

ZONING BOARD OF APPEALS

There was a regular meeting of the Zoning Board of Appeals on Thursday Evening, May 12, 2016, at 8:00 p.m., in the Court Room of the Municipal Building.

Members Present

Mark I. Fisher, Chairman
Paul Katz
Ernest Fiore
Michael Strone
Steven Lowenthal
Paul Valentine
Tom Foristel

Members Absent

The Chairman called the meeting to order at 8:00 p.m.

<u>Cal. #</u>	<u>Applicant</u>	<u>Block</u>	<u>Lot</u>	<u>Decision</u>
Z15-020	Aron & Robin Ponticelli	651	22	Withdrawn with prejudice
Z15-024	233 Highland Road R.E. Corp.	523	38	Variance Denied
Z16-001	3040 Westchester Avenue	602	2.05	Not Heard – Adjourned to the June Meeting
Z16-004	Lisa Donohue	402	40	Variance Granted
Z16-005	Vito Forgione	904	7	Heard – Adjourned to the June Meeting
Z16-006	Greg & Ashley Jakubowsky	543	7	Variance Granted
Z16-007	Trinity Presbyterian Church	643	7	Variance Granted
Z16-008	Mitchell Wilk Development	544	26	Heard – Adjourned to the June Meeting
Z16-009	Alfred & Mary Riguzzi	912	4	Heard – Closed – Findings Being prepared

The next meeting was scheduled to June 9, 2016.

There being no further business to come before the Board, on a Motion duly made and seconded, the meeting was declared adjourned.

Jacqueline Deer
 Town Clerk's Office

Rosemarie Cusumano
 Rosemarie Cusumano, Secretary

THE FORMAL RECORD OF THE ABOVE PROCEEDINGS IS AVAILABLE IN THE TAPES THEREOF.

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 MAY 12 2016

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**BOARD OF ZONING APPEALS
TOWN/VILLAGE OF HARRISON, NEW YORK**

Calendar No. Z16-006

Date: May 12, 2016

Property Owner: Greg & Ashley Jakubowsky

Property Address: 101 Park Drive North

Block 543 Lot 7

WHEREAS, the property owners applied for a Building Permit for the installation of a generator and that application was denied by a determination of Harrison's Building Inspector (the administrative official charged with the enforcement of Harrison's Town Code, Chapter 235 (Zoning)) that the application did not strictly comply with the Code's requirements; and

WHEREAS, Mitchell Wilk Architecture filed an application on March 16, 2016 on behalf of Greg and Ashley Jakubowsky for an area variance from the Zoning Ordinance to permit installation of a generator. This property is located in an R-1 Zoning District and pursuant to §235-9(B) of the Table of Dimensional Regulations of the Zoning Ordinance of the Town/Village of Harrison the minimum required side yard setback abutting a side street on a corner lot is 40 feet. The proposed generator is indicated to have a side yard setback of 22 feet, thus requiring a variance of 18 feet and;

WHEREAS, a Public Hearing on this application was duly scheduled and held by the Board of Zoning Appeals, at the Municipal Building, 1 Heineman Place, Harrison, New York, at 8:00 p.m. on April 14, 2016, after due notice and publication pursuant to Town Law 267-a(7), at which the following members were present: Mark Fisher, Ernest Fiore, Paul Katz, Michael Strone, Steven Lowenthal, Paul Valentine and Tom Foristel.

WHEREAS, Board Members had inspected the site; and

WHEREAS, at said Hearing, the applicant appeared in support of the variance; all those who desired to be heard were heard and the Board reviewed the documents submitted to it; and

WHEREAS, the Board reviewed all testimony and documents submitted and have carefully considered:

- (A) the benefits to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of neighborhood or community by such grant;
- (B) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance;

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- (C) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (D) whether the requested variance is substantial;
- (E) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
- (F) whether the alleged difficulty was self-created.

WHEREUPON, the Board found after due deliberation based upon the testimony and documents submitted and its site visit pursuant to town law, Section 267-a and 267-b and Harrison Town Code Section 235-56, et seq., it has jurisdiction to consider the requested variances.

The Board found that:

1. The generator will be located in the side yard alongside existing air conditioning condensers.
2. The generator is screened with from view by the side yard neighbor with 10 foot tall evergreens and a stone and wood stockade fence along Polly Park Road.
3. The generator to be installed with a sound attenuating enclosure which addresses the concern raised by an adjacent neighbor.
4. Accordingly, the granting of the variance will not create an undesirable change in the character of the neighborhood or a detriment to nearby properties.

