TOWN OF LEWISBORO Westchester County, New York



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

Fax: (914) 533-0097 Email: zoning@Lewi

Tel: (914) 763-3822

Email: zoning@Lewisborogov.com

AGENDA

Wednesday, March 27, 2024, 7:30 P.M.

79 Bouton Road, South Salem, Justice Court

- I. Review and adoption of the Minutes of February 28, 2024.
- II. PUBLIC HEARING

CAL. NO. 02-24-BZ

Application of The Wolf Conservation Center, Inc., [Wolf Conservation Center, Inc., owner of record], 7 Buck Run, South Salem, NY for the following variance Under Section 220-12(E)(1) of the Zoning Code of the Town of Lewisboro (the "Zoning Code"), fences within the required yard area are not permitted to exceed six (6) feet in height. The wolf enclosure fencing varies in height from approximately eight (8) feet to approximately eleven (11) feet. Portions of the wolf enclosure fencing which encroach into the required yard as identified on the Area Variance Exhibit I, in the Zoning Office require area variances from Section 220-12(E)(1) of the Zoning Code to permit an increase in the permitted height of the fences within a required yard from six (6) feet (permitted) to eleven (11) feet (existing and proposed) from the Zoning Board of Appeals.

The property is located on the north side of (#7) Buck Run, South Salem, NY designated on the Tax Map as Sheet 21, Block 10803, Lot(s) p/o 3, 65, 67, 81, 82, 83, 84, 86, and 88, in an R-2A/4A, Two-Acre Residential District (Lots 65, 67, & 81), plus roadbed (Lots p/o 81, 84, 86, & 88) and Four-Acre Residential District (Lots p/o 3, 82, & 83) consisting of approximately 33.1 acres.

CAL. NO. 03-24-BZ

Application of Pamela Weinzapfel, [Weinzapfel-Demartino Revocable Trust, owner of record], 40 Hunt Farm Road, Waccabuc, NY for the following variance of the proposed kitchen addition to an existing residence has a 26.78' rear yard setback whereas 30' are required in a R-1 AC-Conservation 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 rear yard variance of 3.22'.

The property is located on the north side of (#40) Hunt Farm Road, Waccabuc, NY designated on the Tax Map as Sheet 020A, Block 10801, Lot 140, in an R1CON, Residential One-Acre Conservation District consisting of approximately 0.480 acres.

- III. CORRESPONDENCE & GENERAL BUSINESS
- IV. NEXT MEETING

April 24, 2024

V. ADJOURN MEETING

(914) 763-3822 FAX (914) 875-9148 TTY 800-662-1220

 $Email: \ \underline{zoning@lewisborogov.com}$

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 – March 27, 2024									
APPLICANT CAL # PAGE(S)									
The Wolf Conservation Center	02-24-BZ	3 to 27							
Weinzapfel	03-24-SP	28 to 36							

TOWN OF LEWISBORO
Building Department
Bouton Road
South Salem, NY 10590
Email: kkelly@lewisborogov.com



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

www.lewisborogov.com

<u>Date 2/23/2024</u> Zoning Denial App. # 2024-

The Wolf Conservation Center 7 Buck Run, South Salem, NY Sheet 21, Block 10803, Lots p/o 3, 65, 81, 82, 83 and 88

Under Section 220-12(E)(1) of the Zoning Code of the Town of Lewisboro (the "Zoning Code"), fences within the required yard area are not permitted to exceed six (6) feet in height. The wolf enclosure fencing consists of two fences - interior and exterior fencing. The fencing varies in height from approximately eight (8) feet to approximately eleven (11) feet in height. Although the majority of the fencing is not located within the required yard, the fencing does encroach marginally into the required yard in the areas identified as A through I on the "Area Variance Exhibit I" prepared by Bibbo Associates, LLC, dated February 5, 2024, and as shown in the table below. These portions of the fence require area variances from Section 220-12(E)(1) of the Zoning Code to permit an increase in the permitted height of the fences within a required yard from six (6) feet (permitted) to eleven (11) feet (existing and proposed) from the Zoning Board of Appeals.

	Height of	Length	Distance Fence
	Fence	of	Encroaches Into Setback
		Fence	Area
A	8'-0" ±	135'±	34.3'
В	9'-0" ±	104'±	26.5'
C	8'-6" ±	89±	19.7'
D	10'-6"±	48'±	12.3
E	8'-0" ±	181'±	0.7'
F	8'-0" ±	82'±	3.7'
G	11'-0" ±	220±	17.4
Н	8'-6" ±	663±	30'
I	8'-0" ±	57'±	12.7'

