

**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:**

**September 28, 2017 – 7:30 P.M.**

**To hear the following applications:**

**HELD OVER APPLICATIONS**

1. Application of **LENA SMAJLAJ** seeking an Interpretation regarding existing fence was maintained and not replaced as per the Zoning Board of Appeals Decision & Order dated June 24, 2010, and a use variance to retain shed on lot without principal dwelling. The property is located at 256 East Lake Blvd., Mahopac NY 10541 and is known by Tax Map 65.17-1-22.

Code Requires	Provided	Variance Required
Shed: 10' - side	1.8 ft	8.2 ft

## NEW APPLICATIONS

2. Application of **JULIUS MANGIONE** for a Variation of Section 156-15, seeking use variances for additions/improvements to different lots. The properties are located at Rock Road North & Rock Road South, Carmel NY 10512 and are known by Tax Maps:

55.-2-17.-1	20 Rock Road North	10' x 16' porch
55.-2-17.-2	40 Rock Road North	Screened porch & shed
55.-2-17.-3	41 Rock Road North	8' x 16' shed
55.-2-17.-4	47 Rock Road North	Wood/coal stove & shed
55.-2-17.-5	45 Rock Road North	12' x 51' porch, 4' x 8' porch canopy, 14' x 22' garage & shed
<hr/>		
55.-2-17.-6	2 Rock Road North	Finished attic & 201' sf deck
55.-2-17.-7	6 Rock Road North	10' x 28' porch & finished attic
55.-2-17.-10	7 Rock Road South	Two wood/coal stoves, garage & car port
55.-2-17.-11	39 Rock Road North	14' x 20' deck & 2 sheds
<hr/>		
55.-2-17.-8	1 Rock Road South	New Request: 8' x 10' shed

**CODE REQUIRES:**

Article V – Section 156.46 Conformance Required Non-conforming Uses and Section 156.47 – Non-conforming use of buildings may continue; indefinitely, but may not be structurally extended, or placed on a different portion of the lot or parcel.

**PROVIDED:**

Additions to, alterations of and improved structures extension of existing legal non-conforming homes, and installation of sheds and improvements on different portions of a lot.

**VARIANCE REQUIRED:**

Use Variances to allow said changes of legal non-conforming single family residence homes owned by APPLICANT or owned by Land Lease Tenants; all on real property owned by APPLICANT.

3. Application of **277 BUCKSHOLLOW LLC** seeking an Interpretation regarding a 3 family dwelling that existed prior to 1955. The property is located at 279 Buckshollow Road, Mahopac NY 10541 and is known by Tax Map 75.12-2-38.
4. Application of **EVAN TARTAGLIA** for a Variation of Section 156-15, seeking permission to retain existing shed. The property is located at 11 Glen Ridge Road, Mahopac NY 10541 and is known by Tax Map 76.13-2-21.

Code Requires	Provided	Variance Required
10' – side	6'	4'

5. Application of **JOHN KAVALIERATOS** for a Variation of Section 156-39.5, seeking permission to retain chicken coop & run. The property is located at 106 Austin Road, Mahopac NY 10541 and is known by Tax Map 75.5-1-37.

Code Requires	Provided	Variance Required
15' - side	1'	14'

6. Minutes – August 24, 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

*Smajlaj*

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 6/9, 20 17

Application For: (circle applicable): Area Variance (156.15) 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>

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 + 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

I, the applicant, am seeking permission to: Interpretation that fence was maintained and not replaced, retain Shed on lot without Principal Dwelling

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>Shed 10' side</u>	<u>1.8'</u>	<u>8.2'</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 16 day of June 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 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

IN THE MATTER OF THE APPEAL  
OF

Julius R. Mangione

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: August, 20 17

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

Name of Property Owner: Julius R. Mangione Address: 56 Spencer St., Mt. Kisco, NY 10549  
(Address) (City) (State)

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

Zoning District: R-60 Tax Map: 55 - 2 - 17.1, 2, 3, 4, 5, 6, 7, 8+10 & 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: Anthony J. Pieragostini, Esq., attorney for Applicant:  
pieragostiniesq@aol.com

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
N/A	none known	

List all improvements (1 family dwelling, pool, etc.) see attached Pages 2-5

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: Tax Map, Addresses & Bungalow designation Chart; photographs of building with additions; and survey dated Oct. 16, 1974 with plotted additions.

