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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



AGENDA

July 17, 2018
7:30 PM

SOMERS TOWN HOUSE MEETING ROOM

- 1. PLACIDO AND
KATHERINE SGROI**

BZ16/18 (CARRYOVER)
An application for the renewal of a Special Exception Use Permit for an existing accessory apartment in the basement of a one family dwelling, located in an R-40 Residential District at **19 Meadow Park Road, Baldwin Place**. The property is shown on the Town Tax Map as **Section: 5.17, Block: 1, Lot: 4**. RE: Section Schedule 170-70.
- 2. JEFFREY AND TRUDY
ZORN**

BZ18/18
An application for a 5' 10" Area Variance for a detached garage to an existing one family dwelling, located in an R-40 Residence District at **37 Deans Bridge Road, Somers**. The property is shown on the Town Tax Map as **Section: 17.08, Block: 2, Lot: 22**. RE: Section 170:A1 of the Zoning Schedule.
- 3. ANTHONY & CATHERINE
PORCO**

BZ01/18 (CARRYOVER)
An application for an interpretation under the Town Code of the Town of Somers pertaining to a nonconforming commercial

use in a single family, residential district located in an R-80 Residence District at **1 Route 6, Yorktown Heights**. The property is shown on the Town Tax Map as **Section: 4.18, Block: 1, Lot: 1**. RE: Section Schedule 170-112.

4. OTHER BUSINESS

Approval of June 12, 2018 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
Placido + Katherine Sgroi

B Z NUMBER *BZ16/18*
DATE: *5/15/18*

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

1. *Placido + Katherine Sgroi*

(Name of appellant)

whose post office address is *19 Meadows Park Road, Baldwin Place, NY*
(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
(Name of officer)

..... made on
(Office held)

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

(Give summary of ruling)
*a renewal of a Special Exception
Use Permit for an accessory apartment
in the basement of an existing one
family dwelling in an R-40 Residential
District*

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

Town Tax Map as Section: *5.17* Block: *1* Lot: *4*

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

19 Meadow Park Road

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

Special Exception Use Permit as required for an existing accessory apartment

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 9th DAY May 20 18

Denise Schirmer

Kate Jones

NOTARY SIGNATURE DENISE SCHIRMER Notary Public State of New York No. 01SC6298242 Qualified in Dutchess County Commission Expires March 10, 2022

OWNER SIGNATURE

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
Jeffrey + Trudy Zorn

B Z NUMBER **BZ18/18**
DATE: **7/3/18**

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

1. **Jeffrey + Trudy Zorn**
(Name of appellant)

whose post office address is **37 Deans Bridge Road, Somers, NY 10589**
(Post office address)

through **Kevin Molnar - Ergonomic Design LLC**
(Name of attorney or representative if any)

whose post office address is **34 Hiawatha Road, Putnam Valley, NY 10579**
(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 Citarella**
(Name of officer)
Building Inspector made on **June 7, 2018**
(Office held)

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

(Give summary of ruling)

**An application for a 5'10" Area Variance
for a detached garage to an existing
one family dwelling in an R-40
Residence District**

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

Town Tax Map as Section: **17.08** Block: **2** Lot: **22**

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

37 Deans Bridge Road

(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 in the amount of 5'10"

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)

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 18

Denise Schirmer
DENISE SCHIRMER
Notary Public in the State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 2022

OWNER SIGNATURE
K. G. Muel

NOTARY SIGNATURE

APPLICANT SIGNATURE

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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
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Town of Somers

WESTCHESTER COUNTY, N.Y.



Meeting Minutes
June 12, 2018

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

Mr. Carpaneto, Mr. Guyot and Mr. Harden were absent.

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

APPLICANTS

Chairman Cannistra announced that the application for Placido and Katherine Sgroi, item number 2 on the agenda has been adjourned to the July 17th meeting at the request of the applicant, and the application for Anthony and Catherine Porco, item number 4 on the agenda, has been adjourned until at least the July 17, 2018 meeting because a Stay was issued by the NYS Supreme Court.

DENNIS PERSICO AND CORIN MELITO – BZ15/18 – 4.19-2-13

An application for the renewal of a Special Exception Use Permit for an existing accessory apartment above a detached garage, located in an R-40 Residential District at 266 Mahopac Avenue, Yorktown Heights. The property is shown on the Town Tax Map as Section: 4.19, Block: 2, Lot: 13. RE: Section Schedule 170-70.

Mr. Persico addressed the Board. There is a single tenant living in the apartment. Building Inspector Mr. Citarella inspected the apartment and there have been no changes. It meets all code requirements, and there have been no complaints or violations.

Mr. Santaroni made a motion for a Type II action. 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. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Santaroni made a motion to grant the Special Exception Use Permit for the accessory apartment for 7 years. Mr. Newman seconded the motion.

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

POLL OF THE BOARD

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

The Special Exception Use Permit was approved.

HRE PROPERTIES – BZ17/18 – 17.11-10-20

An application for an Area Variance for a sign which exceeds the maximum height by 6", located in the Business Historic Preservation District at 249 Route 202, Somers. The property is shown on the Town Tax Map as Section: 17.11, Block: 10, Lot: 20. RE: Section Schedule 170-126.

Craig Bernardi, owner of Bobo's Café addressed the Board. In May, they met with the Architectural Review Board to discuss a new sign proposal for their business. They were given permission by the property owners HRE Properties to remove their pin lettering sign and have a custom sign painted in an existing half-moon accent on the building façade over the entrance to their store. The center of the sign is 30" high. Although the Board did not object to the design and colors of the sign, it couldn't be approved as it is 6" higher than the 24" allowed by the Code. This is quite a unique sign and nothing else like it is in Town. A letter in support of the application was issued by the Architectural Review Board.

Mr. Santaroni made a motion for a Type II action. 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. Newman	Aye

Mr. Santaroni	Aye
Chairman Cannistra	Aye

Ms. D'Ippolito made a motion to grant the 6" Area Variance for the height of the sign.
Mr. Santaroni seconded the motion.

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

POLL OF THE BOARD

Ms. D'Ippolito	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 May 15, 2018 meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on July 17, 2018 at 7:30 p.m. A meeting will not take place in August due to vacation conflicts. 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