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THE CHAIRMAN: Good evening, everyone. Welcome to the June 9, 2020 meeting of the town of Eastchester Zoning Board of Appeals. This evening, we're going to be dispensing with a couple of procedural items. They're not substantive, they're procedural. So just to give you a broad overview, we'll be utilizing Robert's Rules of Parliamentary Order, and we'll be passing a motion on minutes.

There will be three items on the calendar for Resolution. There are six items that are on that are new matters. We're not calling the roll for those matters because it's too difficult to seek whether the applicants are present. They will be invited in once we get to their matter.

The last item in the procedural notes is that the next meeting will be a special meeting on July 14th, 2020, Tuesday, July 14, 2020 at 7 p.m. That will be for old business only.

So starting our meeting tonight, first item is that I make a Resolution to adopt and approve the minutes from the February 11th,

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MR. DE MARCO: Yes.
THE CHAIRMAN: Mr. Miller.
MR. MILLER: Yes.
THE CHAIRMAN: I vote yes. That application has been approved five to zero. Moving on to new business. Before we invite the first applicant in, again, just to remind all new business applicants, that these matters are all marked submitted. All of the material that's been submitted is a matter of public record. It's been reviewed by the board members. In many instances, the board members have been on site. So just to let each applicant know, you don't need to read your application. As a matter of fact, in a format like this, it may be counterproductive. You're free to do so if you would like. It won't help or hurt the application. What I will ask you to do is just briefly summarize what you're here for. I usually do that for the applicants while they're setting up, but there is no setup, everything is now online, so I would just ask you to very briefly summarize what the application is about. Then, as a general rule, DINA M. MORGAN, REPORTER
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complying. We are taking advantage of the
zoning, which allows us to put a porch that
extends a little bit into the front yard.
I see Nick and Kristin are here. They
just had a new baby a few days ago, Michael.
Is he on with us.

MRS. VINCENZO: He is, actually.
MR. COLEMAN: The side yard, we're
complying with the side yard requirements.
Rear yard, we have some extra space, as I said.
This is the issue right here. Building
coverage we're complying with. 30 percent is
required. It was a very small house.
15.8 percent is what's currently, and we're
proposing a little over 4 percent under what's
allowed. This is the issue that brought us
before you is the -- in the code the is the
requirement based on the size of the lot
there's a formula with bonuses, we're allowed
2,711 square feet and we're proposing 3,642.
Other development coverage we're under
significantly, and then height.
Very quickly, this is the existing
footprint, this is what we're proposing. This

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is the existing house. It's sort of a 1950's
model; very small closets, very small, dark
rooms. We're proposing a family room and
kitchen on the back, a larger living room,
keeping the garage. This is the existing house
right in here. Then a large master bath,
master bedroom and bath suite, bedrooms and a
study.

Here are the elevations. As you read
in the letter, we're very mindful of the sort
of scale of the neighborhood, emphasizing the
horizontal, introducing kind of a series of
gables, large windows.
So that was my presentation. I'm
certainly happy to discuss further.

THE CHAIRMAN: Okay. I thank you for
your presentation. At this point, we generally
open this up to the Board for questions and
sometimes comments. So let's open that to the
Board. Let's start with Mr. Cahalin.

MR. CAHALIN: I have none.
THE CHAIRMAN: Okay. Mr. Miller?
MR. MILLER: I have none.
THE CHAIRMAN: Mr. DeMarco?

