



Zoning Board of Appeals
Department of Planning & Community Development
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Ernest D. Davis,
Mayor

Irwin S. Davison, Esq.
Chair

MEETING NOTICE

ZONING BOARD OF APPEALS

PUBLIC HEARING

A regular meeting of the Zoning Board of Appeals will be held on **Tuesday, March 17, 2015 at 7:30 p.m.** in the City Council Chamber, Second Floor, City Hall, Mount Vernon, New York at which time and place the Board shall consider the following:

ITEM # 1 ROLLCALL

Present

Chairman Davison
Vice Chair Anderson
Board Member Afonso
Board Member Castillo
Board Member Sloan-Fullan
Board Member Scully

ITEM # 2 APPROVAL OF MINUTES

2.1 Approval of the minutes of the regular meeting held on Tuesday, January 20, 2015. **Motion to approve by Board Member Anderson/ second Sloan-Fullan. All in favor**

2.2 Approval of the minutes of the special meeting held on Thursday, January 29, 2015. **Adjourned till next meeting**

ITEM # 3 REQUEST FOR AN EXTENSION OF TIME

3.1 Calendar # 1682-Z: 485 Gramatan Avenue & 8 East Cedar Street (Section 165.30, Block 1036, Lots 1& 2).

Application of attorney Hannah Gross of 900 Prospect on behalf of owner, Cedar Manor LLC is requesting an extension of time from the Zoning Board to construct

an on-site parking facility. The original approval was granted on June 28, 2011, which expired on June 27, 2012. The applicant was granted an extension from June 28, 2012 to June 27, 2013 which has also expired. The applicant now seeks a three year extension from June 28, 2013 which will expire on June 27, 2016, upon approval, will bring the application current to proceed in acquiring a Building permit.

The Chair reads the item into record. Board Member Skully recused himself.

Ms. Gross - Explains why they need the extension of time. The applicant filed for area variances necessary to construct a 25 space accessory parking facility. The application was filed under Calendar # 1682-Z and unanimously The Zoning Board of Appeals as set forth in it's "Finding of Fact", dated June 28, 2011 and signed December 30, 2011.

Since the variances were issued, the applicant applied for site plan approval which has been denied. The applicant has twice prevailed in Article 78 proceedings and is still trying to obtain Planning Board approval consistent with the Courts decision. The applicant intends to proceed, perhaps with a somewhat reduced project, and still anticipates the variances previously granted, even if the project is reconfigured.

Accordingly, the applicant respectfully request that the variances previously granted under Calendar # 1682-Z be extended for one additional year, so as to permit the applicant additional time necessary to proceed with the application and to commence construction of the project.

Chairman Davison – Asks if anyone from the public would like to speak in regards to this application.

Members of the public spoke in regards to the parking lot and expresses their concern about the trees that have been cut.

Ms. Gross – Explains that this parking lot is solely for residents only. It's not a public parking lot.

Chairman Davison – Asks staff if there: are any correspondence from the public.

Staff Long – Reads the objections into the record.

Chairman Davison – Ask for a motion to close the public hearing.

Board Member Anderson makes a motion to close the public hearing, Board Member Castillo seconds. All in favor.

Chairman Davison – We will now need to put a motion together to vote on. Before we do that I would like to explain my understanding of the matter why where here tonight and what we are trying to achieve. We’re here tonight because the applicant has made an application for an extension of time for a variance, which they have received from the Zoning Board in 2011. This Board in this room has granted a variance, several variances for the relief. Those variances are approved and are valid. The issue for tonight is as follows. An applicant who has a variance that has not been acted upon within a prescribed time limited, as listed in the zoning code, has the right to request for an extension of time. The next issue for this Board is should they be granted. There are two criteria’s. One has the application for the variances changed at all. Were there changes in the neighborhood? I would like someone make a motion with respect to concluding this case. That the variances that are sort to be extended by the applicant be granted.

Board Member Anderson – makes motion.

Board Member Castillo – Second. All in favor.

Meeting adjourned.

SEQRA Determination: This action is a “Type II” therefore, ending the SEQRA process.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [§ 105 of the New York State Public Officers Law, Article 7].

Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.

Note: The next regular meeting of the Zoning Board of Appeals, is scheduled to be held on Tuesday, April 21, 2015.

Note: The Zoning Board will host its work session on March 11, 2015 at 4:00pm in the Memorial Room, City Hall

Wendy Davis
Zoning Board Secretary

cc: Mayor Ernest D. Davis
Jaime Martinez, Acting Commissioner
Susanne Marino, Deputy Commissioner
George Brown, City Clerk
William Long, Planning Administrator
Hina Sherwani, Assistant Corporate Council

Building Department
Lobby
Press