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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



Meeting Minutes
November 19, 2019

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

Mr. Carpaneto 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

NORINE MC ARDLE AND MICHAEL SCHWARZCHILD – 2019:ZB30 – 5.10-3-9

An application for a front yard Area Variance of 11.8' for a two-car garage addition and 4.3' for a covered porch to a pre-existing non-conforming one family dwelling in an R-10 Residential District at 69 Lovell Street, Mahopac. The property is shown on the Town Tax Map as Section: 5.19, Block: 3, Lot: 9. RE: Section Schedule 170:A1 Zoning Schedule Part 1.

Architect Stephanie Fox addressed the Board. She is seeking two front yard variances for her clients. One is 11.8' for a 27' by 21' two-car garage addition and the other of 4.3' for a covered porch. The garage will have electricity and an area above for storage only. Currently the driveway consists of a concrete pad with a metal hatch in the middle of it that has a concrete walkway underneath it that leads to the basement. Water is collecting in that area and rain gardens will be created in an effort to resolve. The driveway is short and abuts the road making backing out of it quite dangerous.

Mr. Guyot asked if the rain gardens will resolve the water issues. Mr. Tooma responded that the applicant has to go before the Planning Board and they will handle this situation.

Mr. Cannistra asked why the applicant went to the Zoning Board before the Planning Board. Mr. Tooma indicated that it was less of a financial burden to start the process with the Zoning Board.

Mr. Guyot questioned whether or not the Lake Lincoln Property Owner's Association needs to get involved with this project. Mr. Tooma replied only if they want to as recipients of a Public Notice.

Mr. Lansky appreciates how well the proposed garage and covered porch tie in to the existing house.

Mr. Cannistra asked if the siding of the garage will match that of the house. Ms. Fox responded that it will match in color, but not material.

The metal hatch will be removed and concrete walkway removed, filled and waterproofed. Mr. Guyot wanted to know if soil testing will be required. Ms. Fox said it shouldn't as there is no earth. Mr. Lansky reminded him that those issues aren't under the purview of the Zoning Board, but the Planning Board.

Mr. Newman asked if the construction of the garage will eliminate the safety issue of backing out of the driveway. Ms. Fox responded by saying it will allow for a wider angle of view.

Currently there is septic on the property, which would be eliminated as part of phase 1 if sewers were installed by the Town. Mr. Newman asked if consideration was given to placing the garage in that area. Ms. Fox said there is no guarantee that will happen, how long it will take, and placing the garage in that area would result in an even larger variance.

Some retaining walls exist. Mr. Guyot asked if any new ones will be added and if hand rails will be needed. Ms. Fox responded that one that exists will be extended by about 3", not requiring hand rails.

All agreed that the location of the proposed garage is reasonable and they appreciate that the parked cars would be further from the road.

Mr. Lansky made a motion to grant a front yard Area Variance of 11.8' for a two-car garage addition and a 4.3' Area Variance for a covered porch with the condition that the Planning Board adopt themselves as environmental lead agency, the SEQRA be a Type II Action and the applicant return to the Zoning Board of Appeals when they are through with the Planning Board. Mr. Harden seconded the motion.

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

POLL OF THE BOARD

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

The Area Variances were approved.

OTHER BUSINESS:

The minutes of the September 17, 2019 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on December 17, 2019 at 7:30 p.m. Chairman Cannistra wished everyone a Happy Thanksgiving. There being no further business, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board