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2 THE CHAIRMAN: Back to the Board for
3 questions or comments. Mr. DeMarco?
4 MR. DE MARCO: Nothing.
5 THE CHAIRMAN: Mr. Nurzia?
6 MR. NURZIA: No questions.
7 THE CHAIRMAN: Mr. Miller?
8 MR. MILLER: None.
9 THE CHAIRMAN: Mr. Cahalin?
10 MR. CAHALIN: None.
11 THE CHAIRMAN: My only comment is, I
12 appreciate your concise presentation, I've
13 reviewed your application, and you seem to have
14 addressed the five part test very clearly. I
15 make a motion to adjourn this matter for a
16 resolution at the next meeting; is there a
17 second?
18 MR. DE MARCO: Second.
19 THE CHAIRMAN: Mr. DeMarco. All in
20 favor.
21 (Aye)
22 THE CHAIRMAN: Thank you for that
23 presentation.
24 MR. COLEMAN: Thank you very much.
25 THE CHAIRMAN: Item 5 on the calendar,
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2 matter 2, 20-12, this is 103 Webster Road.
3 MS. UHLE: One moment. So you should
4 see Nick Faustini in a minute. He is joining
5 the meeting.
6 MR. FAUSTINI: Hi, I'm here. Can you
7 see me?
8 MS. UHLE: There you go.
9 MR. FAUSTINI: Good evening. How are
10 you?
11 THE CHAIRMAN: Good evening.
12 MR. FAUSTINI: Our application
13 includes a new front porch addition to an
14 existing one family house. Should I share my
15 screen; would it be easier that way?
16 THE CHAIRMAN: Sure.
17 MR. FAUSTINI: So the property is at
18 103 Webster. This is a front view of the
19 house. In the package that we submitted, there
20 are views of all sides and also views of the
21 neighborhood. This is a tract house built many
22 years ago, and there are several very similar
23 to it on this block and around the
24 neighborhood. The minor variations that you'll
25 see in this house between others in the
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2 neighborhood are the finishes, roof pitches,
3 front porch. I'll just go through some of the
4 neighborhood photographs so you could see.
5 This photo here is a very similar house in the
6 neighborhood to our property. This one here is
7 also two or three doors down. I'll just zoom
8 in on it. The owners had altered this house
9 previously to dress it up and give it a little
10 bit more of its own identity. There are
11 several others in the neighborhood. This is
12 another very similar house. Our client really
13 just wants to give his house its own identity
14 and make it just a little different than the
15 others in the neighborhood.
16 What we are proposing is a new front
17 porch addition. Right now, I'll just go to the
18 top plan. There's a porch here with steps down
19 to the driveway. We're proposing to just
20 create a front porch out of that entire
21 footprint, and then have the steps directly in
22 front. So the view would be -- this would be
23 the new view of the way the house would look.
24 There's a bay window there now, there's also
25 the garage door. What we're proposing is a new
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ask you questions because we've reviewed the
application already, and your five part test
and all of the exhibits. So let's do that now.

Mr. Cahalin?

MR. CAHALIN: Yes. This is well done.

It's going to be attractive. My issue is, what
we're seeing in Town is everybody is blowing
trough the front porch, and this is another
one. I mean, our notes say it's 63 percent,
it's 6.2 feet or 63 percent, you're talking
about 48 percent. My concern is, you know, are
we allowing this to happen all over Town and
should we be allowing this to continue.

Although from a street view and everything
else, the plan, I could see, you know, it's
tastefully done, that's not the issue here.

I'm very much concerned, we got an application
a couple of months ago with a front porch that
was approved that I disagreed with, I see this
one happening again, and this is an issue we
have been facing several times over the last
couple of years with people. I just want to go
on record that our job is to make sure the Town
doesn't look like other places. I'm very much

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concerned about, you know, people keep applying
for these types of variances. That's my say.
The CHAIRMAN: Okay, Mr. Cahalin,
thank you.

Mr. Miller, any questions or comments?

MR. MILLER: None.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: No questions.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: Nothing.

THE CHAIRMAN: I don't have anything
at the moment. So I'll make a motion to open
this matter to the public for a public hearing;
is there a second?

MR. DE MARCO: Second.

THE CHAIRMAN: Mr. DeMarco. All in
favor.

(Aye)

THE CHAIRMAN: Attorney Tudisco, it's
up to you.

MR. TUDISCO: Mr. Chairman, I'm
looking through the list of attendees that are
present at the meeting tonight, and I do not
see any hands raised. If anyone wishes to make

