JOHN MAXWELL
Chairman

PHILIP AGLIETTI
Vice-Chair

TOWN OF CARMEL
ZONING BOARD OF APPEALS

60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 – Ext 190
www.ci.carmel.ny.us

MICHAEL CARNAZZA
Director of Code Enforcement

BOARD MEMBERS
ROSE FABIANO
SILVIO BALZANO
WILLIAM ROSSITER
MARC DITOMASO
MICHAEL SCHWARZ

LEGAL NOTICE

By the Zoning Board of Appeals of the Town of Carmel pursuant to Section 267 Town Law, notice is hereby given that a hearing will be held on:

AUGUST 25, 2016 – 7:30 P.M.

To hear the following applications:

HELDOVER APPLICATIONS

1. Application of **EMTK Realty Corp.** for a Variation of Section 156-15, seeking permission to legalize 10 residential apartments. The property is located at 1736 Route 6, Carmel NY 10512 and is known by Tax Map #44.18-1-40.

Code Requires	Provided	Variance Required
40,000 sf area	30,990 sf	9,010 sf
200' width	72'	128'
Front yard westerly bldg. – 40'	38'	2'
Side yard westerly bldg. – 25'	4.5'	20.5'
Parking- 23 spaces	16 spaces	7 spaces
Width of parking spaces 10'	9'	1'
1 Loading space	0 Loading space	1 Loading space
Minimum width of driveway 24'	20'	4'
Side yard easterly bldg.-25'	0.4'	24.6'

2. Application of **Marcel Carrillo** for a Variation of 156-15, seeking permission to add 1st and 2nd floor addition. The property is located at 112 Gleneida Ave, Carmel, NY 10512 and is known by Tax Map # 44.13-2-72.

Code Requires	Provided	Variance Required
25'	7' Side	18'

NEW APPLICATIONS

3. Application of **Dr. Frank Carroll** for a Use Variance, seeking permission to construct a cabana and a new detached garage with ½ bath and multi-purpose room. The property is located at 180 Stebbins Road, Carmel NY 10512 and is known by Tax Map # 77.9-1-26.

4. Application of **Eric Pfisterer** for a Variation of Section 156-15, seeking permission to retain pool. The property is located at 214 North Road, Mahopac NY 10541 and is known by Tax Map # 63.82-1-54.

Code Requires	Provided	Variance Required
10' side	4'	6'
10' Rear	7'	3'

5. Application of **Eleanor Miscioscia** for a Variation of Section 156-15, seeking permission to retain pool. The property is located at 223 Orchard Road, Mahopac NY 10541and is known by Tax Map # 74.26-2-37.

Code Requires	Provided	Variance Required
10' back fence	4'	6'
25' from front	5'	20'

6. Application of **Zef Smajlaj** for a Variation of 156-27, seeking permission to construct a new bathhouse. The property is located at 803 South Lake Blvd., Mahopac NY 10541 and is known by Tax Map # 75.42-1-39.

Code Requires	Provided	Variance Required
Lot area – 3,000 sf	1133 sf	1867 sf
Lot width – 50 ft	49.5 ft	0.5 ft
Lot Depth – 30 ft	12 ft	18 ft
Front yard – 15 ft	5 ft	10 ft
Side Yard – 15 ft	0 ft	15 ft
Rear Yard – 15 ft	0 ft	15 ft
Off street parking – 2	0 ft	2

MISCELLANEOUS

7. Minutes – 07/28/16

By Order of the Chairman,

John Maxwell

mc

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
EMTK REALTY CORP.
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: February, 20 16

Application For: (circle applicable): Area Variance(156.15) Use Variance Interpretation 280A
(CODE SECTION)

Name of Property Owner: EMTK Realty Corp. Address: 1736 Route 6, (Address) Carmel, (City) NY (State)

Mailing Address: Same (Address) (City) (State) Phone Number(s):

Zoning District: Commercial (R-120, Commercial, C/BP, or Conservation) Tax Map: 44.18 (section) - 1 (Block) - 40 (Lot)

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) **[Attach deed, contract of sale or lease agreement]**

E-Mail Address:

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
July, 1984	Convert barn to 5 residential dwelling units	Never completed

List all improvements (1 family dwelling, pool, etc.) 2 story frame building with office and 4 dwelling units; 2 story frame barn with 5 dwelling units; 1 story frame building with one dwelling unit

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: Owner's Affidavit and Memorandum of Law to be submitted.

