

VILLAGE OF TUXEDO PARK
BOARD OF ZONING APPEALS

May 7, 2025

7:00 P.M.

Present: Chairman John (Jake) Lindsay

Member Nancy Hays

Member David Christensen (via Zoom)

Member Campbell Langdon

Member Charlotte Worthy

Also: Alyse Terhune, Esq., BZA Attorney, John Ledwith, Building Inspector,
Desiree Hickey, Recording Secretary

Others: TPFYI, Jim Hays, Mr., and Mrs. Tamer El-Rayess, Jonathan DeJoy, Michael King

Chairman Lindsay called the Board of Zoning Appeals meeting to order at 7:00 p.m.

The public notice was posted on 4-17-2025, in the Times Herald Record/recordonline.com.
All applications and plans are available for review Monday through Friday from 9:00 a.m. to 4:00 p.m. at the Village Hall, Village of Tuxedo Park, 80 Lorillard Road, Tuxedo Park, NY 10987.

Applicant:

Tamer El-Rayess, 50 Crows Nest Rd., Tuxedo Pk., NY 10987, Tax Map Parcel No. 105-1-8:

Seeking relief from the following sections of the Village Code:

- a. Village Code §100-9 (B) Permitted yard intrusions, where the deck area cannot exceed 25% of the enclosed ground floor area of the house, and plans submitted show that the square footage of the deck exceeds the 25% limit by 8,849 square feet.
- b. Village Code §100-21 Driveways where the slope is limited to a maximum spot grade of 10% and the plans submitted show a slope of 36%.

This request is a Type II Action under SEQRA, no Environmental Assessment Form was required. The applicant has submitted the Short Form EAF. In addition, a site plan has been provided, the Building Inspector's denial letter, a list of neighbors within 300 feet of the property, and the deed for the property. In addition, a site plan and site plan comparison map were provided and prepared by Lanc & Tully.

The applicant is seeking relief from the Village of Tuxedo Park Zoning Code to allow for a terrace/accessory storage structure and gravel access paths that were recently added to the property. The applicant is seeking an area variance for the terrace/accessory storage structure and an interpretation to the classification of the gravel access paths, or, in the alternative area variance, for the gravel paths.

The property already has a driveway for passenger vehicles that connects to the road and meets the requirements of Section 100-21. The gravel access path is strictly for internal access of off-road vehicles. No portion of the access connects to a public road, and is not used for parking.

The applicant indicated storm water issues have been mitigated. A French drain across the underground storage tank with a 36" pipe was added with this construction. Chair Lindsay suggested the installation of a green roof over the storage area.

The Board agreed the applicants need to provide updated information before the 5 factors can be addressed to provide relief from the Village Code. The BZA requested that site sections should be provided. Additional information is needed on how the garage was built and a list of drawings signed off by engineers. A time-line of what was done without permission should be submitted along with an amended site plan. The applicants were directed to the Planning Board to review water retention and review a revised management plan.

A motion was made by Chair Lindsay and seconded by Member Worthy to open the Board meeting for public comment.

The vote of the Board was 5 – 0, in favor of the motion.

There were no public comments at this time. The Building Inspector noted 14 notices were sent to neighbors and 6 notices were received.

The public hearing will remain open until the next meeting. The applicant will return to the Board in July with proper advance notification required for the BZA.

Approval of Minutes

A motion was made by Chairman Lindsay to approve the January 13, 2025 minutes as read. The motion was seconded by Member Campbell.

The vote of the Board was 5 - 0 in favor of the motion.

Adjournment

At 7:47 p.m., a motion was made by Chairman Lindsay and seconded by Member Langdon to adjourn the meeting.

The vote of the Board was 5 – 0 in favor of the motion.

Respectfully Submitted,

Desiree Hickey

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Recording Secretary