

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:

January 25, 2018 – 7:30 P.M.

To hear the following applications:

HOLDOVER APPLICATIONS

1. Application of **LONG GUO & LI CHI** seeking an Interpretation that a 3 family dwelling has existed prior to 1955, contrary to Town of Carmel records. The property is located at 133 Route 6N, Mahopac NY 10541 and is known by Tax Map 85.12-1-20.

NEW APPLICATIONS

2. Application of **BERNADINE DiGERONIMO** for a Variation of Section 156-15, seeking an area variance to legalize and retain an existing shed. The property is located at 44 Rose Drive, Mahopac NY 10541 and is known by Tax Map 86.9-1-35.

Code Requires	Provided	Variance Required
10' – side	3' 4"	6' 8"

3. Application of **JARAL PUTNAM LLC** for an Interpretation of Section 156 -15 as to whether a Senior Assisted Living & Memory Center is permitted as a commercial establishment. Alternatively, if the use is not consistent with commercial establishment, a use variance to permit such use. The property is located at 2054 Route 6, Carmel NY 10512 and is known by Tax Map 55.-2-24.1.

Code Permits	Provided	Interpretation Required
C/BP = permitted use of commercial establishments	Senior Assisted Living & Memory Center	proposed use is a permitted use in a C/BP zone.

OR

Code Requires	Provided	Variance Required
code 156 C/BP does not specifically approve Senior Assisted Living & Memory Center	Senior Assisted Living & Memory Center	Use Variance

4. Application of **888 ROUTE SIX, LLC (NYS SMSA LP d/b/a/Verizon Wireless)** for a Variation of Section 156 -37D seeking an area variance to install a public utility wireless telecommunication facility on the roof of an existing building. The property is located at 954 Route 6, Mahopac NY 10541 and is known by Tax Map 65.9-1-24.

	Code Requires	Existing	Variance Required
Min. Lot Area (SF)	40,000	11,761 +/-	28,239 +/- *
Min Lot Width (FT)	200	100 +/-	100 +/- *
Min Lot Depth (FT)	200	120 +/-	80 +/- *
Front Yard (FT)	40	15.9 +/-	Variance Previously Granted**
Side Yard (FT)	25	3.39 +/-	Variance Previously Granted**
Rear Yard (FT)	30	32 +/-	Not Required
Floor Area (Min) (SF)	5,000	5,000 +/-	Not Required
Height (Max) (FT)	35	30 +/-	Not Required
Building Coverage (Max)	30%	21.1 +/-%	Not Required
Parking Spaces	Two (2) parking spaces for public utility installation	0 (14 total**)	Two (2) parking*** spaces for public utility installation

*Area variance required by Town as per Town policy to “clean up” all applications by getting variances for existing non-conformities prior to Planning Board approval

**No additional variance required as area variance granted by ZBA resolution dated August 28, 2002 or ZBA Resolution dated June 20, 2007

***Area variance required in connection with parking for proposed facility

In addition to the minimum lot area, minimum lot width, and minimum lot depth area variances, the applicant seeks a variance from Section 156-37(B) of the Town Zoning Code in connection with the placement of a public utility installation on a pre-existing non-conforming lot/building.

MISCELLANEOUS

Minutes: December 14, 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

~~10091078~~
MC

IN THE MATTER OF THE APPEAL
OF
D. Geronimo
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 11/27, 2017

Application For: (circle applicable) Area Variance (15615) Use Variance Interpretation 280A
Name of Property Owner: Bernadine DiGeronimo (44 Rose Dr. Mahopac NY)
Mailing Address: 44 Rose Dr. Mahopac NY Phone Number(s): ---
Zoning District: R-120 Tax Map: 86-9 1 35
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>1986</u>	<u>ZBA - added dining room</u>	<u>Deny</u>

List all improvements (1 family dwelling, pool, etc.) Decks
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, property 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: Legalize ~~back~~ shed

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' side</u>	<u>3'4"</u>	<u>6'8"</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 3rd day of Jan, 2019

Notary Public
ROBERT JAMES VARA
Notary Public, State of New York
No. 02VA6074894
Qualified in Putnam County
Commission Expires May 27, 2018

Petitioner: Bernadine DiGeronimo Date: 1-3-18 (11)

ME



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

Jaral Putnam LLC

Application Date: _____, 20__

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: Jaral Putnam LLC Address: 126 Third Street, Mineola, NY 11501
(Address) (City) (State)