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are proposing additions and alterations to 23 Prospect Avenue.
The house is situated in R-5 zoning district. The way the way the house is
situated today, it's mainly, I would say a one story residence. It's not exactly conducive
for the modern today's living for the applicant and family. Most of the living space and
bedrooms occupy the first floor, and the second floor is a very small, you know, short
ceilings, small living space. It's technically a bedroom up there, but, like I said, it's
almost an un-occupiable space because it's very tight ceilings, almost like an attic space.
The applicant wishes to create a layout that will better suit the needs of the family as far
as space, with living space mainly on the first floor and bedrooms and related items on the
second floor, as well as the aesthetics of the home and additional space for the growing of
the family in the future.
I'm going to share my screen and go to the site plan. Can you see it?
MR. CAHALIN: Yes.
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MR. MAIORANO: So again, in doing so, we are requesting multiple area variances,
which mainly all exist today. We are basically increasing the non-conformity, as well as
setting back some of those existing non-conforming conditions, with the exception
of the proposed front portico.
I'll just go through quickly the variances that we are requesting. One is the
front yard setback; required is 30 feet, the existing house is set back 20.1 feet, and the
second floor addition will be at 25.4 feet. Secondly, the side yard setback; the existing
is 4 feet, required is 8 feet, and our proposed will be 4 feet going up on the footprint of the
dwelling. Again, in the rear, the setback to the detached garage required is 10 feet, the
existing house is really only a foot and a half, and we will 4 and a half feet away from
the garage. Although, I mean, the garage does almost end at the point where the second floor
addition starts because it's just a detached one story garage. Lastly, is for the front
portico. What we're trying to do again is tie
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in the aesthetics and also for the functionality of the front portico. The
required setback on that is 26 feet, and we are proposing at 15.4 feet. We're occupying the
existing platform, as well as with the 30 percent rule it can only be 30 percent of
the front width of the dwelling, so required is 7.5 feet and we are proposing it at 8.75 feet.
Again, this is the existing platform we're trying to utilize for that.
I'll just go quickly through the overall gist of the floor plan and what the
proposed layout will be. Again, you could see the way the existing second floor is today --
it's even hard to see from the floor plan -- but it's very low ceiling heights, not an
occupiable space, and the proposed layout will mainly be bedrooms and bathrooms for that sort
of modern day living with living space for the first floor, bedrooms and whatnot on the secondloor.
If you look here at the elevations, mainly, again, you could see the existing house
elevation -- again, if you also look at the
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related pictures of the neighborhood, I mean, the way the house exists today, I believe it
sort of stands out as it doesn't really tie in to the neighborhood related to the other
structures and related design features of the neighborhood. Really, the proposed dwelling
will, I believe, help fit the house into the context of the neighborhood, as well as the
proximity of the setbacks. A lot of the neighboring residences are very similar in that
relationship. It will sort of help tie the house better into the neighborhood than what really exists there today. It sort of really
stands out. As you could see here from the pictures, the house to the right, 25 Prospect Avenue, is that sort of normal two story, and to the left, 21 Prospect as well, and some
related houses in the area as well.
Then just to add lastly is, again, the overall width, the 30 percent rule of the front portico, as the house drops back a little bit, the chimney and the bay window stick out, so the house is a little bit wider than what the real front elevation is.
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That's mainly the overall dynamic of it. Any questions, I’m happy to answer.

THE CHAIRMAN: Mr. Maiorano, thank you for your presentation. Yes, at this point I will take the Board’s questions or comments.

We'll start with Mr. Cahalin.

MR. CAHALIN: Could you just summarize quickly where you’re increasing the footprint.
MR. MAIORANO: So, we go to -- maybe the site plan is the easiest. If you look, the dark gray is what we are adding above and the light gray is what's existing. Basically, we're setting the front back and the rear back, and then the right and left of the overall footprint we're extending up, if that's a little bit clearer. As far as the addition, you see in the front it will be a roof and the proposed portico on the front. The second floor addition is increasing but it's set back. In the back, there's a proposed balcony to give it some more separation between that garage, which you could see in elevation 2(a)2, the separation from the detached garage.

MR. CAHALIN: Thank you.

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the Board? Please raise your hand and I will allow you to un-mute your microphone.

Mr. Chairman, at this time I could tell you that there does not appear to be anyone attending from the public who wishes to make a comment.

THE CHAIRMAN: Okay. Then I make a motion to close the public hearing on this matter; is there a second?
MR. CAHALIN: Second.
THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Back to the Board. Mr. DeMarco, any questions or comments?

MR. DE MARCO: None.
THE CHAIRMAN: Mr. Nurzia?
MR. NURZIA: No.
THE CHAIRMAN: Mr. Miller?
MR. MILLER: No.
THE CHAIRMAN: Mr. Cahalin?
MR. CAHALIN: No.
THE CHAIRMAN: I don't have anything either. I make a motion to adjourn this

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application for a Resolution at the next meeting; is there a second?

