

**ZONING BOARD OF APPEALS**

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will hold a Public Hearing on Wednesday, March 25, 2015 at 7:30 P.M., at the Town of Lewisboro Offices at Orchard Square, 20 Cross River Shopping Plaza, Lower Level, 20 North Salem Road, Cross River, New York regarding the following:**

**Cal. NO. 05-15-BZ**

**Application of Malcolm Frank & Tara Owen, 9 Jonah's Lane, Katonah, New York 10536**

**[Property Address: 53 Cove Road, South Salem, New York 10590] for a variance of Article IV § 220-23E of the Zoning Ordinance in the matter of the As-Built air conditioning condenser installed closer to the side line (10' provided where 12' is required) in a R-1/4A, Residential District.**

**The property is located on the north side of (#53) Cove Road, designated on the Tax Maps of the Town of Lewisboro as Sheet 33A, Block 11366, Lot 8, in an R-1/4A, One Quarter Acre Residential District.**

**Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals at Town of Lewisboro Offices at Orchard Square, 20 Cross River Shopping Plaza (PO Box 725), Lower Level, 20 North Salem Road, Cross River, New York 10518 during regular business hours. At such hearing, all interested parties may attend and will be heard.**

**Dated this 12th day of March, 2015  
in South Salem, New York**

**By:**

**ZONING BOARD OF APPEALS  
TOWN OF LEWISBORO  
ROBIN PRICE, JR.  
CHAIRMAN**

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

Town of Lewisboro

P. O. Box 725

20 North Salem Road, Cross River, New York 10590

APPLICATION TO THE BOARD OF APPEALS

\*Cal. No. 05-15 (B.Z.) \*\*Cal. No. (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: MALCOLM FRANK/TARA OWEN Phone: 914 763-3883
Address: 9 JONAH'S LANE S SALEM NY E-Mail: TARA.A.OWEN@GMAIL.COM
Owner's Name: MALCOLM FRANK/TARA A. OWEN Phone: same
Address: same E-Mail: same

II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORO:

Application is hereby made for:

- [X] A Variation of Article Section 220.230 of the Zoning Ordinance.
[] A Special Permit pursuant to Article Section of the Zoning Ordinance.
[] An Interpretation of the Zoning Ordinance or Zoning Map.
[] A Variation of Section 280 (a) of the Town Law.
[] An appeal from an Order of the Building Inspector to correct a Violation of the Housing Code Section
[] (Other)

AND FURTHER DESCRIBED AS FOLLOWS: A/C Condenser closer to
side line than permitted in RYA. 12' required. 10' provided.

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises: 53 COVE ROAD S SALEM NY
Tax Map: Sheet 33A Block 11366 Lot(s) 8
Zoning District: 1/4 Lot Area: 0.1313 Acres

IV. ADDITIONAL INFORMATION

Have previous appeals/special permits been filed in regard to these premises?
(If yes, please give calendar number & date)

Cal. No. 26-13-BZ Date 10/30/13
Cal. No. Date
Cal. No. Date

Has a court summons been served relative to this matter? NO

Have you inquired of the Clerk of the Town of Lewisboro whether there is any petition pending to change the use district regulations affecting the block on which these premises are located?

Attached hereto and made a part of this application, I submit the following:

- A copy of the ground and floor plans with all necessary measurements.
A property survey.
A signed consent by the owner of the property if the applicant is not the owner.

V. APPROVED FOR SUBMISSION:

Applicant's Signature: Tara A. Owen Date: 2/13/15

VI. RECEIPT:

Date Received by Clerk Fee Received \$ 252.00
Check #: 652 Receipt #: 25590

\* EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set forth by the Zoning Board of Appeals in connection with their decision, shall expire if work is not initiated pursuant thereto within one (1) year, of if said use or uses shall cease for more than one (1) year."

\*\*Storage of Contractor's Equipment requires an additional fee for each required off-street parking space.

\*\*\* Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

AFFIDAVIT OF OWNERSHIP

State of New York, Tara Owen being duly sworn, deposes  
County of Westchester in the Town of Lewisboro  
and says that he resides at 50 Gore Road in the State of New York and that  
he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the  
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number  
8 in Block 11364 on Sheet ..... and that he hereby authorizes  
..... to make the annexed application in his behalf  
and that the statements of fact contained in said application including the statements contained in all  
of the exhibits transmitted herewith are true.

