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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



Meeting Minutes

March 17, 2015

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

The Building Inspector, applicant, and interested residents were also present.

Acting Chairman Carpaneto opened the meeting at 7:40 p.m. with the Pledge of Allegiance.

APPLICANT:

JONATHAN AND MELISSA CHIOTIS – BZ01/15 – 17.09-2-16

An application for a Special Exception Use Permit for an accessory apartment, located in an R-40 Residential Zoning District at **56 Wilner Road, Somers**. The property is shown on the Town Tax Map as **Section: 17.09, Block: 2, Lot: 16**. RE: Section Schedule 170-70.

Architect, Stephanie Fox addressed the Board. She is seeking a Special Exception Use Permit for a 751 square foot accessory apartment in the basement of the existing dwelling that the mother/mother-in-law of the owners will occupy as she cares for their child. The provision of the Code for an accessory apartment was read aloud. Mrs. Fox reviewed the criteria that must be met, with the justifications for each. Plans and photos provided were explained. Mr. Prince reiterated that the approved plans have to be for whoever lives in the apartment. Mr. Guyot confirmed that the smallest room in the house will be turned into an office with a 6' opening and a fourth bedroom added in the basement. If for some reason in the future, the owner decided to turn that office back into a bedroom, the Board of Health would have either have to approve a fifth bedroom or the bedroom in the basement would have to be eliminated.

Matt Searles of 65 Wilner Road stepped up to the podium and asked if and when the mother/mother-in-law was no longer residing in the accessory apartment, could the rental to a third party be restricted as part of an approval and it cannot. In an effort to ease Mr. Searles' mind, Building Inspector Citarella stated that his office has never received a complaint or had an issue with a legal accessory apartment. The seven year renewal process on all accessory apartments is adhered to, as well as the required inspections.

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

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

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

POLL OF THE BOARD

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

The Special Exception Use Permit was granted.

OTHER BUSINESS:

A motion was made by the Acting Chairman to approve the minutes of the November 18, 2014 monthly meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on April 21, 2015. There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board