

APPROVED

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Chairman

JOHN MAXWELL
Vice Chair

TOWN OF CARMEL
ZONING BOARD OF APPEALS



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BOARD MEMBERS
ROSE FABIANO
ROGER GARCIA
SILVIO BALZANO
PHILIP AGLIETTI
CRAIG PAEPRER

ZONING BOARD OF APPEALS MINUTES

AUGUST 22, 2013

PRESENT: CHAIRMAN MARK FRASER, VICE CHAIR JOHN MAXWELL, ROGER GARCIA, SILVIO BALZANO, PHILIP AGLIETTI, CRAIG PAEPRER

ABSENT: ROSE FABIANO

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Massimi, Erica	76.9-3-37	1	Dismissed.
Engle, Robert	64.19-1-68	1	Granted.
Alix, Deborah	74.43-1-65	1	Granted.
Correa, Antonio	76.9-2-5	2	Heldover.
Spain, Compton	65.13-1-5	2	Granted.
Kuck, Bradley & Jeanmarie	75.7-2-65	2	Granted with Condition.
St. James the Apostle Church	44.18-1-35.1	2-3	Motion Dies.

Respectfully submitted,

Rose Trombetta

The August 22, 2013 Zoning Board of Appeals meeting was not televised or videotaped. The applicants were advised that their application could be heldover, but decided to be heard. These minutes are based upon notes that were taken at the meeting.

Application of Erica Massimi seeking an Interpretation whether dog sitting is permitted in the R-Zoning District or if not allowed the applicant would like to seek a variance to allow the use. The property is located at 30 Mayfair Lane, Mahopac and is known by Tax Map #76.9-3-37.

The application was dismissed.

Application of Robert Engle for a Variation of Section 156.15 seeking permission to enlarge a boat dock and build a gazebo. The property is located at 8 Frederick St, Mahopac and is known by Tax Map #64.19-1-68.

Code Requires	Will Exist	Variance Required
Rear 20'	13.29'	6.71'
Rear Side 20'	6.75'	13.25'

Applicant owns adjacent lot. It's vacant and not merged. Gazebo not visible from lake. No dock beyond 25 feet.

DECISION OF THE BOARD

The variance was granted and must meet 25' length from high water.

Application of Deborah Alix for a Variation of Section 156.20 seeking permission to construct a 5ft fence in the front yard and retain an existing shed. The property is located at 74 Lake Shore Drive, Mahopac and is known by Tax Map #74.43-1-65.

Code Requires	Will Exist	Variance Required
Front Yard Fence 4'	5'	1'
25' Front Shed (Fern)	3'	22'
25' Front Shed (Lakeshore)	3'	22'

Shed added to application for variance. Shed at property for many years. Neighbors are okay with it. There are two roads frontage and there was no opposition.

DECISION OF THE BOARD

Variance was granted for fence and variance was granted for this shed only. Once shed comes down they would have to come back to the zoning board. Chairman Fraser voted against the shed.

Application of Antonio Correa for a Variation of Section 156.15 seeking permission to construct a boiler room. The property is located at 33 Mt. Hope Rd, Mahopac and is known by Tax Map #76.9-2-5.

Code Requires	Will Exist	Variance Required
30' Rear (Boiler Room)	9.22'	20.78'

The application was heldover.

Application of Compton Spain for a Variation of Section 156.15 seeking permission to expand a detached garage. The property is located at 620 N. Lake Blvd, Mahopac and is known by Tax Map #65.13-1-5.

Code Requires	Will Exist	Variance Required
Side Yard 20'	2.7'	17.3'

The applicant is expanding an existing garage. No blocked views.

DECISION OF THE BOARD

The board moved to grant variance.

Application of Bradley & Jeanmarie Kuck for a Variation of Section 156.15 seeking permission to re-construct garage with addition. The property is located at 83 West Lake Blvd, Mahopac and is known by Tax Map #75.7-2-65.

Code Requires	Will Exist	Variance Required
Side Yard 10'	5'	5'

DECISION OF THE BOARD

The board moved to grant variance with the condition that (six) 6' hedges with 4' spacing be planted.

Application of **St. James the Apostle Church** for a Variation of Section 156.41 seeking permission to retain an illuminated sign. The property is located at 14 Gleneida Ave, Carmel and is known by Tax Map #44.18-1-35.1.

Code Requires	Will Exist	Variance Required
No Luminous Sign	Luminous Sign	Luminous Sign
1 Freestanding Sign	2 Freestanding Signs	1 Freestanding Sign

This is a new application. There was a prior denial. The rectory is part of the lot since 1953. The LED portion unchanged. The applicant removed the three lines on sign. The sign dims with light.

Ms. Janice Bolbrook asked if the property is in the commercial zone.

Mr. Howland said the sign company sold them bill of goods. He said there is an in-flux of electronic signs and is esthetically unattractive.

Ms. Ann Fanizzi said to deny the application. She had esthetic concerns. She said it would be a domino effect in the community. The sign is too big and the church already has a sign. How many are needed.

Mr. Lundberg was in favor of sign. He said the church could use the technology. Drew Church is also interested.

Ms. Rosemary Gebhardt was against the application. LED signs are a distraction and it detracts from the Hamlet revitalization.

Ms. Baisley was for the application. LED is 21st century and eliminates temporary signs.

Mr. Peter Gebhardt was against the application. He said illuminated sign is not permitted by code. Electronic signs do not fit in.

Mr. Scott Bierbamn – Deacon. He said sign provides use for emergency.

Mr. Lou Sinabria asked what is the purpose of the ZBA.

Pat Stallacci was in favor of application. It provides messages for parish. Board could impose restrictions.

Ms. Lori Kemp was against the application. There are too many bulletin boards. Less is more. It detracts from architecture.

Joe Manente was in favor of the application. Illuminated signs exist all around.

Cindy Radovich was against the application. No LED signs in town.

Geraldine Ulich was for the application. It would be an asset to community.

DECISION OF THE BOARD

There was a motion to grant with conditions:

- Black and white only
- No scrolling/blinking or flashing.
- One message per day.
- ¾ of full bright.
- Hours – 6 am – 9 pm.
- Remove school sign.

Mr. Balzano	Against the motion
Mr. Paepre	Against the motion
Mr. Maxwell	For the motion
Mr. Aglietti	For the motion
Mr. Garcia	Against the motion
Mr. Fraser	For the motion

Motion dies.

Respectfully submitted,

Rose Trombetta