

(914) 277-5582

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

July 18, 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, Mr. Guyot, Mr. Harden, Mr. Lansky, Mr. Newman, and Mr. Padovani.

Ms. D'Ippolito was absent with prior notice.

Building Inspector, Tom Tooma and interested residents were also present.

APPLICANTS

JASON LONG – 2023:ZB18 – 16.09-3-46

An application for a rear yard area variance for an attached garage addition to an existing one family dwelling in an R-10 Residential District at 20 Lakeview Drive, Yorktown Heights. The property is on the Town Tax Map as Section: 16.09, Block: 3, Lot: 46. RE: Section Schedule:170:A1 Zoning Schedule Part 1.

Engineer John Scavelli addressed the Board. The applicant would like to add an attached two-car garage to their existing one family dwelling and in doing so, needs an 11.2' variance, as 25' is required and 13.8' exists. In his opinion, the variance would not have a negative impact on the neighborhood. A letter was shared by the only neighbor at 21 Lakeview Drive who might be affected, but had no objections. The houses on either side of Mr. Long's property are at least 100' away and there is a buffer of vegetation and mature trees. Placing the garage on the other side of the house would be not be an option, as the topography of the property in that area would create a lot of unnecessary work. The property is 35,000 square feet, odd shaped and on a bend in the road. An Environmental Determination has been done. Only two trees would have

to be removed. Department of Health approval for the project, which also includes a one-story addition has been approved.

Mr. Guyot 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

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

Mr. Harden made a motion to approve an 11.2' variance for an attached garage to an existing one family dwelling. Mr. Padovani seconded the motion.

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

POLL OF THE BOARD

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

The Variance was approved.

NICHOLAS FOSTER - 2023:ZB19 – 48.13-1-9

An application for a Special Exception Use Permit to alter an existing recreation area above a detached 3-car garage to an existing one family dwelling to create an accessory apartment in an R-80 Residential District at 4 North Lane, Katonah. The property is on the Town Tax Map as Section: 48.13, Block: 1, Lot: 9. RE: Section Schedule 170-70.

Mr. Foster addressed the Board. His house was built in 1980, and the 3-car, two story detached garage in 1987. In 2008, a recreation area was created on the second floor of the garage. He would like to alter the recreation area to create a one-bedroom accessory apartment. The plan submitted with the application shows the apartment as being over the 800 square feet maximum, which concerned the members, as they didn't feel comfortable approving a submission that didn't have accurate square footage. Mr.

Tooma will speak to Mr. Fosters architect regarding habitable space to aid in recalculating. The application will be carried over.

RICHARD AND DIANE BOURQUE - 2022:ZB20 – 18.13-2-32.5

An application for a front yard area variance for an addition to an existing one family dwelling in an R-10 Residential District at 14 Overlook Way, Purdys. The property is on the Town Tax Map as Section: 18.13, Block: 2, Lot: 32.5. RE: Section Schedule 170:A1 Zoning Schedule Part 1.

Chairman Cannistra announced that an email was received from the architect of the applicant and the application has been withdrawn.

39 CYPRESS LANE, LLC - 2022:ZB33 – 18.13-2-16 (CARRYOVER – POSTPONED)

An application for a variance to raise the perimeter grade of an existing one family dwelling to make it conforming in height in an R-10 Residential District at 52 Lake Way, Purdys. The property is on the Town Tax Map as Section: 18.13, Block: 2, Lot: 16. RE: Section Schedule 170:A1 Zoning Schedule Part 1.

Chairman Cannistra announced that an email was received from the attorney of the applicant and the application has been withdrawn.

Minutes – The minutes of the June 13, 2023 meeting were approved as submitted.

The next monthly meeting of the Zoning Board of Appeals will be held on August 15, 2023 at 7:30 p.m. With there being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board