

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:

OCTOBER 27, 2016 – 7:30 P.M.

To hear the following applications:

1. Application of **Silvia Oliveri** for a Variation of Section 156-15, seeking permission to retain attached pool with pool deck. The property is located at 85 Lake Shore Drive, Mahopac, NY 10541 and is known by Tax Map #74.43-2-1.

Code Requires	Provided	Variance Required
15' Rear	12'	3'

2. Application of **Rosalind D'Amore** for a Variation of Section 156-15, seeking permission to retain shed. The property is located at 2 McMillan Ave, Mahopac NY 10541 and is known by Tax Map # 87.6-1-57.

Code Requires	Provided	Variance Required
10' Rear	2'	8'

3. Application of **Vjeko Cotaj** for a Variation of Section 156-15 and a Use Variance, Section 156-47A(1), seeking permission to construct shed. The property is located at 143 East Lake Blvd, Mahopac NY 10541 and is known by Tax Map #76.30-1-19.

Code Requires	Provided	Variance Required
10' Rear	1'	9'

4. Application of **Edward Mallon** for a Variation of Section 156-15, seeking permission to retain deck. The property is located at 66 Carey Road, Mahopac NY 10541 and is known by Tax Map #85.16-1-35.

Code Requires	Provided	Variance Required
15' Side	9'	6'

5. Application of **Mahopac Improvements Owner LLC - (Planet Fitness)** for a Variation of Section 156-41, seeking permission to install wall sign. The property is located at 135-183 Route 6, Mahopac NY 10541 and is known by Tax Map #86.11-1-22.

Code Requires	Provided	Variance Required
40 s.f.	109 s.f.	69 s.f.

6. Application of **Maria Lluka** for a Variation of Section 156-15, seeking permission to retain above ground pool. The property is located at 263 Rockledge Road, Mahopac NY 10541 and is known by Tax Map #74.34-2-3.

Code Requires	Provided	Variance Required
10'	3'	7'

7. Application of **First Presbyterian Church** for a Use Variance, seeking permission to have tag sale/flea market on select weekends. The property is located at 411 Route 6N, Mahopac NY 10541 and is known by Tax Map #75.13-1-30.

8. Application of **NL & M Holding Corp (Mazzola)** for a Variation of Section 156-15 and a Use Variance, seeking permission to complete second floor and add four apartments. The property is located at 936-942 South Lake Blvd, Mahopac NY 10541 and is known by Tax Map #75.44-1-47.

Code Requires	Provided	Variance Required
Mixed use–Not Permitted	Retail & Apartments	Use Variance
Front yard north – 40 ft	35.57 ft	4.43 ft
Front yard south – 40 ft	23.4 ft	16.6 ft
Side yard west – 25 ft	0.7 ft	24.3 ft
Parking – 30 P.S.	5 P.S.	31 P.S.
Parking – 10 ft x 20 ft	9 ft x 20 ft	1 ft width
ADA Parking	0 P.S.	1 P.S.
Side yard east – 25 ft	0.2 ft	24.8 ft

MISCELLANEOUS

9. Minutes – 07/28/16, 08/25/16 & 09/23/16

By Order of the Chairman,

John Maxwell



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

ML

IN THE MATTER OF THE APPEAL
OF

Oliveri

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 9/28, 20 16

Application For: (circle applicable): Area Variance(156.15) Use Variance Interpretation 280A
Name of Property Owner: Silvia Oliveri Address: 85 Lake Shore Drive
Mailing Address: 2224 Ellis Avenue Br. N.Y. Phone Number(s): ---
Zoning District: R-120 Tax Map: 74.43 - 2 - 1

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
	<u>NO PREVIOUS BOARD APPEALS</u>	<u>CS</u>

List all improvements (1 family dwelling, pool, etc.) 1 family dwlly, Pool + Deck

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 + Plan

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 Seen

I, the applicant, am seeking permission to: Retain attached Pool + Pool Deck

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>15' Rear</u>	<u>12</u>	<u>3'</u>

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 28 day of Sept 20 16
Alice Daly
Notary Public

ALICE DALY
Notary Public, State of New York
No. 01DA6345218
Qualified in Putnam County
Commission Expires July 25, 2020

Petitioner Silvia Oliveri Date 9/28/16



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

MD

IN THE MATTER OF THE APPEAL
OF
D'Amore
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 9/20, 2016

Application For: (circle applicable): Area Variance (156.15) Use Variance Interpretation 280A
CODE SECTION
Name of Property Owner: Rosalind D'Amore Address: 2 McMillan Ave Mahopac
(Address) (City) (State)
Mailing Address: Same Phone Number(s): 845-238-1818
(Address) (City) (State)
Zoning District: R-120 Tax Map: 87.6 - 1 - 57
(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
<u>5/83</u>	<u>Variance for Sunroom</u>	<u>granted</u>

List all improvements (1 family dwelling, pool, etc.) 1 family Dwelling, GAR, + 2 Sheds

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: No

I, the applicant, am seeking permission to: Retain 1 Shed

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' Rear</u>	<u>2</u>	<u>8'</u>

