

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
JOHN STARACE

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:

November 29, 2018 – 7:30 P.M.

To hear the following applications:

NEW APPLICATIONS:

1. Application of **ESTATE of CASSE, KELLY RUSSO, EXEC.** for a Variation of Section 156.15, seeking permission to retain existing deck. The property is located at 1363 Route 6, Carmel NY 10512 and is known by Tax Map 54.15-1-23.

Code Requires	Provided	Variance Required
30' – rear	5'	25'

2. Application of **ROLAND & BONNIE COLASANTE** for a Variation of Section 156.15, seeking permission to construct 2nd floor addition and rebuild garage. The property is located at 36 Dixon Lake Drive, Mahopac NY 10541 and is known by Tax Map 54.5-1-65.

Code Requires	Provided	Variance Required
40' - front	32.5'	7.5' to house
40' – front	27'	13' to porch

3. Application of **JAMES DeTOMA/MELANIA NAITO.** for a Variation of Section 156.15, seeking permission to retain existing wood storage shed. The property is located at 225 Forest Road, Mahopac NY 10541 and is known by Tax Map 74.26-2-3.

Code Requires	Provided	Variance Required
10' – rear	5' 6"	4' 6"

4. Application of **IMPERIAL VAPE & SMOKE SHOP, INC.** seeking an Interpretation that applicant's rights to open and conduct a vape/smoke shop have vested due to substantial expenditures made, or, in the alternative, a Use Variance to conduct a vape/smoke shop notwithstanding the moratorium enacted which forbids the opening of the same. The property is located at 441 Route 6, Mahopac NY 10541 and is known by Tax Map 75.16-1-18.
5. Application of **JOSEPH DUANE** for a Variation of Section 156.15, seeking permission to add second floor and front porch. The property is located at 22 Dixon Lake Drive, Mahopac NY 10541 and is known by Tax Map 54.5-1-68.

Code Requires	Provided	Variance Required
40 ft. – front yard	28 ft.	12 ft.

MISCELLANEOUS:

MINUTES:

- October 25, 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

IN THE MATTER OF THE APPEAL
OF

Estate of Casse

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 10/9, 20 18

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

Name of Property Owner: Janet & Gary Casse Address: 1363 Route 6 Carmel, NY

Mailing Address: 592 Wood Rd, Mahopac, NY 10541 Phone Number(s):

Zoning District: R-120 Tax Map: 54.15 - 1 - 23

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>(KT)</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: Photo's, Plans, 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 RT 6

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

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>30' Rear</u>	<u>5'</u>	<u>25'</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.

Sworn to before me this 19th day of October, 20 18
John G. Gianos
Notary Public

John G. Gianos
Notary Public State of New York
No. 0161628846
Qualified in Rockland County
Commission Expires July 13, 20 21
Petitioner Kelly M. Casse Date 10/9/18



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

IN THE MATTER OF THE APPEAL
OF

Colasante

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 10/11, 2018

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

Name of Property Owner: Colasante Address: 36 Dixon Lake Dr. Mahopac, NY

Mailing Address: 30 Dixon Lake Dr Mahopac Phone Number(s): _____

Zoning District: R-120 Tax Map: 54.5 - 1 - 65

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 (RT)</u>	

List all improvements (1 family dwelling, pool, etc.): 1 family house, with detached 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: Construct 2nd fl addition, and Re build garage

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>40' Front</u>	<u>32.5</u>	<u>7.5 to house</u>
<u>40' Front</u>	<u>27</u>	<u>13' to porch</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 30 day of October, 2018

Meryl J Cooke
Notary Public

MERYL J. COOKE

Notary Public, State of New York
No. 01C05054759

Qualified in Putnam County
Commission Expires January 22, 2022

Petitioner Roland A Colasante Date 30 Oct 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

DeToma/Naito

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: Oct 26, 20 18

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

Name of Property Owner: James DeToma/Melaina Naito Address: 225 Forest Rd, Mahopac, NY

Mailing Address: 225 Forest Rd, Mahopac, NY Phone Number(s): _____

Zoning District: R-120 Tax Map: 74.26 - 2 - 3

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>1998</u>	<u>Variance to return to original lot lines</u>	<u>Denied</u>

List all improvements (1 family dwelling, pool, etc.) 2 Family dwellg, 2 5 Leels

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 of structure, 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: Yes Lake Decor

I, the applicant, am seeking permission to: Keep current wood storage shed

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
<u>10' Rear</u>	<u>5'6"</u>	<u>4'6"</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 Nov. 20 018

Notary Public

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

Petitioner Melaina Naito Date 11/5/18



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

IN THE MATTER OF THE APPEAL
OF
Imperial Vape and Smoke Shop, Inc.
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 Lessee Imperial Vape and Smoke Shop, Inc. Address: 441 Route 6, Mahopac, NY
Mailing Address: 441 Route 6, Mahopac, NY Phone Number(s): _____
Zoning District: Commercial Tax Map: 75 16 1 18
(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
1977	Improper installation of sign	Denied
1985	Place two 4' x 8' signs on bldg. ends	Approved
1991	Erect two 4' x 4' free standing signs	Approved
2008	Build a gabion wall for parking	Approved

List all improvements (1 family dwelling, pool, etc.) Commercial strip mall

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: lease, affidavit of (A), Floor plan menu & flow

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 - Route 6

I, the applicant, am seeking permission to: see attached

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 7th day of November 18

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 _____



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

Duane Residence

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 11/13, 20 18

Application For: (circle applicable): Area Variance(156-15) Use Variance Interpretation 280A 10541

Name of Property Owner: Joseph Duane Address: 22 Dixon Lake Drive, (Address)

Mailing Address: Same (Address) (City) (State) Phone Nur

Zoning District: R-120 (R-120, Commercial, C/BP, or Conservation) Tax Map: 54.5 - 1 - 68 (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
	None	Duane

List all improvements (1 family dwelling, pool, etc.) One 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, Site Plan, Plans, and Elevations

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 Second Floor and Front Porch

CODE REQUIRES	PROVIDED	VARIANCE REQUIRED
Front Yard 40ft	28ft	12ft

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.

Sworn to before me this 14 day of November 2018

Notary Public

THOMAS M OLEARY
NOTARY PUBLIC-STATE OF NEW YORK
No. 0106174337
Qualified in Putnam County
My Commission Expires September 17, 2019

Petitioner Date 11-14-2018