

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, January 27, 2016 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. 01-16-BZ

Application of Paul Dennis, AIA, 26 Gilbert Street, South Salem, New York 10590 (Owners of Record: Jerry & Jill Wishner, 44 Gilbert Street, South Salem, New York 10590) for a [1] variance of Article III § 220-9D (2) and [2] Article IV § 220-23E of the Zoning Ordinance in the matter of an increase in non-conformity other than use due to the raising of the attic roof that will be closer to the front line than permitted (15.26' at closest proposed where 30' is required) in an R-1/2A, Residential District.

The property is located on the east side of (#44) Gilbert Street, designated on the Tax Maps of the Town of Lewisboro as Sheet 36D, Block 10806, Lots 5 & 6, in an R-1/2A, One-Half 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 14th day of January, 2016
in Cross River, 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. 1-16 - (B.Z.) **Cal. No. (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: PAUL DENNIS (ARCHITECT) Phone: 914-763-0959

Address: 26 GILBERT ST. S. SALEM E-Mail

Owner's Name: JERRY WISNER Phone:

Address: 44 GILBERT ST, S. SALEM E-Mail 914-977-3139

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

Application is hereby made for:

- A Variation of Article 120 Section 90(2) 1000-23E 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:

INCREASE OF AN EXISTING NON CONFORMANCE. Raising of roof IN REAR FRONT YARD SETBACK

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises: 26 Gilbert St.

Tax Map: Sheet 360 1000 Block 4 Lot(s) 22 516

Zoning District: R14A Lot Area: 1/2 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?

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: Paul Dennis Date: 12/11/2015

VI. RECEIPT:

AFFIDAVIT OF OWNERSHIP

State of New York, Jerry Wishner being duly sworn, deposes
County of New York
and says that he resides at 44 Gilbert St in the Town of South Salem
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
29 in Block 4 on Sheet 43-7 and that he hereby authorizes
Paul Dennis, architect 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 15th
day of Dec 2015

Elizabeth Rivera
(sign here)

ELIZABETH RIVERA
NOTARY PUBLIC, STATE OF NEW YORK
Qualified in Kings County
Commission Expires Dec. 11, 2018
Registration No. 01RI6157794

(over)

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, January 27, 2016 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. 02-16-BZ

Application of Michael Fuller Sirignano, Esq., Old Post Road Professional Building, 892 Route 35, Cross River, New York 10518 [Susan Rotondi, 66 Mark Mead Road, Cross River, NY 10518, owner of record] to amend the variance granted by the Zoning Board of Appeals on November 18, 2015 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 (60' from the westerly side property line and 25' from the rear property line) in the R-1/2A, One-Half-Acre Residential District. The applicant now seeks to install a covered 8' x 11' manure dumpster in the approved location, rather than the 6' x 6' covered dumpster approved by the Zoning Board of Appeals.

The property is located on the south side of (#66) Mark Mead Road and designated on the Tax Map as Sheet 20, Block 10536, Lot 15, in the R-1/2A, One -Half-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 14th day of January, 2016
in Cross River, New York

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

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Town of Lewisboro

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

APPLICATION TO THE BOARD OF APPEALS

*Cal. No. 02-16- (B.Z.) **Cal. No. (S.P.)

I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER

Applicant's Name: Michael Fuller Sirignano, Esq. Phone: (914) 763-5500
Address: Old Post Road Professional Bldg., 892 Rte 35, Cross River, NY 10518 E-Mail: michael@sirignano.us
Owner's Name: SUSAN ROTONDI Phone: (914) 763-5500
Address: 56 Mark Mead Road, Cross River, NY 10518 E-Mail:

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

Application is hereby made for:

- A Variation of Article IV Section 220-23D(8)(d) 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: In the Matter of a covered 8' x 11" manure dumpster which is too close to property lines, 90' from westerly side yard lot line and 25' from rear property line where 150' is required.

