

Telephone
(914) 277-5582

FAX
(914) 277-3790

ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.

Victor Cannistra,
Chairman
Ronald Carpaneto
Bill Harden
Arnold Guyot
Bruce Prince
Umberto Santaroni
Robert Scorrano



AGENDA

November 17, 2015
7:30 PM
SOMERS TOWN HOUSE

**1. ROBERT AND SALLY
KRAUSS**

BZ20/15 (CARRYOVER)

An application for an Area Variance for lot coverage, located in an R-40 Residential Zoning District at **233 Route 202, Somers**. The property is shown on the Town Tax Map as **Section: 17.10, Block: 1, Lot: 14**. RE: Section Schedule 170-40A.

2. ROSELLEN GONZALES

BZ23/15 (CARRYOVER)

An application for a side yard Area Variance, located in an R-40 Residential Zoning District at **4 Walker Lane, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 16.09, Block: 2, Lot: 23**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

3. OTHER BUSINESS

Approval of September 15, 2015 and October 20, 2015 Meeting Minutes.



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589

(914) 277-5582

IN THE MATTER OF THE APPEAL
OF

Robert + Sally Krauss

B Z NUMBER B220/15
DATE: 8/27/15

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF SOMERS, N. Y.:

1. Robert Krauss

(Name of appellant)

whose post office address is 233 Route 202, Somers
(Post office address)

through
(Name of attorney or representative if any)

whose post office address is
(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of Efrem Citarella
(Name of officer)

Building Inspector made on July 7, 2015
(Office held)

which ruling was filed on and notice of such ruling was
first received by appellant on; such ruling

(Give summary of ruling)

Area Variance for Lot Coverage

3. The property which is the subject of the appeal is located at or known as 233
Route 202, Somers and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 17-10 Block: 1 Lot: 14

The interest of the appellant is that of Robert Krauss
(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain
variance, permit or special permit. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as 233

Route 702, Somers

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

Area Variance for lot Coverage

and such may be granted pursuant to Zoning Schedule
Part 1 - Sections 170-40A

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 2015

Both applicant and owner must sign if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 7th DAY July 2015

Denise E. Schirmer
NOTARY SIGNATURE

[Signature]
OWNER SIGNATURE

NOTARY SIGNATURE

APPLICANT SIGNATURE



ZONING BOARD OF APPEALS
Town of Somers
WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589
(914) 277-5582

IN THE MATTER OF THE APPEAL
OF
Rosellen Gonzales

B Z NUMBER *BZ 23/15*
DATE: *10/5/15*

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF SOMERS, N. Y.:

1. *Rosellen Gonzales*
(Name of appellant)

whose post office address is *4 Walker Lane, Yorktown Heights*
(Post office address)

through
(Name of attorney or representative if any)

whose post office address is
(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of *Efren Citarella*
(Name of officer)

Building Inspector, made on *August 10, 2015*
(Office held)

which ruling was filed on and notice of such ruling was
first received by appellant on

.....
(Give summary of ruling)

*2.8' side yard variance in
an R-40 zone*

3. The property which is the subject of the appeal is located at or known as

4 Walker Lane and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *16.09* Block: *2* Lot: *23*

The interest of the appellant is that of *owner*
(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain
variance, permit or special permit. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as

4 walker lane

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

side yard set-back variance in an R-40 zone

and such may be granted pursuant to 170:A.1 Zoning Schedule

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

Both applicant and owner must sign if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 22nd DAY September 20 15
Denise E. Schirmer NOTARY SIGNATURE
Walker Fongler OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 20 18

NOTARY SIGNATURE APPLICANT SIGNATURE

(914)-277-5582
Telephone
(914)-277-3790
Facsimile

ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.

Victor Cannistra,
Chairman
Ronald Carpaneto
Arnold Guyot
Bill Harden
Bruce Prince
Umberto Santaroni



Meeting Minutes
September 15, 2015

The members present were: Chairman Cannistra (entered the meeting in progress at 7:50 p.m.), Mr. Carpaneto, Mr. Guyot, Mr. Harden, Mr. Prince, and Mr. Santaroni.

Building Inspector Efrem Citarella, the applicants and interested residents were also present.

Acting Chairman Guyot opened the meeting at 7:45 p.m. with the Pledge of Allegiance.

APPLICANT:

JOHN AND MARY DILLON – BZ14/15 – 27.11-2-7

An application for a renewal of a Special Exception Use Permit for an existing accessory apartment, located in an R-80 Residential Zoning District at **31 Valley Pond Road, Katonah**. The property is shown on the Town Tax Map as **Section: 27.11, Block: 2, Lot: 7**. RE: Section Schedule 170-70.