Sworn to before me, this 13<sup>th</sup>  
day of February, 2015.

Samantha Lincledon  
(sign here)

(over)

SAMANTHA L INCLEDON  
Notary Public - State of New York  
No. 01IN6304669  
Qualified In Westchester County  
My Commission Expires June 2, 2018

1/22/2015

To: Zoning Board of Appeals Town of Lewisboro

: Reference 53 Cove Road Air Condition Condenser Unit

Dear Committee Members,

My name is Kyle Sedlacek and I am the property owner at 55 Cove Road, South Salem, NY

I just wanted to let the committee members know that I have no issues or concerns with the air condition condensing unit begin within the setbacks at Ms. Tara Owens home. I'm sure in the future it will be covered by beautiful flowers and shrubs.

Regards,

A handwritten signature in black ink that reads "K. Sedlacek". The signature is written in a cursive style with a large, prominent initial "K".

Kyle Sedlacek

FORMERLY LAKE WACCABUC ASSOCIATION INC.

ROAD

117.84'

43.38' N82°53'W  
7.57'

S83°27'W

OVERHEAD

DISTURBANCE LIMIT

DISTURBANCE AREA: 2977 SF

18.2'

PARKING AREA

5.2' GRAVEL

110.14'

PROP. CONC. PIER

CONCRETE

1.9'

DISTURBANCE LIMIT

WELL (W)

0.5'

PROP. PORCH

1 1/2 STY. FRAME RES.  
New Construction

25' FRONTYARD SETBACK

PROP. A/C CONDENSORS  
1 - installed

BMT ACCESS

17.9'

PROP. DECK

CHIM.

PROP. CONC. PIERS

STOCKPILE AREA #1

EX. SEPTIC TANK

EX. SEPTIC FIELD

PROP. STR.

2.0'

STOCKPILE AREA #2

NOW OR FORMERLY

**ZONING BOARD OF APPEALS**  
**NOTICE OF PUBLIC HEARINGS**

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**CAL. NO. 06-15-SP**

Application of Ellen Brockelman Bailey, 64 Perch Bay Road, Waccabuc, New York 10597, for a Special Permit pursuant to Article V, § 220-32B (2) (c) and § 220-40 of the Zoning Ordinance in the matter of an existing approved accessory apartment. This application is occasioned by a change of ownership.

The property is located on the easterly side of (#64) Perch Bay Road, designated on the Tax Map as Sheet 25A, Block 10813, Lot 8, in an R-2A, Two-Acre Residential District.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals at Town of Lewisboro Offices at Orchard Square, 20 Cross River Shopping Plaza (PO Box 725), Lower Level, 20 North Salem Road, Cross River, New York 10518 during regular business hours. At such hearing, all interested parties may attend and will be heard.

Dated this 12th day of March, 2015  
in South Salem, New York

By:

**ZONING BOARD OF APPEALS  
TOWN OF LEWISBORO  
ROBIN PRICE, JR.  
CHAIRMAN**

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodations to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

Town of Lewisboro

P. O. Box 725
20 North Salem Road, Cross River, New York 10590

APPLICATION TO THE BOARD OF APPEALS

\*Cal. No. (B.Z.) \*\*Cal. No. 06-15- (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: Ellen Brockelman Bailey Phone: 914 763 0123
Address: 64 Perch Bay Rd E-Mail: ellenbrockbailey@icloud.com
Owner's Name: Phone:
Address: E-Mail:

II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORO:

Application is hereby made for:

- A Variation of Article Section of the Zoning Ordinance.
A Special Permit pursuant to Article 226-32 B2C + 270-40 of the Zoning Ordinance. change of ownership
An Interpretation of the Zoning Ordinance or Zoning Map.
A Variation of Section 280 (a) of the Town Law.
An appeal from an Order of the Building Inspector to correct a Violation of the Housing Code Section
(Other)

AND FURTHER DESCRIBED AS FOLLOWS:

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises: 64 Perch Bay Rd
Tax Map: Sheet 25A Block 10813 Lot(s) 8
Zoning District: R2A Lot Area: 5.514 Acres

IV. ADDITIONAL INFORMATION

Have previous appeals/special permits been filed in regard to these premises? YES
(If yes, please give calendar number & date)
Cal. No. 48-01-37/5P Date 2001
Cal. No. 02-01-32 Date 2001
Has a court summons been served relative to this matter? NO
Have you inquired of the Clerk of the Town of Lewisboro whether there is any petition pending to change the use district regulations affecting the block on which these premises are located?