NOW THEREFORE BE IT RESOLVED that the application for a variance to permit a generator to be located 22 feet from the side yard property line as indicated in the plans submitted with this application be, and the same is hereby granted subject to the following conditions:

Granting of the variance is specifically conditioned upon installation of a sound attenuating enclosure for the generator.

Except as specifically set forth above, nothing herein shall be construed to indicate this Board's approval of any architectural, design, or structural elements of the submitted plan.

This variance shall lapse unless construction begins within one year from the date this variance is recorded in the Clerk's Office and is completed no more than two years from said date.

Construction shall be deemed to have begun when all required footings and foundations have been completed, or when actual work of a substantial nature has begun on projects

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that do not require footings or foundations. Site preparation shall not satisfy the terms of this condition. Construction shall be deemed to have been completed when the Building Department has issued a Certificate of Occupancy.

An application for an extension of these periods may be granted by the Board of Zoning Appeals if good cause is shown by the applicant and, if in the Board's judgment, the facts and circumstances which existed at the time of the original application have not materially changed.

Foregoing Resolution submitted by Paul Katz, seconded by Paul Valentine at the meeting on May 12, 2016.

ADOPTED: AYES: Mark Fisher, Ernest Fiore, Paul Katz, Michael Strone,
Steven Lowenthal, Paul Valentine and Tom Foristel

NAYS: None

ABSTAINED: None

ABSENT: None


Secretary, Board of Zoning Appeals


Acting Chairman, Board of Zoning Appeals

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**BOARD OF ZONING APPEALS
TOWN/VILLAGE OF HARRISON, NEW YORK**

Calendar No. Z16-007

Date: May 12, 2016

Property Owners: Trinity Presbyterian Church

Property Address: 526-530 Anderson Hill Road

Block 643 Lots 7.49

WHEREAS, the property owner, filed an application with respect to a proposed addition to an existing structure and that application was denied by a determination of Harrison's Building Inspector (the administrative official charged with the enforcement of Harrison's Town Code, Chapter 235 (Zoning)) that the application did not strictly comply with the Code's requirements; and

WHEREAS, James Staudt, on behalf of the property owner, filed an application for a variance on March 11, 2016. The property is located in an R-1 Zoning District and pursuant to §235-9(B) of the Table of Dimensional Regulations of the Zoning Ordinance of the Town/Village of Harrison the maximum allowable height is 30 feet. The proposed addition creates a height of 39.78 feet, thus requiring a variance of 9.78 feet. This matter has also been referred to us by the Planning Board with a positive recommendation and;

WHEREAS, a Public Hearing on this application was duly scheduled and held by the Board of Zoning Appeals, at the Municipal Building, 1 Heineman Place, Harrison, New York, at 8:00 p.m., on April 14, 2016 after due notice and publication pursuant to Town Law 267-a (7) at which the following members were present or indicated that they had listened to tapes of the meeting: Mark Fisher, Paul Katz, Ernest Fiore, Michael Strone, Steven Lowenthal, Paul Valentine and Tom Foristel; and

WHEREAS, the Planning Board declared itself to be Lead Agency within the meaning of New York State Environmental Quality Review Act, Environmental Conservation Law, Article 8, §§8-0101 et seq., and the regulations there under, 6 N.Y.C.R.R. Part 617, determined that the action was an Unlisted Action and adopted a Positive Declaration requiring the preparation of an Environmental Impact Statement. The Planning Board adopted the Findings Statement, dated December 15, 2015, finding no adverse impacts will result from the construction of the Project subject to certain mitigation measures defined therein. The Board of Zoning Appeals, an Involved Agency, has reviewed the aforementioned Findings Statement and incorporates the Findings Statement, dated December 15, 2015, into the record of this proceeding;

WHEREAS, Board Members had inspected the site; and

WHEREAS, at said Hearing, the applicant appeared in support of the variance, all those who desired to be heard were heard and the Board reviewed the documents submitted to it; and

WHEREAS, the Board reviewed all testimony and documents submitted and have carefully considered:

- (A) The benefits to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant;
- (B) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance;
- (C) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than a variance;
- (D) Whether the requested variance is substantial;
- (E) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
- (F) Whether the alleged difficulty was self-created.

