

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 187
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:

July 26, 2018 – 7:30 P.M.

To hear the following applications:

NEW APPLICATIONS:

1. Application of **GEORGE SAMUELS** for a Variation of Section 156-15, seeking an Area Variance to add a second story addition. The property is located at 214 Willow Drive, Mahopac NY 10541 and is known by Tax Map 74.26-2-19.

Code Requires	Provided	Variance Required
10' – side	5.68'	4.32'

2. Application of **GUY T. ZELLEY** for a Variation of Section 156-15, seeking an Area Variance to retain existing 6' fence on north side of property. The property is located at 85 Entrance Way, Mahopac NY 10541 and is known by Tax Map 74.43-1-25.

Code Requires	Provided	Variance Required
4' fence – front	6' fence	2'

3. Application of **JEREMY RAMOS** for a Variation of Section 156-15, seeking an Area Variance to retain existing 6' fence on property. The property is located at 4 McNair Drive, Mahopac NY 10541 and is known by Tax Map 86.8-2-24.

Code Requires	Provided	Variance Required
4' fence – front	6' fence	2'

4. Application of **MARGARET MCMAHON** for a Variation of Section 156-15, seeking an Area Variance to add a deck to existing pool. The property is located at 65 Cortlandt Road, Mahopac NY 10541 and is known by Tax Map 65.14-1-11.

Code Requires	Provided	Variance Required
15' – side	14.3'	.7'

5. Application of **DPL REALTY, LLC** seeking an Interpretation regarding use of building for overnight stay as a “Rose House”. (Is said use permitted by right in the C-zoning district?) The property is located at 102 Gleneida Avenue, Carmel NY 10512 and is known by Tax Map 44.14-1-22.

6. Application of **LINDA EICH** for a Variation of Section 156-15, seeking a lot area variance for vacant lot. The property is located at 313 & 317 West Lake Blvd., Mahopac NY 10541 and is known by Tax Map 64.16-1-10 & 11.

Code Requires	Provided	Variance Required
120,000 sf	30,060 sf	90,040 sf

7. Application of **EILEEN GUITANO** for a Variation of Section 156-15, seeking a permission to retain existing deck and pergola. The property is located at 242 Crane Road, Carmel NY 10512 and is known by Tax Map 54.10-1-10.

Code Requires	Provided	Variance Required
Rear Yard – 40 ft.	36.8 ft.	3.4 ft.

8. Application of **JOHN SHERWOOD, JR.** for a Variation of Section 156-15, seeking an Area Variance to add to existing house and expand size of bedrooms; add garage underneath. The property is located at 27 Kings Ridge Road, Mahopac NY 10541 and is known by Tax Map 76.14-1-45.

Code Requires	Provided	Variance Required
Side yard – 15'	13'	2'

MISCELLANEOUS:

MINUTES:

- June 28, 2018

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

Samuels

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 6/1, 20 18

Application For: (circle applicable): Area Variance (156.15) Use Variance Interpretation 280A
Name of Property Owner: George Samuels Address: 214 Willow Dr Mahopac N.Y.
Mailing Address: 214 Willow Dr Mahopac N.Y. Phone Number(s):
Zoning District: R-120 Tax Map: 74.26 - 2 - 19

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>2016</u>	<u>Retain above-ground pool - approved</u>	<u>Done</u>
<u>1992</u>	<u>ZBA - enclose carport for additional bedroom - approved</u>	<u>Done</u>

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

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: Plans, Site Plan

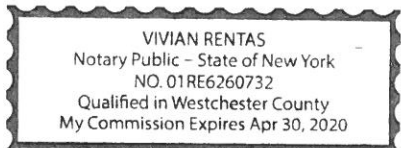
Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES/NO
Explain: Yes Lake Secor

I, the applicant, am seeking permission to: Construct 1 Story Addition.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' side</u>	<u>5.68 ft</u>	<u>4.32 ft.</u>

State of New York)
County of Westchester
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 June 2018
[Signature]
Notary Public



Petitioner George Samuels Date 6-19-18
Shirley Strickland 6-19-18



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
Zelley
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 7/5, 20 18

Application For: (circle applicable): Area Variance (156.95) Use Variance Interpretation 280A
Name of Property Owner: BUY T. ZELLEY Address: 85 ENTRANCE WAY MAHOPAC NY

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

Zoning District: R-120 Tax Map: 74.43 - 1 - 25
(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>1996</u>	<u>Side yard variance (mudroom) 9'</u>	<u>Denial</u>
	<u>" " " " " 9' +</u>	
	<u>Deck</u>	<u>Approved</u>

List all improvements (1 family dwelling, pool, etc.) 1 family Home + Steel

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? NO
Explain: LAKE SECOR

I, the applicant, am seeking permission to: maintain existing 6' fence on side property

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>4' fence front yd</u>	<u>6' fence</u>	<u>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 5 day of July 20 18
[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 7/5/18

UP

MC



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

AM

IN THE MATTER OF THE APPEAL
OF
RAMOS FENCE
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 6/28, 2018

Application For: (circle applicable): Area Variance Use Variance Interpretation 280A
Name of Property Owner: JEREMY RAMOS Address: 4 McNAIR DRIVE MAHOPAC NY
Mailing Address: 4 McNAIR DRIVE MAHOPAC NY Phone Number(s): _____
Zoning District: R-120 Tax Map: 86.8 - 2 - 24
(R-120, Commercial, C/BP, or Conservation) (Address) (City) (State) (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 appearances</i>	<i>Deny</i>

