

A Zoning Board of Appeals Work Session meeting took place on Thursday, December 2, 2021 at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.

PRESENT:

Chairperson Maureen DeVinko, Zoning Board of Appeals Members James Kiernan, Steven Presser, Denni Lozza and Michelle Rivera.

ALSO PRESENT:

Zoning Board of Appeals Attorney Elizabeth Cassidy.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Chairperson Maureen DeVinko led the Pledge of Allegiance to the Flag.

(The Camera was not working correctly. Voices kept pausing and would skip conversation. Could not hear all of what was being said).

ONE PEACOCK CIRCLE – TWO CAR GARAGE ADDITION:

Attorney Christopher Kleister came before the Zoning Board of Appeals representing Michael Kopiecki of 1 Peacock Circle regarding installation of a two car garage addition.

Zoning Board of Appeals Attorney Elizabeth Cassidy stated there is no 239 Review, and it is a Type 2 Action under SEQRA, and no SEQRA review is required.

Zoning Board member James Kiernan indicated it is important to make sure detrimental circumstances do not arise regarding entering in and out of the building. If traffic turns in on Peacock, making a right hand turn may be difficult.

RESOLUTION – CLOSE PUBLIC HEARING - ONE PEACOCK CIRCLE – TWO CAR GARAGE ADDITION:

Zoning Board Member Denni Lozza made a motion, seconded by Zoning Board Member Steven Presser and adopted to close the Public Hearing regarding One Peacock Circle two car garage addition; said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 5 Ayes, 0 Nays, 0 Abstentions.

RESOLUTION – APPROVAL OF AREA VARIANCE – ONE PEACOCK CIRCLE:

Zoning Board Member Steven Presser made a motion, seconded by Zoning Board Member James Kiernan and adopted to approve the Area Variance Request from Forty-Five (45) Feet to Twenty (20) Feet for the Side Area Variance for the applicant of 1 Peacock Circle; said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 5 Ayes, 0 Nays, 0 Abstentions.

OPEN PUBLIC HEARING – 36 NORTH STREET:

Being that Zoning Board of Appeals Member Denni Lozza is the adjoining property to 36 North Street she recused herself from a decision regarding this matter.

Chairperson Maureen DeVinko stated "Notice is hereby given, that the Zoning Board of Appeals of Washingtonville will hold a Public Hearing on Thursday, December 2, 2021, at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York on Application of 36 North Street LLC, SBL 107-2-63 for the following area variances; Area Variance for Section 315-25A 1A of Zoning Code of the Village of Washingtonville to permit 8,350.88 square foot minimum lot area per unit. Eight (8) Total Units for a 10,000 Square Foot per unit is required. Area Variance from Section 315-25A 1D of the Zoning Code to permit 26.9 front yard where a fifty (50) minimum foot front yard is a required existing condition. Area Variance from Section 315-25A 1D of the Zoning Code to permit an Eight (8) foot side yard setback where the 30 foot minimum side yard is a required existing condition. The applications and plans are available for review at Village Hall, Monday through Friday, 8:00 A.M. through 4:00 P.M. All interested parties may be heard at this time by the Order of the Zoning Board of Appeals."

Architect David Niemotko indicated what is being proposed for 36 North Street is a six (6) unit, multi-dwelling building, and keeping the existing house in place and converting it to a two (2) family unit. Architect Niemotko stated they are in favor of keeping the historic building in the plans although it needs extensive repair work to bring it back to Code. The variances are straightforward, a pre-existing non-conforming condition, and it sits .8 feet from the side yard already, so we are requesting a variance of 29.2 feet. The front yard setbacks are 26.9 feet, and we need a variance setback of 23.1 feet. The 6 multi-dwelling units will require 10,000 square feet per unit which is 60,000. We are asking for a variance of 8,350 square feet per unit which is a variance of about 8%. The sight distances meet all requirements for a new driveway on the North-East side of the project. It is designed to allow emergency vehicle access, leading towards the back of the town houses or multi-dwelling units with the garages at the back. There will be six garages, one for each unit and then we will be providing six additional parking spaces for guests. Each dwelling is about 2,000 square feet, 2 floors and sits about one-hundred (100) feet from the road, enhancing the landscaping. The Stormwater Management will be in an underground chamber which will not be seen. The six units are within the setback requirements of the zoning code.

Chairperson Maureen DeVinko questioned if all units will be uniform in size, and David Niemotko responded yes.

Chairperson DeVinko questioned how the two (2) family home will be laid out?

Mr. Niemotko explained there will be a family on the first floor and a family on the second floor. Lighting will be in front and back.

Zoning Board of Appeals Attorney Elizabeth Cassidy stated the Public Hearing will remain open.

RESOLUTION – 36 NORTH STREET – CONTINUATION OF PUBLIC HEARING:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals Member Steven Presser and adopted to approve keeping the Public Hearing open regarding 36 North Street; said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 5 Ayes, 0 Nays, 0 Abstentions.

ADJOURNMENT:

Chairperson Maureen DeVinko made a motion, seconded by Zoning Board of Appeals Member Denni Lozza and adopted to adjourn the December 2, 2021 Zoning Board of Appeals Meeting; said Resolution passed by a unanimous vote of the Zoning Board of Appeals. 5 Ayes, 0 Nays, 0 Abstentions.

RESPECTFULLY SUBMITTED,

SOPHIA FOLEY

CLERICAL ASSISTANT