

TOWN OF LEWISBORO
Westchester County, New York

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



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AGENDA

Wednesday, January 25, 2022, 7:30 P.M.

79 Bouton Road, South Salem,
Justice Court

- I. Review and adoption of the Minutes of November 16, 2022, and December 21, 2022
- II. PUBLIC HEARING

CAL. NO. 01-23-BZ Adjourn

Application adjourned to February 22, 2023.

Application of Leonard Brandes, AIA, [70 Cove Road, LLC, owner of record], 70 Cove Road, South Salem, NY for the following variance of the detached accessory structure that is located within the required front yard setback. The property is located within the R1/4A zoning district which requires 25' setback from the property line, while 22' is proposed, per Article IV Section 220-12 and attachment 1, *Schedule of Dimensional and Bulk Regulations for Residential Districts* of the Town of Lewisboro Zoning Code.

The property is located on the west side of (#70) Cove Road, South Salem, NY designated on the Tax Map as Sheet 033A, Block 11156, Lot 022, in an R-1/4AC, One-quarter Acre Residential District consisting of approximately 0.11 acres.

CAL. NO. 03-23-BZ

Application of Lori & Leo Masterson [Masterson, Lori J. & Leo P., owner of record], 17 Gideon Reynolds Road, Cross River, NY for the following variance to install four (4) 120-gallon propane tanks, 10-feet from the side property yard. Based on the R-4A zoning district, the required side yard setback is 50-feet, therefore a 40-foot variance is required, Per Article III, Section § 220-12 Yards and setbacks, and 220 Attachment 1, *Schedule of Dimensional and Bulk Regulations for Residential Districts*.

The property is located on the north side of (#17) Gideon Reynolds Road, Cross River, NY designated on the Tax Map as Sheet 0016, Block 10533, Lot 496, in an R-4AC, Four-Acre Residential District consisting of approximately 1.30 acres.

CAL. NO. 02-23-BZ

Application of Michael Fuller Sirignano, Esq. [Waccabuc Country Club Co., owner of record], 18 Perch Bay Road, Waccabuc, NY and Tarry-A-Bit, Waccabuc, NY. The Waccabuc Beach Club, located on two parcels totaling 9.1 acres, is owned and operated by Waccabuc Country Club. Zoned R4-A, this non-conforming commercial use contains two primary structures, a boathouse and snackbar constructed adjacent to a large wooden deck. The project involves an addition to the existing boathouse, the construction of a new snackbar, and construction of an expanded access drive necessary to provide handicap parking spaces. Additional site upgrades are proposed to make the site compliant with accessibility requirements. The following are required variances for the proposed project: 1. The proposed project constitutes an expansion of the existing non-conforming use which will require review and approval by the ZBA, *Per Article III §220-9.E: Extension of Non-Conforming Use* of the Town of Lewisboro Zoning Code. 2. The new snack bar as proposed is 1,100 square feet of floor area. The Town Code allows a maximum of 600 square feet. Based on this code section, the applicant is requesting a variance of 500 square feet, *Per Article*

IV §220-23.D.11: Accessory Building Floor Area of the Town of Lewisboro Zoning Code. 3. For the purpose of this project, the rear yard setback is the shoreline. The required rear yard setback in R-4A zoning is 50-feet, a. The expansion of the boathouse does not impact current rear yard setback. The existing boathouse projects over the property line 1.4-feet. This condition will remain and require a 50-foot variance from the rear yard setback, plus 1.4-foot projection. b. The proposed covered pavilion will not increase the current rear yard setback which will remain at 9.1-feet. This will require a 40.9-foot variance from the required rear yard setback. c. The proposed snack bar will be located 37.4-feet from the rear property line, which is 0.4-feet closer than the existing snack bar. This will require a 12.6-foot variance from the required rear yard setback. *Per Article IV §220-23.E/Table 220 Attachment 1: Rear Yard Setback* of the Town of Lewisboro Zoning Code. 4. As noted above, the proposed project is an expansion of the current non-conforming use. While additional building area has been added, as well as numerous site features to accommodate accessible access, the use of the property remains the same. Furthermore, the applicants use of 1 parking space for every 3 members of the country club yields 130 required spaces which is more than the calculated or functional occupancy of the property when proposed improvements are complete. While the applicant currently identifies 53 parking spaces onsite, the majority of these parking spaces do not meet the requirements of the Town Code. Based on the continuation of the sites historical use, we recommend the ZBA consider a variance of 120 spaces. This variance is based on the eight (8) parallel spaces that meet Town Code, as well as the two (2) compliant handicap spaces. *Per Article VII §220-56.D: Parking* of the Town of Lewisboro Zoning Code.

The property is located on the north side of (#18) Perch Bay Road, Waccabuc, NY designated on the Tax Map as Sheet 025A, Block 10813, Lot 001, in a R-4AC, Four-Acre Residential District consisting of approximately 6.07 acres, and the east side of (00) Tarry-A-Bit, Waccabuc, NY designated on the Tax Map as Sheet 0025, Block 11155, Lot 148, in a R-4AC, Four-Acre Residential District consisting of approximately 3.00 acres,

III. CORRESPONDENCE & GENERAL BUSINESS

IV. NEXT MEETING

February 22, 2023

V. ADJOURN MEETING