

Telephone
(914) 277-5582

FAX
(914) 277-3790

ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

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



AGENDA

June 21, 2016

7:30 PM

SOMERS TOWN HOUSE MEETING ROOM

1. ANTHONY BONIELLO

BZ08/16 – PLANNING BOARD REQUEST

An Area Variance for less than the required road frontage to create a lot for a new one family dwelling; the property was up zoned in June 1999 and purchased by the applicant in 1992, located in an R-120 Residential Zoning District at **43 Moseman Avenue, Katonah**. The property is shown on the Town Tax Map as **Section: 47.16, Block: 1, Lot: 31**. RE: Section Schedule 170:A1 of the zoning schedule.

**2. NICHOLAS & JULIANN
CHAKMAKIAN**

BZ09/16 – CARRYOVER

An application for a Special Exception Use Permit for a new accessory apartment in an existing one family dwelling; a variance as it was built after 1992 and it is over the 800 square foot allowance, located in an R-40 Residential Zoning District at **3 Benjamin Green Lane, Mahopac**. The property is shown on the Town Tax Map as **Section: 16.11, Block: 1, Lot: 10**. RE: Section Schedule 170-70.

3. SALVATORE CASSANITI

BZ11/16

An application for an Area Variance for more than the number of signs allowed for a gasoline service station, located in a Community Shopping District at **55 Route 6, Baldwin Place**. The property is

shown on the Town Tax Map as **Section: 4.20, Block: 1, Lot: 1**. RE: Section Schedule 170-126.

4. EDGAR SANCHEZ

BZ12/16

An application for an Area Variance for less than the required front and side yard set-back, located in an R-10 Residential Zoning District at **2 Wright Road, Shenorock**. The property is shown on the Town Tax Map as **Section: 16.14, Block: 3, Lot: 8**. RE: Section Schedule 170:A1 of the zoning schedule.

5. ALMA SOLANO

BZ13/16

An application for an Area Variance for less than the required front yard set-back, located in an R-10 Residential Zoning District at **5 Route 118, Amawalk**. The property is shown on the Town Tax Map as **Section: 36.08, Block: 1, Lot: 45**. RE: Section Schedule 170:A1 of the zoning schedule.

6. DENISE LEHMAN RIPPON

BZ14/16

An application for an Area Variance for less than the required side yard set-back, located in an R-10 Residential Zoning District at **25 Larch Drive, Mahopac**. The property is shown on the Town Tax Map as **Section: 5.19, Block: 1, Lot: 14**. RE: Section Schedule 170:A1 of the zoning schedule.

7. OTHER BUSINESS

Approval of May 17, 2016 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

Anthony Boniello

B Z NUMBER BZ08/16
DATE: 5/4/16

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

1. Anthony Boniello
(Name of appellant)

whose post office address is 43 Moseman Avenue,
(Post office address) Katonah

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 Eileen Citarella
(Name of officer)

Building Inspector, made on April 26, 2016
(Office held)

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

(Give summary of ruling)
an Area Variance for ~~the~~ less
than ^{the} required road frontage to
create a lot for a new one family
dwelling in an R120 zone - the
property was upzoned in June 1999
and purchased by the applicant in 1992

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

43 Moseman Avenue
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 47.16, Block: 1, Lot: 31

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.....

43 Moseman Avenue

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

an Area Variance for less than the required road frontage to create a lot for a new one family dwelling in an R-150 zone the property was upzoned in June 1999 and purchased by the applicant in 1992

and such may be granted pursuant to Section 170: A1 of the 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 26th DAY April 20 16

Denise Schirmer
NOTARY SIGNATURE

[Signature]
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 2018

NOTARY SIGNATURE

APPLICANT SIGNATURE

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ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Victor Cannistra,
Chairman



MEMO TO: Somers Planning Board

FROM: Somers Zoning Board of Appeals

RE: Anthony Boniello Subdivision

DATE: May 24, 2016

A hard copy of a memo dated May 13, 2016 from the Somers Planning Board to the Somers Planning Board was received on May 18, 2016. Evidently it was intended for the Somers Zoning Board of Appeals. Since it was inadvertently addressed incorrectly, we never got it.

Anthony Boniello did appear before us at our monthly meeting on May 17, 2016. Mr. Boniello notified the Board that the Planning Board would like lead agency status for this subdivision project. Mr. Harden made a motion to give the Planning Board lead agency status for this subdivision project. Mr. Carpaneto seconded the motion. All were in favor except for Mr. Santaroni who recused himself.

