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ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589



Meeting Minutes February 19, 2019

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

Building Inspector Tom Tooma and interested residents were also present.

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

APPLICANTS

The Chairman announced that item number 5 on the agenda, Kaela Choquette and Davide Potter has been withdrawn by the applicant as a result of discussions earlier between him, the Town Attorney and Town Building Inspector determining that the Area Variances being requested are not needed as the two lots, 6 and 8 Annarock Drive have already been merged for zoning purposes.

MICHAEL AND JOSEPHINE KIMPEL – 2019:ZB03 – 7.17-1-10

A renewal of an application for a Special Exception Use Permit for an existing accessory apartment in the basement of an existing one family dwelling, located in an R-40 Residential District at 12 Stone House Road, Somers. The property is shown on the Town Tax Map as Section: 7.17, Block: 1, Lot: 10. RE: Section Schedule 170-70.

Mr. Kimpel addressed the Board. His father-in-law lives in the apartment. Building Inspector Tom Tooma 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 in 2017 and a copy of the receipt was given to Mrs. Schirmer.

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

The Special Exception Use Permit was approved.

SOMERS CROSSING, LLC – 2019:ZB04 – 17.15-1-15.11

An application for an Area Variance for propane tanks, as well as placing them underground, located in an MFR-DH at 307 Route 100, Somers. The property is shown on the Town Tax Map as Section: 17.15, Block: 1, Lot: 15.11. RE: Section Schedule 170-32.7H.

Owner of the property Gus Boniello addressed the Board. They are building a 66-unit condominium subdivision and need an Area Variance for sixty-six 550-gallon propane tanks, as well as to bury them underground since they are in the groundwater protection overlay. The tanks will be used for gas stoves and fireplaces. Individual unit owners will have an option to install generators at some point if they want. The tanks will be buried beyond the decks behind the units. Plumbing Permits will be secured from the Building Department for the installation of each tank, as well as the inside connections which include required inspections. Code restriction diagrams were provided to each member. In addition, guidelines from the Propane Education and Research Council in Washington D.C. were shared, which all appreciated as it answered some questions members had with regard to placement, containment, leakage, lifespan, size, testing

and environmental concerns. The Planning Board did not have to be involved in this approval process.

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

Mr. Guyot made a motion to approve an Area Variance to allow 66 propane tanks and to place them underground. 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. Harden	Aye
Mr. Newman	Aye
Mr. Santaroni	Abstain
Chairman Cannistra	Aye

The Area Variance was approved.

REGIS AND JAN MARINIER – 2019:ZB05 – 58.08-1-18

An application for a 13' side yard Area Variance for a side porch addition, located in an R-80 Residential District at 11 Autumn Ridge Court, Katonah. The property is shown on the Town Tax Map as Section: 58.08, Block: 1, Lot: 18. RE: Section 170:A1 of the Zoning Schedule.

Architect William Besharat addressed the Board. His clients want to build a flagstone concrete side porch to accommodate existing French doors on the side of his house and as a result a 13' side yard Area Variance is being requested.

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

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

Mr. Newman made a motion to approve a 13' side yard Area Variance. 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. Harden	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Area Variance was approved.

PATRICK AND PATRICIA FORDE – 2019:ZB06 – 16.13-1-20

An application for a 12' side yard Area Variance for an addition to the living and dining rooms, as well as a deck, located in an R-40 Residential District at 9 Little Bear Drive, Yorktown Heights. The property is shown on the Town Tax Map as Section: 16.13, Block: 1, Lot: 20. RE: Section 170:A1 of the Zoning Schedule.

Architect William Besharat addressed the Board. The owners of the property are requesting a 12' side yard Area Variance for an addition to the living and dining rooms, as well as a deck. No windows will be added and that side of the house is very well screened with quite large bushes.

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

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

Mr. Harden made a motion to approve a 12' side yard Area Variance based on the architectural plans submitted. 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. Harden	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

The Area Variance was approved.

OTHER BUSINESS:

The minutes of the January 15, 2019 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on March 19, 2019 at 7:30 p.m. 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