

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
JOHN STARACE
JULIE MCKEON

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 23, 2023 – 7:30 P.M.

To hear the following applications:

HOLD OVER APPLICATIONS:

1. PUBLIC HEARING CLOSED: Application of GLENACOM (aka GLENCOMA) LAKE for a Variation of Section 156-20, 156-62.O.2 & 156-62.O.5 seeking a Variance for permission to locate a public utility wireless telecommunications facility at the site. The property is located on Walton Drive - Mahopac NY and is known as Tax Map #87.5-1-90.

Code Requires/Allows	Provided	Variance Required
50 Feet Maximum in Height	140 Feet in Height	90 Foot Height Variance
280 Feet Minimum in Tower Setback	174 Feet in Tower Setback	106 Foot Tower Setback Variance to nearest occupied residence.
Fence 4 or 6 Feet in Height	Fence 8 Feet in Height	4 Foot Height Variance for Fence.

2. Application of PLATINUM PROPANE for a Variation of Section 156-15 seeking a Variance for permission to convert a 1 family house into a propane facility. The property is located at 1035 Route 6, Mahopac NY and is known as Tax Map #65.10-2-11.

Code Requires/Allows	Provided	Variance Required
Front Yard Setback of 40'	22'	18'
Minimum Square footage of 5,000 square feet	1,938 square feet	3,062 square feet

NEW APPLICATIONS:

3. Application of **ANNE MARGOLIS** for a Variation of Section 156-15 seeking a Variance for permission to construct new deck. The property is located at 9 Averill Drive, Mahopac NY and is known as Tax Map #64.12-2-19.

Code Requires/Allows	Provided	Variance Required
15' side	13.5'	1.5'
20' rear	2'	18'

4. Application of **SILVER SPOON FOODIES LLC** for a Variation of Section 156-39.3 seeking permission for a temporary trailer permit for 1 year; 45' x 10' trailer. The property is located at 870 Route 6, Mahopac NY and is known as Tax Map #65.13-1-54.

Code Requires/Allows	Provided	Variance Required
Temporary trailer allowed for only emergency	Construction on property in future	Allow temporary trailer on lot without approvals.

5. Application of **SHELDON & LORI GINSBERG** for a Variation of Section 156-15 seeking permission to construct new stairs onto front porch which requires a setback variance. The property is located at 795 South Lake Blvd., Mahopac NY and is known as Tax Map #75.43-1-16.

Code Requires/Allows	Provided	Variance Required
Code requires 40 ft. front yard setback	6.5 ft. will be provided. Entire front of house & porch are non-conforming. Existing stairs project into setback; new stairs will closely align with the existing stair being removed.	Setback Variance of 33.5 ft.

6. Application of **STEVEN SPADA** for a Variation of Section 156-15 seeking an Area Variance for permission to build a detached accessory structure to be used as storage/workshop. The property is located at 6 Kayla Lane, Mahopac NY and is known as Tax Map #64.6-1-44.

Code Requires/Allows	Provided	Variance Required
40' Front on Hill St.	18'	22'

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
Platinum Propane

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 12/9, 2023

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

Name of Property Owner: Millside Property Holdings LLC (Platinum Propane) Address: 1035 Route 6, Mahopac, New York

Mailing Address: 11 Schuman Rd, Millwood, NY Phone Number(s): 914 666 2323

Zoning District: Commercial Tax Map: 65.10 - 2 - 11

Applicant is: (circle one) (Owner) (Lessee) (Contract Vendee) [Attach deed, contract of sale or lease agreement]

E-Mail Address: Joe@goplatinumpropane.com

Previous Appeals regarding the subject premises:

DATE	REQUEST	RESULTS
N/A		

List all improvements (1 family dwelling, pool, etc.) 1 Family Dwelling + 5 Leed

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, Surveying and Landscape Architecture PC: Landscape and Layout 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, Route 6

