

**TOWN OF LEWISBORO**  
Westchester County, New York

Zoning Board of Appeals  
79 Bouton Road  
South Salem, New York 10590



Tel: (914) 763-3822  
Fax: (914) 533-0097  
Email: zoning@Lewisborogov.com

**AGENDA**

Wednesday, April 24, 2024, 7:30 P.M.

79 Bouton Road, South Salem,  
Justice Court

**I. Review and adoption of the Minutes of March 27, 2024.**

**II. PUBLIC HEARING**

**CAL. NO. 04-24-BZ**

Application of Jeff & Carolyn Whitsett [Whitsett, Jeffrey & Carolyn, owner of record], 232 North Salem Road, Cross River, NY for the following variance to construct a new deck to an existing residence has a 37.00' side yard setback whereas 50' are required in a R4A zone per article IV section 220-12 schedule of dimensional and bulk requirements for residential districts of the Town of Lewisboro Zoning Code therefore requiring a side yard variance of 13.00'.

The property is located on the west side of (#232) North Salem Road, Cross River, NY designated on the Tax Map as Sheet 13, Block 11152, Lot 104, in an R-4AC, Four-Acre Residential District consisting of approximately 5.48 acres.

**III. CORRESPONDENCE & GENERAL BUSINESS**

**IV. NEXT MEETING**

May 22, 2024

**V. ADJOURN MEETING**

(914) 763-3822  
FAX (914) 875-9148  
TTY 800-662-1220  
Email: [zoning@lewisborogov.com](mailto:zoning@lewisborogov.com)  
[www.lewisborogov.com](http://www.lewisborogov.com)



TOWN OF LEWISBORO  
Zoning Department  
79 Bouton Road  
South Salem, NY 10590

**TOWN OF LEWISBORO, WESTCHESTER COUNTY**

**ZONING DEPARTMENT**

**ZONING BOARD OF APPEALS – April 24, 2024**

<b><u>APPLICANT</u></b>	<b><u>CAL #</u></b>	<b><u>PAGE(S)</u></b>
<b>Whitsett</b>	<b>04-24-BZ</b>	<b>3 to 11</b>

TOWN OF LEWISBORO  
Building Department  
Bouton Road  
South Salem, NY 10590  
Email: [kkelly@lewisborogov.com](mailto:kkelly@lewisborogov.com)



(914) 763-3060  
FAX (914) 875-914879  
TTY 800-662-1220

[www.lewisborogov.com](http://www.lewisborogov.com)

**Date 3/27/24**  
**Zoning Denial App. # 2024-110**

**Jeff Whitsett**  
**232 North Salem Rd. Cross River, NY 10518**  
**0013-11152-104**

The proposed New Deck to an existing residence has a 37.00' side yard setback whereas 50' are required in a R4A zone per article IV section 220-12 schedule of dimensional and bulk requirements for residential districts of the Town of Lewisboro Zoning Code therefore requiring a side yard variance of 13.00'

Kevin J. Kelly

A handwritten signature in black ink, appearing to read "K. J. Kelly", written in a cursive style.

Building Inspector



(914) 763-3822

FAX (914) 875-9148

TTY 800-662-1220

Email: [zoning@lewisborogov.com](mailto:zoning@lewisborogov.com)

TOWN OF LEWISBORO

Zoning Department

79 Bouton Road

South Salem, NY 10590

**APPLICATION TO THE BOARD OF APPEALS**

\*Cal. No. 04-24-BZ (BZ)

\*\*Cal. No. .... (SP)

**I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER**

Applicant's Name: Jeff and Carolyn Whitset Phone: 914-763-5880

Address: 232 North Salem Rd. Cross River, NY 10518 E-Mail: jcoswhit@optonline.net

Owner's Name: Same 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 220 Section 12 -B (2), and 232-E 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: Side yard setback required = 50.0', Existing = 43.0'+/-  
Proposed Side Yard setback is 37.0'+/-

**III. IDENTIFICATION OF PROPERTY:**

Location of affected Premises: 232 North Salem Rd. Cross River, NY 10518

Tax Map: Sheet 0013 Block 11152 Lot(s) 104

Zoning District: R4A Lot Area: 5.5 Acres

**IV. ADDITIONAL INFORMATION**

Have previous appeals/special permits been filed in regard to these premises? NO

Cal. No. .... Date ..... Cal. No. .... Date .....

Cal. No. .... Date ..... Cal. No. .... Date .....

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

(OVER)

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.....

