

APPROVED

MARK FRASER
Chairman

TOWN OF CARMEL
ZONING BOARD OF APPEALS

MIKE CARNAZZA
*Director of Codes
Enforcement*



BOARD MEMBERS
LORRAINE MARIANI
JOHN MAXWELL
ROSE FRABIANO
ROGER GARCIA
SILVIO BALZANO

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ZONING BOARD OF APPEAL MINUTES

JANUARY 12th, 2012

PRESENT: MARK FRASER, CHAIRMAN, LORRAINE MARIANI, ROGER GARCIA, JOHN MAXWELL,
SILVIO BALZANO

ABSENT: ROSE FABIANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Christopher & Anne Nealon	75.59-1-15	1	Granted
Temple Beth Shalom	65.17-1-43	1-2	Granted
Mike Gou & Lichi Wong	76.22-1-6	2-3	Granted
Minutes: 9/22/2011, 10/27/2011 & 12/08/2011			Approved

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,
Donna Esteves

For the application of **Christopher & Anne Nealon**; for a Variation of Section 156.15; seeking permission to add to the front of the house. The property is at 80 Ellen Ave, Mahopac and is known by Tax Map # 75.59-1-15.

CODE REQUIRES	WILL EXIST	VARIANCE REQUIRED
40' Front	26'	14'

Mrs. Nealon was sworn in. She stated that she is planning to do a 166 sq. ft. addition and extend an existing front porch and cover it. She has the Board of Health Approval.

Mr. Balzano made a motion to close the public hearing. Mr. Maxwell seconded the motion with all in favor.

DECISION OF THE BOARD:

Mr. Balzano moved to grant. Mr. Maxwell seconded the motion with all in favor.

For the application of **Temple Beth Shalom**; for a Variation of Section 156-41A4d; seeking permission to allow a luminous sign. The property is located at 760 Route 6, and is known by Tax Map #65.17-1-43.

CODE REQUIRES	WILL EXIST	VARIANCE REQUIRED
No luminous signs	1 luminous sign	Variance from 156-41A4d

Mr. Greenberg was sworn in. He stated that he went over the code with Mr. Carnazza and determined that a variance is required because a portion of the LED lights are not being backlit. The sign they are proposing is 6ft. high and 4 ft. wide. It is one sided and the portion on the top will be backlit with yellow LED writing. There will be no scrolling across or flashing. It will just have an announcement of an upcoming event. This sign will be replacing a sign that is already there. The intensity of the sign will be minimal.

The Rabbi stated that the synagogue is willing to offer the use of the sign to help the community if needed. For example, school closings, emergency relief, etc.

Mr. Fraser asked about wattage. Mr. Greenberg reiterated that as the day winds down, the lighting will dim down. He also stated that the sign is limited to two rows for the message.

The Rabbi confirmed that the sign will be controlled from the internet but the Synagogue will have remote access. He assured the board that necessary precautions will be taken to prevent hackers from posting bogus information to the public.

Mr. Maxwell moved to close the public hearing. The motion was seconded by Mr. Balzano with all in favor.

DECISION OF THE BOARD:

Mr. Maxwell moved to grant for purpose of discussion. Mr. Balzano seconded the motion.

Mr. Balzano stated that one of his concerns are that according to Supervisor Schmitt, the ultimate goal is for Mahopac to have a New England style look, and if the variance were granted, it would not allow itself to that appeal. However, with that said, is it fair to go on what "future plans" are. His other concern is that if the sign were granted, others, such as the Fire Department and The Chamber of Commerce, would try to follow suit and then the corner becomes like Times Square.

Mr. Fraser understands Mr. Balzano's concerns, but he feels it is antiquated to have to go out and manually change the sign. The sign allows for modernization and offers a benefit to the community.

Mr. Maxwell suggested that perhaps they could make the sign look more New England(ish) if the applicant changes the font. They could also consider dressing up the posts of the sign to give it a more "colonial look."

Mr. Garcia stated that he doesn't think that it is a necessity to have a sign that is internet driven. Like other churches, or clubs they can still manually change the sign, although he does recognize that it is time consuming and inconvenient. He feels that by granting the variance, it opens the door for more and more of the same.

A further discussion ensued with Mr. Fraser and Mr. Garcia about whether or not the sign would change the character of the neighborhood. Mr. Garcia felt strongly that it would change the character, while Mr. Fraser felt strongly that it wouldn't.

Mr. Maxwell moved to grant with the conditions that the sign doesn't flash, it is continuously lit and doesn't scroll, and it can only have monochrome lighting. Mr. Balzano seconded the motion with all in favor except Mr. Garcia.

Motion granted.

Request for a re-hearing for the Application of Mike Gou & Lichi Wong for a Variation of 156.15 for permission to convert a one story, two-family dwelling to a two story one-family dwelling. The property is located at 168 E Lake Blvd and is known by Tax Map #76.22-1-6.

Mr. Matos is sworn in.

Mr. Fraser stated that the applicant was before the board last month with an application that met opposition from a neighbor. The application was denied. The applicant has since changed the plans;

changing the height of the house as well as the square footage. Also, the applicant has gotten a letter from the neighbor rescinding his opposition to the proposed changes. Therefore, the applicant is here to request a re-hearing.

Mr. Fraser reminded the board that in order to grant a re-hearing, the applicant must receive a unanimous vote from the board members granting the request. If they get the vote, then the applicant must come back the following month to present the changes and show what they want to do. Again, in order for it to be approved, you must have a unanimous vote from the board.

Mr. Fraser commented that he felt there is enough new information to warrant a re-hearing. He also noted that, based on fact that the height, as well as the square footage will be changed; the applicant will only need a variance for the side yard.

Mr. Balzano made a motion to close the public hearing. Mr. Maxwell seconded the motion with all in favor.

DECISION OF THE BOARD:

Mr. Maxwell moved to grant. Mr. Balzano seconded the motion with all in favor.

Minutes: 9/22/2011, 10/27/2011 & 12/8/2011

Mr. Balzano moved to approve all of the above minutes. Mr. Maxwell seconded the motion with all in favor.

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Donna Esteves