Kevin J. Kelly

Building Inspector



(914) 763-3822

FAX (914) 875-9148

TTY 800-662-1220

Email: zoning@lewisborogov.com

TOWN OF LEWISBORO
Zoning Department

79 Bouton Road

South Salem, NY 10590

APPLICATION TO THE BOARD OF APPEALS

*Cal. No 02-24-BZ (BZ)	**Cal. No	(SP)
I. IDENTIFICATION OF APPLICANT & PROPERTY OWNER	l	
Applicant's Name: The Wolf Conservation Center, Inc.	914-763-2373 Phone:	
7 Buck Run, South Salem, NY 10590	spencer@nywolf.org	
Owner's Name: same as above	Phone:	
Address	E-Mail	*******
II. TO THE ZONING BOARD OF APPEALS OF THE TOWN O	OF LEWISBORO:	
Application is hereby made for:		
□ A Variation of Article Section □ A Special Permit pursuant to Article □ An Interpretation of the Zoning Ordinance or Zon	Section of the Zoning O	
☐ A Variation of Section 280 (a) of the Town Law.		
☐ An appeal from an Order of the Building Inspecto		
AND FURTHER DESCRIBED AS FOLLOWS:	e attached Statement of Principal Point	s
III. IDENTIFICATION OF PROPERTY:		
Location of affected Premises:	1	
Tax Map: Sheet 21 Block 10803 Lot(s)		
Zoning District: R-2A/R-4A Lot Area:±33.1		
IV. ADDITIONAL INFORMATION		
Have previous appeals/special permits been filed in re	egard to these premises?yes	
0C 47DD*	Cal. No Date	
Cal. No Date	Cal. No Date	0000000000000
Has a court summons been served relative to this matt	ter? No	
* Matter is pending before the Planning Board		(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? No changes are proposed.
Attached hereto and made a part of this application, I submit the following:
 A copy of the ground and floor plans with all necessary measurements. A property survey. A signed consent by the owner of the property if the applicant is not the owner.
V. APPROVED FOR SUBMISSION: The Wolf Conservation Center Inc. by its attorneys, DelBello Donnellan We space & Wiedelkehr, LLP 2-29-2024 Applicant's Signature by: Janet Giris, Esq
VI. RECEIPT:
Date Received by Clerk 3/6/3034 Fee Received \$ 250 000
Check# 14651 Receipt# 24 - 0610
*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, Spencer Wilhelm, Authorized Signatory Being duly sworn, deposes
County of
and says that he/she resides at c/o 7 Buck Run in the Town of Lewisboro
In the County of
Town of Lewisboro, N.Y., aforesaid and known and designated on the Tax Map as Sheet
Block 10803 Lot 82, 82 and 88 and that he/she hereby authorizes Wise & Wiederkehr, LLP
To make the annexed application in his behalf and that the statements of fact contained in said application including the
Sworn to before me this defof February JOHN SHEA Notary Public - State of New York NO. 015H6390036 Qualified in Putnem County New Commission Expires Apr 28, 2027
(Sign here)

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, March 27, 2024, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 02-24-BZ

Application of The Wolf Conservation Center, Inc., [Wolf Conservation Center, Inc., owner of record], 7 Buck Run, South Salem, NY for the following variance Under Section 220-12(E)(1) of the Zoning Code of the Town of Lewisboro (the "Zoning Code"), fences within the required yard area are not permitted to exceed six (6) feet in height. The wolf enclosure fencing varies in height from approximately eight (8) feet to approximately eleven (11) feet. Portions of the wolf enclosure fencing which encroach into the required yard as identified on the Area Variance Exhibit I, in the Zoning Office require area variances from Section 220-12(E)(1) of the Zoning Code to permit an increase in the permitted height of the fences within a required yard from six (6) feet (permitted) to eleven (11) feet (existing and proposed) from the Zoning Board of Appeals.

The property is located on the north side of (#7) Buck Run, South Salem, NY designated on the Tax Map as Sheet 21, Block 10803, Lot(s) p/o 3, 65, 67, 81, 82, 83, 84, 86, and 88, in an R-2A/4A, Two-Acre Residential District (Lots 65, 67, & 81), plus roadbed (Lots p/o 81, 84, 86, & 88) and Four-Acre Residential District (Lots p/o 3, 82, & 83) consisting of approximately 33.1 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 6th day of March 2024
in South Salem, New York

By: ROBIN PRICE

TOWN OF LEWISBORO ROBIN PRICE, JR. CHAIR

ZONING BOARD OF APPEALS

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodation to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.



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

Re: Application for Area Variance in connection with a Special Permit for a Private Nature Preserve on the Property Owned by the Wolf Conservation Center, Inc. Located on Buck Run, South Salem.

Dear Zoning Board Members:

The Wolf Conservation Center, Inc. is the owner of the above-referenced property which is also known and designated on the Tax Map of the Town of Lewisboro as Sheet 21, Block 10803, Lots p/o 3, 65, 81, 82, 83 and 88, and which is the subject of an application to the Zoning Board of Appeals. I am an authorized signatory of the Wolf Conservation Center, Inc., and I hereby authorize DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, to sign and submit any and all applications for approvals on behalf of the Wolf Conservation Center, Inc., and to make any appearances necessary or appropriate in connection with the application.

Very truly yours,
The Wolf Conservation Center, Inc.

By: Spencer Wilhelm, Authorized Signatory

JOHN SHEA
Notary Public - State of New York
NO. 015H6390036
Qualified in Putnam County
My Commission Expires Apr 28, 2027

Sworn to before me this 29th day of February, 2024.

Notary Public

1674325 0132780-001

DELBELLO DONNELLAN WEINGARTEN WISE & WIEDERKEHR, LLP

Janet J. Giris Partner jjg@ddw-law.com

COUNSELLORS AT LAW

THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 681-0200

FACSIMILE (914) 684-0288

Connecticut Office 1111 SUMMER STREET STAMFORD, CT 06905 (203) 298-0000

March 1, 2024

By Hand Delivery

Honorable Robin Price, Jr., Chair and Members of the Zoning Board of Appeals Town of Lewisboro 79 Bouton Road South Salem, New York 10590

Re: Application of the Wolf Conservation Center for an Area Variance for the Property Located at 1, 3, 4, and 7 Buck Run, South Salem, New York.