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? (YES) NO
Explain: Property has frontage on Route 6 (U.S).

I, the applicant, am seeking permission to: Legalize 10 residential apartments

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
40,000 sf area	30,990 sf	9,010 sf
200' width	72'	128'
Front yard westerly bldg - 40'	38'	2'
Sideyard westerly bldg - 25'	4.5'	20.5'
Parking - 23 spaces Width of Parking Spaces 10'	16 spaces 9'	7 spaces 1'
Loading space Min. Width of Driveway 24'	0 loading space 20'	1 loading space 4'
Sideyard easterly bldg 25'	0.4'	~~[illegible]~~ 24.8" 24.6'

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 1st day of ~~Feb.~~ APRIL 20 16

Notary Public

WILLIAM A. SHILLING JR
Notary Public, State of New York
No. 02SH4766423
Qualified in Putnam County
Commission Expires July 31, 2018

Petitioner Date 4/1/16

MC

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
Carrillo
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 6/21, 20 16

Application For: (circle applicable): Area Variance(156.15 CODE SECTION) Use Variance Interpretation 280A

Name of Property Owner: Marcel Carrillo Address: 112 Glenelda Ave. (Address) Carmel (City) 10512 (State)

Mailing Address: same (Address) (City) (State) Phone Number(s): _

Zoning District: C (R-120, Commercial, C/BP, or Conservation) Tax Map: 44.13 (section) - 2 (Block) - 72 (Lot)

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) **[Attach deed, contract of sale or lease agreement]**

E-Mail Address: _

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
7/24/2008	two story addition (Expired 9/2010)	approved

List all improvements (1 family dwelling, pool, etc.) 1 family dwelly

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: Survey + Plans.

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: Yes Rt. 52

I, the applicant, am seeking permission to: add 1st + 2nd floor Addition

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
35'	7' side	18'

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 12th day of July 20 16

Notary Public

AARON SHELDON
Notary Public - State of New York
NO. 01SH6326227
Qualified in Dutchess County
My Commission Expires Jun 15, 2019

Petitioner _ Date 07/12/2016

MC

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
CARROLL
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 8/10, 2016

Application For: (circle applicable): Area Variance(_____) (CODE SECTION) Use Variance Interpretation 280A

Name of Property Owner: DR. FRANK CARROLL Address: 180 STEBBINS RD (Address) CARMEL (City) N.Y. (State)

Mailing Address: 180 STEBBINS RD. (Address) CARMEL (City) NY. (State) Phone Number(s): _____

Zoning District: RESIDENTIAL Act (R-120, Commercial, C/BP, or Conservation) Tax Map: 72.9 (section) - 1 (Block) - 26 (Lot)

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) ARCHITECT **[Attach deed, contract of sale or lease agreement]**

E-Mail Address: _____

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
	No previous board appearances RT	

List all improvements (1 family dwelling, pool, etc.) GARAGE, CABANA, PORCH, POOL & TERRACE

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: PROJECT DRAWINGS: S1, G1, G2, C1, P1, T1

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: WEST SHORE DRIVE

I, the applicant, am seeking permission to: CONSTRUCT CABANA AND NEW DETACHED GARAGE WITH 1/2 BATH AND MULTI PURPOSE ROOM

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 11th day of August 2016

Sheryl James
Notary Public

Sheryl James
Notary Public - State of New York
No. 01JA6144507
Qualified in Dutchess County
My Commission Expires 4/24/2018

Petitioner _____ Date 8-11-16

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
Pfisterer
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 6/30, 2016

Application For: (circle applicable): Area Variance(156.15) Use Variance Interpretation 280A
(CODE SECTION)

Name of Property Owner: Eric Pfisterer Address: 214 North Rd. Mahopac NY
(Address) (City) (State)

Mailing Address: 214 North Rd Mahopac NY Phone Number(s):
(Address) (City) (State)

Zoning District: R-120 Tax Map: 63.82 - 1 - 54
(R-120, Commercial, C/BP, or Conservation) (section) (Block) (Lot)

Applicant is: (circle one) (Owner) ~~(Lessee)~~ (~~Contract Vendee~~) **[Attach deed, contract of sale or lease agreement]**

