

Telephone
(914) 277-5582

ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



AGENDA

February 21, 2023
7:30 PM

1. **JEFFREY AND ANDREA WEISBROT** **2023:ZB03**
An application to renew a Special Exception Use Permit for an existing accessory apartment attached to an existing one family dwelling in an R-80 Residential District at **128 Young Road, Katonah**. The property is shown on the Town Tax Map as **Section: 38.06, Block: 1, Lot: 6**. RE: Section Schedule: 170-70.

2. **VICTOR AND DEBORAH WU** **2023:ZB04**
An application for a side yard area variance for an existing inground pool accessory in an R-80 Residential District at **8 Silver Springs Court, Katonah**. The property is shown on the Town Tax Map as **Section: 58.12, Block: 1, Lot: 10**. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.

3. **UB SOMERS, INC.** **2023:ZB02 (CARRY OVER)**
An application for a height variance for a new business sign for AT&T in a Neighborhood Shopping District at **80 Route 6, Baldwin Place**. The property is shown on the Town Tax Map as **Section: 4.20, Block: 1, Lot: 11.5**. RE: Section Schedule: 170-126.



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
Victor Wu + Deborah Wu

B Z NUMBER *2023: ZB04*
DATE: *January 31, 2023*

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

1. *Victor Wu + Deborah Wu*
(Name of appellant)
whose post office address is *8 Silver Springs Ct., Katonah, NY 10536*
(Post office address)
through *Cuddy + Feder LLP*
(Name of attorney or representative if any)
whose post office address is *445 Hamilton Ave., 14th Floor, White Plains, NY 10601*
(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. Toarna, Jr.*
(Name of officer)
Building Inspector made on *10/25/2022*
(Office held)
which ruling was filed on *10/25/2022* and notice of such ruling was
first received by appellant on *10/25/2022*; such ruling

(Give summary of ruling)
*Denied certificate of occupancy for swimming pool
w/ complaint with side yard set-back - minimum
15' required.*

3. The property which is the subject of the appeal is located at or known as *8 Silver
Springs Ct., Katonah, NY 10536*, and is shown on the
(Street and number or distance from and names of nearest intersecting streets)
Town Tax Map as Section: *58-2*, Block: *1*, Lot: *10*
The interest of the appellant is that of *owners*
(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.)

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 Steen Springs Ct, Katonah, NY 10536

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

see attached

and such may be granted pursuant to Code §§ 170-110 & 170-111

(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 31st DAY January 20 23

NOTARY SIGNATURE

OWNER SIGNATURE

Judy Coppola
NOTARY SIGNATURE
JUDY COPPOLA
Notary Public, State of New York
No. 01CO6333765
Qualified in Westchester County
Commission Expires November 30, 2023

Michael V. Caruso of Cuddy + Feder LLP,
as attorneys for owners & applicants.



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
Jeffrey and Andrea Weisbrot

B Z NUMBER 2023:EB03

DATE: August 18, 2022

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

1. Jeffrey Weisbrot
(Name of appellant)

whose post office address is 28 Young Road, Katonah, NY
(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

.....
(Give summary of ruling)

An application to renew a Special
Exception Use Permit for an existing
accessory apartment in an
existing one family dwelling

3. The property which is the subject of the appeal is located at or known as
28 Young Road, and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 38.06, Block: 1, Lot: 6

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

28 Young 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 18th DAY August 20 22

Denise Schirmer
NOTARY SIGNATURE

Jeffrey West
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242

NOTARY SIGNATURE *Qualified in Dutchess County Commission Expires March 10, 2024*

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
UB Somers, LLC

B Z NUMBER *2023: ZB02*
DATE: *12-16-2022*

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

1. *Willing Biddle*
(Name of appellant)
whose post office address is *320 Railroad Avenue, Greenwich, CT*
(Post office address)
through *Julie Gomez* *06830*
(Name of attorney or representative if any)
whose post office address is *12550 Reed Road, Suite 100, Sugar Land, Texas 77478*
(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 *Architectural Review*
(Name of officer)
Board, made on *December 1, 2022*
(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 16" height
variance for the logo that is
part of the AT+T sign over
the store*

3. The property which is the subject of the appeal is located at or known as *80 Route 6*
(Street and number or distance from and names of nearest intersecting streets)
Town Tax Map as Section: *4.20*, Block: *1*, Lot: *11.5*
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

80 Route 6

(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 sign cannot exceed 24" in height - the proposed logo is 16" - to make it any shorter would distort its and such may be granted pursuant to 170-126 figure

(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 December 20 22

Joanne Phillips

NOTARY SIGNATURE

JOANNE PHILLIPS
NOTARY PUBLIC
STATE OF CONNECTICUT
MY COMMISSION EXPIRES 11/30/25

AB Somers, Inc.
[Signature]

OWNER SIGNATURE

Andrew Albrecht, Vice President

NOTARY SIGNATURE

APPLICANT SIGNATURE

[Signature]

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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Victor Cannistra
Chairman

Town of Somers

WESTCHESTER COUNTY, N.Y.



Meeting Minutes

January 17, 2023

The meeting was called to order by Chairman Cannistra at 7:30 p.m. with the Pledge of Allegiance.

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

Mr. Guyot, Mr. Lansky and Mr. Padovani were absent.

Building Inspector Tom Tooma and interested residents were also present.

APPLICANTS

CARMEN AND SILVANA HULBERT - 2023:ZB01 – 38.13-2-25

An application to renew a Special Exception Use Permit as a new owner for an existing accessory apartment in a detached structure (cottage) of an existing one family dwelling in an R-80 Residential District at 17 Frances Drive, Katonah. The property is on the Town Tax Map as Section: 38.13, Block: 2, Lot: 25. RE: Section Schedule 170-70.

Carmen Hulbert addressed the Board. She and her daughter Silvana Hulbert purchased the property at the end of October 2022. Ms. Carmen Hulbert lives in the two-bedroom cottage and her daughter and family live in the one family dwelling. Building Inspector Tom Tooma inspected the apartment on January 4th, no changes have been made, it is identical to when it was previously approved and is compliant. There have been no complaints or issues.

Mr. Newman 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

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

Mr. Newman made a motion to approve the Special Exception Use Permit for an accessory apartment in a detached structure (cottage) of an existing one family dwelling for the next 7 years. Ms. D'Ippolito seconded the motion.

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

POLL OF THE BOARD

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

UB Somers, Inc. - 2023:ZB02 – 4.20-1-11.5

An application for a height variance for a new business sign for AT&T in a Neighborhood Shopping District at 80 Route 6, Baldwin Place. The property is on the Town Tax Map as Section: 4.20, Block: 1, Lot: 11.5. RE: Section Schedule 170-126.

There was no one in attendance to present the application.

Minutes – The minutes of the December, 2022 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on February 21, 2023 at 7:30 p.m. With there being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board