

VILLAGE OF PELHAM

Zoning Board of Appeals

PAUL ANZILOTTI
149 Elderwood Avenue
Pelham, New York 10803
Parcel 164.53-1-32.1

April 29, 2015

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley, & Hartmere
Deputy Clerk Deborah DelGrosso, Attorney Robert G. Wise & Building
Inspector Leonard Russo.

The Applicant sought a variance from the provisions of Section 98-16.C. of the Zoning Code to allow the construction of a rear stairway from the first floor of an existing residence to the rear yard grade with a porch and overhang above, and an adjoining stairway from the grade to the cellar/basement of the building which would not have a porch overhang. The proposed structures will have a rear yard setback of 13.66 feet where the Zoning Code requires a setback of 25 feet residence which addition on the rear of his home which would have a side yard setback of 15.4 feet where the Zoning Code requires a minimum side yard setback of 18 feet. The residence is located at 149 Elderwood Avenue. Mr. Anzilotti and his wife were present in support of the application.

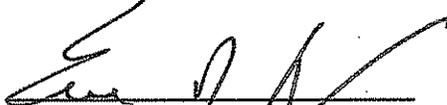
Mr. Shirreffs made a motion that a negative environmental impact resolution be adopted. Mr. Diffley seconded the motion, which was unanimously adopted.

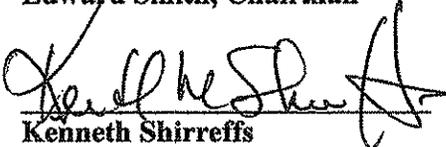
Mr. Anzilotti told the Board that the parcel was 100 feet by 100 feet with a two story residence. He wants to construct an entrance to the kitchen to the rear grade. The existing door

to the kitchen is on the driveway of the residence and has no level surface, and also obstructs the driveway. Mr. Smith asked the applicant if he could move the driveway. Mr. Anzilotti said while the driveway could be reconfigured, but it would make it very difficult to turn automobiles. Mr. Smith told Mr. Anzilotti the Board was obligated to consider if there was a viable alternative in view of the substantial nature of the variance sought. He said the Board was concerned about any precedent that might be created if the requested variance was granted. Mr. Smith then enunciated the factors to be considered in deciding the application: 1) Would the requested variance have an adverse effect on the neighborhood? 2) The variance is substantial since a variance of 13.66 feet is sought where the Code requires 25 feet, a 55% variance; 3) The variance sought was self created; 4) Was there any alternatives? Mr. Anzilotti said he was trying to construct the addition to look like a part of the existing residence. Mr. Smith said Mr. Anzilotti had two choices: 1) to let the application be decided by the Board, or 2) to go back to the drawing board and see if the project can be reconfigured in a different manner. Mr. Anzilotti discussed the matter with his wife and said he wanted the Board to vote on the application.

Mr. Shirreffs made a motion that the variance be granted as requested. It was seconded by Mr. Brown. Messrs. Sherriffs and Diffley voted to approve the application. Messrs. Smith, Brown and Hartmere voted to decline the application. The application was not approved.

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ZONING BOARD OF APPEALS**

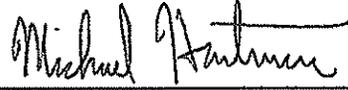

Edward Smith, Chairman


Kenneth Shirreffs


David Brown



Bryan Duffley



Michael Hartmere

VILLAGE OF PELHAM

Zoning Board of Appeals

Patrick Connelly
409 Third Avenue
Pelham, New York 10803
Parcel 163.28-1-48

April 29, 2015

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley, & Hartmere
Deputy Clerk Deborah DelGrosso, Attorney Robert G. Wise & Building
Inspector Leonard Russo.

The applicant sought a variance to construct a new family residence where the proposed garage which is connected to the residence and faces the street will have a 26 foot front yard setback where the Zoning Code requires a setback of 45 feet. Mr. Brown made a motion that for determination that the application would not have a negative environmental impact. The motion was seconded by Mr. Diffley and unanimously approved.