MR. CAHALIN: Second.
THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Thank you, Mr. Maiorano, for your presentation.
MR. MAIORANO: Thank you for your time.

THE CHAIRMAN: Okay. The next item, which is the fourth new business item, Item 7 on the calendar, is 20-16, 7 Hanfling Road.
MR. HAYNES: Hi, all. My name is Tom Haynes from Haynes Architecture. I hope you all are doing well and everyone has been healthy. I am presenting an application tonight before you for 7 Hanfling Road. We are requesting area variances, several of them, with regards to existing site improvements that have been done. I'm not sure if anybody has gotten a chance to drive by. The requested variances are currently in place.

If I may share my screen right now, I

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could briefly walk you through the site plan and photographs just to see if you could get a better understanding of what we're proposing today.

THE CHAIRMAN: Sure. Please do.
MR. HAYNES: Can you see that?
THE CHAIRMAN: Yes.
MR. HAYNES: Okay. So these are some -- let me start at the site plan. So as part of our submission, we are sort of piggybacking on an existing approved site plan for Mr. and Mrs. Marano's home, who are the clients. I believe Mrs. Marano, Maria, should be on. I believe that Dan, the client, I think is ill this evening, so I'm not sure that he could participate. Maria, are you there?
MRS. MARANO: Hi, I'm here.
MR. HAYNES: Okay, great. Thank you.
MRS. MARANO: Thank you.
MR. HAYNES: On our first page, what I was trying to demonstrate here was -- if you could see my cursor moving -- to the left side, we have what was part of the originally submitted site plan that was approved by the

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prior architect for the dwelling and all of the site improvements, including an in-ground pool, and areas in and around the backyard as patio, and a proposed paver driveway to the front. On the right side of that is an existing conditions as-built property. So this is what was currently on site as-built. Aside from the requested variances, which you understand tonight, we had an issue with too much impervious surface coverage as part of what is existing currently. Part of our application was -- which we don't need a variance for the coverage any longer, we would have -- we had made a proposed site plan or plot plan, which is located here, and this is showing areas that we are going to be removing, which are currently impervious areas, which are going to get us complaint for our coverage to try to reduce what would have been a necessary variance.

With that said, today we are focusing primarily on the front area, which is the existing driveway and turnaround area. We are focusing on a gazebo or a covered exterior

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knowledge at this point. I believe that the
immediately adjacent neighbor did not have any
issue with what had been constructed.
At this point, I'll just move along
just to show you some photos. I just wanted to
give you a little bit of an idea of what exists
back there. I'm not sure if you got to go into
the rear, but we can see here -- okay, so this
photo where I have my cursor is on the right
side of the rear dwelling looking from the
left. This is the side of the structure. This
is the rear of the structure. This is sort of
the rear looking back to the direction of where
the first photo was taken. This is sort of the
street side at the front on Hanfling looking
back. You could see it's proximity and it's
overhang here, and this dimension again from
the roof overhang to the property line is the 5
foot. The bottom three photos here are showing
you photos of that built in structure. If you
could see my cursor moving, this is where we
have almost 2 feet from the property line to
the actual structure itself, and these are just
showing a couple more photos of it in place.

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we're really just trying to address today.
Mr. Cahalin: So this is another case
in the town of Eastchester where you go ahead
and do something, and then you ask for
forgiveness. The driveway is 27 feet and you
have a turnaround. We have issues all over
Town, people coming in wanting to blow out
these driveways. I read your submission. I
have two kids, I had two kids, we had cars, we
had to figure out how to use the cars,
especially when it snowed. To say that because
you're going to have a driver and to put a car
on the property, that doesn't cut the mustard
with me at least. I think that's a real
copout. It's one thing if they inherited the
property. They went ahead and built this any
way. The contractors who usually work in Town,
know what the rules are.

I got to tell you, I'm not comfortable with
several of them. That's all I'm going to speak
to.

Mr. Haynes: I understand. I
understand. I do see your side. I do

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MR. NURZIA: I had questions, but Mr. Cahalin asked the questions I was going to ask. I won't reiterate that. Same thoughts and concerns that Mr. Cahalin has.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: No questions.