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

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

V. APPROVED FOR SUBMISSION:

Applicant's Signature: Jeff + Carolyn C. Whitsett Date 07 FEB 24  
07 FEB 24

VI. RECEIPT:

Date Received by Clerk 2/3/2024 Fee Received \$ 252.00  
 Check # 6973 Receipt # 24-0905

\*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 filling the legal instrument with Westchester County.

**AFFIDAVIT OF OWNERSHIP**

State of New York, Jeff + Carolyn Whitsett Being duly sworn, deposes  
 County of Westchester  
 and says that he/she resides at 232 North Salem Road, in the Town of Lewisboro  
 In the County of Westchester in the State of New York  
 He/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 Sheet 0013  
 Block 11152 Lot 104 and that he/she hereby authorizes BOB EBERTS

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 7th day of February  
Rebecca B. Allardyce

(Sign here)

**REBECCA B ALLARDYCE**  
 Notary Public - State of New York  
 No. 01AL6359835  
 Qualified in Westchester County  
 My Commission Expires 08/05/2025

**ZONING BOARD OF APPEALS**

**NOTICE OF PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN, that the Zoning Board of Appeals of the Town of Lewisboro will host a Public Hearing on Wednesday, April 24, 2024, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.**

**CAL. NO. 04-24-BZ**

**Application of Jeff & Carolyn Whitsett [Whitsett, Jeffrey & Carolyn, owner of record], 232 North Salem Road, Cross River, NY for the following variance to construct a new deck to an existing residence has a 37.00' side yard setback whereas 50' are required in a R4A zone per article IV section 220-12 schedule of dimensional and bulk requirements for residential districts of the Town of Lewisboro Zoning Code therefore requiring a side yard variance of 13.00'.**

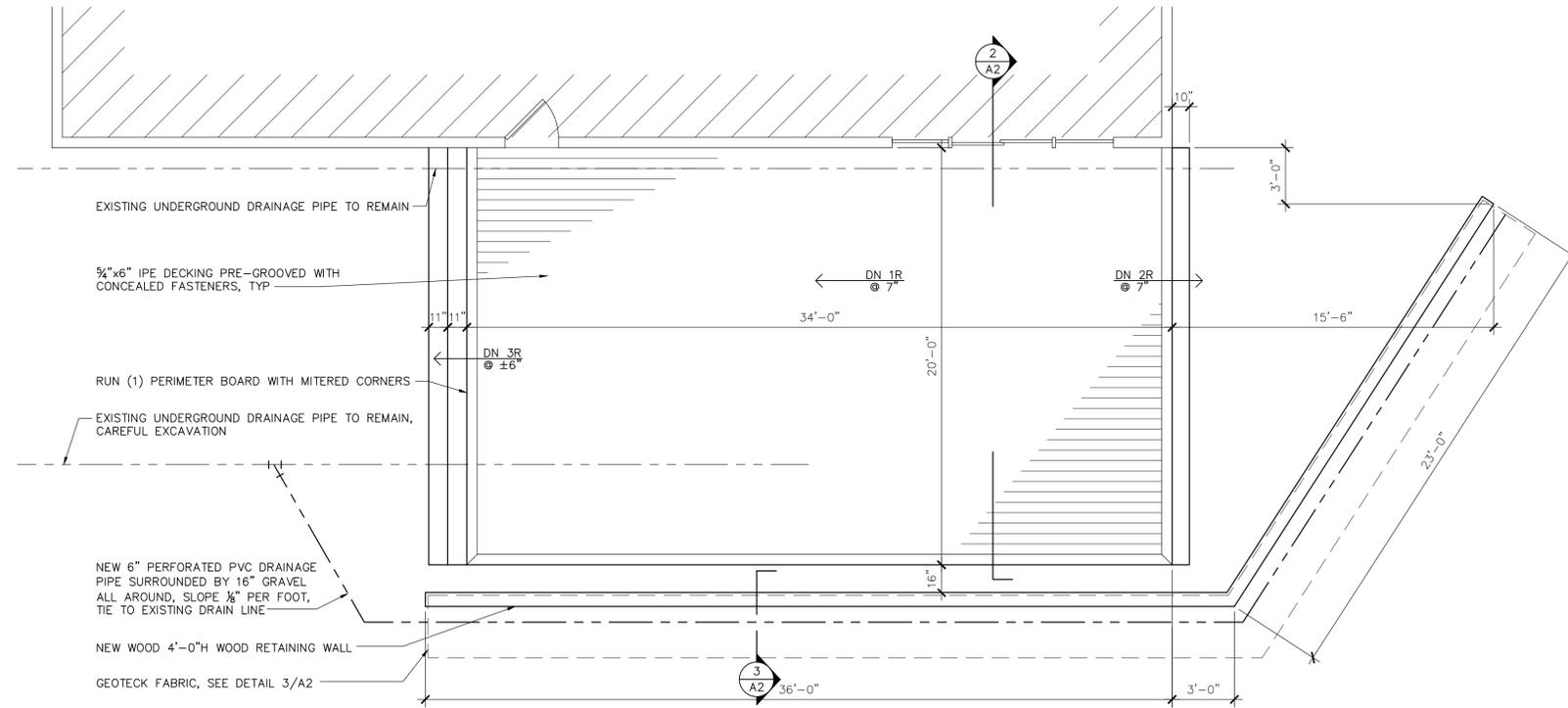
**The property is located on the west side of (#232) North Salem Road, Cross River, NY designated on the Tax Map as Sheet 13, Block 11152, Lot 104, in an R-4AC, Four-Acre Residential District consisting of approximately 5.48 acres.**

