

**Village of Airmont
Zoning Board of Appeals
Village Hall
Thursday, August 11, 2016**

MEMBERS PRESENT: MICHAEL BERNSTEIN, CHAIRMAN
 LAURIE DIFRANCESCO
 ARTHUR KATZ
 MARTY KIVELL
 CHARLES PICARELLI
 PETER BLUNNIE, AD HOC

MEMBERS ABSENT: RICHARD SCHONBERG, AD HOC

OTHERS PRESENT: DAN KRAUSHAAR, DEPUTY VILLAGE ATTORNEY
 LOUIS ZUMMO, BUILDING INSPECTOR
 SUZANNE CARLEY, ZONING CLERK

The meeting was called to order at 8:00 pm by Chairman Bernstein which was followed by the pledge of allegiance and roll call. Marty Kivell made a motion to approve the minutes from July 14th with one minor correction. Charlie Picarelli seconded it. All in favor. Motion carries.

**Avrohom Drew
28 Besen Parkway**

Stanley Mayerfeld architect here to represent the owners who are looking to build an addition to their existing single family residence. The proposed addition is only on the first floor and no changes will be made to the existing basement or second floor.

Although most of the homes in the area in the R-15 zone this is an undersized lot and as per the letter from the Building Inspector we are to use the R-25 zone. The minimum lot size for a one family detached residence in the R-25 zone is 25,000 s.f and the maximum allowable FAR is .20. This would allow a one family detached residence in a R-25 zone to build 5,000 s.f the total proposed square footage in this application is 4,109 square feet. The existing FAR is .25.

Dan Kraushaar – if approved using average density typically a bulk table limits that. You need to create a new bulk table that shows a new density bulk table.

Stanley Mayerfeld indicated that this did not come up with Ian Smith the former Building Inspector.

Dan Kraushaar – prior to the next meeting let's try and get an answer which could have a dramatic bearing on the application.

Marty Kivell – we are trying to get clarity as to why its only 11,000 sq. ft.

Dan Kraushaar – assuming it was originally done by the Town of Ramapo.

Stanley Mayerfeld – right now in my 7/11 narrative if we did nothing it already exceeds the FAR rationale. If its applied to a bulk table of the original subdivision it could be within but I do not know. I don't believe the Village changed the R-25 requirements from those allowed by R-25 requirements.

Charile Picarelli – it depends on what was decided.

Stanley Mayerfeld – so I need to get this from the original subdivision plan. Its in the R-15 but in reality R-25 which is what was discussed with Ian.

Marty Kivell asked that he please confirm.

Stanley Mayerfeld indicated that in his handout the main idea was to add on space. They would like to expand the dining and family room with additional space. They would be enclosing the area on the bottom right side. This is on one story as there is no additional space on the second floor or basement. Its a one story addition.

Dan Kraushaar – are you aware of the standards and did you look at the neighboring properties? The request has to be unique to your property. It would behoove you to research what the size and square footage of the houses are in the neighborhood. I assume you can't purchase the neighboring property for the addition?

Laurie DiFrancesco – looking at the letter indicated you are requesting a room for therapy. There is a normal size kitchen and dinette.

Dan Kraushaar indicated that the first bullet point of the narrative is very broad.

Laurie DiFrancesco said that what was presented today vs. what is in the narrative are not clear.

Arthur Katz – if its in the R-25 zone and if they are off by 5,000 sf they only want 4,000 sf however we don't know that this is the case. Average density substantially allows developers to build if compiled with the zoning but usually there is an area set aside for open space or parkland. Typically what is done in the bulk table does not apply.

Dan Kraushaar indicated that it may not. You need to look into it. My theory is to create a new bulk table then he would need less of a variance then seeking right now.

Marty Kivell noted that we are dealing with a quarter acre of a lot.

Stanley Mayerfeld said he would try to find the original subdivision plan since we need to come back anyway.

Chairman Bernstein made a motion to open the public hearing at 8:25pm. Laurie DiFrancesco seconded it All in favor. Motion carries.

Avrohom Drew 28 Besen Parkway the applicant was sworn in. He noted that when they considered the addition they took into account consideration for the neighbors and the neighborhood. All his neighbors agreed it was ok because behind their house is woods and in between them is a park.

The home was built in 1964 and they plan to do landscaping siding and hope to enhance the neighborhood. My wife will now discuss the needs of my daughter.

Sara Drew – 28 Besen Parkway was sworn in. she indicated that they have 9 children and this additional will make a big difference for their daughter who has hearing implants and many therapists that come tot he home. She needs a quiet space for her language skills and there is not much room its all open space. They need this addition to be able to have the therapists work properly one on one with her.

Chaim Eikel – 42 New City Road sworn in. He agrees with what Mr. Klein says. Have absolutely no objections and more people feel that way and would be here if it weren't for the bad weather.

Dan Kraushaar asked how the garage would be utilized.

Stanley Mayerfeld indicated as a garage and plan to keep it that way.

Chairman Bernstein read into the record the letter submitted from Mrs. Drew dated 6/30/16 from Tina Fine LSW on her letterhead.

Myer Klein – 41 Besen Parkway spoke that he is a neighbor and many of them on the block do not think that this would damage the neighborhood, that it would only enhance it.

Dan Kraushaar indicated that they addressed the impact on the neighborhood. However they did not receive a GML or any agency letters to date.

Laurie DiFrancesco asked for clarification on the FAR 25%, 30% , 35%? What is the impact the FAR coverage would have on the surface are for drainage? I'm concerned about swale areas.

Stanley Mayerfeld noted that it would be included in developmental coverage.

Arthur Katz asked if they would need a catch basin.

Marty Kivell noted that he though the PB deals with that.

Dan Kraushaar advised that this is a single family home so therefore there is no PB involved.

Chairman Bernstein advised that it would help if the elements of the variance were confirmed and that they work through all the hardships when they return.

Stanley Mayerfeld indicated he would do so.

Chairman Bernstein made a motion to continue the public hearing at Village Hall on Thursday September 8, 2016 at 8:00pm. Marty Kivell seconded it. All in favor. Motion carries.

**Interstate Toyota
411 Route 59**

Ryan Karben the applicant's Attorney was sworn in. He indicated that they are here tonight to discuss the upgrades and reconfiguration of the Interstate Toyota site. They went to CDRC and PB several times and went over fire safety, impervious surfaces, and a more efficient lighting plan. The applicant acquired additional property to the existing commercial site and all environmental issues have been vetted. A Negative Declaration was adopted along with a drainage plan. They need the relief of one variance to continue with their parking needs which is parking in the rear yard.

Marty Kivell asked if they were referencing the Montif property that they acquired.

Brian Zelnick the applicants architect was sworn in. He indicated that they are moving their accounting office with the move of the Montif house which will be renovated.

Chairman Bernstein asked that the applicant's representatives show them on the map the areas that they are discussing on their plan.

Chairman Bernstein opened the public hearing at 8:49pm. No members from the public responded.

Dan Kraushaar advised that they did not receive a GML or any agency referrals therefore the ZBA can not take any action.

Ryan Karben requested that the public hearing be continued until next month and that they all get copied on the GML and agency responses.

Chairman Bernstein made a motion to continue the public hearing for Interstate Toyota to 8:00pm on Thursday, September 8, 2016 at Airmont's Village Hall. Laurie DiFrancesco seconded it with a request that they be put on the agenda first. All in favor. Motion carries.

Laurie DiFrancesco made a motion to adjourn the meeting at 8:59pm. Marty Kivell seconded it. All in favor. Motion carries.