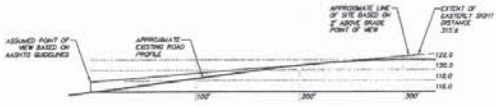
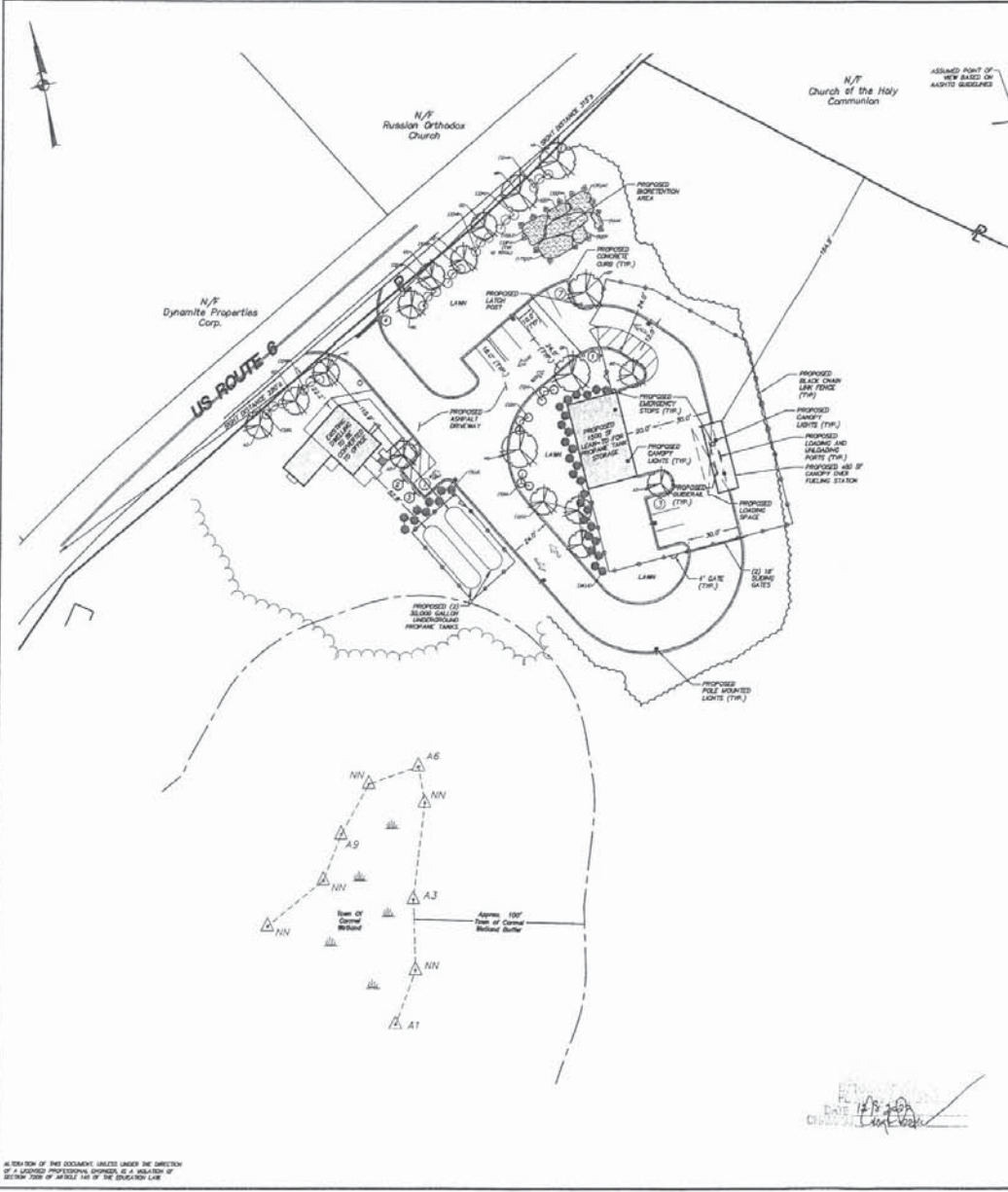
I, the applicant, am seeking permission to: Convert Family house into ~~Propane~~ Propane Facility

CODE REQUIRES / ALLOWS	PROVIDED	VARIANCE REQUIRED
Front Yard Setback of 40'	22'	18'
Minimum Square Footage of 5,000 Sq ft.	1,938 sq ft	3,062 sq ft

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 9 day of January, 2023.
Sarah M. Tobin
Notary Public