**Additional information regarding this application may be obtained from the Secretary to the Zoning Board of Appeals, 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties may attend and will be heard.**

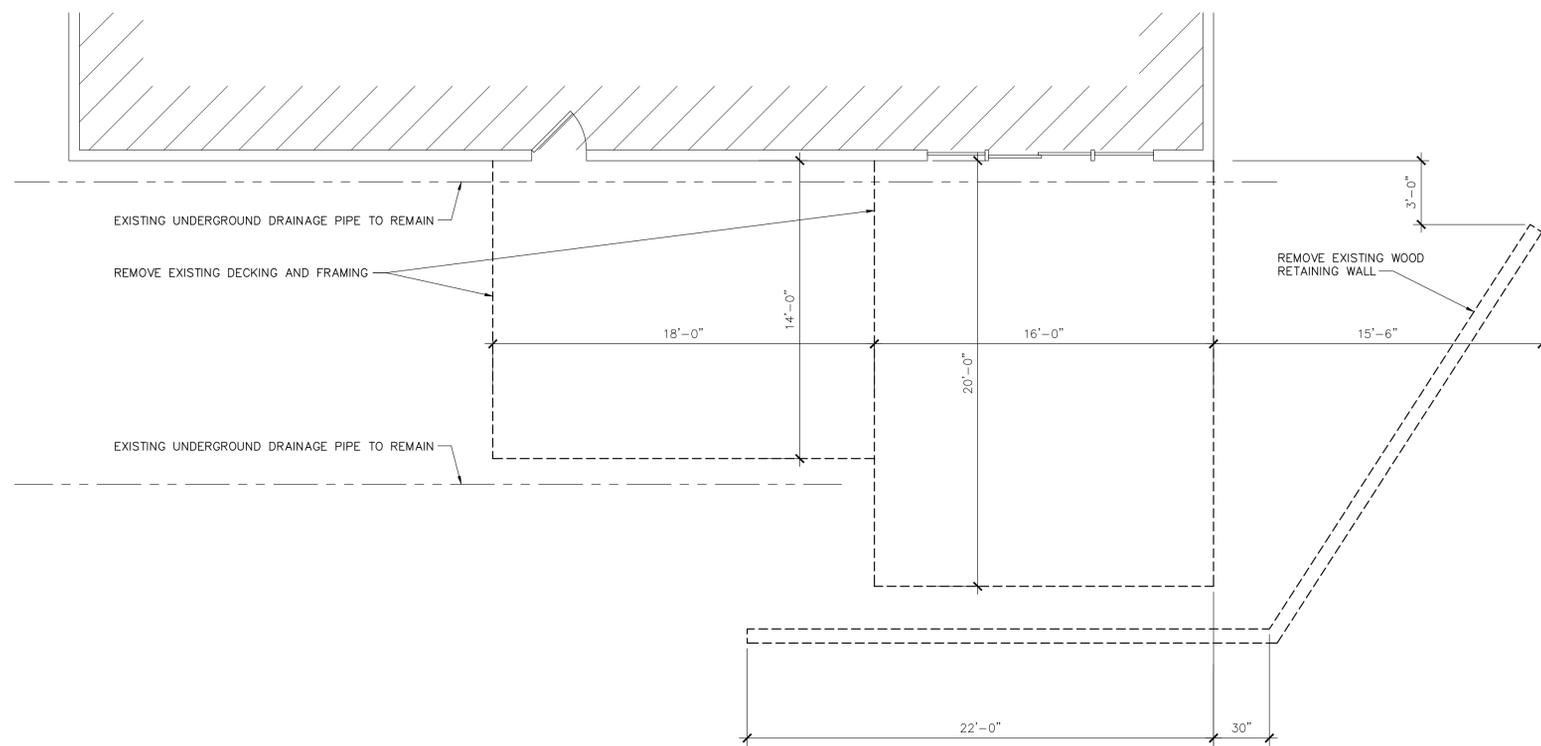
**Dated this 3rd day of April 2024  
in South Salem, New York**

**ZONING BOARD OF APPEALS  
TOWN OF LEWISBORO  
By: ROBIN PRICE  
CHAIR**

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.