WHEREUPON, the Board found, after due deliberation, based upon the testimony and documents submitted and its site visit, pursuant to Town Law §§267-a and 267-b and Harrison Town Code §§235-56 et seq., it has jurisdiction to grant the requested variance and that the variance sought was the minimum variance necessary and adequate and at the same time preserved and protected the character of the neighborhood and the health, safety and welfare of the community.

The Board found that:

- A) The subject application comes to the Board with a positive recommendation of the Planning Board. Applicant proposes to renovate and construct an addition to the existing residence located on the Property. The addition, which will be attached to the rear or southeast of the existing structure will house Applicant's sanctuary, religious instruction rooms and support facilities. The existing house space will be renovated for fellowship space, administrative offices and support space. The new church will be set back 240 feet from Anderson Hill Road, and will be screened by existing and proposed vegetation from the surrounding area. Aside from the building height, the addition will satisfy all other zoning requirements.
- B) Objections from a neighbor representing the Morningside development—the entrance to which is diagonally across Anderson Hill Road from the subject property neighbors—were heard and considered by the Board.
- C) The sanctuary addition will be located (i) 180 feet from the neighboring home (160 feet to the boundary) to the west and will be screened from view from that property by substantial existing landscaping and landscaping to be added, (ii) 420 feet from the neighboring residence (360 feet from the boundary) to the east and also blocked by substantial existing screening, (iii) approximately 520 feet

(with significant screening) from the adjoining residence (150 feet from the boundary) to the southeast, and (iv) 115 feet from the ballfield property line which adjoins the property to the south and is also blocked by substantial screening. In view of the foregoing, we concur with the conclusion of the Planning Board that no significant adverse visual impact will result from the proposed addition.

- D) The proposed height variance is necessary in order to permit the sanctuary entrance to be level with the existing structure where the two structures are to be attached, thereby permitting easy access for all, including the handicapped. The variance is substantial and self-created; however, the current request cannot seemingly be achieved by any other method. The proposed variance will doubtlessly have an impact on the community but the benefit to the applicant is judged to outweigh any detriment to the community.
- E) Although it is not a condition to this application, the Board has requested the applicant to consider lowering the height of the steeple.
- F) This variance is granted without the necessity of recourse to the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc, et seq. However, as an application for the construction of a building, the primary purpose of which is for religious purposes, the standards of RLUIPA supersede the Zoning Code and could be relied upon by the applicant if the granting of this application were to be challenged subsequently.
- G) In addition, under the provisions of well-established New York case law there is a presumption in favor of religious uses which may only be rebutted with evidence of a significant impact on the public, health safety and welfare. In the case of the current variance, we find no such significant impact has been established.

NOW THEREFORE BE IT RESOLVED, the Board of Zoning Appeals, as an Involved Agency under SEQRA, hereby adopts the aforementioned Planning Board Findings Statement, dated December 15, 2015; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the application for a height variance to permit construction of a new addition to an existing structure as indicated in the plans submitted with this application be, and the same is hereby granted:

Except as specifically set forth above, nothing herein shall be construed to indicate this Board's approval of any architectural, design, or structural elements of the submitted plans.

This variance shall lapse unless construction begins within one year from the date this variance is recorded in the Clerk's Office and is completed no more than two years from said date.

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Trinity Presbyterian Church
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Construction shall be deemed to have begun when all required footings and foundations have been completed, or when actual work of a substantial nature has begun on projects that do not require footings or foundations. Site preparation shall not satisfy the terms of this condition. Construction shall be deemed to have been completed when the Building Department has issued a Certificate of Occupancy.

An application for an extension of these periods may be granted by the Board of Zoning Appeals if good cause is shown by the applicant and, if in the Board's judgment, the facts and circumstances which existed at the time of the original application have not materially changed.

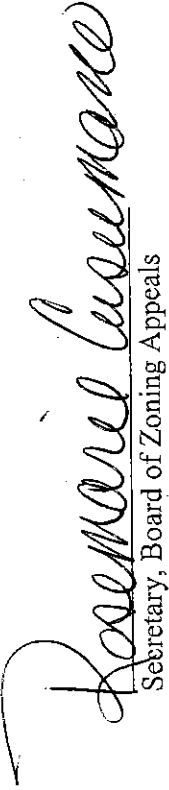
Foregoing Resolution submitted by Michael Strone, seconded by Paul Katz at the May 12, 2016 meeting.