Attached hereto and made a part of this application, I submit the following:

- A copy of the ground and floor plans with all necessary measurements.
A property survey.
A signed consent by the owner of the property if the applicant is not the owner.

V. APPROVED FOR SUBMISSION:

Applicant's Signature: [Signature] Date: 2/25/15

VI. RECEIPT:

Date Received by Clerk: 2/25/15 Fee Received \$: 800.-
Check #: 1128 Receipt #: 25903

\* EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set forth by the Zoning Board of Appeals in connection with their decision, shall expire if work is not initiated pursuant thereto within one (1) year, or if said use or uses shall cease for more than one (1) year."

\*\*Storage of Contractor's Equipment requires an additional fee for each required off-street parking space.

\*\*\* Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

AFFIDAVIT OF OWNERSHIP

State of New York,  
County of Westchester being duly sworn, deposes  
and says that he resides at 64 Birch Bay Road in the Town of Lewisboro  
in the County of Westchester in the State of New York and that  
he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the  
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number  
in Block 10813 on Sheet 25A and that he hereby authorizes  
to make the annexed application in his behalf  
and that the statements of fact contained in said application including the statements contained in all  
of the exhibits transmitted herewith are true.

Sworn to before me, this 25<sup>th</sup>  
day of February, 2015

*[Signature]*  
(sign here)

(over)

*[Signature]*

SAMANTHA L INCLEDON  
Notary Public - State of New York  
No. 011N6304669  
Qualified In Westchester County  
My Commission Expires June 2, 2018



**ZONING BOARD OF APPEALS**  
**NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will hold a Public Hearing on Wednesday, March 25, 2015 at 7:30 P.M., at the Town of Lewisboro Offices at Orchard Square, 20 Cross River Shopping Plaza, Lower Level, 20 North Salem Road, Cross River, New York 10518 regarding the following:

CAL. NO. 07-15-BZ

Application of Eliza O’Neill Sommerville, 57 Elmwood Road, South Salem, New York [Owner of Record: Eliza O’Neill] for a variance of Article IV § 220-23D(8)(d) of the Zoning Ordinance in the matter of the storage of manure required to be stored 150’ from the street, property line, watercourse or wetland area (50’ proposed from the side yard) and for a variance of Article IV § 220-23E in the matter of the demolition of an existing 2200 s.f. barn and the construction of a new barn in the existing footprint (proposed 28’ where 50’ is required) from the side yard property line and (proposed 28’ where 50’ is required) from the front yard property line and Article IV § 220-23D (11) for an accessory building containing over 600 s.f. (3900 s.f. proposed; 2200 s.f. footprint with a 1700 s.f. second story hayloft) in a R-4A, Four-Acre Residential District.

The property is located on the easterly side of (#57) Elmwood Road designated on the Tax Map as Sheet 44, Block 10057, Lot 80, in an R-4A, Four-Acre Residential District.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals at Town of Lewisboro Offices at Orchard Square, 20 Cross River Shopping Plaza: (PO Box 725) Lower Level, 20 North Salem Road, Cross River, New York 10518 during regular business hours. At such Hearing, all interested parties may attend and will be heard.

Dated this 12<sup>th</sup> day of March, 2015  
in South Salem, New York

**ZONING BOARD OF APPEALS**  
**TOWN OF LEWISBORO**  
By: **ROBIN PRICE, JR.**  
**CHAIRMAN**

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CO

# CERTIFICATE OF OCCUPANCY

TOWN OF LEWISBORO  
SOUTH SALEM, N. Y.

No 2437

Date August 14, 1974

Location: easterly side/ Elmwood Rd.

Tax Map Designation, Sheet: 44 Block: 10057 Lot: 80

THIS CERTIFIES that the building located at premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with Application for Building Permit dated March 10, 1973, pursuant to which Building Permit was issued, and conforms to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is barn

This certificate is issued to James Homet  
(Owner, lessee or tenant)  
of the aforesaid building.

Fee: \$ 5.00 pd.