1 DECK PLAN AND RETAINING WALL PLAN  
SCALE: 1/4" = 1'-0"



1 DECK PLAN AND RETAINING WALL DEMO. PLAN  
SCALE: 1/4" = 1'-0"

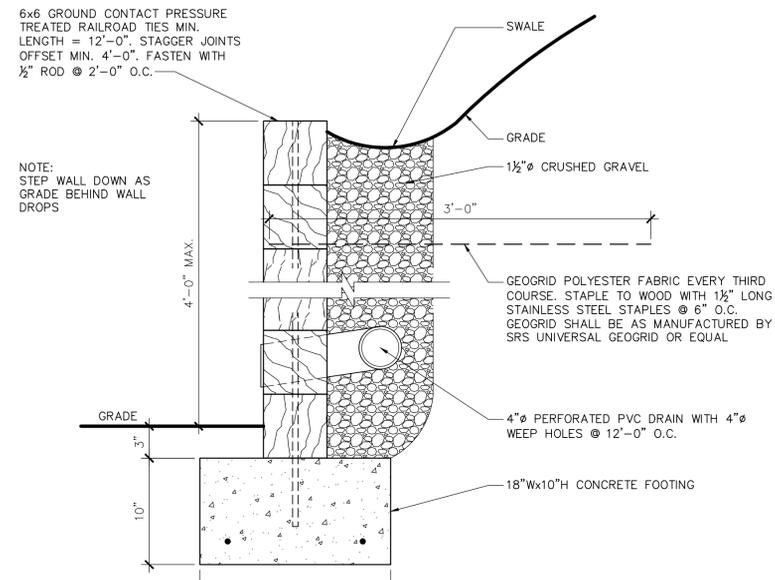
REVISIONS

SEAL

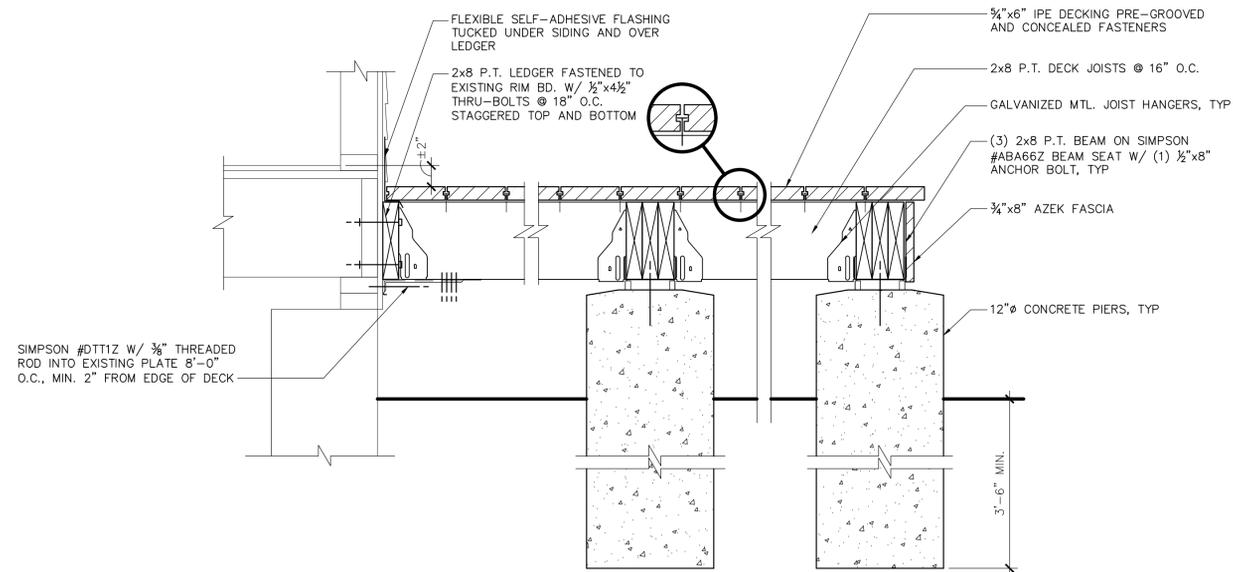
**CROSS RIVER ARCHITECTS, LLC**  
ROBERT J. EBERTS R.A., PRINCIPAL  
110 PINESBRIDGE RD.  
KATONAH, N.Y. 10536  
914.494.7691

