

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, July 29, 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. 21-15-BZ

Application of Matt Zambrano for LukOil, 87 Plad Blvd, Holtsville, NY 11742 [Smith Ridge Associates, 450 Oakridge Commons, South Salem, NY 10590, owner of record] for a variance of Chapter 185, §185-5F(1)(a) of the Code of the Town of Lewisboro in the matter of the proposed installation of commercial signage that exceeds eight square feet where building is less than 50' from the property line and §185-6D(1) in the matter of the proposed installation of commercial signage that exceeds ten feet in height.

The property is located on the west side of Smith Ridge Road (NYS Route 123), designated on the Tax Map as Sheet 49D, Block 9829, Lot 10, in the RB, Retail Business District.

Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals at Town of Lewisboro, 20 Cross River Shopping Center at Orchard Square, PO Box 725, Cross River, New York 10518 during regular business hours.

At such Hearing, all interested parties may attend and will be heard.

Dated this 16th day of July, 2015
in Cross River, New York

ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
By: **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. 17-14 ACARC/PB (B.Z.)

**Cal. No. 21-15-BZ

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: Matt Zambono / LukOil Phone: 845-642-7754

Address: 87 Plad Blvd, Holtsville, NY 11742 E-Mail: mattzambonagt@gmail.com

Owner's Name: Phil Pim / Oakridge Shopping Center Phone: 914-533-7424

Address: 450 Oakridge Common, South Salem, NY 10590 E-Mail: ppp2557@aol.com

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

Application is hereby made for: 185-5 FC(a)

- [x] A Variation of Article Section 185-6D(1) 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: 185-5 F(1)(a) - Sign exceeds 8 ft. pr. where building is less than 50' from property line and 185-6D(1) Sign exceeds 10' in height

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises: LukOil Service Station Route 123, South Salem, NY 10590

Tax Map: Sheet 490 Block 09829 Lot(s) 10

Zoning District: RB Lot Area: +/- 1/8 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. Date Cal. No. Date

Cal. No. Date Cal. No. Date

Has a court summons been served relative to this matter?

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? No

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: 5/15/15

VI. RECEIPT:

Date Received by Clerk 6/6/15 Fee Received \$

Check #: 30254 Receipt #: 26095

* 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,

County of

Philip G Pine

being duly sworn, deposes

and says that he resides at *610 Pinebrook Blvd* in the Town of *New Rochelle*

in the County of *Westchester* in the State of *N.Y.* 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

10 in Block *9829* on Sheet *49D* 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.

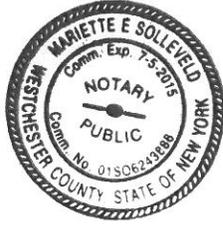
Sworn to before me, this *5/15/15*

M Solleveld

(sign here)

day of

(over)



ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL

TOWN OF LEWISBORO

CAL. NO. 17-14 ACARC/PB

APR 13 2015

Applicant(s): Matt Zambrano for LukOil *gc*
Owner(s) of Record: Smith Ridge Housing LLC
Reason for Referral: Commercial Signage for gas station (signage at pumps only)
Tax Map I.D.: Sheet 49D, Block 09829, Lot 10, RB
Address: Route 123, Smith Ridge Road, South Salem
Decision Date: April 8, 2015
The Vote: To Approve: Ciorsdan Conran, Chair
Gail Ascher
Stephen Hoyt
Kenneth McGahren
To Deny: None
Abstain: None
Absent: Virginia LoBosco

Presentation by: Matt Zambrano

Nature of Application: 1) seeking approval for current signage at the pumps for new branding from Getty to LukOil and
2) review of the proposed new free standing ID sign at Rt. 123.

Evidence Presented: Photos, drawings and site map

Based on the foregoing, the members of ACARC resolved to approve the 16 signs installed on the pumps including front, back and the outside ends of the pump toppers and front and back dispenser skirts as outlined below:

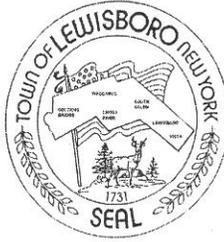
- The toppers have white letters on red background with 3 chevrons on either side of the lettering pointing inward. The "O" in oil is represented by a droplet. The letters are 8" tall.
- The dispenser skirts have 5 1/2" tall red lettering on white background with no chevrons. The "O" in oil is represented by a droplet.
- The outside ends have an 8 3/4" "self"/"full" side decal. The lettering is red on a white background.