Dear Chair Price and Members of the Zoning Board of Appeals:

This firm represents the Wolf Conservation Center, Inc. (the "Applicant") in connection with the above-referenced property (the "Property"). As you may know, the Applicant is seeking site development plan and special permit approvals, subdivision approval, and wetland and stormwater permits from the Planning Board to permit the establishment of a "Private Nature Preserve" and the construction of a new Educational Pavilion and other related site improvements to support its wolf conservation operations at the Property (the "Project").

The Project complies in all respects with the requirements of the Town of Lewisboro Zoning Code with the exception of certain portions of the existing wolf enclosure fencing which are located within the required yards. Accordingly, the Applicant is seeking an area variance from your honorable board. The Project and the application are discussed in greater detail in the enclosed Statement of Principal Points.

In accordance with the Board's submission requirements and in support of our application, we respectfully submit seven copies of the following materials:

- 1. Statement of Principal Points;
- 2. The completed application form together with a letter of authorization;
- 3. The "Area Variance Exhibit I" prepared by Bibbo Associates, LLC, dated February 5, 2024;

- 4. The survey entitled "Lot Line Change Map" prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., last revised September 25, 2023; and
- 5. A check in the amount of \$252 made payable to the Town of Lewisboro representing the Zoning Variance fee.

We respectfully request that this application be placed on the March 27, 2024 agenda of the Zoning Board of Appeals. In the interim, please do not hesitate to contact me if you have any questions or if you need any additional information.

Thank you for your consideration. Please feel free to contact me if you have any questions or if you need any additional information. We look forward to meeting with the Board on March 27.

Very truly yours,

JANET J. GIRIS

Enclosures

STATEMENT OF PRINCIPAL POINTS

APPLICATION OF THE WOLF CONSERVATION CENTER, INC. FOR AN AREA VARIANCE FOR THE PROPERTY LOCATED AT 1, 3, 4, AND 7 BUCK RUN, SOUTH SALEM, NEW YORK (A/K/A SHEET 21, BLOCK 10803, LOTS P/O 3, 65, 67, 81, 82, 83, 84, 86 AND 88)

I. PRINCIPAL POINTS.

This is an appeal by the Wolf Conservation Center, Inc. (the "Wolf Center" or the "Applicant") from the denial of the Building Inspector dated February 23, 2024 and a request for an area variance in connection with the existing wolf enclosure fence on the above-referenced property (the "Property").

The Property is partially located in the R-4A One-Family Residence District of the Town (Lots 3, 82, 83, 84, 86 and 88) and partially located in the R-2A One-family Residence District (Lots 65, 67 and 81). The Property consists of approximately 33.1 acres. It is currently developed with four (4) single family residences which are utilized for the Wolf Centers's current operations, several small out-buildings and fenced wolf enclosures which currently house several endangered species of wolves.

The Wolf Center has three (3) primary objectives: (1) to promote wolf conservation through education; (2) to provide a natural habitat sanctuary for captive wolves where observation of their natural behavior is possible; and (3) to support reintroduction of wolves into federally designated areas that can sustain viable wolf populations.

To accomplish its mission to provide a natural habitat sanctuary for wolves, the Wolf Center shelters and breeds both red wolves (*Canis rufus*) and Mexican grey wolves (*Canis lupis baileyi*) as part of the national "Species Survival Plan" programs administered by the United States Fish and Wildlife Service and the American Zoo and Aquarium Association. The Property is currently home to approximately thirty-two (32) wolves, two of which are the "Ambassador" wolves (Nikai and Silas)¹. The Ambassador wolves assist the Wolf Center in accomplishing its education mission.

In furtherance of its objective to promote wolf conservation through education, the Wolf Center offers a number of educational programs to the public, with the assistance of the Ambassador wolves, both at the Property and off-site. The conservation and educational activities of the Wolf Center are licensed by the United States Department of Agriculture, the United States Fish and Wildlife Service and the New York Department of Environmental Conservation.

¹ This number varies depending on births, deaths and relocation of wolves. The Wolf Center welcomed a new ambassador wolf named Silas this spring.

1674358
0132780-001

The Applicant is seeking site development plan and special permit approvals, subdivision approval, and wetland and stormwater permits from the Planning Board to permit the establishment of a "Private Nature Preserve" and the construction of a new Educational Pavilion and other related site improvements to support its wolf conservation operations at the Property (the "Project").

The Project complies in all respects with the requirements of the Town of Lewisboro Zoning Code with the exception of certain portions of the existing wolf enclosure fencing which are located within the required yards. Under Section 220-12(E)(1) of the Zoning Code of the Town of Lewisboro (the "Zoning Code"), fences within the required yard area are not permitted to exceed six (6) feet in height. The wolf enclosure fencing consists of two fences — an interior fence and an exterior fence. The interior fence ranges in height from approximately eight (8) feet to approximately eleven (11) feet. The exterior fence ranges in height from approximately eight (8) feet to eight and a half (8.5) feet. Although the majority of the fencing is not located within the required yard and is therefore not subject to the height restriction, the fencing does encroach marginally into the required yard in the areas identified as A through I on the enclosed on the "Area Variance Exhibit I" prepared by Bibbo Associates, LLC, dated February 5, 2024. The Applicant is therefore seeking an area variance from the Zoning Board of Appeals to allow these portions of the enclosure fencing to remain.

II. THE RELIEF REQUESTED AND THE STANDARD OF REVIEW

The Applicant is seeking the following area variance from the Zoning Board of Appeals:

• An area variance from Section 220-12(E)(1) of the Zoning Code to permit an increase in the permitted height of the fence within a required yard from six (6) feet (permitted) to eleven (11) feet (maximum existing and proposed) from the Zoning Board of Appeals.

