

Minutes – November 24, 2008
Meeting of
Zoning Board of Appeals

Present:

Chair: Michael Braun

Members: Joe Cicileo
Karen Cleaveland
Donna Griffith
Laura Gayle Tyler

Alternates: Bob Juliano
Robin Logan

Attorney: Christine Chale

Village Board Liaison: Susan Ezrati

Petitioner: Jonathan Trombly

Absent: None

The meeting was convened at 7:05 p.m. Chair Braun asked the board to review the minutes of the October 27, 2008 meeting. Joe Cicileo moved and Laura Gayle Tyler seconded the approval of the minutes. The vote was called and the motion was approved unanimously.

Donna Griffiths then made a motion to re-open the public hearing for Jonathan Trombly and Mary Chang with respect to a request for an area variance at their property at 11 Pine Street. Karen Cleaveland seconded the motion. The motion was called and unanimously approved.

The chair of the ZBA noted that he had received and recorded responses from all of the individuals who were notified about the public hearing. In addition, all zoning board members had participated in a site visit to 11 Pine Street on October 27, 2008.

He then reviewed the Type 1 environmental review for the property and asked Jonathon Trombly to reply to each of the questions raised by the review. Trombly's responses were in conformity with the filed document. Jonathan noted that the replacement of the front porch will improve its appearance and that none of his neighbors, who were all notified of the hearing, have voiced any objections to the project. With reference to the porches that he wishes to add to the back of the house, he noted that there was no other way to achieve the desired porch space. He also noted that a similar structure exists two doors down from 11 Pine Street and that another neighbor has indicated that they may want to make a similar alternation to their home.

Bob Juliano, who as an alternate for the board participated as an observer, not a voting board member, voiced a favorable opinion of the project.

Karen Cleaveland asked if there was any intention on the part of Trombly and Chang to use any part of the house as a rental space. Trombly said there was no such intention.

At 7: 10 p.m. the public hearing was closed on a motion by Joe Cicileo and seconded by Donna Griffith and approved unanimously by the Board.

Laura Tyler moved and Donna Griffith seconded approval of the area variance request for Jonathan Trombly and Mary Chang at 11 Pine Street. The motion was discussed and passed by a roll call vote of the Board. The vote was recorded as follows: Joe Cicileo – Aye; Karen Cleaveland – Aye; Donna Griffith – Aye; Laura Gayle Tyler – Aye; Michael Braun – Aye.

The chair informed Jonathan Trombly that his request for an area variance had been approved and that it was valid for one year. He noted further than Trombly should apply for a building permit and begin work on the project within that time period.

Chair Braun raised the next order of business for the Board, namely, a variance request from Stuart Hannan at 69 Broadway. He referred to a letter from Hannan's attorney, which is attached to these minutes in its entirety. The letter requested that the ongoing public hearing on this matter be adjourned pending a decision of the Village Board with respect to a parking lot related issue at 69 Broadway. Joe Cicileo read the attorney's letter and requested that it be incorporated into the meeting minutes.

Chair Braun, then, asked Karen Cleaveland to recuse herself from the Board's further deliberation. Karen asked if presence would be required following the Hannan matter and on being informed that no other matters were before the board, excused herself from the balance of the meeting.

Robin Logan was seated on the board to replace Karen Cleaveland for the balance of the meeting.

The Board had a brief discussion to insure that a quorum will be available for the next schedule meeting on December 22, 2008.

Attorney Chale provided the Board with additional procedural detail on the order that issues would need to be considered in the Hannan matter. She suggested that the Hannan public hearing could be opened at the current meeting and postponed until the ZBA meeting on January 26, 2009 at 7 pm.

At 7:15 pm, Chair Braun entertained a motion to open the Hannan Public hearing. Joe Cicileo moved and Laura Gayle Tyler seconded the motion to open the hearing. It was noted that Robin Logan was now seated on the Board for the hearing.

The Chair noted that notices were sent out to neighboring properties that would be impacted by the variance request as required by law. All notices were returned as having been received and, therefore, they were aware of the date and time of the public hearing. The chair noted the Hannan request that the hearing be adjourned and entertained a motion to adjourn the hearing to January 26, 2009 at 7 pm. Robin moved and Donna seconded a motion to adjourn the meeting to January 26, 2009 at 7 pm. The motion was called and the Board voted unanimously in favor/

The Chair informed the Board that he would be unavailable for the February and March meetings. A discussion followed regarding procedures for appointing a chair for the meeting. Action will be taken at the January meeting to assure a chair is in place for the February and March meetings. Further discussion concerned the issue of acceptable practice concerning when the Board could take actions.

The chair called for other business. None was called.

Joe Cicileo moved to adjourn the meeting. Robin seconded. The meeting was adjourned at 7:32 pm

Respectfully submitted,

Susan Ezrati, Secretary Pro-Tem