

Telephone
(914) 277-5582

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ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589



AGENDA

April 16, 2019
7:30 PM

SOMERS TOWN HOUSE MEETING ROOM

1. **GEORGE AND KATHLEEN 2019:ZB12**
PICCORELLI
A renewal of an application for a Special Exception Use Permit for an existing accessory apartment in a detached structure of an existing one family dwelling, located in an R-120 Residential District at 4 **Orchard Hill Road, Katonah**. The property is shown on the Town Tax Map as **Section: 37.14, Block: 1, Lot: 4**. RE: Section Schedule 170-70.
2. **STEVEN AND 2019:ZB13**
ANNUNZIATA
D'AMBROSIO
An application for an Area Variance of 3' for the height of a detached garage accessory under construction to an existing one family dwelling, located in an R-80 Residential District at **16 Edgewood Drive, Katonah**. The property is shown on the Town Tax Map as **Section: 27.11, Block: 2, Lot: 31**. RE: Section Schedule 170:A1 of the Zoning Schedule.
3. **MASTRANTONI 2019:ZB14**
BROTHERS, INC.
An application for a front yard Area Variance of 9'2" for a 2nd story addition and

13'6" for an entry porch, as well as a side yard Area Variance of 4" for a deck to an existing one family dwelling, located in an R-10 Residential District at **6 Orange Drive, Mahopac**. The property is shown on the Town Tax Map as **Section: 5.19, Block: 2, Lot: 48**. RE: Section Schedule 170:A1 of the Zoning Schedule.

4. OTHER BUSINESS

Approval of March 19, 2019 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

George + Kathleen Piccorelli

B Z NUMBER

ZB12

DATE:

3/8/19

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

1.

George Piccorelli

(Name of appellant)

whose post office address is

4 Orchard Hill Road, Katonah, NY 10536

(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

first received by appellant on

and notice of such ruling was

; such ruling

(Give summary of ruling)

A renewal application for a Special
Exception Use Permit for an accessory
apartment in a detached
structure in an R-120 Residential
District

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

4 Orchard Hill Road

(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section:

37.14

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

4 Orchard Hill Road

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

A Special Exception Use Permit is required for an accessory apartment and must be renewed every 7 years

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

8th

DAY

March

20

19

NOTARY SIGNATURE

Denise Schirmer

OWNER SIGNATURE

[Signature]

DENISE SCHIRMER
Notary Public State of New York
No. 01SG6298242

NOTARY SIGNATURE

Qualified in Dutchess County
Commission Expires March 10, 2022

22

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

Steven Annunziata
D'Ambrosio

B Z NUMBER

ZB13

DATE:

2/28/19

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

1.

Steven D'Ambrosio

(Name of appellant)

whose post office address is

116 Edgewood Drive, Katonah, NY
10536

(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

Thomas J. Toona, Jr.

(Name of officer)

Building Inspector

made on

February 26, 2019

(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 an Area
Variance of 3' for the height
of a detached garage accessory
under construction in an R-80
Residential District.

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

116 Edgewood Drive

(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section:

27.11

Block:

2

Lot:

31

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

16 Edgewood Drive

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

The height is in excess of what is permitted by code.

and such may be granted pursuant to Section 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

28th

DAY

February

20

19

NOTARY SIGNATURE

OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County

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

Mastrantonio Brothers, Inc.

B Z NUMBER

ZB 14

DATE:

3/14/19

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

1.

Paul Mastrantonio

(Name of appellant)

whose post office address is

6 Orange Drive, Mahopac, NY

(Post office address)

10541

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

Thomas J. Toona, Jr.

(Name of officer)

Building Inspector

made on

March 11, 2019

(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 front yard tree variance for an entry porch (13') and a 2nd story addition (9'6") as well as a side yard ^{Area} variance for a deck (4") in an R-10 Residential District.

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

6 Orange Drive

(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section:

5.19

Block:

2

Lot:

48

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 Orange Drive

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

2nd story addition, entry porch
and deck too close to the property
line. 25' is needed for the entry porch
and 2nd story addition and 15' for deck.

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

14th

DAY

March 20 19

Denise Schirmer

NOTARY SIGNATURE

Paul Montano

OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6238242
Qualified in Dutchess County

NOTARY SIGNATURE

APPLICANT SIGNATURE

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Facsimile

ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N.Y.

TOWN HOUSE
ANNEX
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SOMERS, NY 10589



Meeting Minutes

March 19, 2019

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

Mr. Guyot was absent.

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

GEOFFREY AND KIRSTIN GRANT – 2019:ZB08 – 26.08-2-21

A renewal of an application for a Special Exception Use Permit for an existing accessory apartment above a garage attached to an existing one family dwelling, located in an R-40 Residential District at 131 Bonnie Brae Court, Granite Springs. The property is shown on the Town Tax Map as Section: 26.08, Block: 2, Lot: 21. RE: Section Schedule 170-70.

Mrs. Grant addressed the Board. There is a single tenant living 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 April 2018 and a copy of the receipt was given to Mrs. Schirmer.

Mr. Harden 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. Harden	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Harden 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

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

The Special Exception Use Permit was approved.

F. ROBERT MEIXNER – 2019:ZB09 – 28.17-1-9

A renewal of an application for a Special Exception Use Permit for an existing accessory apartment in an addition attached to an existing one family dwelling, located in an R-80 Residential District at 2 Otha Drive, Katonah. The property is shown on the Town Tax Map as Section: 28.17, Block: 1, Lot: 9. RE: Section Schedule 170-70.

Mr. Meixner addressed the Board. Two of his family members live 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 August 2018 and a copy of the receipt was given to Mrs. Schirmer.

Mr. Santaroni 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. Harden	Aye

Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Ms. D'Ippolito 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

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

The Special Exception Use Permit was approved.

PETER ZAMBORY AND BLANKA ZAMBORY – 2019:ZB10 – 37.17-1-3

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-80 Residential District at 43 Bedell Road, Katonah. The property is shown on the Town Tax Map as Section: 37.17, Block: 1, Lot: 3. RE: Section Schedule 170-70.

Mr. Zambory addressed the Board. His mother and co-owner 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 May 2017 and a copy of the receipt was given to Mrs. Schirmer.

Mr. Harden 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. Harden	Aye
Mr. Newman	Aye
Mr. Santaroni	Aye
Chairman Cannistra	Aye

Mr. Harden 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

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

The Special Exception Use Permit was approved.

OTHER BUSINESS:

The minutes of the February 19, 2019 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on April 16, 2019 at 7:30 p.m. There being no further business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board