

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 24, 2017 – 7:30 P.M.**

To hear the following applications:

**NEW APPLICATIONS**

1. Application of **TERRENCE J KLUBER** for a Variation of Section 156-15, seeking permission to build front porch and replace side deck and stairs. The property is located at 45 Curry Road, Mahopac NY 10541 and is known by Tax Map 53.12-1-22.

Code Requires	Provided	Variance Required
10 ft. – side	5 ft.	5 ft.

2. Application of **LENA SMAJLAJ** for an Interpretation regarding existing fence was maintained and not replaced as per the Zoning Board of Appeals Decision & Order dated June 24, 2010. The property is located at 256 East Lake Blvd., Mahopac NY 10541 and is known by Tax Map 65.17-1-22.

3. Application of **ELVIS APONTE** for a Variation of Section 156-15, seeking permission to construct new deck. The property is located at 23 Fenwood Road, Mahopac NY 10541 and is known by Tax Map 76.18-2-48.

Code Requires	Provided	Variance Required
30 ft. – rear	25 ft.	5 ft.

4. Application of **RICHARD & JILL TALCOVITZ** for a Variation of Section 156-15, seeking permission to retain an existing shed. The property is located at 11 Aunt Patty's Lane, Mahopac NY 10541 and is known by Tax Map 76.11-1-54.

Code Requires	Provided	Variance Required
10 ft. - side	5 ft.	5 ft.

5. Minutes - July 27, 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

*me*

IN THE MATTER OF THE APPEAL  
OF

*Klubber*

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 7/18, 20 17

Application For: (circle applicable): Area Variance (156.15)  
CODE SECTION Use Variance Interpretation 280A  
Name of Property Owner: Terrence J Klubber Address: 45 Curry Rd Mahopac NY 10541  
(Address) (City) (State)  
Mailing Address: 34 Bully Rd Wading River NY 11792 Phone Number(s): \_\_\_\_\_  
(Address) (City) (State)  
Zoning District: R-120 Tax Map: 53.12 - 1 - 22  
(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>2003</u>	<u>Deck Construction on front of house</u> <u>- approved</u>	<u>SM</u>

List all improvements (1 family dwelling, pool, etc.) 1 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 + 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: NO

I, the applicant, am seeking permission to: Build Front Porch + Replace side Deck + Stairs

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' side</u>	<u>5'</u>	<u>5'</u>

State of New York )  
                                  *JA*  
                                  ss: Suffolk  
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 20 17

Jeanine M. Holland  
Notary Public

JEANINE M. HOLLAND  
Notary Public, State of New York  
No. 01H06145113  
Qualified in Suffolk County  
Commission Expires May 1, 2018

Petitioner *Terrence Klubber* Date 7-19-17



ZONING BOARD OF APPEALS  
TOWN OF CARMEL  
PUTNAM COUNTY

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

*MC*

IN THE MATTER OF THE APPEAL  
OF

SmajLaj

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 6/9, 2017

Application For: (circle applicable): Area Variance( ) Use Variance Interpretation 280A  
CODE SECTION  
 Name of Property Owner: LENA SMAJLAJ Address: 256 EAST LAKE BLVD  
(Address) (City) (State)  
 Mailing Address: 271 EAST LAKE BLVD Phone Number(s):  
(Address) (City) (State)  
 Zoning District: R-120 Tax Map: 65.17 - 1 - 22  
(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>2010</u>	<u>Fence</u>	<u>Granted w/condition to conform to code when required replacement - maintenance is allowed</u>

*(Signature)*

List all improvements (1 family dwelling, pool, etc.) 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: 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 EAST Lake Blvd

I, the applicant, am seeking permission to: Interpretation that fence was maintained and not replaced

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 16 day of June 2017  
*(Signature)*  
 Notary Public

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

Petitioner Lena SmajLaj Date 6/16/17



ZONING BOARD OF APPEALS  
TOWN OF CARMEL  
PUTNAM COUNTY

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

*mk*

IN THE MATTER OF THE APPEAL  
OF

Aponte

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 7/31, 2017

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

Name of Property Owner: E. Luis Aponte Address: 23 Fenwood Rd. Mahopac, Ny.  
(Address) (City) (State)

Mailing Address: S/A/A Phone Number(s):  
(Address) (City) (State)

Zoning District: R-120 Tax Map: 76.18 - 2 - 48  
(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>House Plans (pool)</u>	<u>Deny</u>

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

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: \_\_\_\_\_

I, the applicant, am seeking permission to: Construct New Deck

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<del>30'</del> <u>30' Rear</u>	<u>25'</u>	<u>5'</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 2 day of Aug. 2017

Alice Daly  
Notary Public

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

Petitioner E. Luis Aponte Date 8-2-17





ZONING BOARD OF APPEALS  
TOWN OF CARMEL  
PUTNAM COUNTY

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

*me*

IN THE MATTER OF THE APPEAL  
OF

*Talcovitz*

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: \_\_\_\_\_, 20\_\_\_\_

Application For: (circle applicable): Area Variance( *156.15* ) Use Variance Interpretation 280A  
CODE SECTION  
 Name of Property Owner: *Richard Talcovitz* Address: *11 Aunt Pattys Lane Mahopac NY*  
(Address) (City) (State)  
 Mailing Address: *11 Aunt Pattys Lane Mahopac NY* Phone Number(s): \_\_\_\_\_  
(Address) (City) (State)  
 Zoning District: *R-120* Tax Map: *76-11* - *1* - *34*  
(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
	<i>NO previous ZBA applications</i>	<i>(Dma)</i>

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: *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 (NO)  
 Explain: \_\_\_\_\_

I, the applicant, am seeking permission to: ~~Keep shed in place~~ *EXISTING 8X14 shed*

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<i>10' side</i>	<i>5'</i>	<i>5'</i>

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 *4* day of *August* 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 *Jill B. Talcovitz* Date *8/4/17*