

VILLAGE OF TUXEDO PARK
BOARD OF ZONING APPEALS

August 4, 2021

7:00 P.M.

Present: Chairman John (Jake) Lindsay

Member David Christensen

Member John Boyle

Member Campbell Langdon

Absent: Member Nancy Hays

Also: Alyse Terhune, Esq., BZA Attorney

John Ledwith, Building Inspector

Others: Karen Arent (Landscape Architect for the

Applicant), Joseph Fiorenzo (Chairman of the Board of Governors/Tuxedo Club),

Casey Klossner (Director of Grounds/Tuxedo Club), Anne Gwathmey (17 Clubhouse

Road)

Chairman Lindsay called the Board of Zoning Appeals meeting to order at 7:00 p.m. The motion was seconded by Member Christensen.

The vote was 4 – 0 in favor of the motion.

The notice of tonight's meeting was published in The Times Herald Record on July 27, 2021.

Application received from The Tuxedo Club, Tax Map Number 107-1-3.2, 1 West Lake Rd., Tuxedo Park, NY 10987, seeking relief from the following sections of the Village Code in order to modify the existing parking area.

- a. Village Code Section 100-18 Fence height, where the maximum height of a permitted fence is 4' and the plans indicate a fence height of 8'. A variance for 4' or 50% is needed.
- b. Village Code Section 100-18B sight distance, where sight distances must be more than 250' and the plans submitted show sight distances of 190'. A variance of 60' or 24% is required.
- c. Village Code section 100-24.2. Nonconforming uses, where nonconforming use shall be enlarged, altered, extended or restored or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter (or on the effective date of any amendment there to affecting such use), nor shall any external evidence of such use be increased by any means whatsoever.

For the record, Karen Arent confirmed all neighbors were properly noticed and all mailings certified (33 mailed and 24 confirmations).

Karen Arent reviewed plans with the Board as follows:

- The Tuxedo Club requires a variance to move forward in order to construct the 8' fence that is proposed to replace the 6' fence that is on top of a 2' wall. The new fencing will provide screening for the dumpster. The fence will be painted to match the Tuxedo Club.
- Karen Arent worked with Dave Getz and Casey Klossner to provide details for the sight distance variance. The objective is to provide clearance for snow plows.
- The quality of water drainage will be improved with the proposed rain gardens.
- The employee parking lot will add a little less than 10,000 sq. ft. of pavement.
- Net reduction of employee parking spaces will be reduced from 24 to 21 spaces.
- Handicap ramp will be added.
- The front of the Tuxedo Club will be fire truck accessible.
- The Village Engineer and BAR will address drainage, the rain gardens and landscaping plans.
- The island in front of the Tuxedo Club will be enlarged.
- The soil testing proved to be suitable.

At 7:30 p.m., Chair Lindsay made a motion to open the Public Hearing. The motion was seconded by Member Christensen.

The vote was 4 – 0 in favor of the motion.

Resident Anne Gwathmey, of 17 Clubhouse Road, suggested a gate to provide access to the proposed fenced in area and questioned if a fire truck more than 30' could properly turn around at the front entrance turn around. In addition, there were concerns about the rain garden and the landscape plans.

The applicant noted a gate would entail opening and closing many times during the course of a day and would not be practical. The turning radius for the fire truck will be readdressed. A treed stormwater management island is proposed. A center rain garden in the center island will collect storm water and cleanse as it percolates. Sparkle Berry Holly will be planted to provide fill until early February. The front façade of the Tuxedo Club will be cleared to highlight the front architecture. Evergreen trees and white pine along with other large trees will be planted to enhance the courtyard.

Joe Fiorenzo, the Tuxedo Club's Chairman of the Board of Governors inquired how the drainage will be addressed. Karen Arent is working with the project engineers in preparing site drawings and calculations indicating the catch basins providing stormwater control for the stormwater management system. Mr. Fiorenzo requested of the Board conditional approval for the variances. Chair Lindsay stated, the BZA does not grant conditional approval and the storm water management system report is required before the variance is granted. It was noted that the ground coverage calculation must include the entire 12.6 acres not just the portion of the lot being changed.

At 7:40 p.m., Chair Lindsay made a motion to adjourn the public meeting. The motion was seconded by member Christensen.

The vote of the Board was 4 – 0 in favor of the motion.

At 7:41 p.m., Chair Lindsay made a motion to go into Executive Session to discuss pending litigation. The motion was seconded by Member Christensen.

The vote of the Board was 4 – 0 in favor of the motion.

At 7:58 p.m., the Board came out of Executive Session.

Adjournment

At 7:58 p.m., a motion was made by Chairman Lindsay and seconded by Member Christensen to adjourn the meeting.

The vote of the Board was 4 – 0 in favor of the motion.

Respectfully submitted,

Desiree Hickey

Recording Secretary