ADOPTED: AYES: Mark Fisher, Ernest Fiore, Paul Katz, Michael Strone,
Steven Lowenthal, Paul Valentine and Tom Foristel

NAYS: None

ABSTAINED: None

ABSENT: None


Secretary, Board of Zoning Appeals


Chairman, Board of Zoning Appeals

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Trinity Presbyterian Church
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**BOARD OF ZONING APPEALS
TOWN/VILLAGE OF HARRISON, NEW YORK**

Calendar No. Z16-004

Date: May 12, 2016

Property Owners: Robert & Lisa Donohue

Property Address: 36 Hyatt Avenue

Block 402 Lot 40

WHEREAS, the property owner, applied for a Building Permit and that application was denied by a determination of Harrison's Building Inspector (the administrative official charged with the enforcement of Harrison's Town Code, Chapter 235 (Zoning)) that the application did not strictly comply with the Code's requirements; and

WHEREAS, the property owners filed an application for a roofed front entry platform on March 11, 2016. The property is located in an R-75 Zoning District and the house is existing non-conforming with regard to its front yard setback of 15.18 feet and 15.30 feet. Pursuant to §235-9(B) of the Table of Dimensional Regulations of the Zoning Ordinance of the Town/Village of Harrison the minimum required front yard setback is 30 feet. The proposed front porch addition increases the existing non-conformity creating a front yard setback of 11.5 feet, thus requiring a variance of 18.5 feet and;

WHEREAS, a Public Hearing on this application was duly scheduled and held by the Board of Zoning Appeals, at the Municipal Building, 1 Heineman Place, Harrison, New York, at 8:00 p.m., on April 14, 2016 after due notice and publication pursuant to Town Law 267-a (7) at which the following members were present or indicated that they had listened to tapes of the meeting: Mark Fisher, Paul Katz, Ernest Fiore, Michael Strone, Steven Lowenthal, Paul Valentine and Tom Foristel; and

WHEREAS, the Board reviewed the Short Environmental Assessment Form submitted by the applicant, declared itself to be Lead Agency within the meaning of New York State Environmental Quality Review Act, Environmental Conservation Law, Article 8, §§8-0101 et seq., and the regulations there under, 6 N.Y.C.R.R. Part 617, and determined that the action was a Type II Action for which no Environmental Impact Statement was required; and

WHEREAS, Board Members had inspected the site; and

WHEREAS, at said Hearing, the applicant appeared in support of the variance and no one appeared in opposition. All those who desired to be heard were heard and the Board reviewed the documents submitted to it; and

WHEREAS, the Board reviewed all testimony and documents submitted and have carefully considered:

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- (A) The benefits to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant;
- (B) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance;
- (C) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than a variance;
- (D) Whether the requested variance is substantial;
- (E) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
- (F) Whether the alleged difficulty was self-created.

WHEREUPON, the Board found, after due deliberation, based upon the testimony and documents submitted and its site visit, pursuant to Town Law §§267-a and 267-b and Harrison Town Code §§235-56 et seq., it has jurisdiction to grant the requested variance and that the variance sought was the minimum variance necessary and adequate and at the same time preserved and protected the character of the neighborhood and the health, safety and welfare of the community.

The Board found that:

- A) There is an existing platform and steps that will be removed and enlarged to allow for a covered entry that will be located slightly closer to the street than the existing entry.
- B) The location of the new front entry is not out of keeping with similar houses in the area and will not create an adverse impact on any adjacent properties.
- C) There were no objections from neighbors.

NOW THEREFORE BE IT RESOLVED, that the application for variances to permit to construction of a roofed front entry platform within the required front yard setbacks as indicated in the plans submitted with this application be, and the same is hereby granted:

Except as specifically set forth above, nothing herein shall be construed to indicate this Board's approval of any architectural, design, or structural elements of the submitted plans.

This variance shall lapse unless construction begins within one year from the date this variance is recorded in the Clerk's Office and is completed no more than two years from said date.

Construction shall be deemed to have begun when all required footings and foundations have been completed, or when actual work of a substantial nature has begun on projects that do not require footings or foundations. Site preparation shall not satisfy the terms of this condition.

