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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**  
April 16, 2019

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

Mr. Harden and Mr. Santaroni were 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**

**GEORGE AND KATHLEEN PICCORELLI – 2019:ZB12 – 37.14-1-4**

A renewal of an application for a Special Exception Use Permit for an existing accessory apartment in a detached structure to 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: 21 Lot: 4. RE: Section Schedule 170-70.

Mr. Piccorelli addressed the Board. His daughter-in-law and her daughter 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 January 2017 and a copy of the receipt was given to Mrs. Schirmer.

Mr. Guyot 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. Newman	Aye
Chairman Cannistra	Aye

Mr. Carpaneto made a motion to grant the Special Exception Use Permit for the accessory apartment for 7 years. 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. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**STEVEN AND ANNUNZIATA D'AMBROSIO – 2019:ZB13 – 27.11-2-31**

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.

Gerry Thorpe of Bayhorse Gazebos & Barns in Red Hook, New York addressed the Board. He is erecting a pre-made two-car garage for the applicant. There is a staircase to the 2<sup>nd</sup> floor which will only have 30 to 40% usability for storage. It is 8' in the center and slopes quickly. There will be no electric or water. In trying to accommodate drainage with a knee wall on the back of the garage, a 3' height variance is being sought. No trees are being removed and the concrete floor has already been installed. The garage will not be visible from the street and on the side where there is a neighbor, there is substantial screening. All of its trimmings will match the existing one family dwelling exactly. Stamped plans by a NYS Certified Architect were submitted to the Building Department in order to get a Building Permit, and NYS Modular Certification is not required. The garage meets all the setbacks.

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

Mr. Newman made a motion to grant the Area Variance of 3' for the height of a detached garage accessory under construction. 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. Newman	Aye
Chairman Cannistra	Aye

The Area Variance was approved.

**MASTRANTONI BROTHERS, INC. – 2019:ZB14 – 5.19-2-48**

An application for a front yard Area Variance of 9'2" for a two-story addition and a 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.

Paul Mastrantoni addressed the Board. Although the existing one family dwelling is not in good shape, it is structurally sound enough to be renovated. The roof will have to be replaced, but the existing foundation made of cinder block is solid. As the house is pre-existing non-conforming, three variances are being sought for the two-story addition, entry porch and deck. It will remain a three-bedroom home but will increase in size from 800 to just under 1,900 square feet. There will be 2 ½ bathrooms, and the existing one car garage will remain. An unfinished basement will be dug under the addition with some of the dirt excavated used for backfill and the remainder hauled away. If necessary, there is room to expand the septic in the back of the house. All necessary approvals from Planning and Engineering have been issued. Everyone agree that the house is an eyesore as is and the renovation will be a great improvement.

Victor Speziale of 2 Hickory Road addressed the Board. He commented that the property and house are small and is curious as to how there can be three existing bedrooms. They are very tiny.

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

Mr. Guyot made a motion to grant the front yard Area Variance of 9'2" for a two-story addition and a 13'6" for an entry porch, as well as a side yard Area Variance of 4" for a deck. 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. Newman	Aye
Chairman Cannistra	Aye

The Area Variances were approved.

**OTHER BUSINESS:**

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

The next monthly meeting of the Zoning Board of Appeals will be held on May 21, 2019 at 7:30 p.m. There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Denise Schirmer, Secretary  
Zoning Board of Appeals

cc: Town Board  
Town Clerk  
Planning and Engineering  
Planning Board