ACARC has referred LukOil to the Zoning Board of Appeals in the matter of the proposed free standing signage due to current proposal exceeding Town of Lewisboro Code section 185.

By motion Ciorsdan Conran; seconded by Kenneth McGahren; In favor: Ciorsdan Conran, Gail Ascher, Stephen Hoyt, Kenneth McGahren. To deny: None. Absent: Virginia LoBosco

Ciorsdan Conran
Ciorsdan Conran, Chair

Dated in South Salem, New York
This 8th of April, 2015



TOWN OF LEWISBORO
Westchester County, New York

Architecture and Community Appearance Review Council
PO Box 725
Cross River, New York 10518

Tel: (914) 977-8038
Fax: (914) 763-3637
Email: lewplan2@westnet.com

TO: Robin Price, Jr., Zoning Board Chairman and Zoning Board members
FROM: Ciorsdan Conran, ACARC chairperson
DATE: April 9, 2015
Re: LukOil Service Station signage
Smith Ridge Road
Block 09829, Lot 10, Sheet 49D
(Cal# 17-14 ACARC/PB)

cc (jam)

In July 2014, LukOil Service Station was referred to ACARC by the Planning Board pursuant to §7.3 B of the Town Code to review the rebranding from Getty Service to LukOil as it pertains to all signage.

On April 8, 2015, ACARC did vote and approve the existing changes to the pump dispensers.

Although the members of ACARC like the proposed free standing ID sign design (see attached) presented at the April 8, 2015 ACARC meeting, they are concerned about its overall size. Regardless, it could not be voted on due to the sign exceeding the standards set by the Town Code. ACARC is referring the applicant because of the following nonconforming features:

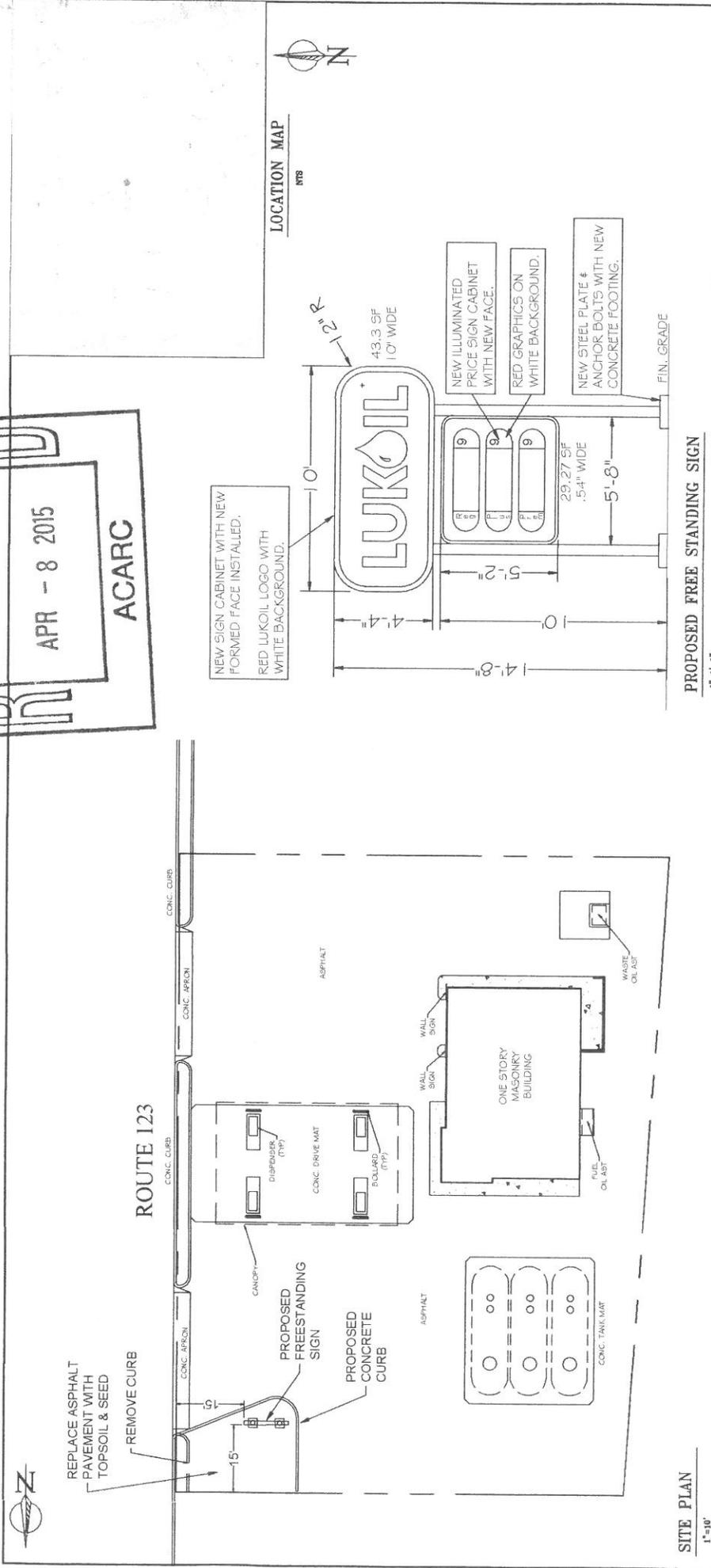
- the font size of the 22" lettering as opposed to the 12" lettering as per §185-6 (C) 6
- the clearance of the sign from the ground per §185-6 (D) 3
- and the overall height of the sign per §185-6 (D) 1, which now stands at 16'