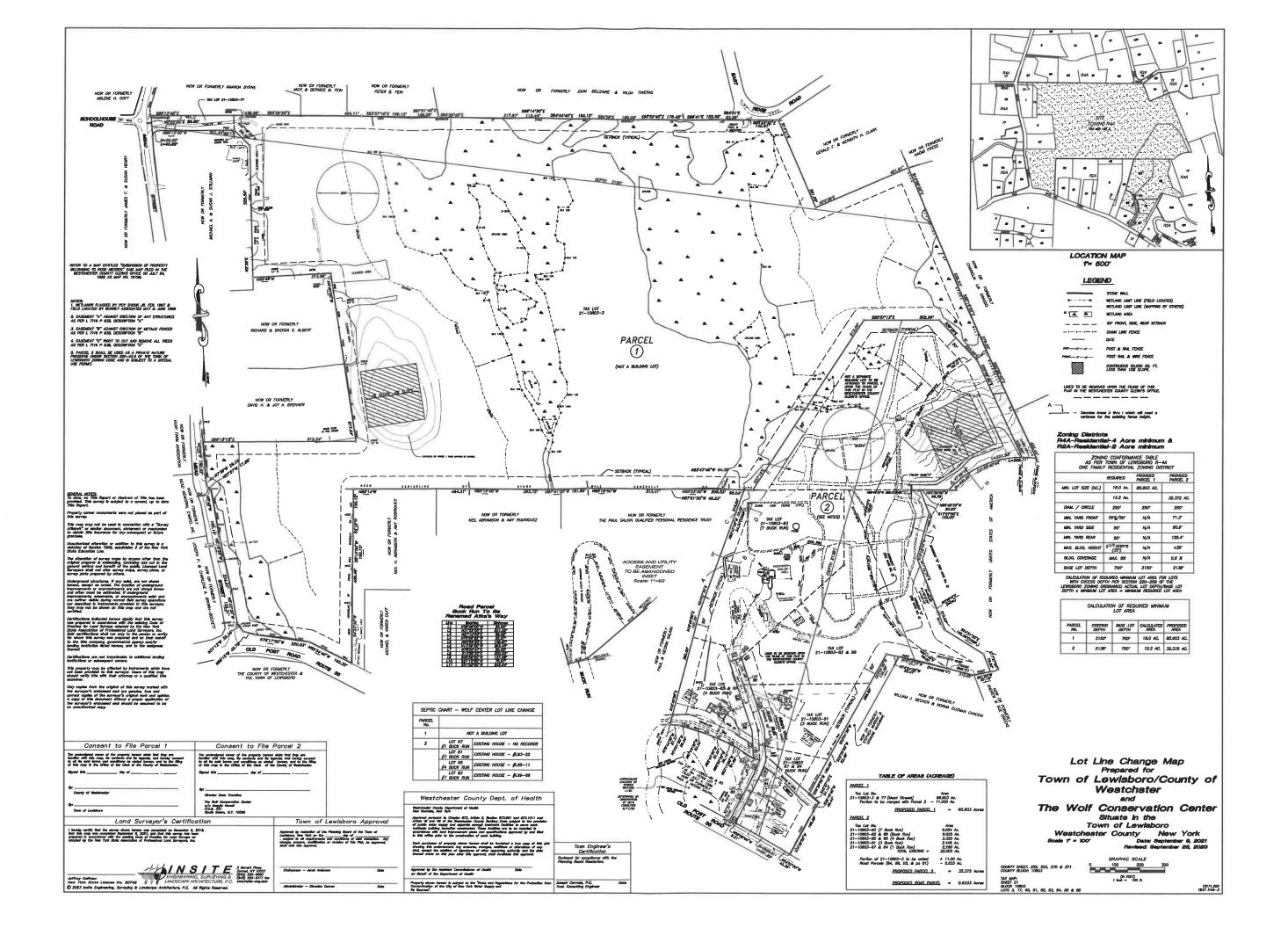
We respectfully remind the Board that in making its determination as to the requested area variance, in accordance with Section 267-b of the Town Law, the Board of Appeals must take into consideration the benefit to the Applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood and community if the variance is granted. As to the requested variance, the Applicant respectfully submits as follows:

1. The grant of the variance will not produce an undesirable change in the character of the neighborhood nor a detrimental effect on the neighboring properties. The enclosure fencing at its existing height is permitted under the Zoning Code provided it is not within the required yard. The encroachment of the fencing into the required yard in limited areas is as a result of a surveying error and was only recently discovered in connection with the applications for the proposed Project. However, the minimal encroachment of the enclosure fencing into the required yard in very limited instances will not produce an undesirable change in the character of the neighborhood nor have a detrimental effect on the neighboring properties as its location in relation to the property line is not discernable from the adjacent properties which are undeveloped in the areas adjacent to the property

line. The height of the fence is necessary to ensure that the captive wolves at the Property remain in their natural habitat sanctuary and to ensure that unauthorized persons cannot access the enclosures.