John Dillon addressed the Board. He and his wife live in the accessory apartment. Mr. Citarella confirmed that he has inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Santaroni made a motion for a Type II Action. Mr. Harden seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Acting Chairman Guyot	Aye

Mr. Harden made a motion to grant the renewal application of the Special Exception Use Permit for a period of seven (7) years as per the Code. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Acting Chairman Guyot	Aye

The Special Exception Use Permit was granted.

JOHN AND ELIZABETH LEARY – BZ15/15 – 47.16-1-11

An application for a renewal of a Special Exception Use Permit for an existing accessory apartment, located in an R-80 Residential Zoning District at **108 Pines Bridge Road, Katonah**. The property is shown on the Town Tax Map as **Section: 47.16, Block: 1, Lot: 11**. RE: Section Schedule 170-70.

John Leary addressed the Board. The accessory apartment is unoccupied. Mr. Citarella confirmed that he has inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Santaroni made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye

Acting Chairman Guyot Aye

Mr. Carpaneto made a motion to grant the renewal application of the Special Exception Use Permit for a period of seven (7) years as per the Code. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Acting Chairman Guyot	Aye

The Special Exception Use Permit was granted.

ROSALIE MIGNANO – BZ16/15 – 6.16-2-32

An application for a renewal of a Special Exception Use Permit for an existing accessory apartment, located in an R-40 Residential Zoning District at **8 Hilldale Avenue, Somers**. The property is shown on the Town Tax Map as **Section: 6.16, Block: 2, Lot: 32**. RE: Section Schedule 170-70.

Rosalie Mignano addressed the Board. Her parents live in the accessory apartment. Mr. Citarella confirmed that he has inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Santaroni made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Acting Chairman Guyot	Aye

Mr. Carpaneto made a motion to grant the renewal application of the Special Exception Use Permit for a period of seven (7) years as per the Code. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Acting Chairman Guyot	Aye

The Special Exception Use Permit was granted.

Chairman Cannistra took lead of the meeting at this point.

JOHN AND DOREEN VERMEERSCH – BZ17/15 – 48.17-1-16

An application for a renewal of a Special Exception Use Permit for an existing accessory apartment, located in an R-80 Residential Zoning District at **20 South Lane, Katonah**. The property is shown on the Town Tax Map as **Section: 48.17, Block: 1, Lot: 16**. RE: Section Schedule 170-70.

Doreen Vermeersch addressed the Board. A friend is living in the accessory apartment. Mr. Citarella confirmed that he has inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Santaroni made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Harden made a motion to grant the renewal application of the Special Exception Use Permit for a period of seven (7) years as per the Code. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
---------------	-----

Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was granted.

JEFFREY AND ANDREA WEISBROT – BZ18/15 – 38.06-1-6

An application for a renewal of a Special Exception Use Permit for an existing accessory apartment, located in an R-80 Residential Zoning District at **28 Young Road, Katonah**. The property is shown on the Town Tax Map as **Section: 38.06, Block: 1, Lot: 6**. RE: Section Schedule 170-70.

Jeffrey Weisbrot addressed the Board. The accessory apartment is currently unoccupied. Mr. Citarella confirmed that he has inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Harden made a motion for a Type II Action. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Harden made a motion to grant the renewal application of the Special Exception Use Permit for a period of seven (7) years as per the Code. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was granted.

InSITE TOWERS DEVELOPMENT, LLC – BZ19/15 – 38.17-1-5

An application for a Special Exception Use Permit renewal of a cell tower, located in an R-80 Residential Zoning District at **121 Route 100, Katonah**. The property is shown on the Town Tax Map as **Section: 38.17, Block: 1, Lot: 5**. RE: Section Schedule 170-129.6 (G).

Robert Gaudioso of Snyder and Snyder, LLC addressed the Board. He is representing InSite Towers Development, LLC and is requesting a renewal of a Special Exception Use Permit, as required every 5 years, for an existing cell tower, with AT&T facility. A Radio Frequency Exposure Report was performed on January 29, 2015; Structural Certification on February 6, 2015; and Maintenance Inspection Report on April 27, 2015. All have been filed in the Building Department. There have been no issues or complaints from neighbors.

Mr. Santaroni made a motion for a Type II Action. Mr. Guyot seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the Special Exception Use Permit for the renewal of the cell tower. Mr. Harden seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was granted.

ROBERT AND SALLY KRAUSS – BZ20/15 – 17.10-1-14

An application for an Area Variance for lot coverage, located in an R-40 Residential Zoning District at **233 Route 202, Somers**. The property is shown on the Town Tax Map as **Section: 17.10, Block: 1, Lot: 14**. RE: Section Schedule 170-40A.

Robert and Sally Krauss addressed the Board. They are requesting an Area Variance for lot coverage so they can construct an attached four car garage. Without the numbers calculated out on a site plan, it is difficult for the Board to move forward on this application. The applicant will get that information from their architect and return to the October Zoning Board of Appeals meeting.