Sarah M. Tobin
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01T06432691
Qualified in Putnam County
Commission Expires May 9, 2026

Petitioner: [Signature] Date: 1/9/23



EASTERY SIGHT DISTANCE PROFILE
 SCALE: 1" = 50'

PLANT LIST

KEY	QTY	BOTANICAL/DOMAIN NAME	SIZE	ROOT/SPACING
SHADE TREE				
AP	3	Non native/ Red maple	1 1/2" CA	BAR
AS	1	Non native/ Black Locust	1 1/2" CA	BAR
OP	2	Overcast plant/ Pin Oak	1 1/2" CA	BAR
FLOWERING TREES				
AC	7	Lowwater shrub/ Forsythia	1 1/4" CA	BAR
CC	8	Dark shrub/ Common Redbud	1 1/4" CA	BAR
SHRUBS				
AB	8	Red globe caryophyll/ Compact Hibiscus	#3 CONT.	
AL	3	Artemisia bi-nata/ Sagebrush	#3 CONT.	
AM	3	Artemisia bi-nata/ Mountain Laurel	#3 CONT.	
AN	13	Artemisia bi-nata/ Lantana Yellow	#3 CONT.	
BIOSHIELDING PLANTING				
AO	28	Artemisia bi-nata/ Big Bluestem	PLUG/0'	
AP	120	Artemisia bi-nata/ Perennial Clover	PLUG/1"	
AR	24	Artemisia bi-nata/ Purple Coneflower	PLUG/0'	
AS	32	Artemisia bi-nata/ Northern Shrub	PLUG/0'	
AT	12	Artemisia bi-nata/ Garden Phlox	PLUG/2"	
AV	12	Artemisia bi-nata/ Salvia	#3 CONT./AS SHOWN	

- GENERAL SITE SEEDING NOTES:**
- All proposed seeded areas to receive 4" min. depth of loam. Soil amendments and fertilizer application rates shall be determined based on specific testing of loam material.
 - Upon that grading and placement of loam and any required soil amendments, areas to receive permanent vegetation cover in consultation with suitable methods as follows:
 - For turf areas, use manufacturer's recommended rates using Lantz 100-10 (the manufacturer's fertilizer or equivalent).
 - For other areas, use manufacturer's recommended rates using Lantz 100-10 (the manufacturer's fertilizer or equivalent).
 - For areas to be seeded with grass, use a rate of 50 lbs./1,000 s.f. or 2 lbs./sq. yd. to be applied and maintained according to the manufacturer's instructions for the specific grass seed.
 - For areas to be seeded with a combination of grass and other plants, use the manufacturer's instructions for the specific seed mix.
 - The seed rates on specified on these drawings are as follows:
 - Seed mix for lawn areas and most other seeding areas at a rate of 100 lbs. per acre.
 - Seed mix for other areas at a rate of 50 lbs. per acre.
 - Seed mix for areas to be seeded with grass at a rate of 50 lbs. per acre.
 - Seed mix for areas to be seeded with other plants at a rate of 50 lbs. per acre.

- GENERAL PLANTING NOTES:**
- All plantings to be verified by the team of Cornell within 60 days.
 - All plantings to be installed per 142 of the Team of Cornell Code.
 - All proposed planting beds to receive a 12" min. depth of loam. Soil amendments and fertilizer application rates shall be determined based on specific testing of loam material.
 - Any new soil added shall be amended as required by results of soil testing and placed using a method that will ensure compaction.
 - No fertilizer shall be added in permanent landscape plantings. Minimum requirements to be met by incorporation of available organic matter.
 - All plant material to be nursery grown.
 - All plant material to be installed in accordance with the manufacturer's instructions for the specific plant.
 - Plant material shall be taken from healthy nursery stock.
 - All plants shall be grown under climate conditions similar to those in the vicinity of the project.
 - Plants shall be planted in all locations designed on the plan or as stated in the field by the Landscape Architect.
 - The location and brand of landscape plants shown on the site plan shall take precedence in any discrepancy between the quantities of plants shown on the plan and the quantity of plants in the Plant List.
 - Provide a 2" layer of gravel/stone base material (as specified) over existing existing surface or on the plan or over existing surface. Do not place material within 2" of tree or shrub trunk.
 - All landscape plantings shall be maintained in a healthy condition at all times. Any dead or diseased plants shall immediately be replaced "in kind" by the contractor (during warranty period) or project owner.
 - See Drawing 2-2 "Site Details" for Shrub/Tree/Plant plantings.

