

**VILLAGE OF CROTON-ON-HUDSON  
ZONING BOARD OF APPEALS  
DRAFT MINUTES OF TUESDAY, MAY 19, 2026**

**PRESENT:** James Tuman, Chairman  
Matt Berger  
Doug Olcot  
Bill Goldsmith  
Ethan Lewis

**ALSO PRESENT:** Ron Wegner, Assistant Village Engineer, PE

**1. CALL TO ORDER**

Chairman Tuman called the Zoning Board of Appeals meeting to order at 7:10 p.m.

**2. NEW PUBLIC HEARING**

*a) Joseph Arnow, architect, representative for Donald & Elizabeth Laird, owners—71 Irving Ave—Located in a RA5 Residence District and designated on the Tax Maps of the Village of Croton-on-Hudson as Section 79.05 Block 4 Lot 46. Request for a front yard variance from Village Zoning Code Section 230-33(A) for a proposed addition including front entry and mudroom.*

**PRESENT:** Joseph Arnow, Architect  
Donald Laird, Owner

Mr. Laird introduced himself to the Board as the owner of the property. Mr. Arnow stated he was the architect for the proposed project. Mr. Arnow then presented the application for a front yard variance of 1.5 feet to allow construction of a small addition consisting of a first-floor mudroom and second-floor closet, along with a front portico and second-story attic expansion. Mr. Arnow explained that the existing house had a front setback of approximately 19.4 feet adding that because the proposed mudroom required a five-foot depth to be functional, an additional 1.5 feet of relief would be needed. He noted that the proposed portico complies with setback requirements and would not require a variance. Mr. Arnow also stated that an existing front deck, previously approved by variance in 2019, would remain unchanged.

Mr. Arnow shared that the proposal was consistent with the character of the neighborhood, noting that there are several two-story homes nearby and that the addition would not create any undesirable change to the neighborhood or adversely affect neighboring properties. He explained that the additional 1.5 feet would not be readily visible from the street and is necessary to create a functional mudroom and entry area.

Board members asked questions regarding the distinction between the portico and the enclosed mudroom addition. Mr. Arnow clarified that the variance request applies only to the enclosed mudroom portion of the addition and not to the portico, which is permitted within the setback requirements. Board members also discussed alternative elevations submitted by the applicant and commented favorably on the proposed design. The applicant stated that he had spoken with neighboring property owners and that no objections had been raised.

The Board discussed and reviewed the 5 Factors:

The Board found that granting the requested 1.5-foot front yard variance would not result in an undesirable change to the character of the neighborhood nor create any detriment to nearby properties. The Board agreed that the proposed addition would be consistent with surrounding homes, including other two-story residences in the area, and that the additional encroachment would not be readily visible from the street. The Board further found that the benefit sought by the applicants could not be achieved by another feasible method, as a functional mudroom would require the additional depth requested and reducing the depth would either render the space impractical or negatively impact the existing interior layout. The Board determined that the requested variance was not substantial, as it involved only 1.5 feet of additional relief for a limited portion of the front façade. The Board also found that the proposal would not have an adverse effect on the physical or environmental conditions of the neighborhood, and that while the difficulty was self-created, that factor was not determinative. Based upon the record, the Board concluded that the requested variance represented the minimum relief necessary and adequately balanced the benefit to the applicant against any potential impact on the neighborhood.

The Board then determined 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.
2. The benefit sought by the applicant cannot be achieved by a method other than the requested variance;
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:** Mr. Olcott made a motion to grant a front yard variance of 1.5 ft for an addition including a 2-story front entry and mudroom. Seconded by Mr. Lewis. All in favor 5-0. Roll Call: Mr. Olcott, yes. Mr. Lewis, yes. Chairman Tuman, yes. Mr. Berger, yes., Mr. Goldsmith, yes.

***b) Coleman Clancy & Kate Saxton, owners—40 Young Ave—Located in a RA5 Residence District and designated on the Tax Maps of the Village of Croton-on-Hudson as Section 79.13 Block 2 Lot 45. Request for a variance from Village Zoning Code Section 230-40C for a proposed fence taller than 30 inches within the triangle centered at the street lines and within 30 feet of the lot corner.***

**PRESENT:** Coleman Clancy, owner

Coleman Clancy introduced himself to the Board and explained that he and his wife, Kate Saxton, were requesting a variance to allow for a 48-inch-high fence within the required sight triangle area at the corner of Young Avenue and Benedict Boulevard. He stated that the request was motivated primarily by safety concerns, as the couple recently welcomed a daughter and wanted a secure enclosed yard. He also noted

that they may have a dog in the future and that a consistent 4' ft fence would be necessary to safely contain children and pets.

