

**MINUTES OF THE YORKTOWN ZONING BOARD OF APPEALS
JANUARY 24TH, 2019**

The regular monthly meeting was held at the Zoning Board of Appeals, Town of Yorktown, at the Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on Thursday, January 24th, 2019. The meeting began at 6:30 p.m.

The following members of the board were present:

Gregg Bucci
William Gregory
Robert Fahey
Gordon Fine
John Meisterich

Also present is Special Counsel, John Buckley and Building Inspector John Landi. The meeting was aired on Channel 20 Cablevision and Channel 33 Verizon Fios.

It was announced that the next public hearing would be held February 28th, 2019, site visits are scheduled for February 9th, 2019. Mailings are to be sent from February 4th to February 13th, 2019.

NEW BUSINESS

O’SULLIVAN, JOHN #1/19 This is an application to allow a 2nd floor addition with a front yard setback of 26.03’ and a front porch with a front yard setback of 17.83’ where a minimum of 30’ is required as per Appendix A Section 300.21 of the Town Zoning Code. This property is in an R-10 zoning district.
Property Address:
128 Halyan Rd.
Section 37.15, Block 2, Lot 3

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, this item was scheduled for a Site Visit on February 9th, 2019, a Public Hearing on February 28th, 2019, and referred to the Building Inspector.

ROTHBERG, SETH & TRISH #2/19 The proposed addition has a side yard setback that has to equal a front yard setback of 16.58’ where 40’ is required as per Section 300-13(G) of the Town of Yorktown Zoning Code. This property is in an R-10 zoning district.
Property Address:
428 Granite Springs Rd.
Section 27.14, Block 3, Lot 25

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, this item was scheduled for a Site Visit on February 9th, 2019, a Public Hearing on February 28th, 2019, and referred to the Building Inspector.

SANDOVAL, CARLOS #3/19 This is an application for a special use permit to park a commercial vehicle on residential property. This special permit is required as per 300-62 of the Town Zoning Code.
Property Address:
2380 Crompond Rd.
Section 37.09, Block 1, Lot 33

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, this item was scheduled for a Site Visit on February 9th, 2019, a Public Hearing on February 28th, 2019, and referred to the Building Inspector.

CONTINUED PUBLIC HEARINGS

DINEEN, KATHLEEN #48/16 This is an application to modify an existing special use permit for a day care facility per 300-53 of the Tow of Yorktown Zoning Code. This property is located in an R1-10 zoning district.
Property Address:
2090 Crompond Rd.
Section 37.14, Block 2, Lot 8

Applicant before the Planning Board.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, this item is adjourned.

DINEEN, KATHLEEN #49/16 This is an application for a variance to allow an addition to a daycare facility to have a building coverage of 10057.5 sq. ft. where 7404 sq. ft. is the maximum allowed per 300-21 and Appendix A of the Town of Yorktown Zoning Code. This property is located in an R1-10 zoning district.
Property Address:
2090 Crompond Rd.
Section 37.14, Block 2, Lot 8

Applicant before the Planning Board.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, this item is adjourned.

NEW PUBLIC HEARING

CANTONE, ANN #54/18 This is an application for a special use permit for a renewal accessory apartment. This property is located in a R1-20 Zoning District.
Property Address:
1818 Amazon Rd.
Section 25.11, Block 1, Lot 5

Mailings and sign certification in order.

Memo from the Assistant Building Inspector dated, January 11, 2019 states: I inspected the premises on 1/10/19 and found conditions basically the same as at the time of the previous granting. We have no objection to the granting of this application for renewal as long as the applicant is made aware that they have to come to the Building Department and be issued a new Certificate of Occupancy for the accessory apartment.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, the application for renewal of a special use permit for an accessory apartment was granted for a period of three (3) years.

LENSETH, ROBERT & HEATHER #55/18 This is an application for a special use permit for a renewal accessory apartment. This property is located in a R1-80 Zoning District.
Property Address:
1145 Baldwin Rd.
Section 47.19, Block 1, Lot 12

Mailings and sign certification in order.

Memo from the Assistant Building Inspector dated, January 9, 2019 states: I performed a site visit on 1/8/19 and found conditions to be acceptable.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, the application for renewal of a special use permit for an accessory

apartment was granted for a period of three (3) years.

REYES, MICHAEL #56/18 This is an application for a special use permit for a renewal accessory apartment. This property is located in a R1-40 Zoning District.
Property Address:
2974 Sherman Court
Section 25.12, Block 1, Lot 9

Mailings in order.

Memo from the Assistant Building Inspector dated, January 14, 2019 states:

The subject premises were inspected on January 14, 2019, and no changes have been made to the apartment since the previous approval, with the exception of new ownership. The use will continue to be in substantial compliance with applicable building and zoning regulations. The Applicant should be advised that a new Certificate of Occupancy must be issued for continued use of the accessory dwelling.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, the application for renewal of a special use permit for an accessory apartment was granted for a period of three (3) years, with the stipulation that the applicant must submit the photo of the sign for the sign affidavit.

ACME REALTY #57/18 This is an application for a directory sign having a letter size of 12 7/8" where a maximum of 6" is permitted as per Appendix D of the Town Zoning Code.
Property Address:
2025 Crompond Rd.
Section 37.14, Block 1, Lot 46

Applicant no present. Not open.

BROWNE, ROSS #58/18 This is an application to allow an existing shed with a front yard setback of 7' where a minimum of 50' is required and a combined side yard setback of 37.9' where a minimum of 50' is required as per 300-21 and Appendix A of the Town Zoning Code.
Property Address:
255 Colonel Green Rd.
Section 59.07, Block 1, Lot 32

Mailings and sign certification in order.

Memo from the Assistant Building Inspector dated, January 7, 2019 cited no objections.

The Board discussed the application and applied the statutory factors.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Bucci, Fahey, Fine, Gregory, and Meisterich, the application for a variance was granted to allow an existing shed with a front yard setback of 7' where a minimum of 50' is required and a combined side yard setback of 37.9' where a minimum of 50' is required as per 300-21 and Appendix A of the Town Zoning Code, with the stipulation it pertains only to the requested variance and not the remainder of the property line.

Recording Secretary, Glenda Daly
Meeting adjourned at 6:44pm
Happy Zoning!