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 30th day of Sept 2016
Alice Daly
Notary Public

ALICE DALY
Notary Public, State of New York
No. 01DA6345218
Qualified in Putnam County
Commission Expires July 25, 2020

Petitioner Rosalind D'Amore Date 9/30/2016



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

Handwritten initials

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

Application Date: 9/15, 20 16

Application For: (circle applicable): Area Variance (156-15) ^{CODE SECTION} Use Variance Interpretation 280A
Name of Property Owner: Vjeko Cotaaj Address: 143 EAST LAKE BLVD. MAHOPAC
Mailing Address: same Phone Number: _____
Zoning District: R-120 Tax Map: 76.30 - 1 - 19
(R-120, Commercial, C/BP, or Conservation) (section) (Block) (Lot)

156-47A(1)

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
1985	second story addition	approved

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

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: Brochure + Survey

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 MAHOPAC EAST LAKE BLVD.

I, the applicant, am seeking permission to: CONSTRUCT SHED

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
10' Rear	1	9'

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 15th day of Sept. 20 16

[Signature]
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 [Signature] Date 09-15-16



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

Mallon

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 10/5, 20 16

Application For: (circle applicable): Area Variance 156.15 Use Variance Interpretation 280A
CODE SECTION
Name of Property Owner: EDWARD Mallon Address: 66 CAREY ST Mahopac N.Y.
(Address) (City) (State)
Mailing Address: 66 CAREY Mahopac NY Phone Number(s): 8-
(Address) (City) (State)
Zoning District: R-120 Tax Map: 85.16 - 1 - 35
(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
	<u>No previous board appearances</u>	<u>(RT)</u>

List all improvements (1 family dwelling, pool, etc.) 1 family Dwelling (m/d)

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: Plans + 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: No

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

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>15' Side</u>	<u>9'</u>	<u>6'</u>

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 7 day of Oct 2016
[Signature]
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 Edward Mallon Date 10/7/2016



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

ME

IN THE MATTER OF THE APPEAL
OF
Planet Fitness
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 10/6 2016

Application For: (circle applicable): Area Variance 156-41 Use Variance Interpretation 280A
 Name of Property Owner: Mahopac Improvements Owner LLC Address: 135-183 Route 6, Mahopac NY
 C/O DLC mgmt Cor. A 5500 White Plains Rd
 Mailing Address: Tarrytown NY 10551 Phone Number(s): (914) 301-5633
 Zoning District: C Tax Map: 86.11 1 22
 Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) [Attach deed, contract of sale or lease agreement!]
 E-Mail Address: MACDC-ZARCHS.COM

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
1988	Extension Wall Mounted Sign	Approved
2000	60 Sq. ft. sign on the side elevation of ATP	Approved

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

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: PLANS, PICTURES

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES NO
 Explain: Route 6

I, the applicant, am seeking permission to: Install Wall Sign

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>40'</u>	<u>109'</u>	<u>69'</u>

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 12 day of Oct 2016
[Signature]
 Notary Public

Regina Pellegrino
 Notary Public, State of New York
 No. 01PE5067784
 Qualified in Westchester County
 Commission Expires Oct. 28, 2018

[Signature]
 Petitioner

Date: 10/12/16



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

me

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

Application Date: 10/6, 20 16

Application For: (circle applicable): Area Variance 156-15 Use Variance Interpretation 280A
CODE SECTION

Name of Property Owner: Maria Lluka Address: 263 Rockledge Rd, Mahopac NY
(Address) (City) (State)

Mailing Address: 263 Rockledge Rd, Mahopac NY Phone Number(s): 911
(Address) (City) (State)

Zoning District: R-120 Tax Map: 74.34 - 2 - 3
(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
	<u>No previous board appearances</u>	<u>(RT)</u>

List all improvements (1 family dwelling, pool, etc.) Pool, Shed, Single Family Home

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, pictures

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

I, the applicant, am seeking permission to: Retain Above ground pool

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10'</u>	<u>3'</u>	<u>7'</u>

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 13th day of October 2016

Anna Pasquerello
Notary Public

Anna Pasquerello
Notary Public, State of New York
Qualified in Westchester County
No. 01PA6345328
Commission Expires July 25, 2020
Certificate Filed in Putnam County

Petitioner Maria Lluka Date 10-13-16



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

me

IN THE MATTER OF THE APPEAL
OF
First Presbyterian Church
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 8/25, 20 16

Application For: (circle applicable): Area Variance() Use Variance Interpretation 280A
Name of Property Owner: 1st Presbyterian Church Address: 411 RT6N Mahopac NY
(Address) (City) (State)

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

Zoning District: R-Residential Tax Map: 75.13 - 1 - 30
(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.) Education Bldg, Manse, and Parking Lot

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: _____

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 6N + Secor Rd

I, the applicant, am seeking permission to: Have Tag Sale/Flea Market on select weekends

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 25th day of Aug 20 16
[Signature]
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: Lisa D. Parrish Date 8/25/16

