

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:

MARCH 23, 2017 – 7:30 P.M.

To hear the following applications:

HELDOVER APPLICATIONS

1. Application of **RONALD TOPAL** for a Variation of Section 156-15, seeking permission to construct addition to existing house. The property is located at 751 South Lake Blvd. Mahopac, NY 10541 and is known by Tax Map #75.42-1-19.

Code Requires	Provided	Variance Required
Front - 25 ft	10.80 ft	14.20 ft
Side - 10 ft	5.00 ft	5.0 ft
Rear north - 15 ft	0 ft	15.0 ft
Rear east – 15 ft	2 ft	13.0 ft

NEW APPLICATIONS

2. Application of **AMERICO & MARIE SERINO** for a Variation of Section 156-15 & 156.47A(1), seeking permission to relocate existing 2 family dwelling and add porch to existing house. The property is located at 205 East Lake Blvd. Mahopac, NY 10541 and is known by Tax Map #65.17-1-54.

Code Requires	Provided	Variance Required
10 ft side (north)	6 ft	4 ft

3. Application of **MARSHALL J. MARINACE** for a Variation of Section 156-15, seeking permission to retain existing carport, patio and covered porch. The property is located at 141 Dixon Road, Carmel, NY 10512 and is known by Tax Map #43.17-1-74.

Code Requires	Provided	Variance Required
20 ft.- carport	5.95 ft	14.05 ft
20 ft. – hip roof	7.8 ft	12.2 ft
25 ft. – covered porch	17 ft	8 ft

4. Application of **MICHAEL SCHWARZ & KATHERINE BITTERS-SCHWARZ** for a Variation of Section 156-15, seeking permission to retain existing shed. The property is located at 21 West Lake Blvd., Mahopac, NY 10541 and is known by Tax Map #75.7-1-11.

Code Requires	Provided	Variance Required
10 ft - side	5.9 ft	4.1 ft

5. Application of **LORI & THOMAS INFANTINO** for a Variation of Section 156-15, seeking permission to subdivide property into 2 lots. Lots width, depth and frontage variances for Lots 1 & 2 needed. The property is located at 452 North Lake Blvd., Mahopac, NY 10541 and is known by Tax Map #64.12-1-56.

Code Requires	Provided	Variance Required
Lot 1 Frontage 100'	51.92 ft	48.18 ft
Lot 1 Width measurement leaves site due to odd shape		
Lot 1 Depth measurement leaves site due to odd shape		
Lot 2 Depth measurement leaves site due to odd shape		

6. Application of **SETH HARRISON** for a Variation of Section 156-15, seeking permission to retain deck. The property is located at 19 Muscoot West, Mahopac, NY 10541 and is known by Tax Map #75.73-1-7.

Code Requires	Provided	Variance Required
10 ft – side	9 ft	1 ft

7. Application of **ANDREW DeMONTILLE** for a Variation of Section 156-15, seeking permission to erect detached garage. The property is located at 110-108 Croton Falls Road, Mahopac, NY 10541 and is known by Tax Map #65.18-1-69.

Code Requires	Provided	Variance Required
20 ft – side yard	10 ft	10 ft

8. Application of **SAYED EL SHAKRY** for a Variation of Section 156-15, seeking permission to rebuild barn over existing foundation. The property is located at 47-51 Fair Street, Carmel, NY 10512 and is known by Tax Map #44.14-1-53.

Code Requires	Provided	Variance Required
25 ft – side yard	1.5 ft existing	23.5 ft
40 ft – rear yard	7.0 ft existing	33 ft

MISCELLANEOUS

9. Minutes – February 23, 2017

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

Mc

IN THE MATTER OF THE APPEAL
OF

Ronald Topal
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 2/7, 20 17

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

Name of Property Owner: Ronald Topal Address: 751 South Lake Blvd Mahopac, NY, 10541

Mailing Address: 140 Riverside Drive New York, NY Phone Number(s): 917-697-0054

Zoning District: R-120
(R-120, Commercial, C/BP, or Conservation)

Tax Map: 10024 - 75.42 - 1 - 19
(section) (Block) (Lot)

