

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

September 20, 2016
7:30 PM
SOMERS TOWN HOUSE
MEETING ROOM

**1. MARTIN AND BETH
ZUBATKIN**

BZ16/16

An application for an Area Variance on the height of a fence, located in an R-80 Residential Zoning District at **11 Highview Terrace, Somers**. The property is shown on the Town Tax Map as **Section: 28.06, Block: 1, Lot: 21**. RE: Section 170-49.

2. OTHER BUSINESS

Approval of July 19, 2016 Meeting Minutes.



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589

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IN THE MATTER OF THE APPEAL
OF
Martin + Beth Zubatkin

B Z NUMBER BZ 16/16
DATE: 7/15/16

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

1. Martin Zubatkin
(Name of appellant)

whose post office address is 11 Highview Terrace, 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 Eileen Citarella
(Name of officer)

Building Inspector made on July 15, 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 application for an Area Variance
on the height of a fence in an
R-80 Residential Zoning District

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

11 Highview Terrace, Somers
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 28.06, Block: 1, Lot: 21

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

11 Highview Terrace

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

an application for an Area Variance on the height of a fence in an R-80 Residential Zoning District

and such may be granted pursuant to 170-49

(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 _____ DAY _____ 20_____

NOTARY SIGNATURE

OWNER SIGNATURE

NOTARY SIGNATURE

APPLICANT SIGNATURE

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Meeting Minutes
July 18, 2016

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

APPLICANTS:

TIMOTHY HART AND CATHERINE GALLAGHER – BZ15/16 – 48.17-1-2

An application for an Area Variance for less than the required side yard set-back, located in an R-80 Residential Zoning District at **8 South Lane, Katonah**. The property is shown on the Town Tax Map as **Section: 48.17, Block: 1, Lot: 2**. RE: Section Schedule 170:A1 of the zoning schedule.

Architect Heike Schneider addressed the Board. She is seeking a 9.7' side yard Area Variance to enlarge the 2nd story of the existing dwelling which is legal non-conforming. The footprint will not be increasing. There are three bedrooms and that count will not change. The nearest house to the south side of their property is between 100 and 150' and the house to the north is quite a distance as well. There is at least a 30' buffer of trees along the south side property line. Most of the houses in the neighborhood have a 2nd story.

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. Prince	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

All were in favor.

Mr. Santaroni made a motion to approve the 9.7' side yard Area Variance to enlarge the 2nd story of the existing dwelling. 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. Prince	Aye
Mr. Santaroni	Aye
Mr. Scorrano	Aye
Chairman Cannistra	Aye

The Area Variance was granted.

OTHER BUSINESS:

A motion was made by the Chairman to approve the minutes of the June 21, 2016 meeting. All were in favor.

Mr. Prince suggested that moving forward the Secretary provide maps in the Board member's packets showing the location of the neighboring homes so that when the application is for an Area Variance, it can be referred to.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on September 20, 2016 at 7:30 p.m. A meeting will not be held in August. There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board

DRAFT