PROJECT: **WHITSET DECK REPLACEMENT**  
232 NORTH SALEM RD.  
CROSS RIVER, NY  
TITLE: **FLOOR PLANS**  
DATE: **JANUARY 14, 2024** SCALE: 1/4" = 1'-0"  
PROJ. #

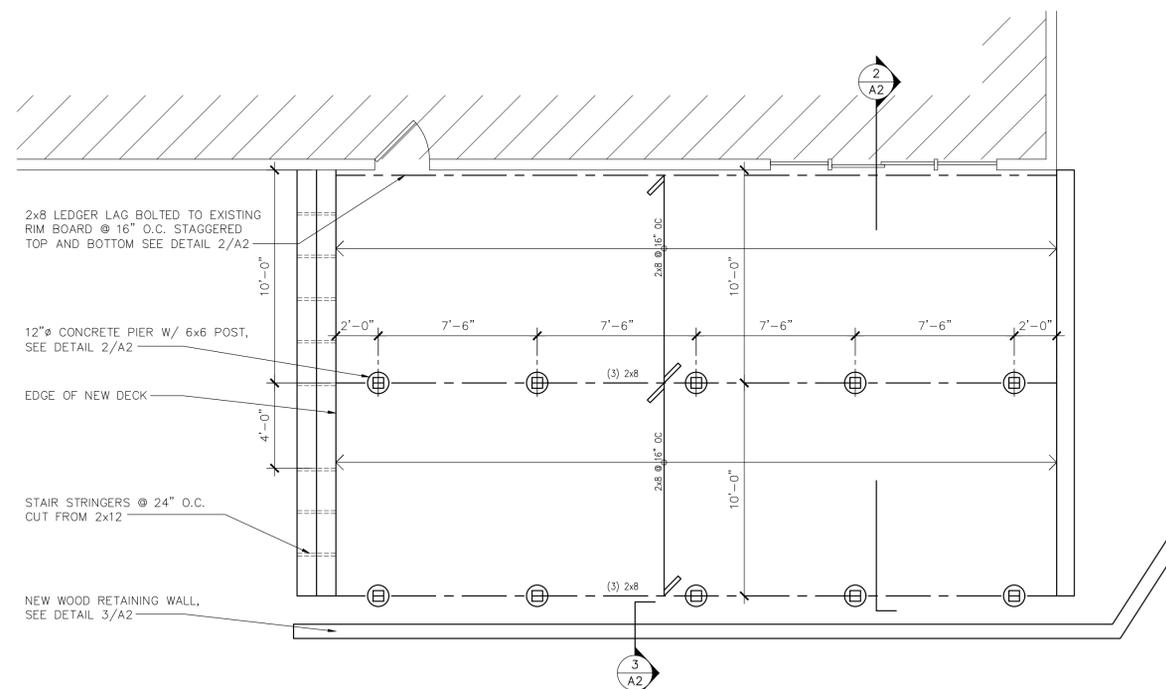
DRAWING  
**A** / **1**



**3 WOOD RETAINING WALL DETAIL**  
SCALE: 1 1/2" = 1'-0"



**2 DECK SECTION**  
SCALE: 1 1/2" = 1'-0"



**1 DECK FRAMING PLAN**  
SCALE: 1/4" = 1'-0"

REVISIONS

SEAL

**CROSS RIVER ARCHITECTS, LLC**  
ROBERT J. EBERTS R.A., PRINCIPAL  
110 PINESBRIDGE RD.  
KATONAH, N.Y. 10536  
914.494.7691

PROJECT: **WHITSET DECK REPLACEMENT**  
232 NORTH SALEM RD.  
CROSS RIVER, NY  
TITLE: **DECK FRAMING PLAN**  
DATE: **JANUARY 14, 2024** SCALE: 1" = 50'  
PROJ. #

DRAWING: **A/2**

**SPECIFICATIONS**

**Division #1 - GENERAL CONDITIONS**

**1.01 – CODES**

1. All work shall conform to all applicable local and state Building codes including, but not limited to the 2020 NYS Residential Code, and any local or other codes or bodies having jurisdiction as well as highest standards of practice for each trade.

**1.02 – SCOPE OF WORK**

1. The Contractor shall provide all labor, materials, appliances and equipment necessary for a complete job.
2. Materials: Shall be installed according to their manufacturers' specifications.
3. All work shall be performed in a workman-like manner by craftsmen having a minimum of 5-years experience.
4. All construction debris shall be carted off site. It shall NOT be buried on site.
5. Contractor shall provide portable construction toilets for use by the construction workers. Coordinate location with the Owner. Contractor shall be responsible for maintenance of same.
6. Broom clean work area and at the end of each day. Debris on site must be picked up at the end of each day and put into the dumpster.