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Construction shall be deemed to have been completed when the Building Department has issued a Certificate of Occupancy.

An application for an extension of these periods may be granted by the Board of Zoning Appeals if good cause is shown by the applicant and, if in the Board's judgment, the facts and circumstances which existed at the time of the original application have not materially changed.

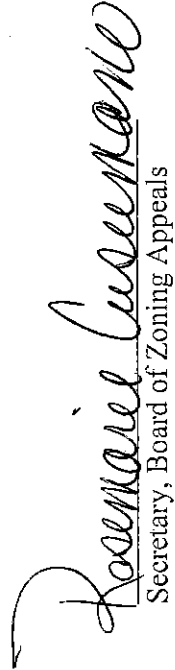
Foregoing Resolution submitted by Ernest Fiore, seconded by Paul Valentine at the May 12, 2016 meeting.


ADOPTED: AYES: Mark Fisher, Ernest Fiore, Paul Katz, Michael Strone,
Steven Lowenthal, Paul Valentine and Tom Foristel

NAYS: None

ABSTAINED: None

ABSENT: None


Secretary, Board of Zoning Appeals


Chairman, Board of Zoning Appeals

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Donohue
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**BOARD OF ZONING APPEALS
TOWN/VILLAGE OF HARRISON, NEW YORK**

Calendar No. Z15-024

Date: May 12, 2016

Property Owner: 233 Highland Road RE Corp.

Property Address: 233 Highland Road

Block 523 Lot 38

WHEREAS, the Applicant, the property owner, filed an application for approval of plans for a proposed one family residence and that application was denied by a determination of Harrison's Building Inspector (the administrative official charged with the enforcement of Harrison's Town Code, Chapter 235 (Zoning)) that the application did not strictly comply with the Code's requirements; and

WHEREAS, Stephen Marchesani, on behalf of the property owner, filed an application on November 10, 2015 for variances with respect to the construction of a one family residence. The property is located in an R-1 Zoning District. The lot is presently legally non-conforming with regard to lot size. One acre or 43,560 sq. ft. is required and the lot contains 14,244 sq. ft. Pursuant to §235-9B of the Table of Dimensional Regulation the following variances are required: The maximum allowable lot coverage is 15% and the proposed new dwelling covers 22% of the lot, thereby requiring a variance of 7%. The second variance required is for the encroachment of the rear porch into the required rear yard. The required rear yard setback is 50 feet and the porch will reduce that to 36 feet requiring a variance of 14 feet and;

WHEREAS, a Public Hearing on this application was duly scheduled and held by the Board of Zoning Appeals, at the Municipal Building, 1 Heineman Place, Harrison, New York, at 8:00 p.m., on December 10, 2015, January 14, 2016, February 11, 2016, March 10, 2016 and April 14, 2016 after due notice and publication pursuant to Town Law 267-a (7) at which the following members were either present or indicated that they had listened to tapes of the meeting: Mark Fisher, Paul Katz, Ernest Fiore, Michael Strone, Steve Lowenthal, Paul Valentine and Tom Foristel.

WHEREAS, Board Members had inspected the site; and

WHEREAS, at said Hearing, the applicant appeared in support of the variance, a number of neighbors appeared in opposition to the variance and the Board reviewed the documents submitted to it; and

WHEREAS, the Board reviewed all testimony and documents submitted and have carefully considered:

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- (A) The benefits to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant;
- (B) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance;
- (C) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than a variance;
- (D) Whether the requested variance is substantial;
- (E) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
- (F) Whether the alleged difficulty was self-created.

The Board found that:

1. Applicant's application, and the denial letter issued by the Building Inspector, covers two variances, one for lot coverage (22%) and the second for a rear yard setback. Based on applicant's presentation, this second variance request appears to have been dropped although applicant has never formally amended its original variance application. Applicant has also referred to the fact that he was amending his plans so that the lot coverage provided was only 19%. However, an amended application was never filed so the Building Inspector has not issued a revised denial letter.

2. The lot which is the subject of this application (Lot 38) was created by an apportionment filed with the Harrison Assessor on July 7, 1952. The 5 separate lots created by the apportionment, and their size at that time, were as follows:

- Lot 19 – 67,431 square feet
- Lot 36 – 31,145 square feet (.72 of an acre)
- Lot 37 – 32,975 square feet (.76 of an acre)
- Lot 38 – 14,506 square feet (.33 of an acre) (subject of this application)
- Lot 39 – 41,034 square feet

3. It is not clear from the record what lot size requirements were in effect at the time of the apportionment. However, it is clear that since 1974 the Ordinance has required a minimum lot size of 1 acre for Block 523, together with a 15% lot coverage requirement.