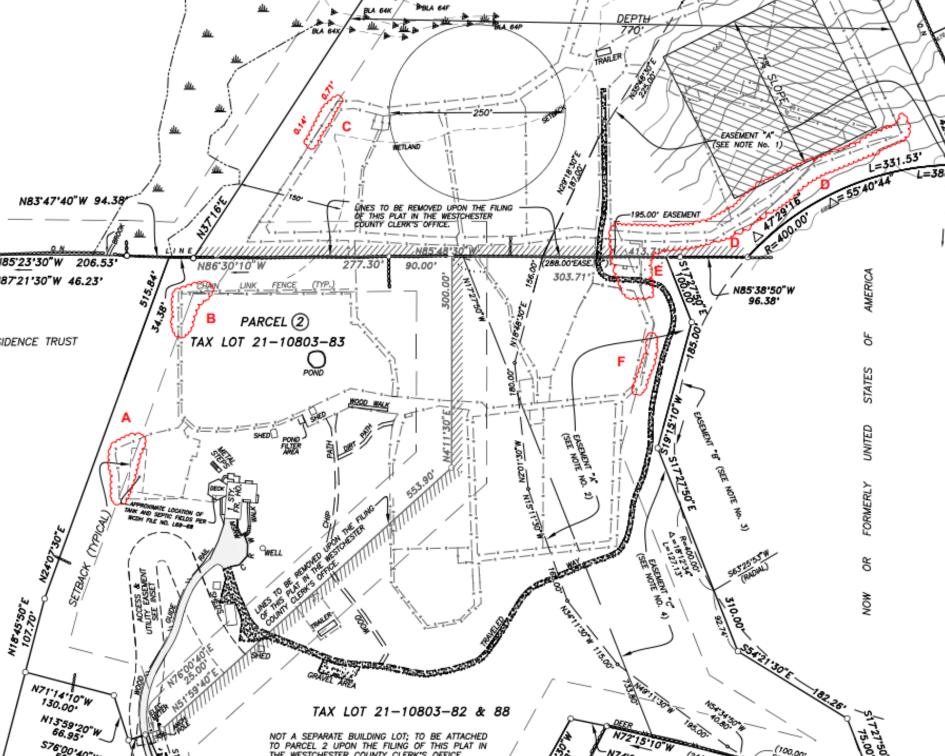
- 2. <u>The benefit sought by the Applicant cannot be achieved by any feasible method other than the requested area variance</u>. The encroachment of the fencing into the required yards is minimal, and the removal and relocation of the fencing in the areas of encroachment would be cost prohibitive and would be difficult to relocate given that the complex installation of the interior and exterior fences.
- 3. <u>The requested variance is not substantial</u>. As previously stated, the encroachment of the fencing into the required yard occurs in very limited locations and for very limited distances around the perimeter of the enclosures. Therefore, the requested variance is not substantial.
- 4. The requested variance will not have adverse effects or impacts on either the physical or environmental conditions in the neighborhood or district. The height of the enclosure fencing within the required yard will not have any adverse effects or impacts on the physical or environmental conditions of the neighborhood. As previously stated, the height of the fence is permitted provided it is not located within the required yard. The areas of minimal encroachment of the fence into the required yard are not discernable from neighboring properties.
- 5. The necessity for the proposed variance may be self-created. The inadvertent erection of portions of the enclosure fencing within the required yard is a result of a surveying error when the fencing was initially erected more than 20 years ago. Although the necessity of the variance may be self-created, the Board is not precluded from granting the variance. Although the Board must take self-created need into account, it should be weighed against the objective of the variance, which is necessary for the Applicant to properly secure the wolf enclosures.

Based upon the foregoing, we respectfully submit that the benefit to the Applicant if the area variance is granted outweighs any detriment to the community, and we respectfully request that the Zoning Board grant the requested area variance.



WCC fencing encroachments to property setbacks.

March 15, 2021





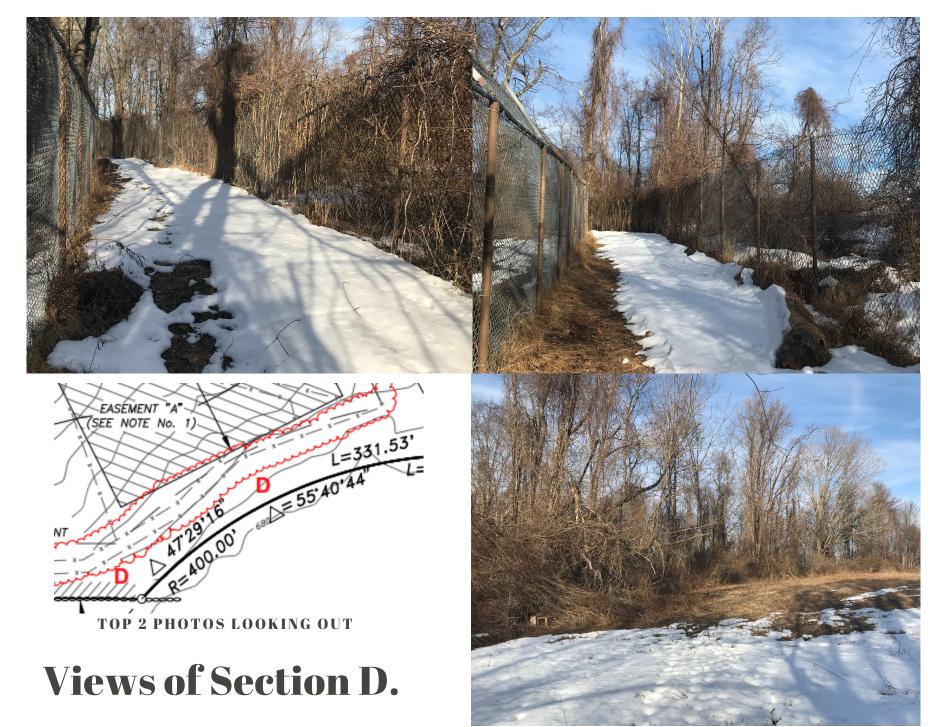
TOP PHOTO SECTION A

Views of Section A & B.

