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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

September 11, 2018
7:30 PM

SOMERS TOWN HOUSE MEETING ROOM

- 1. KAELA CHOQUETTE AND DAVID POTTER** **BZ19/18**
An application for a Special Exception Use Permit to construct a detached barn with an accessory apartment on the 2nd floor, located in an R-80 Residential District at **6 Annarock Drive, Somers**. The property is shown on the Town Tax Map as **Section: 28.06, Block: 1, Lot: 5**. RE: Section Schedule 170-70.
- 2. MARTIN AND BETH ZUBATKIN** **BZ20/18**
An application requesting that the interpretation of the Building Inspector be modified to define a mature cockerel not on the basis of age, but on the basis of it being able to crow, located in an R-80 Residence 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 Schedule 170-11-B (3) (b).
- 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 July 17, 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
Kaela Choquette and
David Potter

B Z NUMBER BZ19/18
DATE: 8/27/18

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

1. Kaela Choquette
(Name of appellant)

whose post office address is 6 Annarock Drive, Somers, NY 10589
(Post office address)

through Justin Liegey Construction LLC
(Name of attorney or representative if any)

whose post office address is PO Box 444, Cross River, NY 10518
(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 Efron Citarella
(Name of officer)
Building Inspector made on July 26, 2018
(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 a Special Exception
Use Permit to construct a detached
barn with an accessory apartment
on the 2nd floor

3. The property which is the subject of the appeal is located at or known as
6 Annarock Drive
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 28-06, Block: 1, Lot: 5

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

6 Annarock Drive

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

Request for a Special Exception Use Permit to construct an accessory apartment in a newly constructed detached barn

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 16th DAY August 20 18

Denise Schirmer
NOTARY SIGNATURE

MA
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 20 22
NOTARY SIGNATURE

JAP
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

Martin + Beth Zubatkin

B Z NUMBER BZ 20/18
DATE: 8/27/18

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

1. Martin + Beth 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 E. Fred Citarella
(Name of officer)

Building Inspector made on July 23, 2018
(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 requesting that the interpretation
on the part of the Town Building Inspector be modified
to define a mature cockerel not on the basis
of age, but on the basis of it being able to
crow.

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

11 Highview Terrace and is shown on the
(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, Somers

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

N/A

and such may be granted pursuant to 170-11-B(3)(b)

(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 24th DAY August 20 18

Denise Schirmer
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

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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
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WESTCHESTER COUNTY, N.Y.



Meeting Minutes

July 17, 2018

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

Mr. Harden was absent.

Chairman Cannistra opened the meeting at 7:30 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 September 11, 2018 meeting because a Stay was issued by the NYS Supreme Court.

PLACIDO AND KATHERINE SGROI (CARRYOVER) – BZ16/18 – 5.17-1-4

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.

Mrs. Sgroi addressed the Board. There is a single tenant who is a family friend 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. The septic was cleaned a year ago.

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

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

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

POLL OF THE BOARD

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

The Special Exception Use Permit was approved.

JEFFREY AND TRUDY ZORN – BZ18/18 – 17.08-2-22

An application for a 5' 10" side yard Area Variance for an attached two car garage, 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.

Architect Kevin Molnar addressed the Board. He is seeking a 5' 10" side yard Area Variance so that the existing attached one car garage can be removed and replaced with an attached two car garage. It will be placed on a concrete slab and will be one story high with a minimal storage area above it. The only plumbing will consist of a hose bib and there will be electric. Photos of the existing house were shared and none of the existing trees will be removed. All agreed that the two car garage will enhance the overall look of the house.

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

Mr. Guyot made a motion to grant the 5' 10" side yard Area Variance for an attached two car garage. Mr. Carpaneto seconded the motion.

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

POLL OF THE BOARD

Mr. Carpaneto	Aye
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 June 12, 2018 meeting. All were in favor.

The next monthly meeting of the Zoning Board of Appeals is scheduled to be held on September 11, 2018 at 7:30 p.m., which is a week earlier due to the Yom Kippur holiday. A meeting will not take place in August due to vacation conflicts. There being no further business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board