

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

**ZONING BOARD OF APPEALS  
TOWN OF LEWISBORO  
MINUTES**

Minutes of the Meeting held by the Zoning Board of Appeals on Wednesday, December 29, 2021 at 7:30 P.M., at the Town of Lewisboro Offices, 79 Bouton Road, South Salem, NY.

Board Members Present: Robin Price, Jr., Chair  
Carolyn Mandelker  
Thomas Casper  
Daniela Infield

Board Member Absent: Todd Rendo

Also Present: Donna Orban, Secretary  
Joseph Angiello, Building Inspector

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The Meeting was called to order at 7:32 P.M. by Chair Price who introduced the members of the Board and noted the emergency exits.

**I. Review and adoption of minutes for November 17, 2021.**

The Board reached consensus to approve the meeting Minutes for November. Mrs. Infield made a motion to approve the minutes. The motion was seconded by Mrs. Mandelker. To approve: Mrs. Mandelker, Mr. Casper, Mrs. Infield, and Mr. Price. To Abstain: None.

**II. PUBLIC HEARINGS**

**CAL. NO. 03-21-SP**

**Application of Elizabeth Jones [Jones, Elizabeth, owner of record], 157 Spring Street, South Salem, NY 10590 for a Special Permit pursuant to Article V, Section 220-38 of the Zoning Ordinance to allow the storage of Contractor's Equipment.**

**The property is located on the north side of (# 157) Spring Street, designated on the Tax Map as Sheet 0038, Block 10808, Lot 015, in a 2-AC, Two-Acre Residential District consisting of approximately 2.00 acres.**

There was no objection to the notice of public hearing as published.

Ms, Jones, owner of record was present.

Mr. Price asked Mr. Angiello to present his findings of the inspection. Mr. Angiello explained that the Deputy Building Department Inspector, Jeff Farrell had been to the property at an earlier date but was not able to have access to the entire property. Mr. Angiello did an inspection on November

16<sup>th</sup>. Mr. Angiello told the board that he was able to go and inspect the areas that the Deputy was not able to inspect. He found everything in good order.

Mr. Price asked Mr. Angiello if the number of vehicles was acceptable to the previous permit? Mr. Angiello replied that it was acceptable.

Mr. Price asked Ms. Jones if she had anything to say. Ms. Jones replied that she did not have anything to say.

Mr. Price asked if there were any comments from the public. There was no comment.

Mr. Price asked the board if they had any comments. There were no comments.

Mr. Price asked the board to make a motion to approve the application. Mr. Casper made a motion to approve the application. Mrs. Mandelker second the motion. To Approve: Mr. Casper, Mrs. Mandelker, Mrs. Infield and Mr. Price. To Deny: None. To Abstain: None.

### **CAL. NO. 31-21-BZ**

**Application of Leila Colbert [Kelleher, Deborah, owner of record], 43 Knapp Road, South Salem, NY for the following variance of the proposed generator that will have an eastern side yard setback of 5'-1" whereas 30' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the proposed LP tanks will have an eastern side yard setback of 10' whereas 30' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the east side of (#43) Knapp Road, South Salem, NY designated on the Tax Map as Sheet 034C, Block 11826 Lot 026, in an R-1AC, One-Acre Residential District consisting of approximately 0.48 acres.**

There was no objection to the notice of public hearing as published.

Ms. Colbert was present and presenting the application on behalf of Ms. Kelleher.

Mr. Price mentioned that the board did a site walk on December 11th. Mr. Price asked Ms. Colbert to present the application.

Ms. Colbert explained to the board that they are requesting to install a generator and LP tanks for when there is a loss of power. The lot is non-compliant, they are unable to comply with the 30-foot setback. The generator will be code compliant with the window openings, and the LP tanks will sit on a flat area with the gas line being trenched to the generator.

Mr. Price asked if the LP tanks would be horizontal or vertical. Ms. Colbert replied that the tanks would be installed vertical. Ms. Colbert reviewed the topography of the property with the board. Ms. Colbert mentioned that one of the board members suggested putting a fence around the tanks, which is acceptable with the applicant. The generator will also be hidden from the neighbor.

Mr. Price asked if anyone from the public would like to speak on the application. There was no comment.

Mr. Price asked if any board members had any comments on the application.

Mr. Casper commented that the application was reasonable and if the neighbors do not object to the installation of the generator and LP tanks, he is good with everything that has been presented.

Mr. Price asked the board for a motion to approve the application.

Mrs. Infield made a motion to approve the application. Mrs. Mandelker second the motion. To Approve: Mrs. Infield, Mrs. Mandelker, Mr. Price and Mr. Casper. To Deny: None. To Abstain: None.

### **CAL. NO. 32-21-BZ**

**Application of Timothy J. Pastore, [Pastore, Timothy J. & Deanna J., owner of record], 286 Todd Road, Katonah, NY for the following variance of a proposed addition that will have a northeast side yard setback of 47'-4" whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the south side of (#286) Todd Road, Katonah, NY designated on the Tax Map as Sheet 0015, Block 10533 Lot 125, in an R-4A, Four-Acre Residential District consisting of approximately 4.41 acres.**

There was no objection to the notice of public hearing as published.

Mr. and Mrs. Pastore owners of record were present.

Mr. Price said that the board completed a site inspection on December 11<sup>th</sup>.

Mr. Pastore presented the application. He explained that the proposed project is a third car garage and building a second floor over the total garage. The foundation of the proposed garage is compliant, the second-floor overhang is 32 inches infringing the setback. The neighbor's home is 250 to 300 yards away. Mr. Pastore explained that they had been in contact with the neighbor. The neighbor wrote a letter approving of the addition.

Mr. Price asked Mr. Angiello if it is the overhang that is in question. Mr. Angiello replied that it is but is a minimal variance.

Mr. Price asked if the public had any comments. No comments.

Mr. Price asked if the board had any comments on this application.

Mrs. Mandelker commented that it is a minor variance, and the neighbor would not be able to see the garage. Mrs. Mandelker feels that there will not be any negative impact on the environment or the neighborhood.

Mrs. Mandelker made a motion to approve the application. Mr. Casper second the motion. To Approve: Mrs. Infield, Mrs. Mandelker, Mr. Price and Mr. Casper. To Deny: None. To Abstain: None.

### **III. CORRESPONDENCE & GENERAL BUSINESS**

Mr. Casper made a motion to adjourn. Mrs. Infield second the motion. The board reached consensus to adjourn the meeting at 7:50 P.M.

Respectfully submitted,

Donna Orban

Secretary, Zoning Board of Appeals