BOTTOM PHOTO SECTION B







BOTTOM PHOTO LOOKING IN



AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) SS

SELWYN LEE SMITH, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in White Plains, New York (office).

On March 11, 2024, I served a true copy of the annexed **NOTICE OF PUBLIC HEARING** before the Zoning Board of Appeals Town of Lewisboro, by mailing same in a sealed envelope, with postage prepaid thereon via *Certified Mail, Return Receipt Requested* in an official depository of the U.S. Postal Service within the State of New York, addressed to the last known address(es) of the addressee(s) as indicated below:

Wolf Conservation Center, Inc 7 Buck Run South Salem, NY 10590 Parcel ID: 42.2-3-14

The Waccabuc Trust 18 Waccabuc River Lane South Salem, NY 10590 Parcel ID: 43.3-1-3

David Salkin 200 East End Avenue Apt. 6H New York, NY 10128 Parcel ID: 42.2-3-15

Stone Barn LLC PO Box 415 Cross River, NY 10518 County Of Westchester & Town of

Lewisboro 148 Martine Avenue White Plains, NY 10601 Parcel ID: 42.2-3-18

Murray, Stephen & Mc Guinne, Grainne 18 Pamela Lane South Salem, NY 10590 Parcel ID: 43.3-1-14

Brian & Elena Nelson 1105 Route 35 South Salem, NY 10590

Mark & Denise Macri 11 Pamela Lane South Salem, NY 10590 Becker, William J. & Guzman-Chacon,

Norma N.

16 Waccabuc River Lane South Salem, NY 10590 Parcel ID: 43.3-1-2

United States of America One St. Andrew's Plaza New York, NY 10007 Parcel ID: 43.1-1-24

Peace & Carrots, LLC/JT Farm

PO Box 400

South Salem, NY 10590

Sworn to before me this day of March, 2024

Notary Public

EILEEN M. ACOSTA
Notary Public, State of New York
No. 01AC8010118
Qualified in Orange County
Commission Expires July 13, 20

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARINGS

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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 6th day of March 2024 in South Salem, New York

ZONING BOARD OF APPEALS TOWN OF LEWISBORO ROBIN PRICE, JR. CHAIR

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodation to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.

By:



MARTINE 170 MARTINE AVE WHITE PLAINS, NY 10601-3330 (800)275-8777

03/11/2024

02:45 PM

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Qty

Unit Price Price

Ship Confirm Accept 1

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Grand Total:

\$0.00

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UFN: 358142-0137

Receipt #: 840-51050071-2-9965697-1

Clerk: 15

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United States Postal Service®	Confirmation Services Certification
Company Information	
Company Name	Address (Number, street, suite no., city, state and ZIP Code™)
DelBello Donnellan Weingarten Wise & Wiederkehr, LLP	1 N Lexington Ave White Plains
Mailer Identification (MID)	NY
902530185	10601 US
Electronic File	Ua
The electronic file submitted by the company shown above has been ce complete and accurate in both content and transmission and to meet the Barcode (IMpb) Implementation Guide for: Confirmation Services and E	e requirements as defined in Publication 199, Intelligent Mail Package
Authorized Signature	Date Signed

The barcoted labels printed and submitted by the company shown above have been certified by the NGSC to meet the standards and specifications as prescribed in Publication 199 and the appropriate ANSI or AIM published standards.

ized Sianature. Date Signed

Keep the original of this form in a safe place and provide a copy to your local USPS® facility if requested. Shipments included in Service Performance Measurement should submit a PS Form 3152 with each mailing, in the space below, place a GSI-128 barcode representing the Electronic File Number from the Header Record. If you cannoy print the barcome, fill in the sequence numbers and check digit (the digits that follow the MID) from your Electronic File Number. This information is in the Header Record of the electronic file.

IMPB barcodes are required for all tracking numbers effective 1/27/2013. Valid Application Identifiers (Al): Mpb barcode Al "92" uses a 9-digit Mailer ID for commercial permit payment mailers. (Mpb barcode "93" uses a 6-digit Mailer ID for commercial permit payment mailers. IMpb barcode "94" is used for online and meter mailers. Legacy barcode Al "91" will continue to be accepted for a limited time with an approved exception or

Place the barcode here or write the serial number and check digit of the electronic file in the spaces provided.



Confirmation Services Electronic File Number

9475014902530185016873

Instructions for Acceptance Employee

If mailings are presented under an authorized manifest mailing system, verify payment of postage and fees, where applicable, using standard sampling procedures for pieces with special services. In addition, check the barcode formatting for the following:

- 1. Horizontal bars above and below the barcode.

