

A regular meeting of the Town of LaGrange Zoning Board of Appeals was held on Monday, February 6, 2012 at LaGrange Town Hall, 120 Stringham Road at 7:30 p.m. Chairman Paul Bisceglia called the meeting to order. Board members Nancy Swanson, Marc Komorsky, Mark Christenson and Sandra Lane were present. Aaron McPeck was absent.

Mr. Bisceglia made a motion to accept the minutes of January 9, 2012 as amended. Ms. Swanson seconded and the motion carried unanimously. MINUTES ACCEPTED.

NEW BUSINESS

2-12-01 AREA VARIANCE: LISA MUELLER/MICHAEL AGUNZO, 16 ROMCA ROAD, POUGHKEEPSIE, NEW YORK Grid No. 6260-04-621368

Seeking relief from Chapter 240-29 G.(1) which states that a nonconforming building shall not be enlarged in order to construct a second floor addition to an existing nonconforming single family residence.

Dan Scharff of Cheridan Design, applicant for the owner was present and was sworn in by Mr. Komorsky. Applicant Michael Agunzo was also present.

Mr. Scharff explained that there is an existing one and a half story residence which is located on a piece of property that is 50' wide and the required setbacks in that zone are 20' on each side, meaning that they would be allowed to build a 10' second floor addition. The proposed second floor addition covers part of the first floor so he believes it is a significant hardship. He feels the proposal fits in with the character of the neighborhood as there are 2-story houses on either side of the Agunzo house. The second floor addition will stay within the footprint of the existing house. In the rear there is an existing screened in porch. They plan to take the roof off the porch and add a partial second floor deck above it, but it will not exceed the existing drip line.

Mr. Bisceglia asked for questions from the board.

Ms. Lane said it appeared that the existing footprint was not changing. Mr. Scharff said that is correct, it is about 28' left to right and about 40' 2" and that is the way it will stay with the exception of the deck out back. They are taking the roof off the deck and putting a second floor on top. They will not be extending out any further.

Ms. Swanson said the plan looked complicated and asked Mr. Scharff to explain the interior changes. Mr. Scharff pointed out the existing first floor plan showing 2 existing bedrooms bathroom, living room space and kitchen. He said the entire interior was coming down. The first floor will be re-done to have a kitchen and family room, bathroom and one bedroom and living room. On the second floor will be a master bedroom suite, his and her closets, bathroom and the bedroom that was there will remain untouched. Also there will be a balcony over the deck. Mr. Scharff indicated the cross section showing everything shaded being existing and the concrete slab in the basement, the back wall of the house with the creek down the side. The first floor will stay. The ceiling system will stay. He indicated what would be ripped off and said new floor joists and new walls and new roof would be constructed. There will be a pull-down stair to the attic and no windows would be put up there. The increase in the height of the roof will be approximately 7 feet. Mr. Komorsky asked if this would be an investment property. Mr. Agunzo said he and his wife were downsizing and would be living there. Mr. Christenson asked about the

existing deck. Mr. Scharff said it was made of pressure treated 4 x 4 wood frame sitting on concrete. They are coming right down on the existing footings, as Mr. Scharff indicated to the board on the plans. Originally they had over-built with 6 footings; they now propose to use 3 footings. Mr. Komorsky inquired about the front porch. Mr. Scharff said the existing front porch would stay. They propose to put a roof on the front porch as it is uncovered now.

Mr. Bisceglia asked if the board members had any questions. Ms. Swanson asked if the neighbors knew about the plans. Mr. Agunzo said yes, they did and they had no objections.

Mr. Bisceglia brought up the fact that in the application a request had been made for a waiver of the Environmental Assessment Form. Mr. Bisceglia said an area variance does not require an EAF.

Mr. Bisceglia made a motion to open the public hearing. Ms. Lane seconded and the motion carried unanimously. There being no public comments, Mr. Komorsky made a motion to close the public hearing. Mr. Bisceglia seconded and the motion carried unanimously. PUBLIC HEARING CLOSED

Ms. Lane made a motion to grant a variance to Lisa Mueller Agunzo of 16 Romca Road for relief from Chapter 240-29 G.(1) which states that a nonconforming building shall not be enlarged in order to construct a second floor addition to an existing nonconforming single family residence.

Mr. Bisceglia said before the motion is voted on, the board should consider the Findings:

Character of the Neighborhood and Detriment to Nearby Properties

The proposal fits in well with the character of the neighborhood.

Alternative Methods for Achieving Benefit Sought by Applicant

There is no alternative way to put a second story on the building.

Substantiality of Variance Requested

It is the same footprint of the existing building. There is no overlapping so the side yard setback will not be reduced.

Effect or Impact on Physical or Environmental Conditions in the Neighborhood

There is no effect on the physical or environmental conditions in the neighborhood.

Self-Creation of Difficulty

It is not self-created – the situation already exists and the applicant just wants to add to it.

Based upon the Record of Findings, and a motion having already been made, Mr. Christenson seconded and the motion carried unanimously. AREA VARIANCE GRANTED

There being no further business before the board, Mr. Bisceglia made a motion to adjourn the meeting at 7:50 p.m. Mr. Christenson seconded and the motion carried unanimously.

Respectfully submitted

Susan Quigley, Secretary