

**APPROVED**

**JOHN MAXWELL**  
*Chairman*

**PHILIP AGLIETTI**  
*Vice-Chairman*

**TOWN OF CARMEL**  
**ZONING BOARD OF APPEALS**



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500  
[www.ci.carmel.ny.us](http://www.ci.carmel.ny.us)

**MICHAEL CARNAZZA**  
*Director of Code  
Enforcement*

**BOARD MEMBERS**

**ROSE FABIANO**  
**SILVIO BALZANO**  
**WILLIAM ROSSITER**  
**JOHN STARACE**  
**JULIE MCKEON**

**ZONING BOARD OF APPEALS MINUTES**

**DECEMBER 10, 2019**

**PRESENT:**    **CHAIRMAN: JOHN MAXWELL, VICE-CHAIRMAN: PHILIP AGLIETTI**  
**SILVIO BALZANO, ROSE FABIANO, JULIE MCKEON, WILLIAM ROSSITER, JR. &**  
**JOHN STARACE**

\*\*\*\*\*

<b><u>APPLICANTS</u></b>	<b><u>TAX MAP #</u></b>	<b><u>PAGE</u></b>	<b><u>ACTION OF THE BOARD</u></b>
Wilian Naranjo	74.15-1-12	1 – 2	Requested Variance Granted
Stacy Hirsch	66.13-1-7	2 – 3	Declared Lead Agency; Requested Variance Granted
Minutes:	September 26, 2019		Approved as amended
	October 24, 2019		Approved as written

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

Respectfully submitted,

Dawn M. Andren

## **NEW APPLICATIONS**

1. Application of **WILIAN NARANJO** for a Variation of Section 156.15 seeking permission to retain existing shed. The property is located at 29 Linda Lane, Mahopac NY 10541 and is known by Tax Map 74.15-1-12.

<b>Code Requires/Allows</b>	<b>Provided</b>	<b>Variance Required</b>
20' – side	9'	11'
20' – rear	12'	8'

- Mr. Wilian Naranjo of 29 Linda Lane, Mahopac was sworn in.
- Mrs. Magdalena Naranjo of 29 Linda Lane, Mahopac was sworn in.

Chairman Maxwell said you are in front of us because you have a shed that..... when I saw you the other night, you said you had just bought the house but it never got picked up on title search?

Mrs. Naranjo replied yes.

Chairman Maxwell said the shed has been there for how long?

Mrs. Naranjo replied we don't really know. We bought the house this year.

Mr. Carnazza said it's been several years though. It's not a new shed.

Chairman Maxwell said it looks fairly new; nice and well-conditioned.

Mrs. Naranjo said the house was my brother-in-law's. He sold the house to us and I think he put the siding on it because the shed was there before.

Chairman Maxwell said so he re-sided it.

Mrs. Naranjo said we asked him but he said no; I just put the siding on it.

Chairman Maxwell said what kind of cost would it be for you to move it or to relocate it back into conformance. Obviously, it's on top of a swale or creek so it'll be a little more difficult. A couple thousand dollars to relocate?

Mrs. Naranjo interjected also, there's a big tree in front of it and another tree on the side.

Chairman Maxwell said and you're well wooded behind it between the next neighbor so it doesn't seem like it's too much of an issue.

Mr. & Mrs. Naranjo presented a letter from the neighbor to the Board.

Chairman Maxwell read a letter of support from Emily & Anthony DiCuio into the record. (Letter recorded in applicant's file.) They're the neighbor to the immediate left? It affects them most – right?

Mr. Naranjo replied yes.

## **APPROVED**

Chairman Maxwell said there's no other property you can purchase to bring this into conformance? You're all land-locked there – right?

Chairman Maxwell opened this application to both the Board and the public for questions, input, comments or concerns of which there were none.

Mr. Balzano moved to close the public hearing on this application; seconded by Mr. Rossiter with all in favor.

### **Decision of the Board:**

***Vice-Chairman Aglietti moved to approve the requested variance; seconded by Mr. Balzano with all in favor.***

## **SEQR REVIEW & DETERMINATION**

2. Application of **STACY HIRSCH** for a Use Variance seeking permission, pursuant to Town Law 267-b (2 to continue a dog boarding kennel in existence since 2004; violation served 12/31/18. The property is located at 311 Drewville Road, Carmel NY 10512 and is known by Tax Map 66.13-1-7.

### ***Mr. Balzano recused himself from this application.***

Mr. Charbonneau stated the applicant had completed Part I of the Short EAF so if the Board wants to give me a minute, I'll go through the questions with respect to the Board's SEQR determination and then the Board can then vote to adopt negative declaration (NEGDEC) assuming that's where it goes.

Chairman Maxwell said I only have one concern. Item #5 wasn't checked off when we first got the application.

Mr. Charbonneau said so that's been amended?

Chairman Maxwell said yes; I can see it from here.

Mr. Charbonneau read each of the eleven questions from the Short EAF – Part II (in applicant's file) with the Board Members responding “no” to each question then said, at this point, the Board can entertain a motion to declare itself lead agency under SEQR for purposes of conducting an uncoordinated review. The Board can also, based on the determinations of Part II, entertain a motion that the proposed project will not result in any significant environmental impacts.

Chairman Maxwell asked do we have a motion as aforementioned?

***Vice-Chairman Aglietti moved to declare us as lead agency for matters of SEQR in this application; seconded by Mrs. Fabiano with all in favor (Mr. Balzano recused).***

Mr. Charbonneau said then the second motion would be based on the Board's assessment in Part II of the Short EAF, that the proposed action will not result in any significant environmental impacts.

## **APPROVED**

Chairman Maxwell asked do I have a motion on the aforementioned.

***Vice-Chairman Aglietti moved to declare that the application will have no or small impact; seconded by Mr. Starace with all in favor (Mr. Balzano recused).***

Mr. Charbonneau then said for record-keeping purposes – Mr. Chairman, you can sign Part III of the Short EAF.

Chairman Maxwell checked appropriate acknowledgement and signed as “Responsible Officer in Lead Agency”.

### **Decision of the Board:**

***Vice-Chairman Aglietti moved to approve the requested variance; seconded by Mr. Rossiter with all in favor (Mr. Balzano recused).***

## **MISCELLANEOUS**

### **MINUTES:**

- September 26, 2019
  - ***Mrs. Fabiano moved to accept the minutes as amended; seconded by Mr. Rossiter with all in favor.***
- October 24, 2019
  - ***Vice-Chairman Aglietti moved to accept the minutes as written; seconded by Mrs. Fabiano with all in favor.***

The meeting adjourned at 7:41 p.m.