

APPROVED

JOHN MAXWELL
Chairman

PHILIP AGLIETTI
Vice-Chairman

**TOWN OF CARMEL
ZONING BOARD OF APPEALS**



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MICHAEL CARNAZZA
*Director of Code
Enforcement*

BOARD MEMBERS

ROSE FABIANO
SILVIO BALZANO
WILLIAM ROSSITER
MARC DITOMASO
MICHAEL SCHWARZ

ZONING BOARD OF APPEALS MINUTES

JULY 23, 2015

PRESENT: CHAIRMAN, JOHN MAXWELL, VICE-CHAIRMAN, PHILIP AGLIETTI, SILVIO BALZANO, ROSE FABIANO, WILLIAM ROSSITER, MARC DITOMASO

ABSENT: MICHAEL SCHWARZ

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Marjorie & Joe Muir	86.47-1-16	1	Approved.
Mary Nelson	63.16-1-9	1-2	Approved.
Glenda Sierra	55.20-1-19	2-3	Approved.
Minutes – 6/25/2015		3	Approved.

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Rose Trombetta

Mr. Maxwell stated before we get started I wanted to personally recognize the passing of Mark Fraser, our former Chairman who was a colleague, a mentor and a good friend to not only us, but the town. He was a good guy and he served the board and the town well. Our prayers go out to his family and friends.

Application of Marjorie and Joe Muir for a Variation of Section 156-15, seeking permission to retain shed. The property is located at 21 Maple Drive, Mahopac and is known by Tax Map #86.47-1-16.

Code Requires	Will Exist	Variance Required
10' Side	4'	6'

Mr. Joe Muir was sworn in. He addressed the board and stated my shed is not in compliance with the 10' off the property line. I believe it's 4 feet.

Mr. Maxwell asked if there is any other property he can purchase to bring the shed into conformity.

Mr. Muir said no.

Mr. Maxwell stated I was there last night and it looks like it's pretty well screened. The shed has been there for how long?

Mr. Muir stated about 15 years.

Mr. Carnazza stated this came up from a municipal search. I believe you're selling, correct?

Mr. Muir stated correct.

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

Decision of the Board

Mrs. Fabiano moved to grant the variance. The motion was seconded by Mr. Aglietti with all in favor.

Application of Mary Nelson for a Variation of Section 156-15, seeking permission to retain shed. The property is located at 107 Bullet Hole Road, Mahopac and is known by Tax Map #63.16-1-9.

Code Requires	Will Exist	Variance Required
15'	3.7'	11.3'

Mary Jo Sarles, executrix for the estate of Mary Nelson, was sworn in. She stated there was a shed that was erected in 1960 on the property. It was all one piece of property at one time and then it was subdivided and now the shed doesn't have the footage to one side of the property.

Mr. Maxwell asked if there is any other property they could buy to bring it into conformity.

Ms. Sarles stated I don't believe so.

Mr. Maxwell stated I saw this last night and it looks like it's been there for a while. It looks like the roof might be in need of some repair eventually.

Ms. Sarles stated maybe eventually, but the property has been sold.

Mr. Maxwell stated I don't think the shed can be relocated since it's a cinderblock foundation.

Mr. Carnazza stated the problem is when they did the subdivision they should have picked it up. If you subdivide a lot and the shed is there, they should have gotten a variance at that time.

Mr. Maxwell stated this shed also looks like it's well screened from the property next door.

Mr. Sarles stated I own the property next door so this is no problem.

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

Decision of the Board

Mr. Balzano moved to grant the variance. The motion was seconded by Mr. Aglietti with all in favor.

Application of Glenda Sierra for a Variation of Section 156-15, seeking permission to build deck. The property is located at 107 Kelly Road, Carmel and is known by Tax Map #55.20-1-19.

Code Requires	Will Exist	Variance Required
20'	13'	7'

Ms. Glenda Sierra was sworn in. She addressed the board and stated I'm looking to make my deck bigger 12 x 16 feet. The deck there now is very small.

Mr. Maxwell asked if the shed that's on the property is in conformity with code.

Mr. Carnazza asked Ms. Sierra if she has a permit for the shed.

Ms. Sierra stated I guess, it was there already.

Mr. Carnazza stated I was not aware there was a shed there.

Mr. Maxwell I think we're going to hold this over so Mr. Carnazza can look into the shed.

Mr. Carnazza stated you don't have to hold it over, but we can make sure she's aware that if she needs a variance for the shed she'll be back.

Mr. Maxwell stated there's nothing listed on previous appeals so she has never been in front of the board. We'll proceed forward and Mr. Carnazza will research if the shed is legal or not.

Mr. Carnazza stated you can actually make it a condition that she cannot receive a C.O. for the deck until the legality of the shed is clarified.

Mr. Maxwell stated it's not a major variance and it looks like it's well screened.

Decision of the Board

Mrs. Fabiano moved to grant the variance with the condition that no C.O. will be issued until the shed is in conformance or a variance is granted. The motion was seconded by Mr. Aglietti with all in favor.

MINUTES – 6/25/2015

Mr. Balzano moved to accept the minutes. The motion was seconded by Mr. Aglietti with all in favor except for Mrs. Fabiano and Mr. Maxwell who were not at the June meeting.

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Rose Trombetta