**1.03 – DESIGN LOADS**

1. Deck Floor - 40 lbs. /sf Live load, 15 lbs. dead load
2. Railing – 50 lbs./ sf Horizontal
3. Railing Posts – 200 lb point load horizontal
4. Soil Bearing Capacity – 4000 psf

**Division #2 - SITE WORK**

**2.01 – DEMOLITION**

1. All work shall be performed in such a manner to protect all items to remain intact. Provide all materials, equipment, scaffolding and shoring required to complete work. Any items damaged by demolition, construction or by exposure to the weather shall be repaired or replaced at no additional cost to the owner.
2. Do not start work until sufficient materials are on site to proceed smoothly with the project.
3. Contractor shall remove from site, by approved methods, all new and removed debris generated by construction. Dumpster location shall be coordinated with Owner.

**2.02 – PROTECTION**

1. The Owners are intending to continue to live in the house during the construction process. Contractor shall endeavor to keep non construction spaces clean and neat.
2. All furniture will be removed from the construction area by the Owner prior to start of work. The contractor is not responsible for moving or protecting furniture or other household items unless they are built-in.

**Division #3 – CONCRETE**

**3.01 – PIERS**

1. Concrete for footings shall have a minimum of 3500 p.s.i. and reinforced as indicated on drawings.
2. Only ready-mixed concrete shall be used. Do not add water to mixed concrete for easier movement of concrete in formwork.
3. Do not pour concrete if the outside temperature is below 50 degrees F.
4. Tamp the concrete in place manually, by mechanical vibrators, or both, until voids have been eliminated and a compact consistency achieved.
5. Piers shall be formed using cylindrical cardboard forms designed for this use as manufactured by Sonotube or equal.
6. Insert anchor bolts within 20 minutes of the concrete being poured.

**Division #6 - CARPENTRY**

**6.01– DECK and RAILING**

1. The deck joists, beams and ledgers shall be ACQ or CA pressure treated yellow pine (PT). Framing of the structure shall be erected plumb level and true, securely nailed and at 90 degree angle to the existing structure.
2. All flush joints, headers shall be connected with galvanized metal hangers designed for contact with ACQ and CA treated lumber as indicated on the drawings. Sizes of joists are shown on plans. Framing lumber shall be F-1200psi. Provide cross-bridging or solid blocking at all joists longer than 10'0".
3. Lumber shall be live stock, thoroughly seasoned, and well manufactured. Materials generally shall be free from warp that cannot be corrected by bridging or nailing.
4. Lay out and erect all structural members of rough carpentry, framing, bridging, and other items of work as necessary to install the finished work. All members shall be properly braced, plumbed and leveled. Use sufficient number of nails, screws, and bolts to insure the rigidity of the construction.
5. Framing. Erect framing closely fitted and accurately set in place to the required lines and levels. Do not impair structural members by improper cutting or drilling.
6. Columns shall be continuous without splices from base to girder. Wood columns shall rest on metal post seats which are anchored to concrete piers.
7. Joints of girders shall be over supports. Provide metal fasteners and brackets as specified on the drawings designed for contact with ACQ and CA pressure treated lumber and as shall be manufactured by Simpson Strong Tie or Equal and installed in strict accordance with manufacturer's recommendations.
8. All wood deck components shall be well nailed or screwed with fasteners min 2 1/2" long designed for contact with ACQ and CA pressure treated lumber.
9. The deck boards shall be 5/4" x 6" pre-grooved ipe decking. Place deck boards 1/16" apart and fasten "Tiger claw" black concealed fasteners in accordance with manufacturer's recommendations. Each deck board shall be screwed to each joist.
10. Do not provide any finish on deck or railing.
11. Use only G-185 polymer coated or stainless steel nails, screws and bolts when in contact with pressure treated wood. Electroplated galvanization is not acceptable. All metal bolts, nuts, washers, hangers, and fasteners shall be hot dipped galvanized or stainless steel designed for contact with ACQ and CA pressure treated lumber.