- LIGHTING NOTES:**
- All lighting shall be installed on the plan or approved upon.
 - Style and form of all luminaires to be selected by owner.
 - Proposed lighting shall not be installed during regular business hours, and shall not be in operation during hours.
 - Type, location, and shading of all proposed lighting shall protect the neighbor of light units at adjacent residential properties.
 - All light fixtures to be set out to comply with state safety practices.
 - All lighting within 15' of the building/entrance shall be approved upon.

LEGEND

[Symbol]	EXISTING PROPERTY LINE
[Symbol]	EXISTING BUILDING
[Symbol]	EXISTING WETLAND
[Symbol]	EXISTING WETLAND PLANT
[Symbol]	EXISTING WETLAND BUFFER
[Symbol]	EXISTING UTILITY POLE
[Symbol]	EXISTING WEDGE POLE
[Symbol]	EXISTING TROUBLE
[Symbol]	PROPOSED BUILDING
[Symbol]	PROPOSED CONCRETE DRIVE
[Symbol]	PROPOSED PAINTED DIRECTIONAL ARROW
[Symbol]	PROPOSED STOPPED BAR
[Symbol]	PROPOSED STRIP ISLAND
[Symbol]	PROPOSED # OF STALLS TO BE STOPPED
[Symbol]	PROPOSED SINGLE POLE SIGN
[Symbol]	PROPOSED POLE MOUNTED LIGHT
[Symbol]	PROPOSED CANOPY LIGHT
[Symbol]	PROPOSED BUILDING MOUNTED LIGHT
[Symbol]	PROPOSED DRIVE
[Symbol]	PROPOSED LIGHTING
[Symbol]	PROPOSED LANDSCAPING

CO-ZONE REQUIREMENTS

	ALLOWED	PROHIBITED
Minimum Lot Area	45,000 s.f.	325,000 s.f.
Minimum Width	200'	720'
Minimum Depth	200'	720'
Minimum 75% Setback		
Front	40'	22.5'
Side	20'	15'
Rear	20'	15'
Minimum Building Height	40'	40'
Minimum Required Floor Area	5,000 s.f.	19,000 s.f.
Minimum Lot Coverage	40%	0.7%

PARKING SUMMARY

DECK USE	SPACES
1 SPACE PER 200 S.F. @ 1,000 S.F.	= 8 SPACES
1 SPACE PER 1,000 S.F. @ 1,000 S.F.	= 2 SPACES
TOTAL PROPOSED SPACES	= 10 SPACES

SIGN DATA TABLE

LOCATION	TEXT	MOUNTED HEIGHT	SIZE OF SIGN (S.F.)	DESCRIPTION
1	[Symbol]	40-10	30' x 30'	White on Red
2	[Symbol]	40-1	12' x 12'	Red on White
3	[Symbol]	40-10-2	12' x 12'	Green on White Blue Sign
3	[Symbol]	40-10	12' x 12'	Green on White Blue Sign
3	[Symbol]	40-10	30' x 30'	White on Red

REVISION

2	11-23-23	REVISED PER PLANNING BOARD COMMENTS	J.P.
1	5-2-23	REVISED PER PLANNING BOARD COMMENTS	J.T.
NO	DATE	REVISION	BY

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

3000 S. Pine
 Omaha, NE 68107
 (402) 552-8800
 (402) 552-1771
 www.insite-eng.com

PROJECT: PLATINUM PROPANE - MAHOPAC

USE, REUSE & THINK OF GREEN. PLEASE QUOTE REF. 2009.

DRAWING: LANDSCAPE & LAYOUT PLAN

PROJECT NUMBER: 22101/100 PROJECT MANAGER: Z.M.P.
 DATE: 3-30-23 DRAWN BY: J.L.T.
 SCALE: 1" = 30' CHECKED BY: A.D.T.