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/~~NO~~  
Explain: abuts Lake Gillien - NYC Water Supply

I, the applicant, am seeking permission to: grant Use Variances for the additions/improvements and changes stated herein

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
See Page 6		

State of New York )

Westchester  
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<sup>th</sup> day of Aug. 20 17

Notary Public

Anthony J. Pieragostini  
Notary Public, State of New York  
No. 4606674  
Appointed For Westchester County  
My Commission Expires Nov. 30, 2017

Petitioner

Julius R. Mangione  
Julius R. Mangione

Date 8/16/17

11



ZONING BOARD OF APPEALS  
TOWN OF CARMEL  
PUTNAM COUNTY

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

IN THE MATTER OF THE APPEAL  
OF  
277 Buckshollow LLC  
TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 8/21, 20 17

Application For: (circle applicable): Area Variance( ) Use Variance Interpretation 280A  
Name of Property Owner: 277 Buckshollow LLC Address: 277 Buckshollow Rd Mahopac NY 10541  
Mailing Address: 25 Memory Ln Mahopac 10541 Phone Number(s): 914-801-0859  
Zoning District: R-120 Tax Map: 75.12 - 2 - 38  
Applicant is: (circle one) Owner (Lessee) (Contract Vendee) [Attach deed, contract of sale or lease agreement]  
E-Mail Address: JAN@LEAFANDJAWA.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.) 3 family dwell (was 2) and College  
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, Affidavit, Assessors Records

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 RTG  
I, the applicant, am seeking permission to: Interpret that 3 family dwell existed prior to 1955

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 August 2017  
Margaret E Betancourt  
Notary Public  
MARGARET E BETANCOURT  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BE6215600  
Qualified in Westchester County  
My Commission Expires January 04, 2018  
Petitioner [Signature] Date 8/25/17





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

Tartaglia

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 8/15, 20 17

Application For: (circle applicable): Area Variance (156-15) Use Variance Interpretation 280A  
Name of Property Owner: EVAN TARTAGLIA Address: 11 GLEN RIDGE ROAD MAHOPAC NY  
Mailing Address: 11 GLEN RIDGE ROAD MAHOPAC NY 10541 Phone Number(s): \_\_\_\_\_  
Zoning District: R-120 Tax Map: 76.13 - 2 - 21

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>(R)</u>

List all improvements (1 family dwelling, pool, etc.) Legal Mother daughter, 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: Pictures, 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: \_\_\_\_\_

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

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' Side</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 15<sup>th</sup> day of August 20 17

Ann Spofford  
Notary Public

ANN SPOFFORD  
Notary Public, State of New York  
Qualified in Putnam County  
No. 01SP6146807  
Commission Expires May 22, 2018

Petitioner [Signature] Date 8-15-17



ZONING BOARD OF APPEALS  
TOWN OF CARMEL  
PUTNAM COUNTY

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

*W.C.*

IN THE MATTER OF THE APPEAL  
OF

Kavalieratos

TO THE ZONING BOARD OF APPEALS  
OF THE TOWN OF CARMEL

Application Date: 9/11, 2017

Application For: (circle applicable): Area Variance <sup>156-39.5</sup> CODE SECTION Use Variance Interpretation 280A  
Name of Property Owner: John Kavalieratos Address: 106 Austin Rd. Mahopac NY  
(Address) (City) (State)  
Mailing Address: 106 Austin Road Mahopac NY. Phone Number(s): \_\_\_\_\_  
(Address) (City) (State)  
Zoning District: R-120 Tax Map: 75.5 - 1 - 37  
(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.) Chicken coop. 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: Property Survey, Photographs

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: NO

I, the applicant, am seeking permission to: Retain Chicken Coop

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>15' Side</u>	<u>1</u>	<u>14'</u>

State of New York )  
Westchester )  
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 11 day of Sept 2017

*[Signature]*  
Notary Public

JORGE E VARGAS  
Notary Public - State of New York  
NO. 01VA6261223  
Qualified in Westchester County  
My Commission Expires 5/17/2020

Petitioner John Kavalieratos Date 9/11/17