

**VILLAGE OF CROTON ON HUDSON
DRAFT MINUTES OF THE ZONING BOARD OF APPEALS MEETING
WEDNESDAY, November 8, 2023**

PRESENT: Christine Wagner, Chairperson
James Tuman
Daron Weber
Rocco Mastronardi

ABSENT: Doug Olcott

ALSO PRESENT: Ron Wegner, Assistant Engineer P.E.
Len Simon, Village Trustee Liaison

1. CALL TO ORDER:

Chairperson Wagner called the Zoning Board of Appeals Meeting to order on November 8, 2023 at 8:02p.m.

2. NEW BUSINESS:

a) Amelia JT LLC, Owner-1 Niles Road—Located in a RA-25 Residential District and designated on the Tax Maps of the Village of Croton-on-Hudson as Section 68.14 Block 5 Lot 4. Request for an area variance from Village Zoning Code Section 230-53B(1) for a proposed structural alteration to a building that houses an existing, non-conforming use (installation of a garage door where there is an existing entry door).

PRESENT: John Roper of Amelia JT LLC, Owner

Mr. Roper introduced himself to the Board as the owner of the above-mentioned commercial property. Mr. Roper stated he is requesting an area variance to put a garage door in the front of the building where there is an existing standard entry door. Chairperson Wagner asked Mr. Wegner, Assistant Village Engineer to confirm that the variance is required because the building has an existing use variance. Mr. Wegner confirmed stating that the property has an existing, non-conforming use. Mr. Wegner read the relevant section of Village code (Section 230-53B) which states: “...***no building which houses a nonconforming use shall be: (1) Structurally altered or enlarged.***” Mr. Wegner reiterated that the request being made is to structurally alter an existing, non-conforming use building therefore a variance is required. The Board made it clear that the use and footprint of the building are remaining the same and that the request for a variance is only to alter the entry door (install a garage door in its place).

Mr. Roper explained why he would like to install a garage door in place of the existing door to the Board. Mr. Roper stated that the existing garage door is on the right side of the building so as it is, in order to get his vehicles into the building, Mr. Roper has to do “a crazy turn” in which he uses jacks under the rear of the car to make the turn. Mr. Roper explained that by installing a garage door in the front, he would be able to pull his vehicles straight into the building. The Board asked the applicant what the current use is of the building. Mr. Roper stated that the property/building is currently used for storage and as a workshop for himself where he mainly works on cars. The applicant stated that prior to his ownership (the non-conforming use) was a conveyor belt manufacturer for approximately 55 years. Mr. Roper shared that he believed the building was originally constructed in the 1930’s.

The Board then noted that they received several letters of support from surrounding neighbors. Mr. Roper confirmed that the letters were from the closest neighbors/properties to his building.

Chairperson Wagner then opened the hearing to the public. Hearing no comment, the public meeting was closed.

The Zoning Board of Appeals discussed the 5 Factors:

1. No undesirable change in the character of the neighborhood nor detriment to nearby properties will be produced by the granting of the variance.

The Board agreed that it is a straightforward request and that there will be no changes to the use of the property or to the property itself and therefore will not have a negative impact on the neighbors/neighborhood.

2. The benefit sought by the applicant cannot be achieved by a method other than the requested variance.

The Board discussed that while there is an existing garage door, it is not located in an area that allows the applicant to pull vehicles straight into the building. Therefore, there is no other feasible option to achieve the desired outcome.

3. The requested variance is not substantial.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
5. The difficulty alleged by the applicant was self-created.

MOTION: Chairperson Wagner made a motion to grant an area variance for a structural alteration (installation of a garage door where there is an existing entry door) to a building that houses an existing, non-conforming use. Seconded by Mr. Mastronardi. All in favor. Roll call: Chairperson Wagner, yes; Mr. Mastronardi, yes, Mr. Tuman, yes, Mr. Weber, yes (Mr. Olcott, absent).

b) Board discussion to select an alternate day/date to move ZBA meetings from the 2nd Wednesday of the month.

Chairperson Wagner opened the discussion for the selection of a new meeting day for the ZBA by explaining that the Village Board of Trustees adjusted their meetings to be held on Wednesdays commencing in December. Therefore, the ZBA must choose an alternate day to hold its meetings. Chairperson Wagner shared that the recommendation was to move the ZBA meetings to a Thursday and asked for input from the Board. The consensus from the Board members was that the 2nd Thursday of the month seemed like a good option however, Mr. Olcott was not present at the meeting to weigh-in. After the Board agreed, Chairperson Wagner stated that they will hold off on making a final decision until speaking to Mr. Olcott. Chairperson Wagner shared that she would reach out to Mr. Olcott to see if he the 2nd Thursday of the month would work for him and she would get back to the Board with a decision on a new meeting date.

3. APPROVAL OF MINUTES

The meeting minutes from October 11, 2023 as amended were approved.

4. ADJOURNMENT

The meeting was duly adjourned at 8: 13 p.m.

Respectfully Submitted by,

Stefanie Correale
Secretary to the Zoning Board of Appeals