Previously Approved for 6x6 dumpster.

III. IDENTIFICATION OF PROPERTY:

Location of Affected Premises: 66 Mark Mead Road, Cross River, NY 10518
Tax Map: Sheet 20 Block 10536 Lot(s) 15
Zoning District: R-1/2 Lot Area: 3.011 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. 26-15-BZ Date 12/1/15 (attached)
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? Yes - None

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: 12/28/15

VI. RECEIPT:

Date Received by Clerk: 1/1/2016 Fee Received \$
Check #: 446 Receipt #: 26462

* 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 Westchester..... being duly sworn, deposes

and says that she resides at in the Town of Westchester
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
15 in Block 10536 on Sheet 20 and that he hereby authorizes
Michael Fuller Sirignano, Esq. 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 28th
day of December, 2015

Susan Rotondi

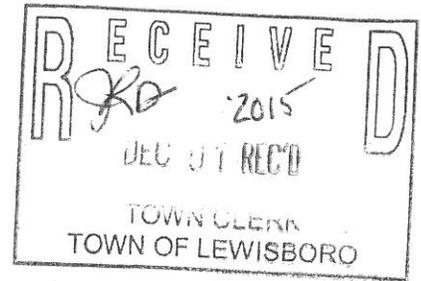
(sign here)

Susan Rotondi

(over)

RESOLUTION
TOWN OF LEWISBORO
ZONING BOARD OF APPEALS

IN THE MATTER OF THE APPLICATION OF
Susan Rotondi
FOR A VARIANCE OF
ARTICLE IV §220-23D(8)(d)
of the Lewisboro Zoning Ordinance
CAL. NO. 26-15-BZ



INTRODUCED BY: Chairman Price

SECONDED BY: Board Member Casper

DATE OF CONSIDERATION/ADOPTION: November 18, 2015

WHEREAS, Susan Rotondi (“the applicant”), represented by Michael Fuller Sirignano, Esq. has made application to the Lewisboro Zoning Board of Appeals (the “ZBA”) for a variance of Article IV, §220-23D(8)(d) of the Lewisboro Town Code, in the matter of the storage of manure on the subject premises located at 66 Mark Mead Road, Cross River, New York Tax Map Sheet 20, Block 10536, Lot 15 (“the property”), where the Code requires that the storage of manure is stored 150’ from the street, property line, watercourse or wetland and the applicant proposed to store the manure Ninety feet ± (90’±) from the westerly side yard property line and the applicant sought a variance of sixty feet (60’) and proposed to store the manure twenty-five feet ± (25’±) from the rear yard property line and the applicant sought a variance of one hundred twenty-five feet ± (125’±); and

WHEREAS, this application for an area variance constitutes a Type II action under 6 NYCRR Part 617, and therefore, requires no further review under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, a public hearing was held at the Town Offices at Orchard Square, 20 Cross River Shopping Plaza, Lower Level, 20 North Salem Road, Cross River, New York in this matter on November 18, 2015, and a site walk was conducted on September 26, 2015; after which a vote was taken with regard to the variances as set forth above, and

WHEREAS, The Lewisboro Zoning Board of Appeals has given careful consideration to the facts presented in the application at the public hearing based upon the criteria set forth in Section 267-b(3)(b) of the Town Law of the State of New York, and finds as follows:

1. The property is an approximate 3.011 acre parcel in the R-1/2A zoning district owned by Susan Rotondi, and is improved with a single-family residence, pool, horse shelter, frame shed and barn.
2. The applicant wishes to store manure, in an area that would be located closer than one hundred fifty feet (150’) from the side and rear property lines as required by Article IV, §220-23D (8)(d) of the Lewisboro Town Code. After

initially proposing to store the manure 7.5' from the westerly property line, the applicant considered the Zoning Board of Appeals suggestion to move the dumpster further into the property away from the property line. The applicant has now proposed a smaller 6' x 6' covered manure dumpster to be located ninety feet (90') from the westerly side yard property line and twenty-five feet (25') from the rear property line, thereby requiring a variance of sixty feet (60') from the westerly side yard lot line and one hundred twenty-five feet (125') from the rear property line.