REVISIONS

SEAL

**CROSS RIVER ARCHITECTS, LLC**  
ROBERT J. EBERTS R.A. - PRINCIPAL

914.494.7691

110 PINESBRIDGE RD.  
KATONAH, N.Y. 10556

PROJECT  
**WHITSET DECK REPLACEMENT**  
232 NORTH SALEM RD.  
CROSS RIVER, NY

TITLE  
**SPECIFICATIONS**  
DATE  
JANUARY 14, 2024

PROJ #

SCALE

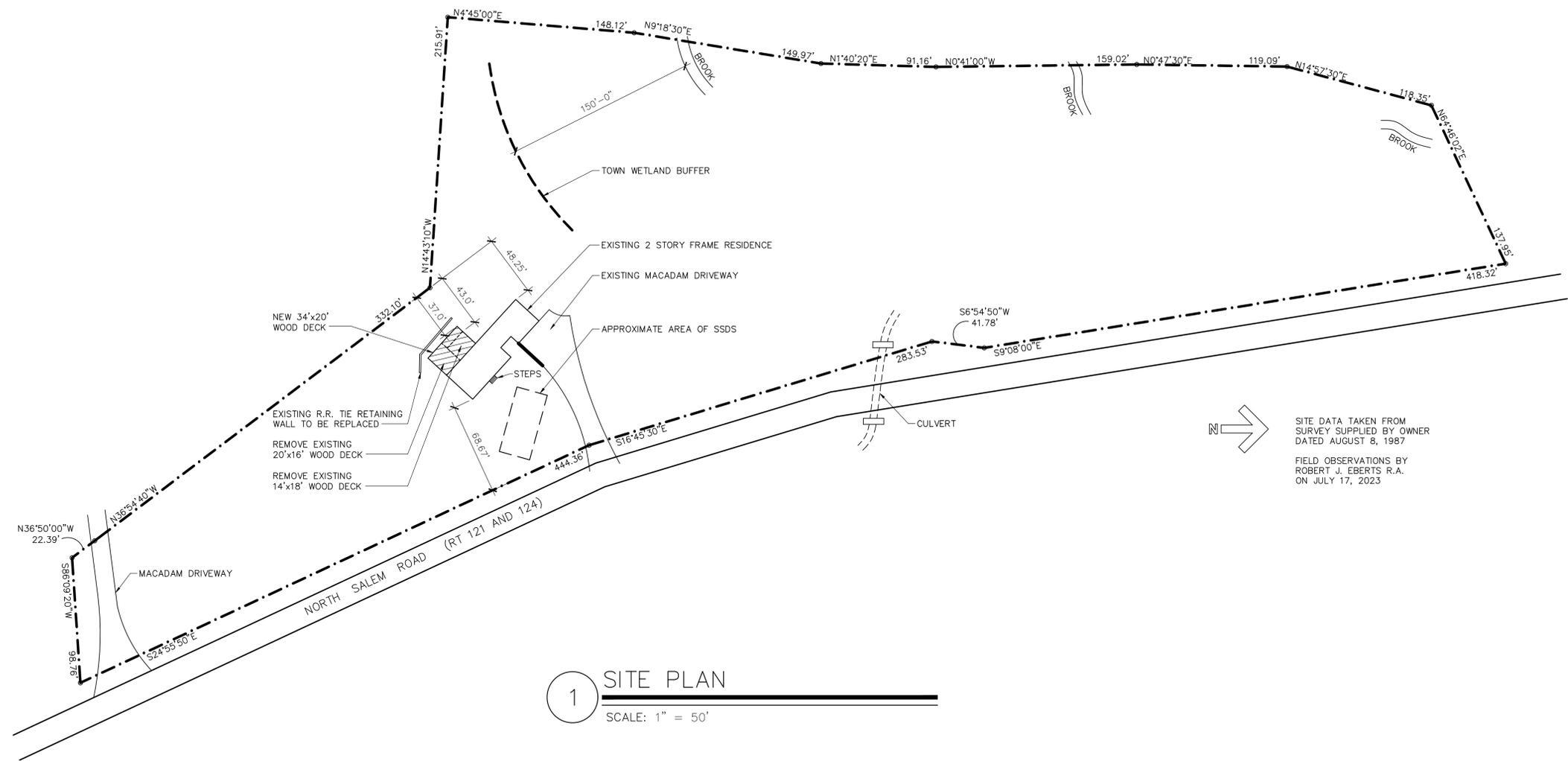
1" = 50'

DRAWING

**A / 3**

ZONING COMPLIANCE TABLE			
TAX LOT - SECTION 0013, BLOCK 11152, LOT 104	ZONE -R4A		
	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE -	4 ACRES	238,839.48 SF	NO CHANGE
WIDTH YARDS	250'	1100'	NO CHANGE
FRONT (FROM CL STREET)	75'	93.67 +/-	NO CHANGE
FRONT (FROM PROPERTY LINE)	50'	68.67'	NO CHANGE
SIDE	50'	43.0' +/-	37.0' +/- *
REAR	50'	210.0' +/-	NO CHANGE
MAXIMUM BLDG HEIGHT	2 1/2 / 35'	2 / 28'	NO CHANGE
MAX. BLDG COVERAGE	6% / 14,330 SF	0.85% / 2,040 SF	NO CHANGE

