

Regular meeting of the Haworth Zoning Board of  
Adjustment, April 4, 2023

PRESENT: Jennifer Eby  
Richard Ehrenberg  
Jeffrey Lester  
Joseph Panzella  
Michael Pilsbury  
Dennis Posen  
Lawrence Ross  
John D'Anton, Esq.

ABSENT: Alexander Vierheilig, Alternate 1  
Lawrence Weiss, Alternate 2

Mr. Panzella called the meeting to order at 7:37 pm with the Open Public Meeting statement. Upon roll call, the above status was achieved.

There was no correspondence to discuss.

Mr. Pilsbury made the following correction to the minutes of March 7: He had asked about the cantilever beyond the last girder on the deck. The applicant was unable to provide information. Mr. Lester moved to approve the minutes of March 7 with the amendment, second Mr. Posen. All in favor. Carried.

**Approval of Resolution for Buckner, 232 Valley Road**

Mr. Ross moved to waive the reading of the Resolution, second Mr. Ehrenberg. All in favor. Carried.

Mr. Ross moved to adopt the resolution, second Mr. Pilsbury.

Roll Call Vote:

Jennifer Eby no vote      Dennis Posen yes  
Richard Ehrenberg yes      Lawrence Ross yes  
Jeffrey Lester yes      Joseph Panzella yes  
Michael Pilsbury yes

Carried.

**Continuation of application for Hudson, 65 Prospect Avenue**

Mr. Vince Hudson (65 Prospect) was sworn in as the applicant. Two pictures, a survey, a site plan, and a projection of the house with the pergola attached to the house were submitted and marked A3. Mr. Hudson showed pictures illustrating the layout of the yard. The survey was overlaid with architectural drawings. The pergola is proposed to project out from above the bay windows of the kitchen.

The Board attorney advised that the pergola required a variance because it will be attached to the house and the coverage exceeds that allowed for the lot size.

The applicant stated that his father-in-law lives with them and that he saw a covered patio as a benefit for him and for the children in the family. The slats of the pergola will rotate.

Mr. Posen advised that the pergola triggers a setback issue.

Mr. Hudson shared that the nearest neighbor is about 15 feet from the property line and that there is a row of trees at the property line. The wall in the picture is for an outdoor tv, The fireplace, kitchenette with gas grill and countertop are already there and approved. All neighbors have been notified twice.

The Board attorney advised that the pergola creates a supplemental rear yard intrusion.

The meeting was opened and closed to the public, but no public was present.

Mr. Posen moved to approve the application, second Mr. Ehrenberg.

Roll Call Vote:

Jennifer Eby no vote	Dennis Posen yes
Richard Ehrenberg yes	Lawrence Ross yes
Jeffrey Lester yes	Joseph Panzella yes
Michael Pilsbury yes	

Carried.

Mr. Posen made a footnote and an amendment. Footnote: This application was handled incorrectly by the Building Official causing undue delay. Amendment to be put in the resolution: This is an outdoor structure and is never to be enclosed. A new vote was deemed unnecessary.

The attorney advised that a resolution will be adopted next month and then published and that the public will then have 45 days to appeal.

Ms. Eby moved to adjourn, second Mr. Panzella. All in favor. Meeting adjourned at 8:07 pm.

Respectfully Submitted,

Martha Francis  
Zoning Board Recording Secretary