Mailing Address: US Route 6, Carmel, NY 10512 Phone Number(s): _____
(Address) (City) (State)

Zoning District: CB/P Tax Map: 55 - 2 - 24.1
(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
2008	Site plan approval for hotel & banquet facility	approved

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

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: Insite engineering application for site plan approval for a Senior Assisted Living & Memory Center, Land Use Compatibility & Trip Generation Analysis prepared by Tim Miller Associates

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: property fronts on Rt. 6 & Town of Southeast

I, the applicant, am seeking permission to: build a senior assisted living & memory center

CB/P CODE REQUIRES	Permits PROVIDED	Interpretation VARIANCE REQUIRED
Permitted use Section CB/P (2) commercial establishments	Commercial Establishment	Proposed use as a permitted use in to CB/P Zone.
Does not specifically approve Senior Assisted Living & Memory Center	Alternatively by senior assisted living & memory center	use variance

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 January 2018

Margaret Ferreri Buechel
Notary Public

MARGARET FERRERI BUECHEL
Notary Public, State of New York
No. 4919619
Qualified in Dutchess County
Commission Expires February 8, 2018



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
New York SMSA Limited Partnership
d/b/a Verizon Wireless
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: December 29, 20 17

Application For: (circle applicable): Area Variance 156-37D Use Variance Interpretation 280A
CODE SECTION
Name of Property Owner: 888 Route Six, LLC Address: 954 Route 6 Mahopac NY 10541
(Address) (City) (State)
Mailing Address: 888 Route 6 Mahopac NY 10541 Phone Number(s): _____
(Address) (City) (State)
Zoning District: C (Commercial) Tax Map: 65.9 - 1 - 24
(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
	See ZBA Resolutions, dated August 28, 2002 and June 20, 2007, submitted herewith	

List all improvements (1 family dwelling, pool, etc.) Restaurant (existing); Public utility wireless telecommunications facility on the roof (proposed).
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: See site plans as well as narrative statement with attachments thereto. As the proposed installation is on the roof of the existing building, application materials related to landscaping and traffic circulation are not applicable.
Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: NYS Route 6

I, the applicant, am seeking permission to: Install a public utility wireless telecommunication facility on the roof of an existing building
The existing building predates the zoning code, and therefore the Director of Code Enforcement has indicated that for the Planning Board to grant approval for Verizon Wireless' installation on the roof, variances to "clean up" the building are required. A variance for parking pursuant to Zoning Code Section 156-37(D) is also required.

CODE REQUIRES	PROVIDED Existing	VARIANCE REQUIRED*
SEE ATTACHED AND BULK TABLE ON SHEET S-1 OF SITE PLAN		

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 3rd day of Jan 2018
Ashley Lane
Notary Public

*Per Town policy to "clean up" all applications by getting variances for existing non-conformities prior to site plan approval.

ASHLEY LANE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LA6352259
Qualified in Rockland County
My Commission Expires 12-27-2020

New York SMSA Limited Partnership d/b/a Verizon Wireless
By: Petitioner [Signature] Date 1/3/2018

	Code Requires	Existing	Variance Required
Min. Lot Area (SF)	40,000	11,761 +/-	28,239 +/- *
Min Lot Width (FT)	200	100 +/-	100 +/-*
Min Lot Depth (FT)	200	120 +/-	80 +/-*
Front Yard (FT)	40	15.9 +/-	Variance Previously Granted**
Side Yard (FT)	25	3.39 +/-	Variance Previously Granted**
Rear Yard (FT)	30	32 +/-	Not Required
Floor Area (Min) (SF)	5,000	5,000 +/-	Not Required
Height (Max) (FT)	35	30 +/-	Not Required
Building Coverage (Max)	30%	21.1 +/-%	Not Required
Parking Spaces	Two (2) parking spaces for public utility installation	0 (14 total**)	Two (2) parking*** spaces for public utility installation

*Area variance required by Town as per Town policy to “clean up” all applications by getting variances for existing non-conformities prior to Planning Board approval

**No additional variance required as area variance granted by ZBA resolution dated August 28, 2002 or ZBA Resolution dated June 20, 2007

***Area variance required in connection with parking for proposed facility

In addition to the minimum lot area, minimum lot width, and minimum lot depth area variances, the applicant seeks a variance from Section 156-37(B) of the Town Zoning Code in connection with the placement of a public utility installation on a pre-existing non-conforming lot/building.