E-Mail Address:

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS

List all improvements (1 family dwelling, pool, etc.) 1 Family Dwelling + Pool

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: Survey, Photos

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: Yes Lake Secor

I, the applicant, am seeking permission to: Retain Pool

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
10' Side	4	6'
10' Rear	7	3'

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 19th day of July 2016

Juliann Lippolis
Notary Public

JULIANN LIPPOLIS
Notary Public - State of New York
No. 04LI6326268
Qualified in Putnam County
Commission Expires: June 15, 2019

Petitioner Date 7-19-16

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
Miscioscia
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 8/2/16, 20 16

Application For: (circle applicable): Area Variance(156.15) Use Variance Interpretation 280A
CODE SECTION

Name of Property Owner: Eleanor Miscioscia / Christine Miscioscia Address: 223 Orchard Rd (Address) Mahopac (City) NY (State)

Mailing Address: 223 Orchard Rd (Address) Mahopac (City) NY (State) Phone Number(s):

Zoning District: R (R-120, Commercial, C/BP, or Conservation) Tax Map: 74.26 (section) - 2 (Block) - 37 (Lot)

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) **[Attach deed, contract of sale or lease agreement]**

E-Mail Address:

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
1978	Shed	Approved

List all improvements (1 family dwelling, pool, etc.) retain pool, One family dwelling, Shed

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: Survey, Photos

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain:

I, the applicant, am seeking permission to: place/retain pool 4 ft from fence in side "front" and back

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
10 ft from back fence	4	6 ft from back
25 ft from front	5'	20 ft from front

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 8th day of August 20 16

Notary Public

PHYLLIS HUNT BOURGES
Notary Public, State of New York
No. 01BO4798459
Qualified in Putnam County
Certificate Filed in New York County
Commission Expires July 31, 2017

Petitioner Christine Miscioscia Date 8/8/16

MC

ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

Town Hall, Town of Carmel
60 McAlpin Ave.
Mahopac, N.Y. 10541
(845)628-1500

IN THE MATTER OF THE APPEAL
OF
Smajlaj
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 8/9/16, 2016

Application For: (circle applicable): Area Variance (156-27) (CODE SECTION) Use Variance Interpretation 280A

Name of Property Owner: ZEF SMAJLAJ Address: 803 SOUTH LAKE BLVD., MAHOPAC, NY (Address) (City) 10541 (State)

Mailing Address: 510 PARK AVENUE, NY., NY 10022 (Address) (City) (State) Phone Number(s):

Zoning District: R-120 (R-120, Commercial, C/BP, or Conservation) Tax Map: 75.42 (section) - 1 (Block) - 39 (Lot)

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) **[Attach deed, contract of sale or lease agreement]**

E-Mail Address:

Previous Appeals regarding the subject premises – NONE

DATE	REQUEST	RESULTS

List all improvements (1 family dwelling, pool, etc.) DOCK

The owner shall submit with this application supporting materials including plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps, property survey, photographs of property and any other materials that will assist the Board to understand the request. List attachments here: SITE PLAN, FLOOR PLAN AND ELEVATION

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? (YES) NO
Explain: LAKE MAHOPAC

I, the applicant, am seeking permission to: CONSTRUCT A NEW BATH HOUSE

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
LOT AREA - 3,000 SF	1133 SF	1867 SF
LOT WIDTH - 50 FT.	49.5 FT	0.5 FT.
LOT DEPTH - 30 FT.	12 FT.	18 FT.
FRONT YARD - 15 FT.	5 FT.	10 FT.
SIDE YARD - 15 FT.	0 FT.	15 FT.
REAR YARD - 15 FT.	0 FT.	15 FT.
OFF STREET PARKING - 2	0	2

State of New York)
ss:
County of Putnam)
The undersigned petitioner, being duly sworn, deposes and says that (he) (she) has read the foregoing petition and knows the content thereof, and that the same is true to (his) (her) knowledge except as to the matters therein stated to be on information and belief, and as to those matters (he) (she) believes to be true.

Sworn to before me this 10 day of Aug 2016

Rita M. Van Cook
Notary Public

Rita M. Van Cook
Notary Public, State of New York
Registration no. 01VA6022432
Qualified in Dutchess County
Commission Expires March 29, 2019

Petitioner [signature] Date 8/10/16