Mr. Connelly architect, Aldo DiVitto, were present in support of the application. Mr. DiVitto told the Board that the lot was 50 feet by 100 feet and wanted presented to place the one car garage under the residence. He showed the Board with pictures of homes in the surrounding area with one car garages under the residences. Christian Anderson of 407 Third Avenue and Al Tiso of 410 Third Avenue were present. Mr. Tiso said he wasn't concerned about garage being constructed under the home but only with the drainage. Mr. Smith explained that the matter of drainage wasn't something the Board would consider, but if the variance was approved the drainage would be reviewed by the Planning Board. Mr. Anderson wondered about the exaction of possible rock since he lived next door to the applicant. Mr. DiVitto said every precaution would be taken in excavating the site and the grade of the residence would be similar to other homes in the area. He noted that there was a substantial increase in grade from the front to the

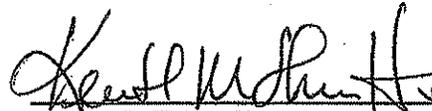
rear of the parcel. To put the garage in the rear of the residence would require extensive excavation at a substantial cost.

Mr. Smith asked the Board if there were any questions or concerns. He also noted that in his opinion that allowing the variance would not be a detriment to the neighborhood.

Mr. Diffley made a motion the Variance be granted as requested. Mr. Hartmere seconded the motion, which was unanimously approved.

**VILLAGE OF PELHAM
ZONING BOARD OF APPEALS**


Edward Smith, Chairman


Kenneth Shirreffs


David Brown


Bryan Diffley


Michael Hartmere

VILLAGE OF PELHAM

Zoning Board of Appeals

MICHELLE EGAN
100 Young Avenue
Pelham, New York 10803
Parcel 164.29-1-68

April 29, 2015

PRESENT: Chairman Smith, Messrs. Shirreffs, Brown, Diffley, & Hartmere
Deputy Clerk Deborah DelGrosso, Attorney Robert G. Wise & Building
Inspector Leonard Russo.

The Applicant sought a variance from the provisions of Section 98-23.A. of the Zoning Code to construct enlarge the a front porch to her home which would have a front yard setback of 12.8 feet where the Zoning Code requires a minimum front yard setback of 25 feet. The residence is located at 100 Young Avenue. Ms. Egan and her husband, Sean Egan, were present in support of the application. John Woodruff, architect for the applicant, was also present.

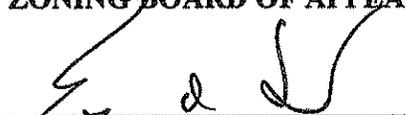
Mr. Diffley made a motion that a negative environmental impact resolution be adopted. Mr. Shirreffs seconded the motion, which was unanimously adopted. Mr. Smith advised the applicant that he lived across Harmon Avenue from them and had received notice of the application. He said he would recuse himself from the matter if the Applicant was concerned. He said he had no opinion on the application and would consider the matter purely on its merits. Ms. Egan said a recusal was not necessary.

Mr. Woodruff told the Board that Ms. and Mr. Egan wanted to create an entry platform to their home. They would use the existing steps, with a one foot overhang. While they considered a larger porch they decided that the smaller was preferable and improved the existing

porch. The residence has a 16.8 front yard setback. The members of the Board then discussed the application.

Mr. Brown made a motion that the variance be granted as requested. It was seconded by Mr. Hartmere. The application was unanimously approved.

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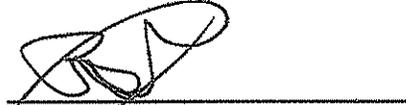
Edward Smith, Chairman



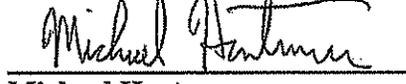
Kenneth Shirreffs



David Brown



Bryan Duffley



Michael Hartmere