*Robert A. Cudney*  
Building Inspector

Town of Lewisboro
P. O. Box 725
20 North Salem Road, Cross River, New York 10590

APPLICATION TO THE BOARD OF APPEALS

\*Cal. No. 07-15- (B.Z.) \*\*Cal. No. (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: JOE MANSFIELD, REG. ARCHITECT Phone: (210) 822-3935
Address: P.O. Box 381 BREWSTER, NY, 10509 E-Mail: JOE@JFMARCHITECT.COM
Owner's Name: ELIZA O'NEILL SOMMERVILLE Phone: (914) 318-1573
Address: 57 ELMWOOD ROAD SOUTH SALEM, NY. E-Mail: ELIZASOMMERVILLE@GMAIL.COM

II. TO THE ZONING BOARD OF APPEALS OF THE TOWN OF LEWISBORO:

Application is hereby made for:

- X A Variation of Article III Section 220-12 of the Zoning Ordinance.
IV 210-23 D (B) (d)
A Special Permit pursuant to Article Section of the Zoning Ordinance.
An Interpretation of the Zoning Ordinance or Zoning Map.
A Variation of Section 280 (a) of the Town Law.
An appeal from an Order of the Building Inspector to correct a Violation of the Housing Code
Section
(Other)

AND FURTHER DESCRIBED AS FOLLOWS: WE PROPOSE TO DEMOLISH THE EXISTING BARN AND CONSTRUCT NEW BARN IN EXISTING FOOTPRINT. HOWEVER EXISTING BARN RESIDES IN NORTH-WEST SIDE YARD SETBACK.

III. IDENTIFICATION OF PROPERTY:

REQUESTING 22.0' VARIANCE WHERE 50.0' REQUIRED ALSO REQUEST 100.0' VARIANCE FOR MANURE DUMPSTER WHERE 150.0' SETBACK IS REQUIRED.
Location of Affected Premises: 57 ELMWOOD ROAD SOUTH SALEM, NY, 10590
Tax Map: Sheet 0044 Block 10057 Lot(s) 080
Zoning District: R-4A Lot Area: FIVE (5) Acres

IV. ADDITIONAL INFORMATION

Have previous appeals/special permits been filed in regard to these premises? YES
(If yes, please give calendar number & date)
Cal. No. 57-07-SP Date FEB. 3, 2008
Cal. No. 43-04-SP Date DEC. 2004
Has a court summons been served relative to this matter? NO
Have you inquired of the Clerk of the Town of Lewisboro whether there is any petition pending to change the use district regulations affecting the block on which these premises are located? YES (NONE KNOWN)

Attached hereto and made a part of this application, I submit the following:

- A copy of the ground and floor plans with all necessary measurements.
A property survey.
A signed consent by the owner of the property if the applicant is not the owner.

V. APPROVED FOR SUBMISSION:

Applicant's Signature: [Signature] Date: FEB. 26, 2015

VI. RECEIPT:

Date Received by Clerk: 2/26/15 Fee Received \$: 252.-
Check #: 857 Receipt #: 25904

\* EXPIRATION: (§ 220-74E(5)) "A variance shall be deemed to authorize only the particular use or uses specified in the decision, and unless other provisions are set forth by the Zoning Board of Appeals in connection with their decision, shall expire if work is not initiated pursuant thereto within one (1) year, of if said use or uses shall cease for more than one (1) year."

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\*\*\* Accessory Apartment applications will also require an additional fee for filing the legal instrument with Westchester County.

AFFIDAVIT OF OWNERSHIP

State of New York, Eliza O'Neill Sommerville being duly sworn, deposes  
County of \_\_\_\_\_

and says that she resides at 57 Elmwood Rd in the Town of South Salem  
in the County of Westchester in the State of New York and that

she is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the  
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Lot Number  
080 in Block 10057 on Sheet 44 and that she hereby authorizes

Joe Mansfield to make the annexed application in his behalf  
and that the statements of fact contained in said application including the statements contained in all  
of the exhibits transmitted herewith are true.

Sworn to before me, this 2/25/2015  
day of February, 2015

[Signature]  
(sign here)

(over)

Subscribed And Sworn To  
Before Me, A Notary Public,  
In And For The State Of  
Connecticut, This 25 Day  
Of February, 2015  
[Signature]  
Notary Public

CHIP KEATING  
NOTARY PUBLIC-CONNECTICUT  
MY COMM. EXPIRES 12/31/2016