\* VARIANCE REQUIRED



1 SITE PLAN  
SCALE: 1" = 50'

→ SITE DATA TAKEN FROM SURVEY SUPPLIED BY OWNER DATED AUGUST 8, 1987  
FIELD OBSERVATIONS BY ROBERT J. EBERTS R.A. ON JULY 17, 2023

REVISIONS

SEAL

CROSS RIVER ARCHITECTS, LLC  
ROBERT J. EBERTS R.A., PRINCIPAL

PROJECT: WHITSET DECK REPLACEMENT  
232 NORTH SALEM RD.  
CROSS RIVER, NY

DRAWING

SP  
1

110 PINESBRIDGE RD.  
KATONAH, N.Y. 10536

914.494.7691

DATE: JANUARY 14, 2024 | SCALE: 1" = 50' | PROJ. #

TITLE: SITE PLAN

DATE: JANUARY 14, 2024 | SCALE: 1" = 50' | PROJ. #

Date

## Zoning Office

---

**From:** Robert Eberts <rje@crarch.com>  
**Sent:** Thursday, April 4, 2024 6:41 PM  
**To:** Zoning Office  
**Subject:** Whitsett 232 N Salem Road Cross River NY - April 8th Public Notice Posting Confirmation

Donna,

I am forwarding you a copy of the confirmation of the posting of the Public Notice for our client WHITSETTE from the Westchester Journal News.

Regards,  
Bob

**From:** Westchester Legals <legals@lohud.com>  
**Sent:** Thursday, April 4, 2024 2:31 PM  
**To:** Robert Eberts <rje@crarch.com>  
**Subject:** Thank you for placing your order with us.

### THANK YOU for your ad submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

We appreciate you using our online self-service ads portal, available 24/7. Please continue to visit Westchester Journal News's online Classifieds [HERE](#) to place your legal notices in the future.

**Changes and/or cancellations may not be honored up to 2 business days prior to your first publication date.**

#### Job Details

Order Number:  
LNYS0083870  
Classification:  
Public Notices  
Package:  
General Package  
Base amount:  
\$155.80  
Service fee:  
\$6.22  
Cash/Check/ACH  
Discount:  
-\$0.00  
Total payment:  
\$162.02

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee

#### Schedule for ad number LNYS00838700

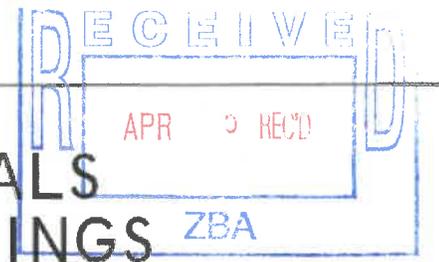
Tue Apr 9, 2024  
**Westchester Journal News**  
*All Zones*



if you pay with  
Cash/Check/ACH.  
Pay by  
Cash/Check/ACH  
and save! In no  
event are service  
fees refundable.  
Payment Type:  
amex

**Account  
Details**

Robert Eberts  
110 Pinesbridge  
Road  
Katonah, NY ♦  
10536  
914-494-7692  
[rie@crarch.com](mailto:rie@crarch.com)  
CROSS RIVER  
ARCHITECTS  
Credit Card -  
amex  
\*\*\*\*\*4007



**ZONING BOARD OF APPEALS  
NOTICE OF PUBLIC HEARINGS**  
NOTICE IS HEREBY GIVEN, that the Zoning Board of the Town of Lewisboro will host a Public Hearing on Monday, April 24, 2024, at 7:30 p.m., 79 Bouton Road, New York, Justice Court.

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The property is located on the west side of Bouton Road, Cross River, NY designated on the Town of Lewisboro Block 11152, Lot 104, in an R-4AC, Four-Acre Residential Zoning consisting of approximately 5.48 acres.

Additional information regarding this application can be obtained from the Secretary to the Zoning Board at 79 Bouton Road, South Salem, New York during regular business hours. At such Hearing, all interested parties will be heard.

**ZONING BOARD OF APPEALS Dated this 19th day of April 2024  
TOWN OF LEWISBORO in South Salem, New York  
By: ROBIN PRICE CHAIR**

The Town of Lewisboro is committed to providing a safe and healthy environment for all its citizens. Anyone needing accommodations to attend in this meeting is encouraged to notify the Secretary to the Zoning Board at 79 Bouton Road, South Salem, New York.