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

E-Mail Address: braces-usa@att.net

Previous Appeals regarding the subject premises None

DATE	REQUEST	RESULTS

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

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, Site Plan, Floor Plans & Elevations

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

I, the applicant, am seeking permission to: Construct addition to existing house

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
Front yard - 25ft	10.80 ft	14.20ft
Side yard - 10 ft	5.00 ft	5.0 ft
Rear yard north - 15ft	0ft	15 ft
Rear yard east - 15 ft	2 ft	13 ft

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 February, 20 17

Tina M. Zubradt
Notary Public

TINA M. ZUBRADT
Notary Public, State of New York
No. 01ZU6103694
Qualified in Dutchess County
Commission Expires January 5, 2020

Petitioner

Ronald Topal

Date 2/7/17



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

Serino

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 2/15, 20 17

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

Name of Property Owner: AMERICO + MARIE SERINO Address: 205 EAST LAKE BOULEVARD MAHOPAC NY

Mailing Address: 23-A MILLER AVE MAHOPAC NY 10541 Phone Number(s): 117-42-3111

Zoning District: R-120 Tax Map: 65.17 - 1 - 54

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.) 2 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: Plans, 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 EAST Lake Blvd + Lake Mahopac

I, the applicant, am seeking permission to: Relocate existing 2 family dwelling and add porch

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' side (North)</u>	<u>6'</u>	<u>4'</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 15th day of Feb. 20 17

Alice Daly
Notary Public

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

Petitioner

Am Serino

Date 2-15-17



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

MARINAGE

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 2/28, 2017

Application For: (circle applicable): Area Variance 156-15 Use Variance Interpretation 280A
Name of Property Owner: Marshall J. Maringce Address: 141 Dixon Rd Carmel NY
Mailing Address: 141 Dixon Rd Carmel NY Phone Number(s):
Zoning District: R-120 Tax Map: 43.17 - 1 - 74
(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 om

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
	<u>No previous board appearance</u>	<u>ST</u>

List all improvements (1 family dwelling, pool, etc.) Carport, Hip Roof, (1 family house, 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, 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: Dixon Road

I, the applicant, am seeking permission to: Retain Carport, Patio + Covered Porch

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>20' Carport</u>	<u>5.95</u>	<u>14.05</u>
<u>20' Hip Roof</u>	<u>7.8</u>	<u>12.2</u>
<u>25' Covered Porch</u>	<u>17'</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 28 day of Feb. 2017

Phyllis Hunt Bourges
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

Date 2/28/17



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

Bitters-Schwarz/Schwarz

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 3/6/17, 20

Application For: (circle applicable): Area Variance 156-151 Use Variance Interpretation 280A
CODE SECTION

Name of Property Owner: Katherine Bitters-Schwarz Address: 21 West Lake Blvd, Mahopac NY
Michael Schwarz (Address) (City) (State)

Mailing Address: 21 West Lake Blvd Mahopac Phone Number(s)
(Address) (City) (State)

Zoning District: R-120 Tax Map: 75.7 - 1 - 11
(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: il.com

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
8/2002	deck variance under 'Motiola' - Isma	granted/approved

List all improvements (1 family dwelling, pool, etc.) 1 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, deed, pictures, statement of principal party

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, West Lake Blvd

I, the applicant, am seeking permission to: retain a shed (MS)

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' side</u>	<u>5.9' MS</u>	<u>4.1' MS</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 6 day of March 2017

Nelida Lara-Garduno
Notary Public

NELIDA LARA-GARDUNO
Notary Public, State of New York
Reg. No. 02LA6251510
Qualified in New York County
My Commission Expires Nov. 14, 2019

Petitioner

Date 3/6/17



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

Infantino

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 2/9/17, 2017

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

Name of Property Owner: LORI & THOMAS INFANTINO Address: 452 N. LAKE BLVD MAHOPAC 10541
(Address) (City) (State)

Mailing Address: 52 Split Rock Rd MAHOPAC 10541 Phone Number(s): 914-403-5019
(Address) (City) (State)

Zoning District: R-120 Tax Map: 64.12 - 1 - 56
(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: TALLIELINSE@GMAIL.COM

