

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:

February 22, 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. Applicant requests an interpretation pursuant to §156-28 of the Carmel Town Code that the applicant has, as a matter of right, the ability to convert to a multi-family (3 family) dwelling in that all the conditions set forth in that section are applicable. The property is located at 133 Route 6N, Mahopac NY 10541 and is known by Tax Map 85.12-1-20.
2. 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

3. 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.

NEW APPLICATIONS

4. Application of **MICHAEL CURLEY** for a Variation of Section 156-15, seeking an area variance to retain 2 existing sheds. The property is located at 42 Colton Road, Mahopac NY 10541 and is known by Tax Map 85.8-1-36.

Code Requires	Provided	Variance Required
Shed 1: 10 ft. - side	1 ft.	9 ft.
Shed 1: 10 ft. – rear	1 ft.	9 ft.
Shed 2: 10 ft. – side	1 ft.	9 ft.

5. Application of **GERARDA RELLA** for a Variation of Section 156-15, seeking a Use Variance in order to obtain a Certificate of Occupancy for an existing detached garage with finished loft (recreation room & ½ bathroom). The property is located at 37 Hillside Trail, Mahopac NY 10541 and is known by Tax Map 76.11-1-86.2.

Code Requires	Provided	Variance Required
Garages for the storage of vehicles used by the residents on the premises per schedule of District Regulation 156.15	Upstairs of garage used for recreation room and ½ bath	To allow recreation room and ½ bath

6. Application of **BALDWIN HILLS REALTY, LLC (Hudson Valley Federal Credit Union)** for a Variation of Section 156-15 & 156-42, seeking an Area Variance in order to reduce the minimum required floor area by approximately 1,200 square feet and reduce the parking stall dimensions. The property is located at 150 Route 6, Mahopac NY 10541 and is known by Tax Map 86.11-1-1 (subdivision lot 2).

Code Requires	Provided	Variance Required
5,000 sf min floor area of buildings	3,800 sf	1,200 sf
10' wide x 20' long min for parking spaces	9' wide x 18' long	1' wide x 2' long

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

IN THE MATTER OF THE APPEAL
OF

Guo + Wong

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 11/27, 2017

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

Name of Property Owner: Long Guo + Li Chi Wong Address: 133 Route 6N
(Address) (City) (State) (City)

Mailing Address: 168 East Lake Blvd, Mahopac Phone Number(s):
(Address) (City) (State)

Zoning District: R-120 Tax Map: 85.12 - 1 - 20
(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 appearance</u> <u>RT</u>	

List all improvements (1 family dwelling, pool, etc.) 1-3 family dwellings

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, Sunkey

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

I, the applicant, am seeking permission to: An Interpretation that the 3 family dwelling has existed prior to 1955, contrary to Town of Carmel records

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 27th day of Nov, 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, 2021

Petitioner

[Signature]

Date

11/27/17



ORIGINAL

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

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: _____, 20____

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

Name of Property Owner: Jaral Putnam LLC Address: 126 Third Street, Mineola, NY 11501

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

Zoning District: CB/P Tax Map: 55 - 2 - 24.1

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

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
		OR	
Does not specifically approve Senior Assisted Living & Memory Center		Alternately 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

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



ORIGINAL

Application Date: December 29, 2017

Application For: (circle applicable): Area Variance 156-37D Use Variance Interpretation 280A
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.



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

Curley

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 12/22, 2017

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

Name of Property Owner: MICHAEL CURLEY Address: 42 COLTON RD MAHOPAC NY
(Address) (City) (State)

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

Zoning District: R120 Tax Map: 85.8 - 1 - 36
(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
No previous appearances for ZBA		(Signature)

List all improvements (1 family dwelling, pool, etc.) 1 FAMILY DWELLING, POOL, 2 SHEDS

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, PHOTOGRAPHS

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 2 SHEDS

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
Shed 1 Rear 10'	1'	9'
Side 10'	1'	9'
Shed 2 Side 10'	1'	9'

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 19 day of Dec. 2017

(Signature)
Notary Public

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

Petitioner Michael Curley Date 12/19/17



MC

IN THE MATTER OF THE APPEAL
OF

Rella

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 1/29, 20 18

Application For: (circle applicable): Area Variance/ 156.15
Use Variance

Interpretation 280A

Name of Property Owner: Carola Rella Address: 37 Hillside Trail Mahopac, NY
(Address) (City) (State)

Mailing Address: 16 New Broadway Phone Number(s):
(Address) (City) (State)

Zoning District: Steep Hollow, NY 10541 Tax Map: 76.11 - 1 - 86.2
(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>None</u>	<u>identified for ZBA</u>	<u>Dma</u>

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

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 NO
Explain:

I, the applicant, am seeking permission to: Obtain CO for Detached Garage w/ Finished Lot/Rec
Rm and 1/2 Bath

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>GARAGES for the storage of vehicles used by the residents on the premises per Schedule of District Regulations 156.15</u>	<u>Upstairs of garage used for Recreation Room 7 1/2 Bathroom</u>	<u>To allow Recreation Room and 1/2 Bath.</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 29th day of Jan 20 18

[Signature]
Notary Public

RAFAL ANKIER
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN WESTCHESTER COUNTY
COMMISSION EXPIRES 12/27/2020
NO 02AN6352564

Petitioner

Date



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: December 14, 2017

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application For: (circle applicable): Area Variance 156-15 156-42) Use Variance MAHOPAC Interpretation 280A
Name of Property Owner: Baldwin Hills Realty, LLC Address: 150 Route 6, Carmel, NY 10541
(Address) (City) (State)
Mailing Address: 1699 Route 6 Suite 1, Carmel, NY 10512 Phone Number(s):
(Address) (City) (State)
Zoning District: C/BP Tax Map: 86.11 - 1 - 1
(R-120, Commercial, C/BP, or Conservation) (Section) (Block) (Lot)
(Subdivision Lot 2)
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
12/26/2016	2 acre reduction in minimum lot size	Approved
12/26/2016	55 ft reduction in minimum lot width	Approved

List all improvements (1 family dwelling, pool, etc.) Construction of a 3,800 SF credit union with associated parking, storm water management facilities, utilities, landscaping and lighting.

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 set

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, US Route 6 and NYS Route 118

I, the applicant, am seeking permission to: reduce the minimum required floor area by approximately 1,200 SF and reduce the parking stall dimensions.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
5,000 SF Minimum Required Floor Area of Buildings	3,800 SF	1,200 SF
Parking spaces shall be min. 10' wide x 20' long	9' wide x 18' long	1' wide x 2' long

State of New York)

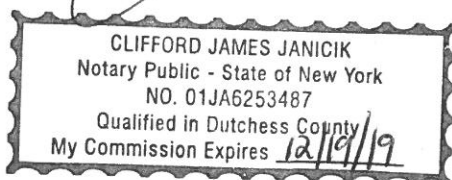
ss:

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 18th day of December 2017

Notary Public



Petitioner

Scott Binder

Date DEC. 18, 2017