If the proposed or a version of the proposed free standing sign is approved, a wall sign currently affixed to the building front will exceed the 6 sq ft limit per §185-5 (4)A. Another variance will also be needed for the "Service" sign.

Mr. Zambrano, a LukOil representative, will be filing an application to the Zoning Board of Appeals to address these issues.

cc: Matt Zambrano

RECEIVED
APR - 8 2015
ACARC



SITE PLAN
 1"=10'

PROPOSED FREE STANDING SIGN
 6"=1'-0"

HARRY TENENBAUM, PE
 24 ROSE LN
 MOUNTAIN VIEW, NY 11760
 801-494-6400
 HTENEN@PTDMAIL.NET

M ZAMBRANO ENTERPRISES, LLC
 87 PLAD BLVD
 BOULSTVILLE, NY 11742
 MATTZAMBRANO@GMAIL.COM
 TEL: (645) 648-7754

LUKOIL NORTH AMERICA
SERVICE STATION #58796
 SITE PLAN AND PROPOSED FREE STANDING SIGN
 ROUTE 123
 SOUTH SALEM, NY

SITE INFO

ROUTE 123
 SOUTH SALEM, NY 10580

OWNER INFO

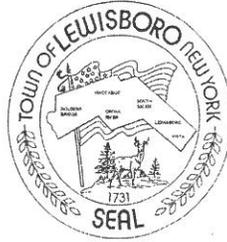
LUKOIL NORTH AMERICA
 502 HANCOCK DRIVE
 SUITE 303
 WOODSTOCK, NJ 08057

APPLICANT INFO

MATT ZAMBRANO
 M ZAMBRANO ENTERPRISES, LLC
 87 PLAD BLVD
 BOULSTVILLE, NY 11742
 645-648-7754

APPROVAL STAMP

DRAWN BY:	MZ
CHECKED BY:	HT
DATE:	3-31-15
SCALE:	NTS
DRAWING NO.:	
PROJECT NO.:	
PAGE:	1 of 5
REV. NO.:	



TOWN OF LEWISBORO
Westchester County, New York

Architecture and Community Appearance Review Council
PO Box 725
Cross River, New York 10518

Tel: (914) 977-8038
Fax: (914) 763-3637
Email: lewplan2@westnet.com

MEMO

To: Matt Zambrano on behalf of LukOil
From: Julie McCormick, ACARC secretary *Julie*
Date: April 15, 2015
Re: Cal# 17-14 ACARC/PB

Please find enclosed the Resolution dated April 8, 2015 approving the rebranding of the dispenser signage from Getty to LukOil. LukOil has been referred to the Town of Lewisboro's Zoning Board of Appeals with respect to the proposed free standing sign and wall signage. The referral and an application for the Zoning Board are included.

If you have any questions, please do not hesitate to contact me.

Cc: Planning Board
Zoning Board of Appeals

11/14/15 HPPA

4/8/15

Corsican
Corner





TOWN OF LEWISBORO
Westchester County, New York

Architecture and Community Appearance Review Council
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FROM: Ciorsdan Conran, ACARC chairperson
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Mr. Zambrano, a LukOil representative, will be filing an application to the Zoning Board of Appeals to address these issues.

cc: Matt Zambrano

TOWN OF LEWISBORO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro, will hold a public hearing on August 10, 2015, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, New York, for the purpose of hearing the public with regard to the amendment of the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB) subject to the Planning Board's and Zoning Board's agreement. Lewisboro is committed to equal access for all. Anyone needing accommodations to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance. Notices can also be viewed on the town's website at www.lewisborogov.com.

