

APPROVED

JOHN MAXWELL
Chairman

PHILIP AGLIETTI
Vice-Chairman

**TOWN OF CARMEL
ZONING BOARD OF APPEALS**



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MICHAEL CARNAZZA
*Director of Code
Enforcement*

BOARD MEMBERS

ROSE FABIANO
SILVIO BALZANO
WILLIAM ROSSITER
MARC DITOMASO
MICHAEL SCHWARZ

ZONING BOARD OF APPEALS MINUTES

SEPTEMBER 22, 2016

PRESENT: CHAIRMAN, JOHN MAXWELL, ROSE FABIANO, SILVIO BALZANO,
MARC DITOMASO

ABSENT: VICE-CHAIRMAN, PHILIP AGLIETTI, WILLIAM ROSSITER, MICHAEL SCHWARZ

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Anthony Dametta	44.11-1-31	1	Granted.
Suzan Alm	44.13-2-71	1-3	Granted.
Minutes- 07/28/16 & 08/25/16		3	Heldover.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta

Application of Anthony Dametta for a Variation of Section 156-15, seeking permission to retain existing pool. The property is located at 53 Hill & Dale Road, Carmel, NY 10512 and is known by Tax Map # 44.11-1-31.

Code Requires	Provided	Variance Required
30'	21'	9'

Mr. Anthony Dametta was sworn in. He addressed the board and stated he has an existing pool that has been up for 13 years and is looking for a variance because it is too close to the property line.

Mr. Maxwell asked if he checked with his neighbors.

Mr. Dametta stated 35 notices were sent out and the sign was put in the front lawn. He said as far as I know there are no complaints.

Mr. Maxwell asked if he realized at the time that he needed a permit.

Mr. Dametta stated he paid a pool company to put the pool in 13 years ago. He realized a permit wasn't done when he wanted to build a deck to the pool.

Mr. Maxwell stated unfortunately a lot of pool companies do that.

Mr. Balzano asked if the deck is within the setbacks.

Mr. Dametta replied yes.

Mr. Maxwell asked if anyone in the audience has any input on the application.

Mr. Balzano moved to close the public hearing. The motion was seconded by Mr. DiTomaso with all in favor.

Decision of the Board:

Mr. Balzano moved to grant the variance. The motion was seconded by Mr. DiTomaso with all in favor.

Application of Suzan Alm for a Variation of Section 156-15, seeking permission to reconstruct burnt building, square rear, add front porch and enlarge existing detached garage. The property is located at 114 Gleneida Ave., Carmel NY 10512 and is known by Tax Map # 44.13-2-71.

Code Requires	Provided	Variance Required
40' Front Yard	18'	22'
Side Yard 25'	6.6'	18.4'
Side Yard 25' (accessory)	2'	23'

Mr. Willie Besharat of Rayex Design, representing the applicant was sworn in and addressed the board and stated the existing house was destroyed by a fire. He said we are in the process of re-building it

and we square off the rear left corner of the house it will function better and we would like to stay with the traditional colonial look of the area. He said we are putting in a front porch for esthetics. He said we are staying with the existing foundation location except it will be squared off. Mr. Maxwell asked if the side yards will remain the same.

Mr. Besharat replied yes. He said the same lines will remain.

Mr. Maxwell stated you don't need a rear variance just the side variance.

Mr. Besharat replied that's correct.

Mr. Maxwell asked how much further does the front porch come out?

Mr. Besharat replied about 6 feet. He said it's the standard colonial porch and we are keeping with the character of the neighborhood.

Mr. Maxwell asked if there was damage to the foundation.

Mr. Besharat replied it was damaged and it is not salvageable. He said they are better off with a new foundation.

Mrs. Fabiano asked if the garage was existing.

Mr. Besharat replied yes, but we are increasing the size of the garage to give it more depth.

Mrs. Fabiano asked if they thought about getting rid of the extra two feet on the side line of the mud room.

Mr. Besharat said the main reason for the mud room is because of the play area in the backyard. He said the mud room was existing. He said the only way back is through the mud room to the backyard.

Mr. Maxwell asked if anyone in the audience has any input on the application.

Mrs. Judy Roque, neighbor was sworn in.

Mrs. Roque was concerned about the mud room; she said another two feet was added onto it that comes closer to my driveway. She stated she was told that they were using the same footprint. If they are using the same footprint we are they getting 2 feet more?

Mr. Besharat stated we measured the foundation and there may have been a discrepancy in our measurement, but we are going with exactly what the surveyor gave us. He said if it is 3½ feet, we will reduce the size of the mud room. He said the mud room is strictly to go in and out of the house without having to go through the parking lot. The side yards will remain the same. He said we will double check our numbers.

Mr. Carnazza asked if he has the survey with him.

Mr. Besharat replied yes and showed it to him.

Mr. Maxwell asked if the mud room has an existing foundation.

Mr. Besharat replied yes.

Mr. Maxwell said so you are not going to encroach any further then that footprint.

Mr. Besharat that's correct.

Mr. Carnazza said according to the survey it's actually less. It says 6.2' and what he proposed is 6.6'

Mr. Besharat said that's correct. The reason why is because the foundation is irregular and once you square it off it works out slightly smaller. He said we will provide a copy of the survey to the neighbors.

Mr. Maxwell stated we will keep the numbers as is and hopefully you will need less of a variance.

Mrs. Roque asked how much further will the front porch be to the sidewalk?

Mr. Besharat replied 6 feet.

At which time, Mr. Carnazza explained the variances to Mrs. Roque that the applicant was seeking.

Mrs. Roque stated so the porch will be 18 feet to the sidewalk.

Mr. Carnazza replied no, it's 18 feet to the front property line. The sidewalk is beyond the property line.

Mrs. Roque inquired about the sign on their property and asked if something could be done about it because it is a blind spot when she is pulling out of her driveway. Maybe it could be moved further back.

Mr. Besharat stated everything will be re-done and I will address it with the applicants. The sign is necessary for their business, but if it creates an obstacle for the neighbors, we will be more than happy during construction to move it and re-locate it for better sight distance.

Mr. Carnazza said to maybe raise the sign and put it on a single post.

Mr. Besharat replied okay.

Mr. Maxwell asked if anyone else wished to speak on this application.

Hearing no further comments, Mr. Balzano moved to close the public hearing. The motion was seconded by Mr. DiTomaso with all in favor.

Decision of the Board:

Mrs. Fabiano moved to grant the variances. The motion was seconded by Mr. DiTomaso with all in favor.

MINUTES - 07/28/16 & 08/25/16

Mr. Balzano moved to holdover the minutes. The motion was seconded by Mrs. Fabiano with all in favor.

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Rose Trombetta