THE CHAIRMAN: I don't believe in being repetitive or piling on, but I do want to ask you, Mr. Haynes, you made a reference to at the time of the construction of these items there was some misinformation, what did you mean by that?

MR. HAYNES: I believe that the Maranos were not put in the right direction as to what was feasible to be done. I think that thought that they were building a structure in the rear that was primarily in their impervious area that was approved. I don't believe that they were advised correctly as to the distance and the separation from the dwelling that the structure needed to be or from the lot lines. I believe that they felt that or they were advised that it could simply be an amendment to an open application, in which case obviously.

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there are zoning issues. So as it was constructed, now we have an issue because it had been constructed that way.

THE CHAIRMAN: Let me be more specific. From whom did this misinformation come?

MR. HAYNES: Again, I was not part of that process at that time, but it was my understanding that someone had advised them. I'm guessing that it was either a subcontractor or the contractor. I was not a part of it, so I really can't speak to it.

THE CHAIRMAN: I understand. I just want to be clear that you weren't suggesting that it was someone from the Town that was --

MR. HAYNES: Oh, no, no. To my understanding, I don't believe that that was the case. Unfortunately, my client -- obviously these are things that they wanted or in the case of the driveway they needed, but again, I don't think that they were fully informed properly as to what can and can't be done. I think it was more of a view of it being impervious, there's not really an issue with parking in the Town that is already.

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MR. CAHALIN: You could park overnight now, you just can't park from December to March.

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MR. HAYNES: Okay.

MR. CAHALIN: From March to December 10th you could park your cars on the street.

MR. HAYNES: Even if it's those months, you know, they have an issue as to where they could put the vehicles. I understand it's an ongoing thing with Town.

Again, I don't know that this opens a precedence to every property. They're on a corner. They have issues with side by side driveways that many of the other houses don't have on a corner. I think that there are some differences here that we're not opening a precedence to the entire town of Eastchester.

THE CHAIRMAN: My commentary was really limited to amplifying the comments from Mr. Cahalin and why the driveway is such a concern in many parts of our Town.

MR. HAYNES: Understood.

THE CHAIRMAN: I have nothing further.

I make a motion to open this matter to the public for a public hearing; is there a second to my motion?

---

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Mr. Tudisco.

MR. TUDISCO: Yes, Mr. Chairman, I'm viewing the panel of attendees. If anyone wishes to offer a comment or ask a question, please raise your hand using that feature.

Mr. Chairman, at this time I don't see any hands raised.

THE CHAIRMAN: If the applicant would like to make any further commentary before I go back to the Board?

MR. HAYNES: I think we're okay.

THE CHAIRMAN: Anyone have anything further?

MR. CAHALIN: I'm curious, when I was looking at the pictures there -- I just didn't get a chance to get out to the site -- what's the height of the fence in the back? It looks like you have a 2 and a half, 3 foot retaining wall and it looks like you got a 6 foot panel. Usually the height requirement is only 6 foot.
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OF HOUSE. We are going about 12 and a half percent past what's allowed, about 300 square feet. The reason why we're going past the expansion is I'm taking care of my mom, so I'm creating a master bedroom on the first floor for her. It's a lot more convenient for her. Sorry, I'm not very good with this.

THE CHAIRMAN: It's okay. Take your time.

APPLICANT: So here you could see the house as it stands now. They did an extension I think back in the late Nineties right here, so we're going to go past that. We're going to actually go to where the fence is here. You'll see the next picture here. We're going back 28 feet, it's about 26 feet wide. We're exceeding it by about 300 square feet, which is mainly due to my mom staying with me, and I'm trying to make it a little more convenient. She's getting a little older, difficulty walking. Hopefully it doesn't get worse. If it does, having a master bedroom on the first floor is just much more convenient.

If there is anything else you need me

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I make a motion to open this matter to the public for a public hearing; is there a second?

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Mr. Tudisco, anyone from the public on this?

MR. TUDISCO: Mr. Chairman, I'm inviting those from the public to raise their hand if they wish to offer a comment or make a question to the Board. I will you to un-mute yourselves, so just do that now.

Mr. Chairman, it does not appear that any members from the public are requesting to offer a comment or a question to the Board.

THE CHAIRMAN: Okay. Because it's my duty to do so, I'll go through the Board. Any questions, Mr. Cahalin, comments?

