

**Members Present:**

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

**Also Present:**

Don Yacopino, Building Inspector  
Bob Galvin—Village Planner  
Seth Kestenbaum-Alternate Member

**Absent:** Walter Sevastian

**Other Business:** Motion to approve the December 1 2014 Minutes-- second by Keene -- Vote 5-0 approved.

**1. 48 South Franklin Street. David Durandisse & Schenley Vital. Site plan application to alter existing structure with interior renovations and the addition of a third story.** Property is in DMU Overlay Zoning District.

*Building Inspector-- Per Article I VON§360-1.9E an area variance is required from Article IV VON§360-4.3, Table 4-1 Dimensional Standards for the alteration/enlargement of a building with the following dimensional and developmental non conformity: existing rear yard setback of 1'+/- where 15 ft. is required, since the rear yard is adjacent to the TFR residential district.*

*PARKING: Proposal would require 9 parking spaces if building were being constructed today.*

*Most recent use as a retail space would have 13 spaces assigned to the property. Parking requirements are met under that analysis per language of Article IV VON§360-4.5B (3). Furthermore two separate variances for off street parking of 7/20/1989 (9 spaces) and 5/30/2003 (18 spaces) grant a total of 27 parking spaces to this property. Parking requirements are met.*

*Area variance was granted by Zoning Board of Appeals on December 1, 2014 for the following: Per Article I VON§360-1.9E an area variance is required from Article IV VON§360-4.3, Table 4-1 Dimensional Standards for the alteration/enlargement of a building with the following dimensional and developmental non conformity: existing rear yard setback of 1'+/- where 15 ft. is required, since the rear yard is adjacent to the TFR residential district. Parking requirements are met. Except for the pre-existing nonconforming rear yard setback, for which the variance has been granted, this proposal complies with the zoning code and is considered an as of right application. By definition the height of the building can be 40 ft. as measured to the highest point of the roof beams for flat roofs. Additionally, per the exceptions to height limitation found in Article IV VON§360-4.2C(2), parapet walls and cornices can exceed that height requirement by an additional 4 ft., rooftop bulkheads and HVAC equipment are permitted to be placed on the roof. As evinced by submitted photos, numerous examples (25) of buildings significantly higher than adjacent buildings on the same and adjoining blocks can be found throughout the Village, especially in the quadrant bordered by Broadway, Main Street, Franklin Street and Cedar Hill Avenue, which appear to indicate this to be "the existing design and architecture of the Village". Applicant is to appear before the Architectural Review Board on December 17, 2014 with design changes.*

**For this meeting, the following additional information has been provided:**

*Comparison of adjacent building heights along S. Franklin.*

*Revised plans submitted showing plywood façade to the north removed.*

*Rooftop bulkhead and AC units, with screening, indicated on roof.*

*Paving in north alley indicated.*

*Samples of door, window and trim materials will be submitted at meeting.*

*Lighting on rear of building to be downward facing.*

*North and south stucco walls to be replaced with split face concrete block.*

*Easement with 46 S. Franklin indicated on plans. and exhibit 6*

*Front elevation to have concrete window sills and 8" high pre-cast concrete lintels (mistakenly omitted) above windows.*

*Photos and narrative--*

**ARB Board to meet on 12-17-14:**

**Applicant--** Wants to establish various units at the location-- the building is currently empty and in various stages of disrepair - the height of the proposed renovated structure would be different-- 8 feet taller. submitted new documents referenced above.

**Public Comment --** Naaz Hosseini-- applicant said that he spoke to her and will limit the units to 70 Decible AC Units-- keep them efficient. Very excited about the improvement-- concerned about the height of the building.

Melissa Audige-Perkins-- 7 Prospect-- been here for the meeting-- same sentiment-- concerned about the height-- solution-- don't allow-- Board explained the Village Code.

Building Inspector - points about the loft style heights of the building-- to permit the higher ceilings--States that it was to encourage this type of development

Donna Lightfoot-Cooper-- 50 South Franklin-- side of the building- use split faced brick-- suggested by the ARB-- recessed windows--

**Board--** Board considered the photo -- submitted by the applicant-- but not really nothing we can do for the objection -- this objectant wants the third floor to step back. Board inclined to follow the Village Code and permit. Appears that the applicant met all of the criteria for this application and Site Plan Review.

**Board Actions and Resolutions:**

*Motion to close the public hearing by Klose, with second by Peter Voletsky Vote 5-0 to close hearing approved.*

**With respect to SEQRA--** Done at last meeting Declare PB Lead Agent. The Planner prepared Part III notes that any potential impacts on the surrounding neighborhood have been addressed by the applicant to mitigate some of the Noise (higher quality compressors on the roof)-- the down facing lighting on the front of the building, remove the false plywood facade. Planning Board resolves to find that there are no significant impacts of this project and to issue a Neg Dec based upon the Part III of this application, can find no significant environmental impacts that have not been addressed by the applicant. Second by Englander-- Vote of 5-0, Neg Dec approved.

**Site Plan--** The application including the demolition permit and all supporting documents that form the application appear to render this project positive addition to the property and the community, so Member Klose proposes to grant site plan approval , and by motion of Chairman Klose, and seconded by Voletsky, the demolition and site plans are accepted and approved subject to reasonable conditions imposed by the ARB at any future meetings, (site plans dated 12/10/14 consisting A1-5 and A-6 together with the elevations). **Vote: 5-0 in favor.**

**OTHER BUSINESS--** Motion to adjourn by Chairman Klose, seconded by member Voletsky. Vote 5-0. Meeting adjourned at 8 pm