

TOWN OF LEWISBORO
Westchester County, New York

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ZONING BOARD OF APPEALS
TOWN OF LEWISBORO
MINUTES

Minutes of the Meeting held by the Zoning Board of Appeals on Wednesday, June 22, 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
Thomas Casper
Daniela Infield
Todd Rendo
Carolyn Mandelker

Also Present: Jeff Farrell, Acting Building Inspector
Donna Orban, Secretary

The Meeting was called to order at 7:31 P.M. by Chair Price who introduced the members of the Board and noted the emergency exits.

- I. **Review and adoption of minutes for May 25, 2022.**
The Board reached consensus to table the May Meeting Minutes until the July meeting, pending a question.

II. **PUBLIC HEARINGS**

CAL. NO. 14-22-BZ

Mr. Price noted that CAL. NO. 14-22-BZ was adjourn, due to a conflict with the date.

CAL. NO. 15-22-BZ

Application of Michael Fuller Sirignano, Esq, [[JJE33 Holdings, LLC, owner of record], 27 Old Oscaleta Road, South Salem, NY for the following variances of a proposed accessory pool house building will have a floor area of 3,306 square feet whereas 600 square feet is the maximum permitted per Article IV Section 220-23D(11) of the Town of Lewisboro Zoning Code, the proposed accessory pool house building will have a height of 21'-10" whereas 20' is the maximum permitted per Article I Section 220-2 of the Town of Lewisboro Zoning Code, the proposed accessory gym building will have a floor area of 1,702 square feet whereas 600 square feet is the maximum permitted per Article IV Section 220-23D(11) of the Town of Lewisboro Zoning Code.

The property is located on the north side of (#27) Old Oscaleta Road, South Salem, NY designated on the Tax Map as Sheet 0035, Block 11826 Lot 003, in an R-4A, Four-Acre Residential District consisting of approximately 68.09 acres

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

Mr. Michael Fuller Sirignano, Esq. was present.
Representative of JJE33 Holdings LLC, was present

Mr. Price asked Mr. Sirignano to present the application.

Mr. Sirignano introduced the representative of JJE33 Holdings LLC as the client. Mr. Sirignano shared that property owners are excited to live on this property with their family. Mr. Sirignano explained the property is 68 acres on Old Oscaleta Road. He showed the board the property boundaries using the site plan. The property has lake frontage on Lake Oscaleta. The property consists of a one story, two-bedroom cottage, without a kitchen. There are two stables, barn, and the main residence which has been down sized from the original structure. Mr. Sirignano explained that a new home is to be built. Mr. Sirignano told the board that the representative of JJE33 Holdings LLC and he had been before the Planning Board for a lot line change. Mr. Sirignano expressed that the lot line change seemed to be favorable with the Planning Board and hoped to have it approved at the July meeting. He showed the location of the proposed pool house, gym, and new residence, along with the driveway location. He explained that there will be too many residences on the 68 acres, giving reason for a lot line change, and reducing the 68 acres to 59 acres. This qualifies the property under the Del Bello Amendment. Mr. Sirignano showed the plans of the proposed new residence, which will be over 14,500 square feet plus a garage. The proposed residence will not need a variance since it meets all setbacks. Mr. Sirignano explained to the board that they are requesting two area variances. The proposed accessory gym building will have 1,702 square feet. The pool house originally needed two variances. The proposed pool house will have 3,306 square feet. The proposed pool house plans that were submitted to the board showed the height of the building to be 21'10" whereas 20' is allowed. Mr. Sirignano told the board that the architect lowered the height of the proposed pool house to under 20'. Mr. Sirignano requested on the record that the height variance be withdrawn.

Mr. Rendo asked what had changed.

Mr. Sirignano explained that the architect might have thought aesthetically it should be a lower roof.

Representative of JJE33 Holdings LLC commented that the building did not need to be so tall.

Mr. Sirignano commented that both structures are one story and are in proper proportion to the proposed new residence. Mr. Sirignano pointed out on the plans, the areas/rooms of the proposed pool house and gym structure.

Mr. Rendo asked Mr. Sirignano where the neighbor, Mr. Cascio's property is in relation to the subject property.

Mr. Sirignano pointed out the Cascio's property on the site plan and mentioned that the Cascio's gave a letter of support for the project.

Mr. Sirignano read the five factors and gave response to the five factors.

Representative for JJE33 Holdings LLC gave insight as to why the need for a substantial size pool house and gym, and spoke about the location of the buildings and wanting the buildings to fit into the landscape of the property of a total of 110 acres.

Mrs. Mandelker asked if this is going to be a primary residence. Mrs. Mandelker questioned the kitchenette in the pool house as to what appliances will be in the structure, also will the structures at some time ever be used as an apartment.

Mrs. Mandelker's questions were answered by Mr. Sirignano. This is going to be a primary residence for the property owner and their family. The proposed pool house and gym will not be used as an apartment.

