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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
May 15, 2018

The members present were: Chairman Cannistra, Ms. D'Ippolito, Mr. Guyot, Mr. Newman and Mr. Santaroni.

Mr. Carpaneto and Mr. Harden were absent.

Building Inspector Efreem Citarella and interested residents were also present.

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

APPLICANTS

Chairman Cannistra announced that the application for Anthony and Catherine Porco, item number 3 on the agenda, has been adjourned until at least the June 12, 2018 meeting because a Stay was issued by the NYS Supreme Court.

Chairman Cannistra temporarily adjourned the meeting to go into Executive Session to talk to legal counsel about the Porco application. They returned to the meeting at 8:45 p.m.

WILDERNESS CROSSING, LLC – BZ13/18 – 17.15-1-15.12

An application for an Area Variance to allow propane tanks, as well as to place them underground, located in an MFR-D District at 266 Route 202, Somers. The property is shown on the Town Tax Map as Section: 17.15, Block: 1, Lot: 15.12. RE: Section Schedule 170-32.7 H.

Architect Lou DiLeo addressed the Board. He is requesting an Area Variance to bury three propane tanks that are 1,980 gallons each for the new DeCicco & Sons store that is under construction. Propane is needed for a generator, cooking and heating. The

filling caps will be above ground. The tanks are made of steel, painted with an epoxy type paint and will be anchored below the ground with concrete, sand, as well as gravel. All three tanks will be placed 90' from the back of the building near the parking lot. The Planning Board has no objections to the application but wants to be sure that there is proper drainage around the tanks and that they are maintained. They are visually inspected and pressure tested each time they are filled, generally three times per week. If there is a leak it just dissipates up into the air. Underground tanks are safer than those that are above ground. It is not anticipated that more than three tanks will be needed. The DeCiccos have buried tanks at their other locations and have never had problems or concerns.

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

Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Guyot made a motion to approve an Area Variance to allow three propane tanks and to place them underground. Ms. D'Ippolito seconded the motion. A vote was then taken by the Board as follows...

POLL OF THE BOARD

Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Area Variance was approved.

NICHOLAS AND JILL MARIE PIRROTTA – BZ14/18 – 16.05-3-52

An application for a 15' Area Variance for less than the required rear yard setback for a deck, located in an R-10 Residence District at 2 Valley Drive West, Yorktown Heights. The property is shown on the Town Tax Map as Section: 16.05, Block: 3, Lot: 52. RE: 170:A1 of the Zoning Schedule.

Architect Tom McDermott addressed the Board. He is seeking a 15' rear yard Area Variance for a new deck on the back of the house. A letter in support of the project was

submitted by 1 Orchard Drive owner Pedro Morocho. Applicant Nick Pirrotta said that the new deck will not be near his septic tank or fields and he has municipal water.

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

Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Santaroni made a motion to approve a 15' Area Variance. Mr. Guyot seconded the motion. A vote was then taken by the Board as follows...

POLL OF THE BOARD

Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Area Variance was approved.

OTHER BUSINESS:

A motion was made by the Chairman to approve the minutes of the April 17, 2018 meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on June 12, 2018 at 7:30 p.m. There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board