

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

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

Town Clerk  
Town of Lewisboro

Minutes of the Meeting held by the Zoning Board of Appeals on Wednesday, February 23 2022 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  
Todd Rendo

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

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The Meeting was called to order at 7:37 P.M. by Chair Price who introduced the members of the Board and noted the emergency exits. He announced that the next ZBA meeting is scheduled for Wednesday, March 23, 2022.

**I. Review and adoption of minutes for December 29, 2021**

The Board reached consensus to approve the meeting minutes for December 29, 2021. Ms. Mandelker voted to approve the minutes. The motion was seconded by Mr. Casper To approve: Mrs. Mandelker, Mr. Casper, Mrs. Infield, and Mr. Price. To Abstain: Mr. Rendo.

**II. PUBLIC HEARINGS**

**CAL. NO. 07-21-SP**

**Application of Beverley Wilson, [Wilson, Mizell Jr. and Beverly owners of record] 57 Bouton Road, South Salem, NY 10590 for the renewal of a Special Permit pursuant to Article IV, Section 220-23A (9) and Article V, Section 220-38 of the Zoning Ordinance to allow the Storage of Contractor's Equipment.**

**The property is located on the southern side of 57 Bouton Road, designated on the Tax Map as Sheet 0031, Block 10805, Lots 056 and 066, in an SCR-2A, Special Character Two-Acre Residential District consisting of approximately 21.30 acres.**

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

Mr. Maddock, owner of Cutting-Edge Landscape and Design was present.

Mr. Price read the inspection report from the Deputy Building Inspector, dated February 26, 2022. The report states that the property is well kept and maintained. Minimal equipment on site and the

property appeared according to the site plan. Mr. Price acknowledged that there is a letter of support from the neighbor, Tom Gabriel and Janine Prete.

Mr. Price noted that there have not been any complaints about the site. Mr. Price commented that the Special permit for contractor equipment is for a period of two years.

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

#### **CAL. NO. 01-22-BZ**

**Application of Jill Kowal & Jordi Serra, [Kowal, Jill & Catafau, Jordi Serra, owner of record], 24 Cove Road, NY for the following variance of a proposed addition will have an eastern side yard setback of 7.5' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the proposed addition will have a western side yard setback of 7.5' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the proposed deck will have an eastern side yard setback of 4.5' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the proposed AC condenser will have a western side yard setback of 9' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the proposed LP tank will have a western side yard setback of 9' whereas 12' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the south side of (#24) Cove Road, South Salem, NY designated on the Tax Map as Sheet 033A, Block 11157 Lot 027, in an R-1/4AC, one quarter-Acre Residential District consisting of approximately 0.162 acres.**

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

Mr. Sirignano, attorney was present.

Mr. Mackin, architect was present.

Mr. Sirignano presented the application on behalf of the owners on record. He explained to the board that the owners are new to the area. The owners are in the process of making the lake front house more energy efficient. Mr. Sirignano explained that the front room sits on a rubble foundation and has rot issues from water infiltration over the years. The room will be removed and replaced with a one-story addition in the same location.

Mr. Mackin pointed out the changes on the plans to the board. He explained that they are raising the room upward to match the ceiling height of the first floor, keeping the same footprint.

Mr. Sirignano spoke about the existing sunroom at the rear of the house, and how it blocks the view of the lake from the second floor bedroom. The sunroom is going to be removed, it will be replaced with a one-story sunroom with a lower roof, in the same location. Allowing the lake views from the bedroom windows. The existing sunroom is currently non-conforming.

Mr. Sirignano explained that the existing deck is non-conforming and will be removed. The new deck will be constructed in the same location, as for the need of a variance.

Mr. Sirignano explained that a variance is needed for the A/C location.

Mr. Mackin explained to the board the reason for the location of the A/C unit. The lot is narrow and there is a walkway. The location of the A/C unit will be closer to the house, needing a three-foot variance according to Mr. Sirignano.

Mr. Sirignano explained to the board the location of the LP tank and request for a variance.

Mr. Sirignano wanted the board to know that the applicants shared their plans with the neighbors. Neighbors, Mr. Zambito & Ms. Goldstein and Ms. Clark gave letters of support.

Mr. Price asked if anyone from the public wanted to comment. There were no comments.

Mr. Price asked if anyone from the board had any comments.

Mr. Casper gave positive feedback about renovations and had no problem with staying within the same footprint.

Mr. Rendo commented that he agreed with Mr. Casper's positive feedback.

Mr. Casper made a motion to approve the application with the work to begin with in one year. Ms. Mandelker second the motion. To approve: Mr. Casper, Ms. Mandelker, Mr. Price, Ms. Infield and Mr. Rendo. To Deny: None. To Abstain: None.