DA

List all improvements (1 family dwelling, pool, etc.) addition to existing 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, 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: _____

I, the applicant, am seeking permission to: retain existing 6' fence

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<i>allows 4' fence frontyd</i>	<i>6' fence</i>	<i>2'</i>

MC

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 6 day of July 2018
Alice Daly
Notary Public

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

Petitioner [Signature] Date 7/6/18



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

McMAHON

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 7/9, 2018

Application For: (circle applicable): Area Variance 156-15 Use Variance Interpretation 280A
CODE SECTION
Name of Property Owner: Margaret McMahon Address: 65 Cortland Rd. Mahopac N.Y.
(Address) (City) (State)
Mailing Address: 65 Cortland Rd. Mahopac NY Phone Number(s): _____
(Address) (City) (State)
Zoning District: R-120 Tax Map: 65.14 - 1 - 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: _____

Previous Appeals regarding the subject premises

DATE	REQUEST	RESULTS
	<u>No Previous Board Appearances RTD</u>	

List all improvements (1 family dwelling, pool, etc.) 1 family home, above ground pool

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, 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: Add Deck to pool.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>15' Sides</u>	<u>14.3'</u>	<u>.7'</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 9th day of July 2018

Kathryn G. Burdick
Notary Public

KATHRYN G. BURDICK
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BU6209143
Qualified in Putnam County
My Commission Expires July 20, 2021

Petitioner Margaret McMahon Date 7/9/18



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

Dina
Mc

IN THE MATTER OF THE APPEAL
OF
DPL REALTY, LLC
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: July 10, 20 18

Application For: (circle applicable): Area Variance () Use Variance () Interpretation 280A
 Name of Property Owner: DPL REALTY, LLP Address: 102 GLENEIDA AVE CARMEL NY
 Mailing Address: 102 GLENEIDA CARMEL NY Phone Number(s):
 Zoning District: COMMERCIAL Tax Map: 44.14 - 1 - 22
 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

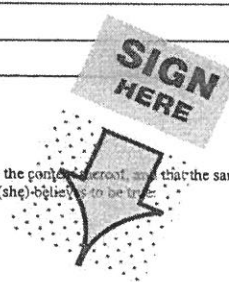
DATE	REQUEST	RESULTS
<u>None</u>		
<u>NO ZBA appearances</u>		<u>Dina</u>

List all improvements (1 family dwelling, pool, etc.) 7172 SF OFFICE BUILDING
 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, DEED, INTERIOR LAYOUT

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: USE OF BUILDING FOR OVERNIGHT STAY AS A "ROSE HOUSE"
(SEE ATTACHED INFORMATION)

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 contents 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 10th day of July 20 18
Ferrol Lynch
 Notary Public

FERROL LYNCH
Notary Public, State of New York
Qualified in Dutchess County
Reg. No. 01LY6121950
Commission Expires February 7, 2021

DPL REALTY, LLC
 BY Robert Lusardi MEMBER
 Petitioner Date 7/10/18
ROBERT C. LUSARDI, MEMBER



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
Linda Eich
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: _____, 20____

Application For: (circle applicable): Area Variance ¹⁵⁰⁻¹⁵ Use Variance Interpretation 280A

Name of Property Owner: Linda Eich Address: 313 + 317 W. Lake Blvd., Mahopac, NY
(Address) (City) (State)

Mailing Address: 3228 Redwoods, Bedford, TX Phone Number(s): _____
(Address) (City) (State) 76021

Zoning District: Residential Tax Map: 64-16 - 1 - 11, 10
(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
	N/A	

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

Is any portion of the property within 500 ft. of any state or county highway, town boundary, parkway or public lands? YES
Explain: West Lake Blvd.

I, the applicant, am seeking permission to: Lot area variance for vacant lot

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
120,000	30,060	90,060

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 July 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, 2022

Petitioner *[Signature]* Date 7-8-18



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
Eileen Guitano
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: July, 2018

Application For: (circle applicable): Area Variance ¹⁹⁰¹⁵ Use Variance Interpretation 280A
 Name of Property Owner: Eileen Guitano Address: 242 Crane Road, Carmel, NY
 Mailing Address: 242 Crane Rd, Carmel NY Phone Number(s):
 Zoning District: Residential Tax Map: 54.10 - 1 - 10
 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
	N/A	

List all improvements (1 family dwelling, pool, etc.) 2 story dwelling, wood deck, pool & pergola
 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
 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, Crane Road
 I, the applicant, am seeking permission to: retain deck & pergola

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
Rear yard <u>40</u> <u>deck & pergola</u>	<u>36.8</u>	<u>3.4</u>

State of New York)
 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.

☒ encroaches on neighbor; in litigation

Sworn to before me this 8th day of July, 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, 2022

Petitioner: _____ Date: 7-8-18



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

Wk

IN THE MATTER OF THE APPEAL
OF

Sherwood

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 7/10, 2018

Application For: (circle applicable): Area Variance (156.15) Use Variance Interpretation 280A
CODE SECTION

Name of Property Owner: John Sherwood Address: 27 Kings Ridge Rd Mahopac
(Address) (City) (State)

Mailing Address: 27 Kings Ridge Rd Mahopac, NY Phone Number(s): _____
(Address) (City) (State)

Zoning District: R-120 Tax Map: 76.14 - 1 - 45
(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

List all improvements (1 family dwelling, pool, etc.) 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: SURVEY and 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: add to existing house and expand size of Bd rooms and garage under.

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>SIDE YARD 15'</u>	<u>13'</u>	<u>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 12th day of July 2018
[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 7-12-18