4. Lots 36 and 37, both of which are substantially larger than lot 38, remain vacant and we have been apprised that, since those lots are held in common ownership, they have been merged into one lot in order to satisfy the one-acre lot size requirement of the Ordinance.

5. Applicant is in the business of building houses and acquired the property in 2002 with the intention of ultimately building a house on the property.

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6. The property is located on the west side of Highland Road which is a major thoroughfare that connects Harrison and Rye City. The portion of Highland Road in Harrison is approximately .5ths of a mile in length and runs north to south from the intersection with Purchase Street to the border of Rye City. The property is located approximately .2ths of a mile from the Purchase Street intersection. The west side of Highland Road has a unique look to it. All of the houses are located on large, conforming lots almost all of which are significantly larger than the one-acre requirement of the Ordinance. The property itself is surrounded by merged lots 37 and 38 on one side and on the other side by a five acre lot that is being subdivided into three separate oversized lots with each residence being situated at a substantial distance from Highland Road. Contributing to the uniqueness of the west side of Highland Road, is the fact that, as a result of large trees and significant screening, almost all of the houses on the west side are not visible from Highland Road.
7. The construction of a conforming house on a one-third acre lot set back 40 feet from Highland Road (as required by the Ordinance) that is fully visible from Highland Road is, in and of itself, out of keeping with the character of the neighborhood and will create a detriment to nearby properties. The construction of a substantially larger house than permitted by the Ordinance, as is being requested by the variance, creates an even greater detriment since the property will be surrounded on both sides by fully conforming sites. In that connection, it is not appropriate to assume that merged lots 36 and 37 will remain as a vacant lot.

8. The benefit to be obtained by applicant from the granting of the variance is economic in nature in that applicant will be able to construct a larger house if the variance is granted. However, applicant can still obtain an economic benefit by constructing a conforming house.

9. From a strictly numerical perspective the requested variance represents a 46.7% (7/15) deviation from the requirements of the Ordinance. This numeral deviation would also be numerically significant even if applicant had filed amended plans for lot coverage of 19%. (4/15 represents a 26.7% deviation). We recognize that the substantiality of a variance is not simply based on a numerical calculation. However, in this case, we find that the requested variance is substantial when the numerical calculation is combined with the other factors cited in our findings.

10. Applicant's difficulty is self-created in that it acquired the property with full knowledge of the requirements of the Ordinance.

11. A number of neighbors testified in opposition to the granting of the variance and expressed concern that the granting of the variance would open the door to the granting of similar variances on other properties that would further change the character of the neighborhood. There appear to be a number of large lots on the west side of Highland Road. In addition, while lots 36 and 37 have been merged, they are presently vacant and are substantially larger than applicant's lot. We are concerned that the

WHEREUPON, the Board found, after due deliberation, based upon the testimony and documents submitted and its site visit, pursuant to Town Law §§267-a and 267-b and Harrison Town Code §§235-56 et seq., and having balanced all of the factors required by the Ordinance, it has jurisdiction to deny the requested variance.

NOW THEREFORE BE IT RESOLVED, that the application for a variance from the lot coverage requirements of the Zoning Ordinance be, and the same is hereby denied.

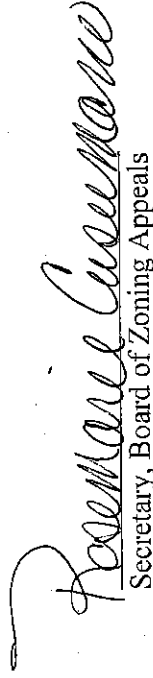
Foregoing Resolution submitted by Mark Fisher, seconded by Paul Katz at the May 12, 2016 meeting.

ADOPTED: AYES: Mark Fisher, Tom Foristel, Paul Katz, Steven Lowenthal
and Paul Valentine

NAYS: Michael Strone and Ernest Fiore

ABSTAINED: None

ABSENT: None


Secretary, Board of Zoning Appeals


Chairman, Board of Zoning Appeals

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