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS

List all improvements (1 family dwelling, pool, etc.) HOUSE & DRIVEWAY

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

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

I, the applicant, am seeking permission to: SUBDIVIDE PROPERTY INTO 2 LOTS, LOTS WIDTH, DEPTH AND FRONTAGE VARIANCES FOR LOTS 1 & 2 NEEDED.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>LOT 1 WIDTH MEASUREMENT</u>	<u>LEAVES SITE DUE TO</u>	<u>ODD SHAPE.</u>
<u>LOT 1 DEPTH MEASUREMENT</u>	<u>LEAVES SITE DUE TO</u>	<u>ODD SHAPE.</u>
<u>LOT 2 DEPTH MEASUREMENT</u>	<u>LEAVES SITE DUE TO</u>	<u>ODD SHAPE.</u>
<u>LOT 1 FRONTAGE 100'</u>	<u>51.92'</u>	<u>48.18'</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 8th day of March, 2017

[Signature]
Notary Public

Denise Nizolek
Notary Public, State of New York
Registration no. 01N16218997
Qualified in Putnam County
Commission Expires March 15, 2018

Petitioner Jallie Pine Date 3/8/17



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

Harrison

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 1/25, 2017

Application For: (circle applicable): Area Variance 156.15 Use Variance Interpretation 280A
Name of Property Owner: Seth Harrison Address: 19 Moscat West Mahopac NY 10541
Mailing Address: (Address) (City) (State) Phone Number(s): 845-216-0064
Zoning District: R-120 Tax Map: 75.73 - 1 - 7
Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) [Attach deed, contract of sale or lease agreement]
E-Mail Address: Sethmac3@gmail.com

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 House, Deck & 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: Deck Detail Sheet, Survey of Property w/Deck
Drawn to scale, Image of Deck

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>10' side</u>	<u>9'</u>	<u>1'</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 8th day of March 2017

[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 3/7/17



Willy
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

Application Date: 3/7/17, 2017

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

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

Name of Property Owner: ANDREW DeMontille Address: 110-108 CROTON FALLS RD Mahopac 10541
(Address) (City) (State)

Mailing Address: 110-108 CROTON FALLS RD MAHOPAC 10541 Phone Number(s) _____
(Address) (City) (State)

Zoning District: R-120
(R-120, Commercial, C/BP, or Conservation)

Tax Map: 65-18 - 1 - 09
(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
Jan 1996	EXPAND SECOND DWELLING	granted
June 1997	EXPAND MAIN HOUSE	Granted

List all improvements (1 family dwelling, pool, etc.) HOUSE, COTTAGE AND BARN, storage 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: PLANS of prop Garage and site 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 Mud pond

I, the applicant, am seeking permission to: erect detached Garage.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
20' SIDE YARD	10' PROVIDED	10'

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 March 2017

[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

3/7/17



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

Sayed El Shakry
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: March 6, 2017

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

Name of Property Owner: Sayed El Shakry Address: 47-51 Fair St., Carmel, NY 10512
(Address) (City) (State)

Mailing Address: 75 Cranberry Neck Road Phone Number(s):
(Address) (City) (State) Cranberry, NJ 08012

Zoning District: R-120 Tax Map: 44.14 - 1 - 53
(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 NONE

DATE	REQUEST	RESULTS
	<u>PREVIOUS</u>	
	<u>NO ZBA APPEARANCES - Sma</u>	

List all improvements (1 family dwelling, pool, etc.) 3 multi family dwellings, 2 garage bldgs
(1) building being rebuilt & 1 foundation

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 and 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: Fair St. - County Road

I, the applicant, am seeking permission to: Rebuild barn over existing foundation

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
side yard 25ft	1.5 ft existing	23.5 ft
rear yard 40 ft	7.0 ft existing	33 ft

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 March 2017

Tina M. Zubradt
Notary Public

TINA M. ZUBRADT
Notary Public, State of New York
No. 01ZU6103694
Qualified in Dutchess County 2018
Commission Expires January 5, 2018

Petitioner Sayed El Shakry

Date 3/7/17