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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

April 21, 2015

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

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

The applicants and interested residents were also present.

Chairman Cannistra opened the meeting at 7:35 p.m. with the Pledge of Allegiance.

APPLICANT:

PEGOLI LIVING TRUST – BZ02/15 – 17.10-1-17

A renewal application for a Special Exception Use Permit for an existing accessory apartment, located in an R-40 Residential Zoning District at **8 Crane Road, Somers**. The property is shown on the Town Tax Map as **Section: 17.10, Block: 1, Lot: 17**. RE: Section Schedule 170-70.

John Pegoli addressed the Board. His parents own and live in the single family dwelling, and he lives in the accessory apartment. Mr. Citarella confirmed that he has inspected the apartment, 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. Guyot 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.

ALBERT AND ANN CUSANO– BZ03/15 – 26.20-2-52

A renewal application for a Special Exception Use Permit for an existing accessory apartment, located in an R-40 Residential Zoning District at **18 Watergate Drive, Amawalk**. The property is shown on the Town Tax Map as **Section: 26.20, Block: 2, Lot: 52**. RE: Section Schedule 170-70.

Albert and Ann Cusano addressed the Board. Their mother-in-law/mother lives in the accessory apartment and they live in the single family dwelling. It meets all code requirements, there have been no complaints or violations, and Mr. Citarella confirmed that he has inspected the apartment.

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. Guyot 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.

ZION CALIFORNIA PARTNERSHIP CORP. – BZ04/15 – 15.08-1-5

A renewal application for a Special Exception Use Permit for two existing accessory apartments, located in an R-80 Residential Zoning District at **218 Mahopac Avenue, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 15.08, Block: 1, Lot: 5**. RE: Section Schedule 170-70.

Mark Zion addressed the Board. The apartments are currently unoccupied and Mr. Zion is the owner. The property totals 67 acres. Mr. Citarella confirmed that he has inspected the apartments, they meet 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. Guyot 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.

ANNMARIE LORD – BZ05/15 – 48.17-1-5

An application for Area Variances for a detached garage; to build a detached garage in the front yard; and a front yard variance, located in an R-80 Residential Zoning District at **7 South Lane, Katonah**. The property is shown on the Town Tax Map as **Section: 48.17, Block: 1, Lot: 5**. RE: Section Schedule 170:A1 – Note 2; 170:A1; and 170-11A.

Ron Lord addressed the Board. A wetlands application is also before the Planning Board. They conducted a site visit on April 18 and didn't seem to have any issues. There is a large and very old oak tree that needs to be averted. A question came up about the stream in the front yard. There were some issues with flooding in the past so the homeowner repaired the walls on either side to rectify the problem. It was also diverted with fill and rocks to grade down a drop off. There was a hand dug well on the property, which was replaced with a new well. The stormwater/retention pond will remain in its existing location and will collect roof water run-off. On May 13, the applicant will go before the Planning Board again and hopefully will be the last time. The setback required is forty feet and the applicant only has 11 feet. A request was made for the confirmed height of the garage. It also appears that a variance will be

needed for the screened in porch. All agreed that Board members should do a site visit as they are able and to adjourn the application until the May 19, 2015 meeting.

OTHER BUSINESS:

A motion was made by the Chairman to approve the minutes of the March 17, 2015 monthly meeting. All were in favor.

All were reminded by the Chair to continue with their course requirements of 4 hours per year.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on May 19, 2015. There being no further business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board