

**Village of Upper Nyack
Zoning Board of Appeals Meeting
Tuesday, April 17, 2018, 8:00pm**

Minutes

A meeting of the Zoning Board of Appeals of the Village of Upper Nyack was held on the above date and called to order at **8:04pm** by the Vice Chairman, Stephen Lubeck.

Other Board members present: Joseph Scarmato, Michael Kuhling and Marion Shaw.

Also present: Robert P. Lewis, Village Attorney; Jillana Sinnott, Secretary.

Others in attendance: Christopher Prentis.

8:04pm: The ViceChairman opened the meeting and read the Notice of Public Hearing, which was published in The Journal News on April 10, 2018.

8:04pm: Christopher Prentis, 14 Van Houten Street, County Map No. 60.18-01-37. APPEAL #2018-01.

Said property is located in Residential Zoning District R-4.

The APPLICANT submitted to the clerk the Certificate of Mail receipts of neighbor notification.

Request for variances from the Zoning Ordinance of the Village of Upper Nyack for **Article V, Section 19:1**; Minimum setback from front street line and **Article V, Section 19:1**; Minimum setback from side lot line for the expansion of an existing garage on an existing single family residence.

The APPLICANT was represented by Christopher Prentis, Homeowner. The existing garage was built around 1930 and doesn't fit the size of today's cars. The garage is currently 18x18 and will increase to 23x23. There is a pre-existing variance off the property line for the garage currently there. The old garage will be knocked down and rebuilt as the slab is in bad shape. The height of the garage will remain the same.

The BOARD discussed the pre-existing variances and how it will be expanded. The style of the roof will go nicely with the house.

There were no comments from the public.

MOTION: Member Joseph Scarmato moved to close the public hearing; **SECOND:** Marion Shaw; unanimously **APPROVED**.

The VICE CHAIRMAN reviewed the five conditions for area variances (§17:4, c2) of the Village Zoning Ordinance.

There will be no undesirable change in the character of the neighborhood. The garage is designed to fit with the neighborhood. The Applicant needs the variances as he wants a two car garage, the request is a reasonable one. The variance requested is not substantial. There will be no environmental impact. The variances were self-created as the lot is undersized. The benefit to the Applicant outweighs the detriment to the community.

The Board reviewed the GML recommendations from the Rockland County Planning Board which deemed it for local determination.

MOTION: The Board moved to approve the following variance, **Article V, Section 19:1**; Expand pre-existing variance of minimum setback of front yard line 5' to the west to 4.8' from the street and **Article V, Section 19:1**; Expand pre-existing variance of minimum setback of side yard line 5' to the north to 0.8' from the side yard for a two car garage on an existing single family house for Prentis, by Degenshein Architects, last revised on 2/26/18.

MOTION BY: Joseph Scarmato

SECOND: Marion Shaw

VOTE: Unanimously **Approved**

8:25pm: Approval of Minutes: Member Michael Kuhling moved to approve the Draft Minutes from December 19, 2017 as amended; **SECOND:** Marion Shaw; unanimously **APPROVED**.

There was no other business.

The meeting was adjourned at 8:20pm.

Respectfully submitted,

Jillana Sinnott, Secretary