MR. CAHALIN: No.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: No.

THE CHAIRMAN: Mr. Nurzia?

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Mr. NURZIA: No.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: No.

THE CHAIRMAN: It's a de minimus request, and you've fully answered, in my estimation, the five part test. I make a motion to adjourn this application for Resolution at the next meeting.

MR. CAHALIN: Second.

MR. TUDISCO: Before you do that, you still have an open public hearing. I think you have to close at that formally.

THE CHAIRMAN: Okay. Sorry about that, gents and ladies. Mr. Tudisco, thank you for catching that.

So let me make a motion first to close the public hearing on this matter; is there a second to my motion?

MR. CAHALIN: Second that.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Okay. I got ahead of myself. Let me make my application now or my

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motion to adjourn this for Resolution at the next meeting; is there a second?

MR. NURZIA: Second.

THE CHAIRMAN: Mr. Nurzia. All in favor.

(Aye)

THE CHAIRMAN: Thank you for your application.

APPLICANT: You're welcome. Thank you.

THE CHAIRMAN: Have a good night. Number 9, the last item on the calendar and the sixth new matter, is 20-18, this is 10 Roy Place.

MR. CAHALIN: I see the applicant has us on.

MS. UHLE: Yes. He should be showing up in a minute.

MR. TUDISCO: This is Mr. Chiappetta.

MS. UHLE: He needs to un-mute himself. Also, Nick Faustini. Nick Faustini we're having some trouble with and I just promoted him but I don't see him here.

MR. CAHALIN: Mr. Chiappetta is in

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twice now.

MS. UHLE: Mr. Chiappetta, can you un-mute yourself?

MR. CHIAPETTA: I think I did now.

Can you hear me okay?

MS. UHLE: Yes.

MR. CHIAPETTA: I apologize for that.

MS. UHLE: No, that's okay. I was having some difficulty with Nick a few minutes ago. He was here, but he kind of disappeared. Let me see what that's about.

MR. CHIAPETTA: Nick is definitely going to be a little bit more well prepared to make the proper presentation than I would.

MS. UHLE: Sure. I just promoted him to a panelist but I don't see him here. Hold on one minute, let me see what I could do for him.

MR. CHIAPETTA: I'm going to un-mute myself, guys.

MS. UHLE: Just be patient, if you don't mind, for a minute. Nick initially was removed but we got him back on, but he just said he was again. Let me see if he can join.

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in again.  
If we have trouble getting Nick back 
on, Mr. Chiappetta may not be able to review 
the drawings with you, but you all have 
drawings, can he just explain the application 
quickly to you?
THE CHAIRMAN: In light of the 
application and the fact that it's been marked 
submitted, I don't see why not. 
MS. UHLE: Mr. Chiappetta, can you 
hear us now?
MR. CHIAPETTA: I can hear you, yes. 
MS. UHLE: I'm not sure -- poor 
Nick -- once he's out of the meeting, it's hard 
to get back in again. I was working with him 
before. I know he's trying now. Let me see. 
Do you want to -- here we go. Hold on. 
Mr. Chiappetta?
MR. CHIAPETTA: Yes. 
MS. UHLE: Nick is having trouble 
signing on. Without doing a formal 
presentation, can you kind of explain what it 
is you're proposing?
MR. CHIAPETTA: Yes, I can. I also

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wanted to make a comment also at the end. I 
don't know if I'm going to do this justice, so 
for that I apologize. 
THE CHAIRMAN: Don't apologize. Just 
speak freely, Mr. Chiappetta, don't worry. 
MR. CHIAPETTA: Understood. I don't 
have like a presentation to show. What I can 
explain is, the application is for three 
specific variances. 
One variance for the rear property 
line, where it would normally need to be a 10 
foot offset, we're requesting a 50 percent 
reduction there. We don't believe that it's 
going to be a very substantial impact for the 
fact being we are about 6 and a half, 7 feet 
lower than our rear neighbor with a retaining 
wall, and they have privacy fences on top of 
it.
The other portion of the variance is, 
if I remember correctly, roughly 25 percent 
reduction for roughly 20 percent of the size of 
the length of the pool. The reason for that 
...
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Mr. Cahalin cited that in some of the paperwork. The way that bump out is in the back of the property, the only way to say, perhaps reduce the variance request, would maybe be to rotate the pool and put it parallel to the bump out, at which point then we would still be close to the structure of the house and that left side property line, I believe.