3. There will be no undesirable change to the character of the neighborhood or detriment to nearby properties given the conditions set forth in this resolution of approval. The property has been an on-going horse farm for many years.
4. There is no practical alternative to the variance requested. The applicant has proposed to install a smaller 6' x 6' covered dumpster further away from the westerly property line than initially proposed.
5. Although the hardship may be self-created, the keeping of horses has been on-going for a number of years on this property.
6. There will be no adverse effect or impact on the physical or environmental conditions of the neighborhood.
7. The area variance is relatively unsubstantial.

WHEREAS, pursuant to Section 267-b(3)(c), the ZBA hereby determines that the minimum area variances necessary in this application is a variance of sixty feet (60') and one hundred twenty-five feet (125') from the requirement that manure is stored one hundred fifty feet (150') from the street, property line, watercourse or wetland area and is proposed to be stored ninety feet (90') from the westerly side property line and twenty-five feet (25') from the rear property line.

NOW, THEREFORE BE IT RESOLVED, that the Lewisboro Zoning Board of Appeals hereby grants an area variance of sixty feet (60') and one hundred twenty-five feet (125') from the requirement of Article IV, §220-23D(8)(d) of the Lewisboro Town Code, which requires that the storage of manure be stored 150 feet from the street, property line, watercourse or wetland area in order to permit the storage of the manure ninety feet (90') from the westerly side yard lot line, and twenty-five feet (25') from the rear property line, which is located in the R-1/2A zoning district, and hereby imposes the following conditions pursuant to Section 267-b(4) of the Town Law: of the State of New York:

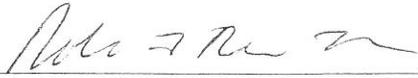
1. The maximum sized container to be utilized shall be 6' x 6'.
2. The manure container shall remain covered.
3. The existing manure container shall be removed from the property within two weeks of the receipt of the signed resolution stamped by the Lewisboro Town Clerk.

VOTE:

Board Member Casper	- In Favor
Board Member Krellenstein	- Abstain
Board Member Mandelker	- Absent

Board Member Rendo - In Favor
Chairman Price - In Favor

VOTE: Resolution carried by a vote of 3 to 0.



Robin Price, Jr., Chairman

Dated in South Salem, New York
This 1st day of ~~November~~, 2015
December

Expiration: The variance shall 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 its decision, shall expire if work is not initiated pursuant thereto within one (1) year of the date said decision is filed with the Office of the Town Clerk or if said use or uses shall cease for more than one (1) year. Applicants wishing to seek an extension are advised to make application therefor to the Zoning Board of Appeals sufficiently in advance of expiration so as to allow their request for extension to be calendared and heard by the Zoning Board of Appeals prior to the date of expiration. Any such application must include a chronological listing of work (which may include efforts to obtain other regulatory approvals) initiated pursuant to the variance.

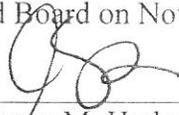
STATE OF NEW YORK)

) ss.:

COUNTY OF WESTCHESTER

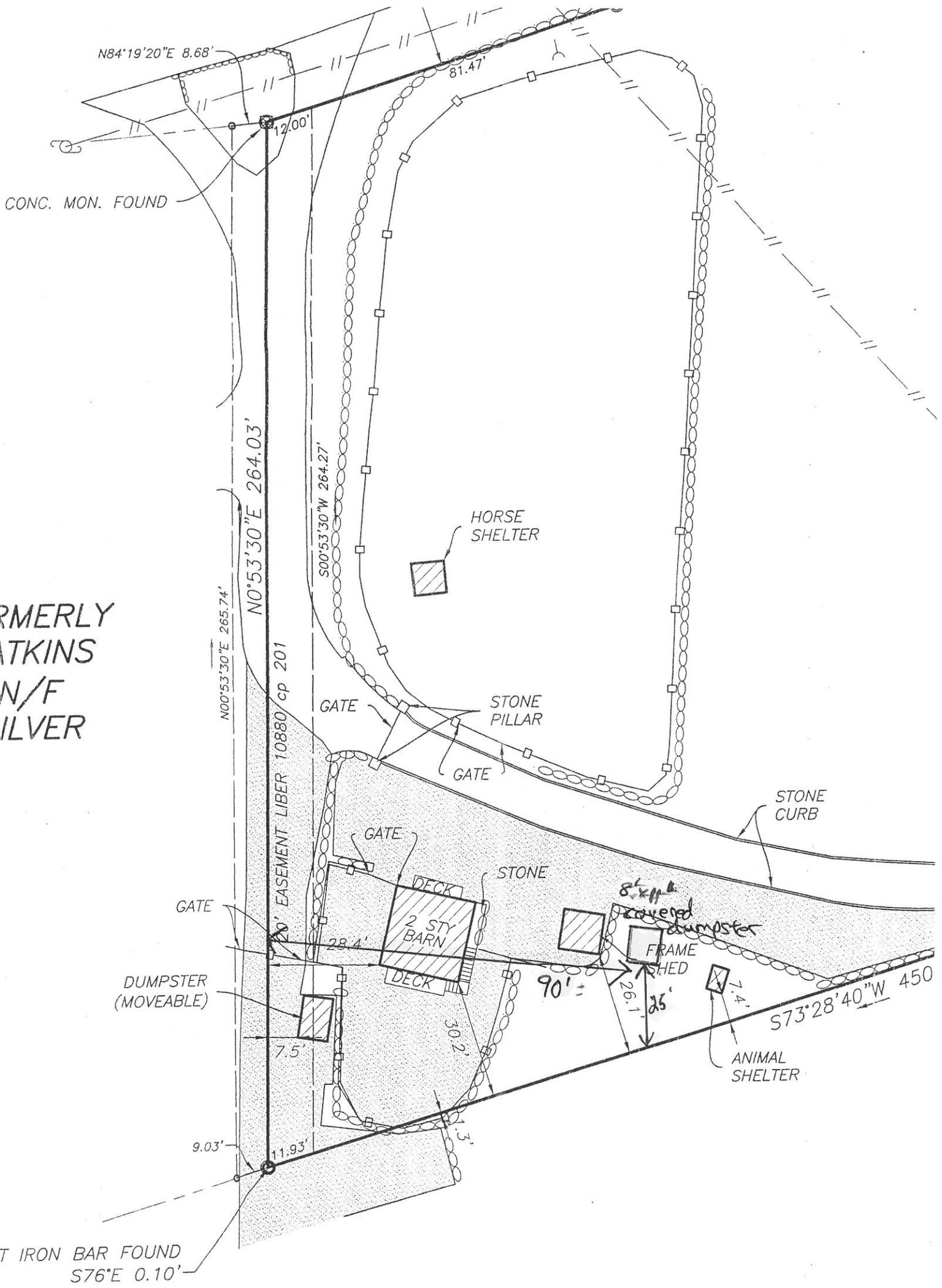
I, Aimee M. Hodges, Secretary of the Zoning Board of Appeals, do hereby certify that the above is an excerpt/summary/fair representation of the Resolution adopted by the Zoning Board of Appeals of the Town of Lewisboro at a meeting of said Board on November 18, 2015.

Dated: 12/1/2015



Aimee M. Hodges
Secretary Zoning Board of Appeals

FORMERLY
WATKINS
N/F
SILVER



BENT IRON BAR FOUND
 $S76^{\circ}E$ 0.10'