KENNETH AND DEBORAH WILLIAMS – BZ21/15 – 16.06-3-67

An application for an Area Variance for an existing above ground pool for less than the required side yard setback in a single family dwelling, located in an R-10 Residential Zoning District at **54 Old Mill Road, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 16.06, Block: 3, Lot: 67**. RE: Section Schedule 170-A.1.

Deborah and Kenneth Williams addressed the Board. They are requesting a 4' 6" side yard variance for an existing above ground pool that was put about 3 years ago. The pool has a 4' deck and there is a 6' stockade fence between the applicant and their neighbor.

Resident Amanda Giorgio of 52 Old Mill Road took the podium. The Williams' pool is only about 6" from the stockade fence that separates her property from theirs. One concern is privacy, as when the applicants are sitting on their pool deck they can look directly into her yard. Additionally, if their pool fails, she is afraid her yard and septic will get flooded. Ms. Gregorio is also wondering where the water goes when they flush their pool filter. It was explained that the flushed water goes to a catch basin in the street. The side yard setback for this Zone is 5', so if the pool failed, the impact would be the same regardless. In addressing the privacy issue, Ms. Gregorio would be satisfied with the applicants lowering their pool deck as to insure that they if they are sitting or standing on it, they cannot see over the fence into her yard.

Mr. Guyot made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye

Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the Area Variance for the life of the existing above ground pool provided that the owner lowers the existing deck to no more than 1' above grade by May 1, 2016. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

UC OF SOMERS, LLC – BZ22/15 – 4.20-1-11

An application to appeal the Building Inspector's interpretation of personal services, located in a Community Shopping District at **80 Route 6, Baldwin Place**. The property is shown on the Town Tax Map as **Section: 4.20, Block: 1, Lot: 11**. RE: Section Schedule 170-21.2.

Jonathan Kraut of Harfenist, Kraut and Perlstein, LLP addressed the Board. He is representing UC of Somers, LLC who would like to rent space at 80 Route 6 for a Physicians One Urgent Care. They have numerous locations in Connecticut, and this would be the first in New York. The Building Inspector's interpretation of personal services is being appealed, as it is not defined in a Community Shopping District. Urgent care facilities are a new and growing type of business. Appointments are not needed. Similar facilities have recently opened up in the Village of Mamaroneck. They tend to be predominantly located in retail shopping centers or standalone buildings. These types of services are beneficial to the community and are a good use of vacant space. It is one of the fastest growing areas in health care. An ambulance would not bring a patient to this type of facility. They are not for emergency situations, but minor medical issues. The proposed site is about 4,000 square feet and would be open seven days a week, from 8:00 a.m. to 8:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on weekends and holidays. It has an x-ray machine, the ability to do minimal lab work and is staffed by one or two physicians, as well as a receptionist, technician and nurses, for a total of 4 to 6 personnel depending on the time of day.

Mr. Santaroni made a motion for a Type II Action. Mr. Prince seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Harden made a motion that an urgent care facility is a personal service. Mr. Santaroni seconded the motion. Building Inspector Efreem Citarella requested a memo.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Harden	Aye
Mr. Prince	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

OTHER BUSINESS:

A motion was made by the Chairman to approve the minutes of the July 21, 2015 monthly meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on October 20, 2015 at 7:30 p.m. There being no further business, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board

(914)-277-5582
Telephone
(914)-277-3790
Facsimile

ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.

Victor Cannistra,
Chairman
Ronald Carpaneto
Arnold Guyot
Bill Harden
Bruce Prince
Umberto Santaroni
Robert Scorrano



Meeting Minutes

October 20, 2015

The members present were: Chairman Cannistra, Mr. Carpaneto, Mr. Guyot, Mr. Santaroni and Mr. Scorrano. Mr. Harden and Mr. Prince were absent.

Building Inspector Efreem Citarella, the applicants and interested residents were also present.

Chairman Cannistra opened the meeting at 7:30 p.m. with the Pledge of Allegiance.

Newly appointed Board member Robert Scorrano was introduced and welcomed.

APPLICANT:

ROBERT AND SALLY KRAUSS – BZ20/15 – 17.10-1-14 (CARRYOVER)

An application for an Area Variance for lot coverage, located in an R-40 Residential Zoning District at **233 Route 202, Somers**. The property is shown on the Town Tax Map as **Section: 17.10, Block: 1, Lot: 14**. RE: Section Schedule 170-40A.