Mr. Cahalin: That's my other question, it seems to be very tight to the house, that's usually something we ask, is it a fire violation; is there enough room to get a ladder, if necessary?

Mr. Chiappetta: I believe that it would be for roughly about 5 to 6 feet. At the very least, it would be 7 and a half feet, and then it would be gradually extending to the 10 foot variance because of the oval shape. The actual variance request is not for the entire width of the pool for that 7 and a half foot off the house. That's for a very small portion of it. Again, for egress it's 7 and a half feet at that point. None of the pool equipment is proposed to be there in that location.

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Mr. Cahalin: Okay. Thank you.

Mr. Tundisco: Margaret, before we continue, it looks like someone is trying to join by phone; is that the architect?

Ms. Uhle: Yes. We'll un-mute him.

Nick, can you hear us?

Mr. Faustini: Yes, I can. I'm sorry, I just can't get back in to Zoom. It won't allow me back in. Hopefully, I could answer any questions over the phone.

The Chairman: Okay. The homeowner did a good job explaining it. Mr. Cahalin was maybe I'll have Mr. Cahalin rephrase or just explain what he was mentioning. Go ahead, Mr. Cahalin, you may want to do that.

Mr. Cahalin: One of the things that we always ask or we try to do with a pool especially, is there any way we could grab any kind of square footage to minimize the variance? That's one question. The other question is, it seems to be very tight to the house, and that's a concern I have.

Mr. Faustini: Considering the

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Available rear yard space, in order to put a pool a reasonable size, it would require this variance, as we were saying. The 7 and a half feet is really just at that area. The rest of it is more than 10 feet, which is the requirement to the principal building. It's really just that area that's close to the one story. It's a minimal variance in that respect. I'm not sure who spoke to this before about the 5 foot rear setback, again, it's because the rear yard isn't as deep. It's similar to other properties in the neighborhood, but it's not deep enough to allow a 12 foot pool as of right. Plus, with the elevation difference in the rear yard being significantly higher, we didn't think it was really impacting the neighbor too much. They're more than 6 feet higher in elevation than this property.

Considering meeting all the other requirements, the 10 foot setback from all the other property lines and 10 foot from the house, it's really not feasible. Even if we were to reduce the pool by half, it wouldn't...
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MR. NURZIA: Got it. Thank you.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: No questions.

THE CHAIRMAN: Mr. Miller, did I ask you if you had any questions?

MR. MILLER: You did, and I have none.

THE CHAIRMAN: I don't have anything.

I make a motion to open this matter to the public for a public hearing; is there a second?

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Mr. Tudisco, do your thing.

MR. TUDISCO: Yes, Mr. Chairman. I offer any comments from the public. Please raise your hand, and I will invite you to un-mute the microphone.

Mr. Chairman, at this time I don't see any hands or any members of the public that wish to offer a comment or question to the Board.

THE CHAIRMAN: Okay. So I make a motion to close the public hearing on this; is there a second?

MR. CAHALIN: I'll second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

THE CHAIRMAN: Back to the Board. Questions or comments; Mr. Cahalin?

MR. CAHALIN: None.

THE CHAIRMAN: Mr. Miller?

MR. MILLER: None.

THE CHAIRMAN: Mr. Nurzia?

MR. NURZIA: None.

THE CHAIRMAN: Mr. DeMarco?

MR. DE MARCO: None.

THE CHAIRMAN: I don't have anything at this time.

I make a motion to adjourn this application for Resolution at the next meeting; is there a second?

MR. CAHALIN: Second.

THE CHAIRMAN: Mr. Cahalin. All in favor.

(Aye)

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CERTIFICATION

STATE OF NEW YORK

) ) Ss.

COUNTY OF WESTCHESTER)

I, DINA M. MORGAN, Court Reporter and Notary Public within and for the County of Westchester, State of New York, do hereby certify:

That the above transcript was taken from a videotape of the actual hearing. I was not present for such hearing. The videotape was taken and transcribed by me to the best of my ability.

And, I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of September, 2020.

DINA M. MORGAN
Court Reporter

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