

ZONING BOARD OF APPEALS

TOWN HOUSE  
ANNEX  
337 ROUTE 202  
SOMERS, NY 10589

Telephone  
(914) 277-5582

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*Town of Somers*

WESTCHESTER COUNTY, N.Y.



AGENDA

October 19, 2021  
7:30 PM

1. **ANDREA MATTEIS**                      **2021:ZB14**  
An application for a deck addition for less than the required lot size, rear yard setback and lot coverage to an existing one family dwelling in an R-10 Residential District at **18 Carpenter Place, Yorktown Heights.** The property is shown on the Town Tax Map as **Section: 16.10, Block: 5, Lot: 26.** RE: Section Schedule: 170:A1 Zoning Schedule Part 1.
  
2. **OTHER BUSINESS**                      September 21, 2021 Meeting Minutes  
  
Next Meeting, November 16, 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  
*Andrea Matteis*

B Z NUMBER *2021:ZB14*  
DATE: *10/6/2021*

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

1. *Andrea Matteis*  
(Name of appellant)

whose post office address is *18 Carpenter Place, Yorktown Heights, NY 10598*  
(Post office address)

through *Bob Eberts, Cross River Architects, LLC*  
(Name of attorney or representative if any)

whose post office address is *P.O. Box 384, Cross River, NY 10518*  
(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 *Tom Tooma*  
(Name of officer)

*Building Inspector*, made on *October 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 a deck addition to an existing one family dwelling for less than the required lot size, rear yard setback and lot coverage in an R-10 zone*

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

*18 Carpenter Place*, and is shown on the  
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *16.10*, Block: *5*, Lot: *26*

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 .....

18 CARPENTER PLACE

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

Lot Size - 10,000 SF required, 9,750 SF exists, 250 SF variance needed

Rear Yard - 25' required, 21.53' exists, 13.53' variance needed

Lot Coverage - 20.18% variance needed

and such may be granted pursuant to Section Schedule 170: A1

Zoning Schedule Part 1

(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

30<sup>th</sup>

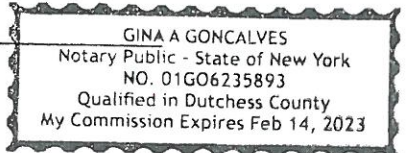
DAY

July

20 21

NOTARY SIGNATURE

OWNER SIGNATURE



NOTARY SIGNATURE

APPLICANT SIGNATURE

(914) 277-5582  
Telephone

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Facsimile

## ZONING BOARD OF APPEALS

# Town of Somers

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Victor Cannistra  
Chairman



### Meeting Minutes September 21, 2021

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

The members present were: Chairman Cannistra, Mr. Guyot, Mr. Lansky and Mr. Newman.

Mr. Carpaneto, Ms. D'Ippolito and Mr. Harden were absent.

Building Inspector Tom Tooma and interested residents were also present.

#### APPLICANTS

##### **CHRISTINE CRUISIUS-SMITH – 2021:ZB07 – 17.10-1-64 (CARRYOVER)**

An application for an Area Variance for lot coverage for both the principal buildings 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.

No one was in attendance to present the application. Since this was the second occurrence, the Chairman instructed the Secretary to remove the application from the agenda. If the owners want to move forward with the application, they will have to re-apply.

##### **LAWTON ADAMS, JR. – 2021:ZB13 – 17.12-2-44**

An application for a Special Exception Use Permit to build an accessory apartment above an existing garage attached to an existing one family dwelling in an R-40 Residential District at 21 Route 116, Purdys. The property is shown on the Town Tax Map as Section: 17.12, Block: 2, Lot: 44. RE: Section Schedule 170-70.



**17.12, Block: 2, Lot: 44.** RE: Section Schedule 170-70.

Mr. Adams approached the Board. He owns over 7 acres of property. His house was built in 1957. An attached garage was added in to the existing one family dwelling in June. He would like to construct a 775 square foot one bedroom accessory apartment above the garage for his son and fiancé. The accessory apartment will have a separate entrance and there is off street parking. It will also have a separate septic system.

A question came up about 170-70 (B) of the Code of the Town of Somers, "An accessory apartment may be located within the principal dwelling building or in an accessory building, provided that such principal or accessory building was constructed or issued a building permit prior to April 1, 1992." Building Inspector Tom Tooma replied that he would consider the garage to be part of the principal building and this section of the code would not be applicable.

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. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

Mr. Newman made a motion to approve the Special Exception Use Permit for a one-bedroom accessory apartment above an existing garage attached to an existing one family dwelling for the next 7 years. Mr. Guyot seconded the motion.

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

**POLL OF THE BOARD**

Mr. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

Last month, the Board and Mr. Tooma went into executive session to discuss a zoning change recommendation to the Town Board. A letter was drafted to the Town Board by Mr. Lansky and this evening he wanted to finalize it. A review and discussion continued and everyone came to an agreement. A new draft will be created and circulated for

comment. Building Inspector Tom Tooma and Town Planner David Smith will also be asked for their input.

**Minutes** – The minutes of the July 20, 2021 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on October 19, 2021 at 7:30 p.m. With there being no further business, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Denise Schirmer, Secretary  
Zoning Board of Appeals

cc: Town Board  
Town Clerk  
Planning and Engineering  
Planning Board