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5366
Fax
(914) 277-4093

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com



Syrette Dym, AICP
Director of Planning
sdym@somersny.com

MEMORANDUM

TO: Town of Somers Planning Board

FROM: Syrette Dym, Director of Planning

DATE: June 2, 2016

RE: Project: Anthony Boniello Subdivision Preliminary Subdivision Approval
Applicant: Anthony Boniello
Location: Moseman Avenue north of Pine Tree Drive (Lot 47.16-1-31)
Zoning: R120 Residence District
Actions: Request for a Two Lot Subdivision for Creation of One 2.7588 Acre (120,173 sf) Building Lot and One 20.7358 Acre (903,251 sf) Lot to Remain Undisturbed

Lead Agency

The Planning Board is in receipt of: (1) correspondence from the Somers Zoning Board of Appeals by memorandum of May 24, 2016, that the ZBA at its meeting of May 17, 2016 indicated the Planning Board should be lead agency; and, (2) Lead Agency Response Form from the Westchester County Department of Health dated May 31, 2016 that the Planning Board should also act as lead agency. Since these are the only two involved agencies, even though the 30 day response period since declaration of intent to be Lead Agency as made at the Planning Board meeting of May 11, 2016 has not passed, the Planning Board can accept lead agency at its meeting of June 8, 2016.

Negative Declaration

The Short Form EAF submitted by the Applicant dated February 22, 2016 completed Part 1 and provided a draft completion of Part 2. Since Part 2 – Impact Assessment is the responsibility of the Lead Agency to complete, the Board needs to consider whether it agrees that there are either no impacts or that impacts of this project are small. If there is agreement that impacts are either none or small, there is no need to complete Part 3.

It would appear given the limited impacts of the project, that there are no moderate to large impacts that are anticipated to occur.

If the Board agrees, it can vote for a Negative Declaration by checking the box on the Short Environmental Assessment form that indicated that based on the information and analysis above, and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

Public Hearing and Abbreviated Subdivision Approval.

Pursuant to Section 150-12L, the Planning Board should schedule a public hearing on the preliminary subdivision approval for the meeting of July 13, 2016. If there are no significant comments, the Planning Board can close the public hearing.

The Planning Board can then act on an abbreviated subdivision approval under Section 150-15.:

- Since the Abbreviated Subdivision regulations for a two lot subdivision can only be utilized in cases where a variance is needed only if that variance is already in place, the ZBA will take its legal action on such variance at its meeting of June 21, 2016 at which time it will rescind its Type II SEQR vote and approve the variance. Therefore, the variance will be in place for the Planning Board to act at its July 13 meeting.
- If the Planning Board wants to grant subdivision approval under the abbreviated regulations at the meeting of July 13, under Section 150-15, pursuant to Section 150-15.I, it must waive final subdivision approval procedures required under Section 150-13 and 150-14, which would include final subdivision public hearing and then grant abbreviated subdivision approval.

Referral to ZBA

The Planning Board should refer the Negative Declaration to the Zoning Board so the Zoning Board can take the following actions at its meeting of June 21, 2016.

- Rescind Type II action vote taken at meeting of April 19, 2016
- Rescind variance vote taken at meeting of April 19, 2016
- Accept Negative Declaration from Planning Board
- Re-vote to grant variance and refer to Planning Board

Cc: Denise Schirmer
Zoning Board of Appeals
Joe Barbagallo
Rob Wasp
Roland Baroni
Gus Boniello
Anthony Boniello

Z:\PE\Subdivision files\Anthony Boniello\Planner Comments 06-02-16.docx

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Anthony Boniello			
Name of Action or Project: 43 MOSEMAN AVE.			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: Subdivide (1) 3 Ac Lot out of existing 23.5 Ac Lot			
Name of Applicant or Sponsor: ANTHONY BONIELLO		Telephone: 245 3052	
		E-Mail: AJB1960@AOL.COM	
Address: 49 MOSEMAN AVE			
City/PO: KATONAH NY 10536		State: NY	Zip Code: 10536
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		23.45 acres	
b. Total acreage to be physically disturbed?		51 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		23.45 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

FEB 23 2016

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>WELL</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SEPTIC</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>ANTHONY BONFACCIO</u>	Date: <u>2/22/10</u>	
Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

STATE ENVIRONMENTAL QUALITY REVIEW
LEAD AGENCY RESPONSE FORM

Response Deadline: June 10, 2016

TO: Town of Somers – Planning Board
Attn: Syrette Dym, AICP, Director of Planning
Town House
335 Route 202
Somers, New York 10589

RE: Establishment of Lead Agency – ANTHONY BONIELLO REQUEST FOR TWO LOT SUBDIVISION FOR CREATION OF ONE 2.7588 ACRE LOT AND ONE 20.7358 ACRE LOT TO REMAIN UNDISTURBED IN AN R120 ZONE (TAX LOT 47.16-1-31) LOCATED ON MOSEMAN ROAD NORTH OF PINE TREE DRIVE.