At the September 15, 2015 meeting, Robert and Sally Krauss addressed the Board. They are requesting an Area Variance for lot coverage so they can construct an attached four car garage. Since the required numbers were not calculated out on the site plan, it was difficult for the Board to move forward on the application. It was adjourned until this evening, at which time, Mr. Krauss addressed the Board. His architect did supply the necessary information. Currently the lot coverage is 14,761 square feet (18.45%) and the proposed is an additional 1,760 square feet (20.65%), representing a 2.2% variance. The overall concern was that although the current amount is grandfathered in, granting an increase would make that percentage very large. All agreed to seek legal counsel and adjourn this application to the November meeting.

ROSELLEN GONZALES – BZ23/15 – 16.09-2-23

An application for a side yard Area Variance, located in an R-40 Residential Zoning District at **4 Walker Lane, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 16.09, Block: 2, Lot: 23**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

Ms. Gonzales addressed the Board. In 2010, she had a shed built abutting her house for two horses. The horses have since been removed as they are not permitted as per the Code of the Town of Somers. A Building Permit was never secured for the shed. The applicant is seeking a 2.8’ side yard variance, but there was a question as to whether or not the property was in an R-40 or R-10 Zone as the zoning map listed the road incorrectly. If it is in fact in an R-40 zone, the variance would be for 17.8’ as the setback is 30’, not 15’. The application was adjourned to the November meeting.

JENNIFER LUPOSELLO – BZ24/15 – 16.14-2-31

An application for a height Area Variance, located in an R-10 Residential Zoning District at **2 Greene Road, Shenorock**. The property is shown on the Town Tax Map as **Section: 16.14, Block: 2, Lot: 31**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

Ms. Lupoello addressed the Board. In 1998 a Building Permit was secured to build a detached two car garage. It was renewed in 2000 and 2005. A stop work order was issued as it surpassed the allowable height. 15’ is allowed and the height is 20.6’. All that is left to be done is the siding, soffit, and fascia. The second story will be used for storage only. There is no plumbing or electric in the garage.

Mr. Guyot made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Carpaneto made a motion to grant the height variance with the understanding that the garage can never be finished as livable space. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

JAMIE MANDEL – BZ25/15 – 26.12-1-4

An application for a side yard Area Variance, located in an R-40 Residential Zoning District at **117 Mahopac Avenue, Granite Springs**. The property is shown on the Town Tax Map as **Section: 26.12, Block: 1, Lot: 4**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

Ms. Mandel addressed the Board. She would like to build a one story addition that includes an office, family room and expanding a ½ bath to a full one. As part of this project, the deck would be made smaller and moved back. A side yard Area Variance is needed to do so.

Mr. Santaroni made a motion for a Type II Action. Mr. Carpaneto seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the side yard Area Variance. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

STEPHEN WILKINSON AND BRENDA JONES – BZ26/15 – 28.05-1-7

An application for a Special Exception Use Permit for an accessory apartment in an existing structure and a Variance for additional square footage, located in an R-80 Residential Zoning District at **16 Annarock Drive, Somers**. The property is shown on the Town Tax Map as **Section: 28.05, Block: 1, Lot: 7**. RE: Section Schedule 170-70B and E.

Mr. Wilkinson addressed the Board. He would like to build an Accessory Apartment in an existing one story structure for his mother-in-law. The structure is 40 square feet, over the limit of 800 square feet. In order to accommodate the septic system, a bedroom in the residential dwelling will be turned into a study and the doorway will be converted into a 4' opening.

Mr. Guyot made a motion for a Type II Action. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Carpaneto made a motion to grant the application of the Special Exception Use Permit for a period of seven (7) years as per the Code and to also grant a Variance for additional square footage. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit and Variance were granted.

JOANIE KLAR AND DAVID BRUCE – BZ27/15 – 6.16-2-2

An application for a side yard Area Variance and a Variance for an existing shed in the front yard, located in an R-40 Residential Zoning District at **12 Butler Hill Road, Somers**. The property is shown on the Town Tax Map as **Section: 6.16, Block: 2, Lot: 2**. RE: Section Schedule 170:A.1 of the Zoning Schedule.

Ms. Klar addressed the Board. In the spring she had a shed built on her property in the exact location of a shed that was in disrepair, therefore thinking she did not need a Building Permit. The shed is in the front yard and only 1.3” from the property line. It still needs siding, a door and a window. A copy of a survey from 1974 showing the original shed, a letter of support for the new shed from a neighbor, and a list of some neighbors indicating that they didn’t oppose the shed were submitted.

Mr. Carpaneto made a motion for a Type II Action. Mr. Scorrano seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to grant the side yard Area Variance and a Variance for an existing shed in the front yard only for the life of the shed. Mr. Santaroni seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Carpaneto	Aye
Mr. Guyot	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance and Variance were granted.

OTHER BUSINESS:

The minutes of the September 15, 2015 meeting will be approved in November.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on November 17, 2015 at 7:30 p.m. There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board

DRAFT