#### **CAL. NO. 02-22-BZ**

**Application of Justin Liegey, [Jones, Michael T. M. & Dana Wallach Jones, owner of record], 18 Post Office Road, Waccabuc, NY for the following variance of a proposed spa which will have a northeastern side yard setback of 22.8' whereas 40' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the south side of (#18) Post Office Road, Waccabuc, NY designated on the Tax Map as Sheet 0025, Block 10803 Lot 037, in an R-2A, Two-Acre Residential District consisting of approximately 1.00 acre.**

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

Mr. Liegey, contractor, was present.

Mr. Price commented to Mr. Liegey that the board did a site walk on the property, Saturday, February 19.

Mr. Liegey explained to the board the reason for the proposed site of the spa. The shape of the pool and distance of the setbacks is why the spa is proposed to be constructed in middle of the pool area.

Ms. Mandelker asked Mr. Liegey if this spa is a hot tub.

Mr. Liegey replied that it is a hot tub which is being tied into the pool.

Mr. Price asked if there had been correspondence with the neighbor.

Mr. Leigey replied that the neighbor, Mr. Fischberg sent an email stating that he had no objection to the installation of a hot tub.

Mr. Price asked if there was anybody from the public who wished to comment on this application.

There were no comments.

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

The board had no further comments.

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

**CAL. NO. 03-22-BZ**

**Application of Patrick M. Croke, [Preneta, Marie Louise, owner of record], 240 Spring Street, South Salem, NY for the following variance of an existing deck which has a south western rear yard setback of 33' whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the west side of (#240) Spring Street, South Salem, NY designated on the Tax Map as Sheet 0039, Block 10543 Lot 021, in an SCR-2A, Special Character Two-Acre Residential District consisting of approximately 1.06 acres.**

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

Mr. Croke, architect was present

Ms. Preneta, owner of record was present.

Mr. Croke presented the application. He explained they are requesting a variance for an existing deck, which is located at the rear of the house. The deck was constructed approximately 2010 and the owners did not realize that a permit was needed for the deck and the contractor did not inform them of the need for a permit. There is no impact to neighbors since property abuts DOT, Route 35. There is no wet land review needed according to the Wetlands consultant, since this is an existing structure.

Mr. Price asked if there are any comments from the public.

There were no comments.

Ms. Infield commented that the board did a site walk on Saturday, February 19. She said that the deck is nice looking deck. The area is beautiful. The deck has been there twelve years, and no one has had contacted anyone with a concern. Ms. Infield stated that it is a reasonable request.

Mr. Price asked if anyone from the public had any comments.

There were no comments.

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

**CAL. NO. 04-22-BZ**

**Application of Frauke Berman, [Berman, Frauke, owner of record], 1115 Route 35, South Salem, NY for the following variance of a manure storage area on their property and are requesting a rear yard setback of 107' whereas 150' is required and a side yard setback of 35' whereas 150' is required per Article IV Section 220-23D(8)(d) of the Town of Lewisboro Zoning Code; the applicant is proposing a barn on their property and are requesting a side yard setback of 22.5' whereas 50' is required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code.**

**The property is located on the south side of (#1115) Route 35, South Salem, NY designated on the Tax Map as Sheet 0026, Block 10541 Lot 071, in an R-4A, Four-Acre Residential District consisting of approximately 8.184 acres.**

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

Mr. Bruno, builder was present.

Mr. Price noted that the board did a site walk on Saturday, February 19. Mr. Price commented that the property is well kept and unique that it abuts with the Town Park on two sides and there are no houses nearby. Mr. Price stated that he did not have any problems with this application.

Mr. Price asked the board if they had any comments on this application. Ms. Infield suggested that Mr. Bruno present the application.

Mr. Bruno presented the application. He noted where the barn will be constructed and stated that structure that was submitted was a little over built and they will be changing the structure to something a little more modest, more of a stable, barn style as opposed to a structure that is insulated.

Mr. Price asked Mr. Bruno to explain the manure storage.

Mr. Bruno explained that the manure storage unit is self-contained unit. The container is self-contained with a lid and waterproof. The neighbor has agreed to let Ms. Berman dump the manure from the storage container into a larger container on their property, that they will then have removed.

Mr. Price wanted to make it clear that the manure that is generated is put into the self-contained unit and then dumped into the larger unit on the neighbor's property which the neighbor will then have it dispose of. Mr. Price wanted to make sure that the manure is properly disposed of since there is a pond on the property.

Mr. Price asked if any one from the public had any comments.

There were no comments.

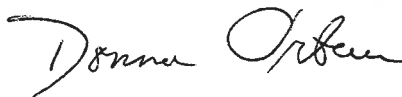
Ms. Mandelker requested that the work begin within one year.

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

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

Mr. Casper made a motion to adjourn. Ms. Infield second the motion. The board reached consensus to adjourn the meeting at 8:20 P.M.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Donna Orban".

Donna Orban

Secretary, Zoning Board of Appeals