DRAWING NO: SP-1 SHEET: 2

ATTENTION: THIS DOCUMENT UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 2009 OF ARTICLE 140 OF THE ENGINEERING LAW.



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



ORIGINAL

Application Date: 1/23/23, 20 23

Application For (circle applicable): Area Variance (156.15) Use Variance Interpretation 280A
Name of Property Owner: ANNE MARGOLIS Address: 9 AVEILL DRIVE MAHOPAC NY 10541
Mailing Address: 9 AVEILL DRIVE MAHOPAC NY 10541 Phone Number(s):
Zoning District: R-120 Tax Map: 64.12 - 2 - 19
Applicant is: (circle one) Owner (Lessee) (Contract Vendee) [Attach deed, contract of sale or lease agreement]
E-Mail Address: A

Previous Appeals regarding the subject premises:

DATE	REQUEST	RESULTS
1974	280 A - Frontage - (1 family Dwelling)	Approved

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

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
Explain: Yes, North Lake Blvd + Lake Mahopac

I, the applicant, am seeking permission to: Construct New Dock

CODE REQUIRES / ALLOWS	PROVIDED	VARIANCE REQUIRED
15' side	13.5	1.5
20' Rear	3'	18'

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 23rd day of January 2023 SHANNON RAMSAY WALK

Ann Spofford
Notary Public

ANN SPOFFORD
Notary Public, State of New York
Qualified in Putnam County
No. 01SP6146807
Commission Expires May 22, 2026

Petitioner ANNE MARGOLIS Date 1/23/2023
SHANNON RAMSAY WALK



ZONING BOARD OF APPEALS
TOWN OF CARMEL
PUTNAM COUNTY

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

Handwritten initials

IN THE MATTER OF THE APPEAL
OF
GINSBERG
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 2/7 20 13

Application For (circle applicable): Area Variance 156.15 Use Variance Interpretation 280A
Name of Property Owner: Sheldon & Lori Ginsberg Address: 795 South Lake Blvd, Mahopac, NY
Mailing Address: same as above Phone Number(s):
Zoning District: R-Residential Tax Map: 75.43 1 16
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
1973	purchase dwelling for intensive use	Denied
1975	use of dwelling as pft debar	Denied
2004	Retain shed + pump house	Granted

List all improvements (1 family dwelling, pool, etc.) Interior renovations on first floor

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: Construction Documents consisting of Site Survey, Stair Plans and Details. Photos on Drawing.

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 Front Yard abuts NYS Route 6N.

I, the applicant, am seeking permission to: Construct new Stairs onto Front Porch which requires a setback variance.

CODE REQUIRES / ALLOWS	PROVIDED	VARIANCE REQUIRED
Code Requires 40 ft. Front Yard Setback	<u>6.5</u> feet will be provided.	Setback Variance
	Entire front of House and Porch are non-conforming.	<u>33.5</u>
	Existing Stairs project into setback; new stairs will closely align with the existing stair being removed.	

State of New York: New Jersey
County of Putnam: Union
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 3 day of Feb 20 13

Natalie N. Goldberg
NATALIE N. GOLDBERG
Notary Public, State of New Jersey
My Commission Expires Jun 17, 2026

Petitioner: *[Signature]* Date: 2/3/23



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
Spada Garage
TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF CARMEL

Application Date: 1/18, 2023

Application For (circle applicable): Area Variance 156-B ^{area variance} Interpretation 280A
Name of Property Owner: Steven Spada Address: 6 Kayla Lane Mahopac NY
Mailing Address: 6 Kayla Lane Mahopac NY Phone Number(s):
Zoning District: R120 Tax Map: 64-6 - 1 - 44
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 appearances</u>	<u>(Spada)</u>

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

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: Sketches + 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: Hill Street

I, the applicant, am seeking permission to: build a Detached Accessory Structure to be used as storage/workshop

CODE REQUIRES / ALLOWS	PROVIDED	VARIANCE REQUIRED
<u>40' Front on Hill St.</u>	<u>18'</u>	<u>22'</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 8th day of February, 2023
Alice Daly
Notary Public

ALICE DALY
Notary Public, State of New York
No. 01DAG345218
Qualified in Putnam County
Commission Expires July 25, 2024

Petitioner: Sto Spada Date: 2/8/23