Please be advised that the Westchester County Department of Health
(Name of Agency)

as an involved agency under SEQRA concurs with the designation of the Somers Planning Board as Lead Agency for the above-captioned project.

Comments, if any, on approval(s) under our jurisdiction and/or issues to be examined as part of environmental review under SEQRA:

Signature: [Signature] Date: 5/31/16

Print Name and Title: Udoming Sripontai, Assoc. Eng.



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
Nicholas + Juliana Chakmakian

B Z NUMBER *B709/16*
DATE: *5/4/16*

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

1. *Juliana Chakmakian*
(Name of appellant)

whose post office address is *3 Benjamin Greene Lane, Mahopac*
(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 *Ehren Citarrella*
(Name of officer)

Building Inspector made on *April 7, 2016*
(Office held)

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

(Give summary of ruling)

*application for a Special Exception Use Permit
for a new accessory apartment in a one
family dwelling - variance as it
was built after 1992 and over the
800 square foot allowance*

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

3 Benjamin Greene Lane, and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *16.11*, Block: *1*, Lot: *10*

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

3 Benjamin Greene Lane

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

application for a Special Exception Use Permit for an accessory apartment in a one family dwelling - Variance as it was built after 1992 and over the 800 square foot allowance

and such may be granted pursuant to 170-70

(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 8th DAY April 20 16

Denise Schirmer

NOTARY SIGNATURE

[Signature]

OWNER SIGNATURE

DENISE SCHIRMER Notary Public State of New York No. 01SC6298242 Qualified in Dutchess County Commission Expires March 10, 20 16

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
Salvatore Cassaniti

B Z NUMBER *BZ11/16*
DATE: *6/21/16*

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

1. *Salvatore Cassaniti*
(Name of appellant)

whose post office address is *c/o K E Andrews & Co, 1900 Dalrock Rd., Rowlett, Texas*
(Post office address)

through *Matthew Furbrano, M Furbrano Enterprises, LLC 75088*
(Name of attorney or representative if any)

whose post office address is *87 Plad Boulevard, Hottsville, NY 11742*
(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 *Ehren Civarella*
(Name of officer)

Building Inspector, made on *May 13, 2016*
(Office held)

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

(Give summary of ruling)

*an Area Variance for more than
the number of signs allowed
for a gasoline service station*

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

55 Route 6 and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *4.20* Block: *1* Lot: *1*

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)

ARCHITECTURAL REVIEW BOARD

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

JOHN ALFONZETTI
CHAIRMAN

Town of Somers

WESTCHESTER COUNTY, N.Y.



SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

DENISE SCHIRMER
SECRETARY
dschirmer@somersny.com

MEMO TO: Zoning Board of Appeals

FROM: Architectural Review Board

RE: 55 Route 6 – Sunoco

DATE: May 31, 2016

At our April 28, 2016 meeting, M. Zambrano Enterprises, LLC representative Harry Tannenbaum submitted a sign rebranding proposal for Sunoco located at 55 Route 6. The proposal included repainting the existing canopy over the gas pumps with Sunoco's standard colors and replacing the gas sign with Sunoco's logo and pricing placard. The sign is 21.5" high by 57.5" wide. It will be placed above the existing Dunkin' Donuts sign. The proposal was approved.

On May 26, 2016, Matt Zambrano of M. Zambrano Enterprises, LLC presented a sign proposal to add Sunoco illuminated letters to three sides of the canopy and Official Fuel NASCAR to two sides. Although the Board has no objection to the color schemes presented for the wording, we had to deny the application because it exceeds the allowable number of signs; number of internally lit signs; and the size of the signs.



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

Edgar Sanchez

B Z NUMBER

BZ 12/16

DATE:

6/21/16

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

1. Edgar Sanchez.....
(Name of appellant)

whose post office address is 1 Fairway Dr. Pleasantville, NY 10570.....
(Post office address)

through Joel Greenberg of Architectural Visions PLLC.....
(Name of attorney or representative if any)

whose post office address is 2 Muscoot Rd North Mahopac, NY 10541.....
(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 Citarello.....
(Name of officer)

Building Inspector....., made on 5/9/2016.....
(Office held)

which ruling was filed on 5/9/2016....., and notice of such ruling was
first received by appellant on 5/9/2016.....; such ruling

(Give summary of ruling)

Front Yard Variance-25 ft. req'd., 22 ft. existing, 3 ft. variance
Side Yard Variance-15 ft. req'd., 8 ft. existing, 7 ft. variance
for a 2nd story addition

3. The property which is the subject of the appeal is located at or known as 2 Wright
Road....., and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 16.14....., Block: 3....., Lot: 8.....

