

VILLAGE OF BUCHANAN
ZONING BOARD
FEBRUARY 14, 2024

PRESENT: Chairman Gary Bell
Members Harmen Bakker, Mary Funchion, Ed Mevec, Marco Pinque
Village Administrator Marcus Serrano
Village Attorney, Stephanie Porteus
Village Clerk, Treasurer Cindy Kempter
Building Inspector Peter Cook
Deputy Village Clerk, Sharon Murphy

OTHERS: Mr. Jorge Hernandez, RA, President of ARQ Architecture P.C. for
3176 Albany Post Road

CALL TO ORDER:

Chairman Gary Bell called the meeting of the Zoning Board to order at 7:05 P.M. He led the Pledge of Allegiance. There was a moment of silence for a long time Village employee, Penny Pierce-Baisley. Chairman Bell informed every one of the fire regulations.

APPROVAL OF MINUTES: A motion to approve the January 10, 2024 minutes as presented was made by Mr. Pinque, seconded by Mr. Mevec with all in favor.

NEW BUSINESS:

Calendar No. 02-2024-ZBA – §43.15-1.15.2, Area Variance for 152 Westchester Avenue

Chairman Bell stated that Mr. Sagastume is not here tonight, but is looking for a side yard variance. He has paid the fee. Building Inspector Cook explained that this was one property with two houses on it and in 1986 the Zoning Board allowed them to separate into two lots. This lot size is approximately 6,300 square feet. The left side of the house facing Westchester Avenue is next to the driveway of Buchanan Verplanck school. The property line goes straight back and as it goes back it gets further away from the driveway. The rear right corner of the house is 2.5 feet from the property line and 7.5 feet on the left. The house was approved at those setbacks. The house is 20' wide and the property owner would like to continue the non-conforming use. The property owner wants to put a patio with a decorative wall and a pad that would hold a fire place unit and a shed in the corner of the lot. There was a deck previously there that was removed. They would need a left and right-side variance. Village Administrator explained that this is a pre-existing non-conforming lot and if it is approved it would be expanding a non-conforming use. If the Zoning Board approves this, they will be approving a non-conforming lot. Mr. Pinque stated that the owner bought an existing non-conforming and the Board typically does not allow expansion of existing non-

conforming. The buyer should have been aware of what he was buying and the ramifications of it. There was discussion among the Board about non-conforming uses.

A motion to deny this variance was made by Mr. Mevec, seconded by Mrs. Funchion, with all in favor and Mr. Bakker abstained.

Village Attorney Porteus will send a decision and order to the applicant.

Calendar No. 01-2024-ZBA – §43.16-2-11, Public Hearing for An Area Variance for 3176 Albany Post Road

A motion to open the public hearing was made by Mr. Pinque, seconded by Mr. Mevec, with all in favor.

Chairman Bell stated that the green cards were received. Mr. Hernandez explained that they are looking for a side yard variance. Mr. Mevec stated that the Board asked for stakes to be placed on the property and that has not been done. Chairman Bell stated that the building is a non-conforming structure. Mr. Mevec stated that what he is looking for is a de minimis situation. The parking for the apartments will be in the back of the building under the addition. There was discussion about other options. Mr. Hernandez explained that the building will look best if it has one straight wall on the White Street side and that two apartments are necessary upstairs for the project to be feasible. Chairman Bell asked if the property can be staked out so the Board can look at it and then a decision can be made at the next meeting.

A motion to hold the public hearing open until March 13, 2024 was made by Mr. Mevec, seconded by Mr. Pinque with all in favor.

ADJOURNMENT:

The meeting was adjourned at 7:56 P.M. on a motion Mr. Pinque, seconded by Mr. Mevec, with all in favor.