BY ORDER OF THE TOWN BOARD
TOWN OF LEWISBORO
JANET L. DONOHUE
TOWN CLERK

Dated at South Salem, New York
this 18th day of June, 2015

Michael Fuller Sirignano

Attorney and Counselor at Law

*Old Post Road Professional Building
892 Route 35, P. O. Box 784
Cross River, New York 10518*

*Tel: (914) 763-5500
Fax: (914) 763-9589
e-mail: michael@sirignano.us*

June 8, 2015

Hon. Peter Parsons
Lewisboro Town Supervisor
Town House
11 Main Street
P. O. Box 500
South Salem, NY 10590

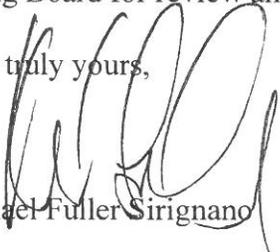
Re: Visnor Realty, LLC – Zoning Map Change Petition

Dear Mr. Parsons and
Members of the Lewisboro Town Board:

I represent Visnor Realty, LLC, the owner of three tax lots in the Vista hamlet (including the Vista Market). My client wishes to have its lots rezoned for General Business use. Enclosed please find our Petition for a Zoning Map Change pursuant to Town Law Sections 264 and 265.

Kindly acknowledge receipt of this Petition filing. I request that the Town Board refer our Petition to the Zoning Board and Planning Board for review and comment.

Very truly yours,


Michael Fuller Sirignano

MFS/cp
Enclosure

cc: Visnor Realty, LLC

TOWN BOARD OF THE TOWN OF LEWISBORO
COUNTY OF WESTCHESTER: STATE OF NEW YORK

-----X

In the Matter of the Application of

VISNOR PROPERTY, LLC

**PETITION FOR
ZONING MAP
AMENDMENT**

For amendments to the Zoning Map of the Town of Lewisboro changing the Zoning Designation of Certain Properties Zoned RB and R-1A to GB affecting three tax lots located at 469 and 471 Smith Ridge Road, also known and designated on the Tax Assessment Map of the Town of Lewisboro as Sheet 53, Block 9834, Lots 32, 33 and 34.

-----X

VISNOR PROPERTY, LLC (the "Petitioner") hereby petitions the Town Board of the Town of Lewisboro to adopt certain amendments to the Zoning Map pursuant to New York State Town Law Sections 264 and 265.

The Petitioner & Its Parcels

1. Petitioner VISNOR PROPERTY, LLC is the owner of two tax lots located at 469 Smith Ridge Road and a third tax lot located at 471 Smith Ridge Road which are known and designated on the Tax Assessment Map of the Town of Lewisboro as Sheet 53, Block 9834, Lots 32-33 and 34, respectively. Lots 32 and 34 have frontage along the easterly side of Smith Ridge Road (New York State Highway, Route 123) and are currently zoned RB (Retail Business). Lot 33 has 160 feet of frontage on Smith Ridge Road and the front or westerly portion of the lot is zoned RB (Retail Business) while the rear or easterly portion of the lot is zoned R-1A (Residential One Acre). The RB/R-1A

zoning district line thus bisects Lot 33. Complete metes and bounds descriptions of these parcels are contained in the Schedule "A" annexed hereto.

The Town of Lewisboro's Master Plan

2. The Master Plan acknowledges that a "second Vista Hamlet Business area is located in the northeast corner of East Street and Route 123 (Page 93). Vista and the other Lewisboro hamlets serve as centers for locally-oriented retail and service businesses (Page 60). "Hamlet Business area are intended to be the site of all types of locally-oriented business services including retail stores, personal services, offices, restaurants and trade services" (Page 81). The Master Plan recommends that Vista (as well as Goldens Bridge and Cross River) be maintained as neighborhood centers (Page 79). The lots being proposed for a change to General Business meet the criteria set forth in the Master Plan.