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

2 Wright Road
.....
.....
.....
.....

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

2nd story addition - 3 ft. front yard variance and 7 ft. side yard variance
.....
.....

and such may be granted pursuant to..... 170-10

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

170-10 Refers to setback requirements for the R-10 Zone

Front Yard - 25 ft.
Side Yard - 15 ft.
Rear Yard - 25 ft.

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 21 DAY April 2016

Tina M. Zubradt
NOTARY SIGNATURE

[Signature]
OWNER SIGNATURE

Tina M. Zubradt
NOTARY SIGNATURE

[Signature]
APPLICANT SIGNATURE

TINA M. ZUBRADT
Notary Public, State of New York
No. 01ZU6103694
Qualified in Dutchess County
Commission Expires January 5, 2018



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
Alma Solano

B Z NUMBER *BZ 13/16*
DATE: *6/21/16*

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

1. *Alma Solano*
(Name of appellant)

whose post office address is *5 Route 118 - PO Box 603*
(Post office address)

through *Arnawalk, NY*
(Name of attorney or representative if any) *10501*

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 *Ebren Citarella*
(Name of officer)
Building Inspector, made on *April 7, 2016*
(Office held)

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

(Give summary of ruling)
*Area Variance for accessory structure
(garage) in front yard*

3. The property which is the subject of the appeal is located at or known as
5 Route 118 and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *36.08*, Block: *1*, Lot: *45*
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.....

5 Route 118

(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 accessory structure (garage) in front yard

and such may be granted pursuant to 170: A1 of the zoning Schedule

[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, 2016

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 23rd DAY May 20 16

Denise Schirmer
NOTARY SIGNATURE

Alma Stano
OWNER SIGNATURE

Denise Schirmer
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
Denise Lehman Rippon

B Z NUMBER BZ14/16
DATE: 6/21/16

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

1. Denise Lehman Rippon
(Name of appellant)

whose post office address is 25 Larch Drive, Mahopac
(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 Efreem Citarella
(Name of officer)

Building Inspector, made on May 19, 2016
(Office held)

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

(Give summary of ruling)

An Area Variance for less than the
required side-yard setback
for an addition, located in an
R-10 Residential Zoning District
Variance is for 1.5 feet. - addition
is pre-existing.

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

25 Larch Drive
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 5.19, Block: 1, Lot: 14

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

25 March Drive

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

A 1.5' area variance for less than the required side yard set back for an addition - pre-existing

and such may be granted pursuant to Section 170: A1 of the 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 7th DAY June 20 16

Denise Schirmer
NOTARY SIGNATURE

Denise M Gehman Rios
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 20 16

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
Robert Scorrano



Meeting Minutes May 17, 2016

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

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

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

APPLICANT:

JOHN AND EILEEN ALLMAN – BZ07/16 – 38.09-2-32

A renewal application for a Special Exception Use Permit for an existing accessory apartment in a one family dwelling, located in an R-80 Residential Zoning District at **28 Frances Drive, Katonah**. The property is shown on the Town Tax Map as **Section: 38.09, Block: 2, Lot: 32**. RE: Section Schedule 170:70.

John Allman addressed the Board. He and his wife live in the apartment, his daughter and family live in the one family dwelling. 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. Allman confirmed that he has had his septic tank cleaned within the last five years in order to be compliant with that Town law. Proof will be provided.

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

Mr. Guyot made a motion to grant the Special Exception Use Permit for an accessory apartment for 7 years. 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.

ANTHONY BONIELLO – BZ08/16 – 47.16-1-31

An Area Variance for less than the required road frontage to create a lot for a new one family dwelling, located in an R-120 Residential Zoning District at **43 Moseman Avenue, Katonah**. The property is shown on the Town Tax Map as **Section: 47.16, Block: 1, Lot: 31**. RE: Section Schedule 170:A1 of the zoning schedule.

Mr. Boniello addressed the Board. He purchased a 24 acre parcel on Moseman Avenue in 1992 and it was up zoned to 3 acres in June 1999. Mr. Boniello would like to subdivide the property to build a new house, but is in need of a 41' Area Variance for road frontage. 250' is needed and he has only 209'. The lot meets the R-120 requirement and is 129,971-square feet. The driveway for the new home will extend off the existing driveway.

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. Carpaneto made a motion to grant the 9.86' Area Variance for a rear yard set-back.
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 Area Variance was granted.

OTHER BUSINESS:

A motion was made by the Chairman to approve the minutes of the April 19, 2016 meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on June 21, 2016 at 7:30 p.m. There being no further business, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board