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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

May 18, 2021
7:30 PM

1. **JOHN AND CARMEN CARWAY** **2021:ZB02 (CARRYOVER)**
An application for the renewal of a Special Exception Use Permit for an existing accessory apartment attached to an existing one family dwelling in an R-40 Residential District at **8 Old Croton Falls Road, Somers**. The property is shown on the Town Tax Map as **Section: 17.08, Block: 2 Lot: 1**. RE: Section Schedule 170-70.
2. **RAMANAND AND ANDREA LUKEE** **2021:ZB06**
An application for the renewal of a Special Exception Use Permit as new owners for an existing accessory apartment in a detached structure to an existing one family dwelling in an R-80 Residential District at **20 South Lane, Katonah**. The property is shown on the Town Tax Map as **Section: 48.17, Block: 1, Lot: 16**. RE: Section Schedule 170-70.
3. **CHRISTINE CRUISIUS-SMITH** **2021:ZB07**
An application for an Area Variance for lot coverage for both the principal building additions and accessory improvements to an existing one family dwelling in an R-40 Residential District at **21 Lynway Lane, Somers**. The property is shown on the

Town Tax Map as **Section: 17.10, Block: 1,**
Lot: 64. RE: Section Schedule 170-40A.

4. **OTHER BUSINESS**

April 20, 2021 Meeting
Minutes

Next Meeting, June 15, 2021



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
John + Carmen Carway

B Z NUMBER 2021-2602
DATE: 1/22/21

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

1. John and Carmen Carway
(Name of appellant)

whose post office address is 8 Old Croton Falls Road, Somers, NY
(Post office address) 10589

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 _____, and notice of such ruling was
first received by appellant on _____; such ruling

_____ (Give summary of ruling)

An Application for the renewal of
a Special Exception Use Permit for an
existing accessory apartment
attached to a one-family dwelling
in an R-40 Residential Zone.

3. The property which is the subject of the appeal is located at or known as _____
8 Old Croton Falls Road and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 17.08 Block: 2 Lot: 1

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

8 Old Croton Falls 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 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 22nd DAY January 20 21

Denise Schmitt
NOTARY SIGNATURE

Carmen Carway
OWNER SIGNATURE

DENISE SCHMITT
Notary Public
NOTARY SIGNATURE
Commission Expires 22

APPLICANT SIGNATURE



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589

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IN THE MATTER OF THE APPEAL
OF

Andrea + Ramanand Lukee

B Z NUMBER 2021: ZB06
DATE: 4/12/21

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

1. Andrea and Ramanand Lukee

(Name of appellant)

whose post office address is 20 South Lane, 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 and notice of such ruling was
first received by appellant on; such ruling

(Give summary of ruling)

An application to renew a Special Exception
Use Permit for a detached accessory
apartment of a one family existing dwelling
in an R-80 Residential zone as new boxes
of the property

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

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

Town Tax Map as Section: 48.17 Block: 1 Lot: 16

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

20 South Lane

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

As per the Code of the Town of Somers, a Special Exception Use Permit is required to have an accessory apartment

and such may be granted pursuant to 176-70

(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

12th

DAY

APRIL

2021

[Signature]

4/12/2021

NOTARY SIGNATURE

[Signature]

OWNER SIGNATURE

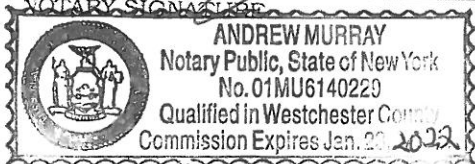
[Signature]

4/12/2021

NOTARY SIGNATURE

[Signature]

APPLICANT SIGNATURE





ZONING BOARD OF APPEALS
Town of Somers
WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589
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IN THE MATTER OF THE APPEAL
OF
Christine Crusius-Smith

B Z NUMBER 2020: ZB07
DATE: 4/19/21

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

1. Christine Crusius-Smith
(Name of appellant)

whose post office address is 21 Lynway Lane, Somers, NY 10589
(Post office address)

through David Tetro, Architect P.C.
(Name of attorney or representative if any)

whose post office address is 302 New 13 Avenue, Yorktown Heights, NY 10598
(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 S. Toome, Jr.
(Name of officer)

Building Inspector, made on April 6, 2021
(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 for lot
coverage for both the principal building,
additions and accessory improvements in
an R-40 Residential District

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

21 Lynway Lane and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 17.10 Block: 1 Lot: 64

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

21 Lynway Lane

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

A variance is needed for both the principal and accessories as indicated in the plan prepared by David Tetton, Architect P.C.

and such may be granted pursuant to 170-40A

(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 19th DAY April 2021
Denise Schirmer NOTARY SIGNATURE
[Signature] OWNER SIGNATURE

DENISE SCHIRMER Notary Public State of New York No. 0188228242
NOTARY SIGNATURE [Signature] 22
APPLICANT SIGNATURE

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ZONING BOARD OF APPEALS

Town of Somers

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TOWN HOUSE
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Victor Cannistra
Chairman



Meeting Minutes

April 20, 2021

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

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

Mr. Carpaneto, Mr. Harden and Mr. Lansky were absent.

Building Inspector Tom Tooma and interested residents were also present.

The meeting was held remotely via Zoom.

APPLICANTS

JOHN AND CARMEN CARWAY – 2021:ZB02 – 17.08-2-1 (CARRYOVER)

An application for the renewal of a Special Exception Use Permit for an existing accessory apartment attached to an existing one family dwelling in an R-40 Residential District at 8 Old Croton Falls Road, Somers. The property is shown on the Town Tax Map as Section: 17.08, Block: 2, Lot: 1. RE: Section Schedule 170-170.

There was no one in attendance to present the application. It will be placed on the May agenda.

JENNA DONNELLAN AND ANNMARIE MACCA – 2021:ZB05 – 48.13-1-28

An application for the renewal of a Special Exception Use Permit as a new owner for an existing accessory apartment in a detached structure to an existing one family dwelling in an R-80 Residential District at 74 Moseman Avenue, Katonah. The property is shown on the Town Tax Map as Section: 48.13, Block: 1, Lot: 28. RE: Section Schedule 170-70.

Jenna Donnellan addressed the Board. The apartment is currently occupied by her in-laws. Building Inspector Tom Tooma inspected the two-bedroom apartment on January 19th and there have been no changes. It meets all code requirements, and there have been no complaints or violations. The septic tank was cleaned in January 2020 and a copy of the receipt was given to the Board Secretary.

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

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

Ms. D'Ippolito made a motion to approve the renewal of the Special Exception Use Permit for an existing two-bedroom accessory apartment in a detached structure to an existing one family dwelling, to be renewed in 7 years. Mr. Newman 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. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

Minutes – The minutes of the March 16, 2021 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on May 18, 2021 at 7:30 p.m. There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board

DRAFT