The Proposed Rezoning

3. Petitioner requests that the Town Board rezone Lots 32 and 34, the two RB zoned parcels, to GB (General Business) and rezone Lot 33 from its split RB/R-1A zoning to GB (General Business). A General Business district is zoned for any principle use, including special uses, that are permitted in the RB District as well as those business operations specifically permitted as a principal use in the GB District. Consistent with the Master Plain, §220-30 states that GB Districts are established to provide "areas in Lewisboro's hamlets for non-retail commercial establishments and neighborhood business services, including retail stores, personal services, offices, restaurants and trade services as well as for small residential units." The three (3) subject tax lots are located in the Vista hamlet and abut parcels located at 475 Smith Ridge Road and 5 East Street

which were rezoned by the Town Board as of November 3, 2014 from RB & R-1A, respectively, to GB. The instant rezoning Petition is in conformity with such other recent GB rezoning in the hamlet.

4. This rezoning will allow Petitioner to remedy the split zoning (RB/R-1A) of Lot 33 and to utilize the entire 3.13 acres of Lots 32 & 33 and the 0.36 acre Lot 34 for general business purposes in a manner consistent with the Master Plan. Lots 32 & 33 contain a former church building (now office space) and the Vista Market. As previously noted, said lots abut the recently rezoned GB District to the south. Rezoning the Petitioner's three parcels to GB will permit the integrated use of its parcels and will further enhance the hamlet. Said rezoning will not adversely affect or impact the residences in the R-1A District to the east as these properties are not accessed from Smith Ridge Road, a state highway. Lots 32 & 33 and 34 are in an appropriate location for a GB District as they have frontage on a state highway. Said rezoning will facilitate future improvements to these three lots, create local jobs and increase tax revenues, thereby contributing to the fiscal well-being of not only the Vista hamlet but the entire Town of Lewisboro and its residents.

WHEREFORE, Petitioner respectfully requests that the Town Board grant this Petition and amend the zoning map to re-designate Petitioner's three tax lots (#s 32, 33 and 34) for GB (General Business) use.

Respectfully submitted,

VISNOR PROPERTY, LLC



By: Avraam Apazidis, Manager

Dated: May 29, 2015

THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title No. 57536FA-W

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Lewisboro, County of Westchester and State of New York being more particularly bounded and described as follows:

BEGINNING at the point of the intersection of the easterly side of Smith Ridge Road (Route 123) and the division line between premises herein described and lands now or formerly of Luca F. Deeda;

THENCE RUNNING from said point of beginning along the easterly side of Smith Ridge Road (Route 123) the following courses and distances:

North 1 degrees 21 minutes 55 seconds east, 78.90 feet;
North 5 degrees 00 minutes 00 seconds east, 120.46 feet; and
North 7 degrees 04 minutes 20 seconds east, 101.63 feet to a point on the division line between premises herein described and land now or formerly of Peter C. Ripperger;

THENCE RUNNING along the last mentioned division line the following courses and distances:

South 44 degrees 58 minutes 00 seconds east, 10.23 feet;
South 72 degrees 02 minutes 00 seconds east, 8.20 feet;
North 89 degrees 06 minutes 00 seconds east, 46.06 feet;
North 77 degrees 04 minutes 40 seconds east, 236.09 feet; and
North 76 degrees 06 minutes 40 seconds east, 169.12 feet to a point on the division line between premises herein described and lands now or formerly of Romeo Fraccaroli and lands now or formerly of Antonio Russo;

THENCE RUNNING along the last mentioned division line, South 9 degrees 08 minutes 20 seconds east, 310.10 feet to a point on the division line between premises herein described and lands now or formerly of Stephen E. Kitchen, lands now or formerly of Dominick Vavala and lands now or formerly of Luca F. Dedda;

- continued on next page -

Page 1

THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title No. 57536FA-W

SCHEDULE A (continued)

THENCE RUNNING along the last mentioned division line the following courses and distances:

South 80 degrees 40 minutes 20 seconds west, 179.65 feet;
South 78 degrees 59 minutes 30 seconds west, 63.37 feet;
South 78 degrees 25 minutes 40 seconds west, 28.71 feet;
South 81 degrees 21 minutes 10 seconds west, 90.86 feet;
South 79 degrees 21 minutes 50 seconds west, 25.68 feet;
South 81 degrees 42 minutes 00 seconds west, 32.83 feet;
South 87 degrees 42 minutes 00 seconds west, 40.47 feet;
South 83 degrees 54 minutes 37 seconds west, 47.78 feet; and
South 87 degrees 40 minutes 42 seconds west, 26.41 feet to the point or place of
BEGINNING.

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.

Page 2