Mr. Price asked about what the square footage of the pool is. The consensus was approximately 1,000 square feet. Mr. Price wanted to point out that the pool would not have needed a variance, however it is enclosed with a structure.

Mr. Price asked if anyone from the public wanted to comment. No comments.

Mr. Price asked if there were any more comments from the board.

Mr. Rendo and Ms. Infield both commented that this is a beautiful piece of property, and the proposed buildings would not have any impact on the neighbors.

The representative of JJE33 Holdings LLC spoke of the existing buildings on the property, and that they will be not removed, as they want to honor the history of the property.

Mr. Price stated that this is an unusual application due to the size of the proposed buildings. The size of the lot makes everything proportional.

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

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

CAL. NO. 16-22-BZ

Application of Justin Liegey [Liegey, Justin P, owner of record], 120 Spring Street, South Salem, NY for the following variance of the existing garage which has a western side yard setback of 20.53' whereas 30' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code; the existing garage has a floor area of 840 square feet whereas 600 square feet is the maximum permitted per Article IV Section 220-23D(11) of the Town of Lewisboro Zoning Code.

The property is located on the west side of (#120) Spring Street, South Salem, NY designated on the Tax Map as Sheet 0030 Block 10542 Lot 008, in a 1-AC, One-Acre Residential District, consisting of approximately 3.78 acres.

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

Mr. Justin Liegey, owner of record was present.

Mr. Price asked Mr. Liegey to present his application.

Mr. Liegey explained to the board that he is in the process of getting the existing garage a Certificate of Occupancy. Mr. Liegey said that he bought the property seven years ago. He found a survey from 1990 and the garage was on the survey.

Mr. Price commented that Mr. Liegey is trying to legalize the garage to get a CO.

Mr. Rendo asked Mr. Liegey how he became aware of the garage not being legal.

Mr. Liegey explained how he was looking at the building file.

Mr. Price asked if the only variance is for the setback?

Mr. Farrell replied that the variances are for the setback and the size.

Mr. Price asked the board if they have any comments.

Mrs. Mandelker commented that the garage is not visible from the road.

Mr. Price asked if anyone from the public wanted to comment. No comment.

Mr. Price asked if a board member would make a motion to approve.

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

CAL. NO. 17-22-BZ

Application of Sean Liegey, [Nolin, Margaret & Liegey, Sean, owner of record], 8 Old Farm Road, South Salem, NY for the following variance of the proposed addition which will have a side yard setback of 16.4' 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 (#8) Old Farm Road, South Salem, NY designated on the Tax Map as Sheet 0049, Block 09827, Lot 082, in an R-4AC, Four Acre Residential District consisting of approximately 1.81 acres.

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

Mr. Sean Liegey was present.

Mr. Price asked Mr. Liegey to present the application.

Mr. Liegey explained that the existing screened porch is going to be enclosed and made into a dining area.

Mr. Price reiterated that the existing structure will be enclosed.

Mr. Liegey replied that it will be enclosed and that they will be adding a foundation.

Mr. Price commented that a letter of support from the neighbor, Mr. Allen was noted.

Mr. Liegey stated that he had spoken with all the neighbors. None of the neighbors had objection to the addition.

Mr. Rendo commented that the addition is not much of an expansion to the house.

Mr. Price asked if a member of the board would like to make a motion to approve the application.

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

Mr. Price exited the meeting at 8:27 P.M.

CAL. NO. 02-22-SP

Application of Robin J. Price, Jr. [Robin Price, Jr. and Vernona S. Price, owners of record], 12 Elmwood Road, South Salem, NY 10590 for a renewal of 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 west side of (# 12) Elmwood Road, designated on the Tax Map as Sheet 43, Block 10302, Lot 30, in an SCR-2A, Two-Acre Special Character Residential District consisting of approximately 2.49 acres.

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

Robin Price Jr., owner of record, was present

Mrs. Mandelker, acting Chair asked Mr. Price to explain his Special Permit application to the board.

Mr. Price explained that he is the owner of his own contracting business and is requesting a renewal of a special permit to store contracting equipment on his property. The equipment is stored in an allotted area of the property. Mr. Price commented that he has been doing this for over thirty years. Mr. Price commented that Mr. Wolff, a neighbor across the street gave a letter of support.

Mrs. Mandelker commented that she read the report from the Acting Building Inspector and found the report to say the site was clean. Mrs. Mandelker states that because the special permit is legislative the board can approve for another two years.

Mrs. Mandelker asks the board for a motion to approve.

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

III. CORRESPONDENCE & GENERAL BUSINESS

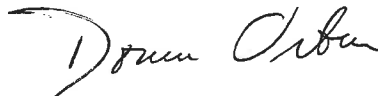
IV NEXT MEETING

July 27, 2022

V. ADJOURN MEETING

Mr. Casper made a motion to adjourn. Mrs. Infield second the motion. The board reached consensus to adjourn the meeting at 8:35 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donna Orban". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Donna Orban

Secretary, Zoning Board of Appeals