Step up to the front entrance. Drainage is shown on the plan, Brooker engineer issued comments and they were all complied with.

Klose makes motion to close the public hearing, second by Jean-Gilles; vote 5-0.

Klose proposes to accept the site plan as drawn sheet A-1 - 12 and D 1 S--3 dated 9-6-2012, and site plan 1 of 2 and two of two revised 9-6-12, subject to reasonable conditions imposed by the ZBA or the ARB, and all exterior lighting down facing and non-spill over. (Second by Jean Gilles Vote- 5-0).

5. 29 Dickinson Avenue. Site Plan application for a front porch. Proposal complies with zoning requirements. With no roof and open decking, drainage does not appear to be an issue. ARB APPROVAL NOT RECEIVED, APPLICANT FAILED TO APPEAR AT 9/19/2010 PUBLIC HEARING.

Hammond RECUSES.

Kier Levesque-- for applicant Hammond seeking a front deck -- next door closed in an old porch and west adjacent no neighbor. Vote by Englander 5-0.

Motion to close public hearing by Klose, second by Voletsky, passed 5-0.

Motion to accept the plans dated 8-22-2012 July 21, 2012, Front of the building two pages, second by Keene, 5-0 approved as drawn, proposed by Klose, second by Jean-Gilles, approved.

Other Business:

A motion was made by Chairman Klose, seconded by Member Voletsky, to accept the September 2012 minutes. Passed 5-0. With Klose recusing from the RRA application.

The meeting was adjourned at 10:00 PM.