Mr. Clancy explained that the previous owners of the property had received approval from the Zoning Board in 2023 for a substantially similar variance, although the fence was never constructed. He stated that the proposed fence would be an open black aluminum design and would comply with the prior conditions limiting the fence to four feet in height and no more than 25 percent solid, thereby preserving visibility at the intersection.

Board members reviewed the fence design, the prior variance approval (granted to previous property owners), and the location of the proposed fence. The Board asked questions regarding sight lines, placement relative to the property line, and whether the proposal matched the previously approved ZBA plan. Board discussion was focused on maintaining the same conditions that had accompanied the 2023 approval.

Chairman Tuman then opened the public hearing. The following members of the public came forward to speak:

John Farrell of 34 Young Ave.

Mr. Farrell spoke in support of the application. He stated that he has a similar fence on his own property and that it does not create visibility issues. He noted that a four-foot fence is reasonable for containing children and pets and stated that the existing roadway configuration already limits visibility more than the proposed fence would.

Julie Evans, 100 Benedict Blvd

Ms. Evans is an adjacent neighbor, also spoke in support of the application. She noted that a mature privet hedge previously existed in the same area and was considerably taller and more obstructive than the proposed fence. She stated that the proposed fence would be less intrusive than the hedge had been for many decades.

With no further comment, the public hearing was then closed.

The Board discussed and reviewed the 5 factors:

The Board found that granting the requested variance to permit a 48-inch-high fence within the required sight triangle would not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The proposed fence was designed as an open black aluminum fence that would remain no more than 25 percent solid, preserving visibility while providing a consistent enclosure for the property. Statements from neighboring property owners supported the application and indicated that similar fencing existed nearby and that a much taller privet hedge had historically occupied the area without adverse effects. The Board determined that the benefit sought by the applicants of which was providing a safe and secure enclosure for their young child and future pets, could not reasonably be achieved by another feasible method while maintaining the intended use of the yard. Although the Board acknowledged that the requested variance was substantial, consisting of an additional 18 inches of fence height within the sight triangle, it found that the impact was mitigated by the property's configuration, the setback from the street, and the requirement that the fence remain largely open. The Board further found that the variance would not have an adverse effect on the physical or environmental conditions of the neighborhood and that the difficulty was self-created. Accordingly, the Board concluded that the variance, as conditioned to require a fence no more than four feet in height and no more than 25 percent solid, represented the minimum relief necessary and adequately protected the public interest.

The Board then determined 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.
2. The benefit sought by the applicant cannot be achieved by a method other than the requested variance;
3. The requested variance is substantial; but mitigated by the property line distance from the street.
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:** Mr. Olcott made a motion to grant a variance of 18 inches for a fence taller than 30 inches within the triangle at the street lines Seconded by Mr. Berger. All in favor 5-0. Roll Call: Mr. Olcott, yes. Mr. Berger, yes. Chairman Tuman, yes. Mr. Lewis, yes., Mr. Goldsmith, yes.

### **3. APPROVAL OF MINUTES**

Chairman Tuman made a motion to approve the Minutes of March 17, 2026. Seconded by Mr. Lewis. All in favor (3-0). Roll Call: Chairman Tuman, yes, Mr. Goldsmith, yes, Mr. Berger, yes. (Mr. Goldsmith, abstained, Mr. Olcott, abstained).

Mr. Olcott made a motion to approve the Minutes of April 21, 2026. Seconded by Mr. Goldsmith. All in favor (3-0). Roll Call: Mr. Olcott, yes, Mr. Berger, yes, Mr. Goldsmith, yes (Chairman Tuman, abstained, Mr. Lewis, abstained)

### **4. ADJOURNMENT**

There being no further business before the Board, the meeting was duly adjourned at 7:41 p.m.

Respectfully Submitted,

Stefanie Correale  
Secretary to the Zoning Board of Appeals