Date and Time of Verification	Date and Time of Mailing (if different from date of verification)

Computerized PS Form 3152, July 2013 Facsimile

USPS Manifest Mailing System

Page 1

Mailer's Name & Add	ress	Permit Numl	per		MAC Ver. Nur	mber	
DelBello Donnellan Weingarten Wise & WiedmingtobLRve					Transtream		
		Sequence No	ımber		Class of Mail		
White Plains, NY 10601	***************************************	2-8744			Mixed		
Article #/ Plece ID Shipper Ref#	Addressee Name Delivery Address	ES Typ	_e Postage	ES Fee	Insurance Amount	Due/ Sender	Total Charge
9414814902530185063858 20513	WOLF CONSERVATION CEN 7 Buck Run,	ERR	0.640	2.32			7.36
0132780-001	South Salem, NY 10590	c		4.40			
9414814902530185063865 20514 0132780-001	country of west chester & Town of 148 Martine Avenue, White Plains, NY 10601	ERR C	0.640	2.32 4.40			7.36
9414814902530185063872 20515 0132780-001	BECKER, WILLIAM J. & GUZIMAN-CHACON, 16 Waccabuc River Lane, South Salem, NY 10590	NORMAN ERR C	0.640	2.32 4.40			7.36
9414814902530185063889 20516 0132780-001	The Waccabuc Trust 18 Waccabuc River Lane, South Salem, NY 10590	ERR C	0.640	2.32 4.40			7.36
9414814902530185063896 20517 0132780-001	MURRAY, STEPHEN & MC GUINNE, 18 Pamela Lane, South Salem, NY 10590	GRAINNE ERR C	0.640	2.32 4.40			7.36
9414814902530185063902 20518	UNITED STATES OF AMER	ICA ERR	0.640	2.32			7.36
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9414814902530185063919 20519 0132780-001	David Salkin 200 East End Avenue, Apartine New York, NY 10128	nt 6H ERR C	0.640	2.32 4.40		and the second second	7.36
9414814902530185063926 20520 0132780-001	Brian & Elena Nelson 1105 Route 35, South Salem, NY 10590	ERR C	0.640	2.32 4.40		a /3/	7.36
9414814902530185063933 20521 0132780-001	Peace & Carrots, LLC/JT Fa PO Box 400, South Salem, NY 10590	rm ERR C	0.640	2.32 4.40	(Eloge		7.36
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9414814902530185063940 20522 0132780-001	Stone Barn LLC PO Box 415, Cross River, NY 10518		ERR C	0.640	2.32 4.40			7.36
9414814902530185063957 20523 0132780-001	Mark & Denise Macri 11 Pamela Lane, South Salem, NY 10590		ERR C	0.640	2.32 4.40			7.36



Page Totals **Cumulative Totals**

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Signature of Receiving Employee

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Extra Service Codes:

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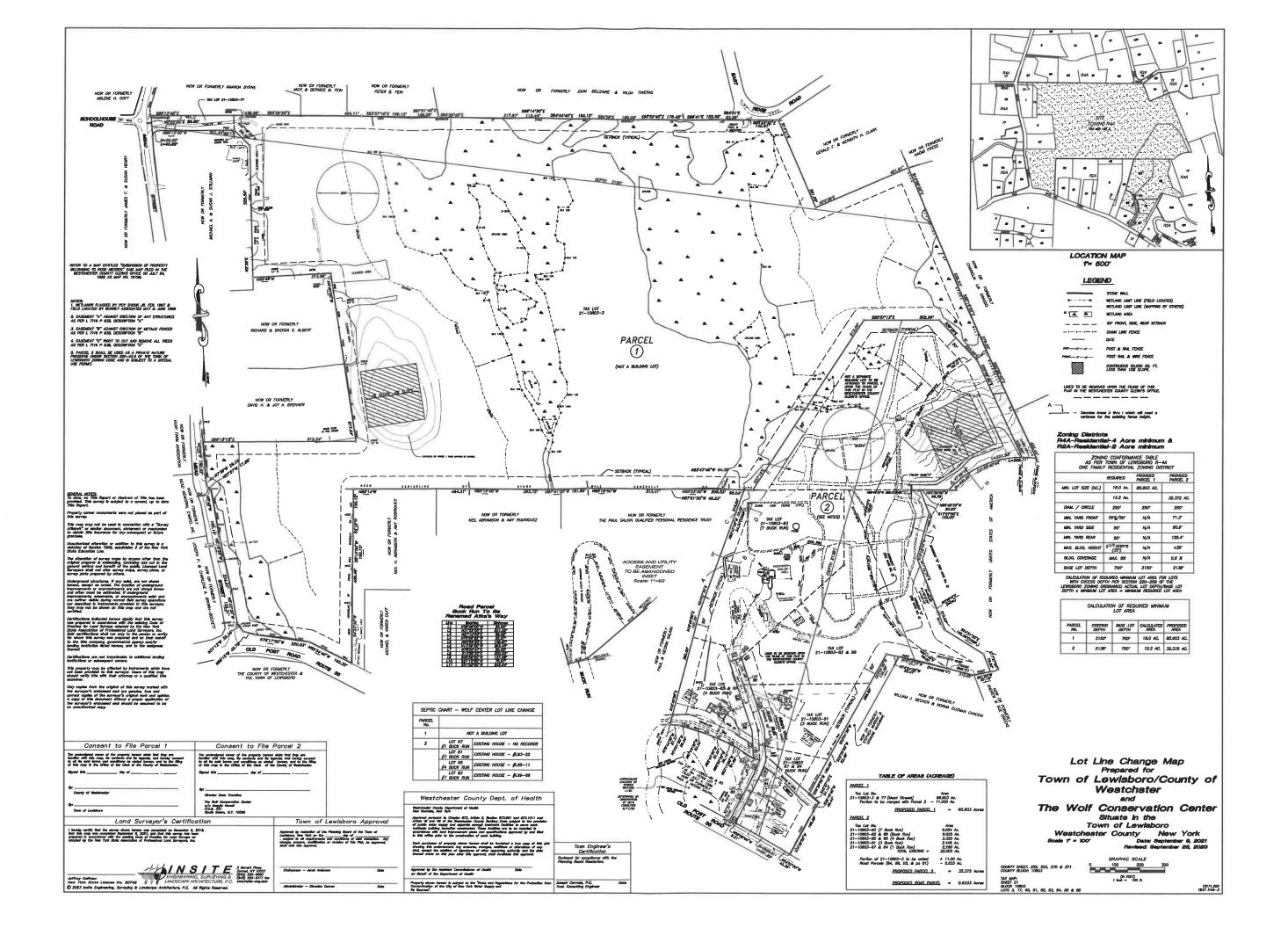
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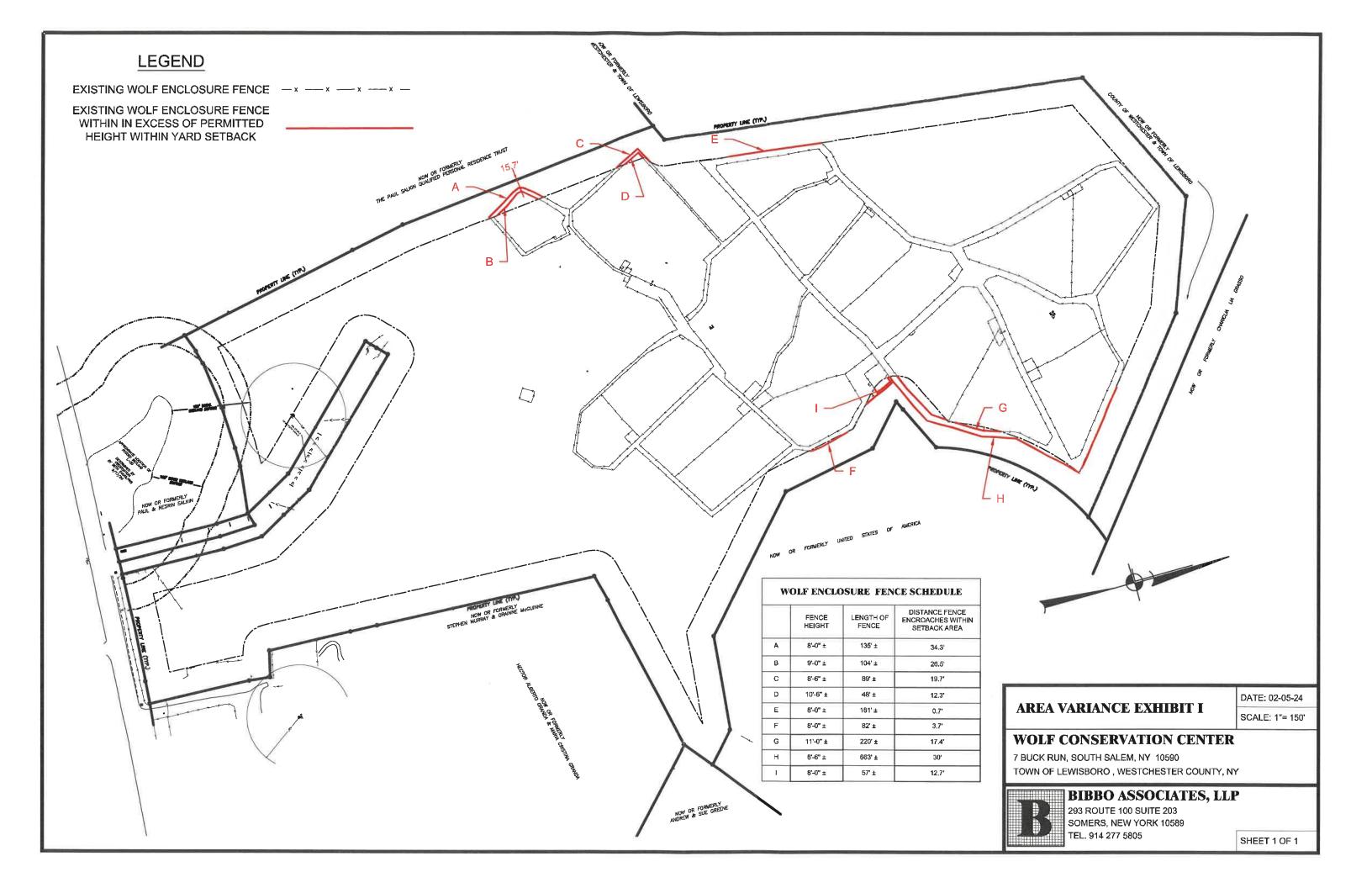
Return Receipt

PS Form 3877-(Pacsimile)

CMRD

Certified Mail Restricted Delivery





TOWN OF LEWISBORO Building Department Bouton Road South Salem, NY 10590 Email: kkelly@lewisborogov.com



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

www.lewisborogov.com

<u>Date 1/30/24</u> <u>Zoning Denial App. # 2024-0039</u>

Weinzapfel - Demartino 40 Hunt Farm Rd, Waccabuc, NY 20A-10801-140

The proposed Kitchen Addition to an existing residence has a 26.78' rear yard setback whereas 30' are required in a R-1 AC-Conservation 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 rear yard variance of 3.22'.

Kevin J. Kelly

Building Inspector

(914) 763-3822

FAX (914) 875-9148

TTY 800-662-1220

Email: zoning@lewisborogov.com



TOWN OF LEWISBORO

Zoning Department

79 Bouton Road

South Salem, NY 10590

(OVER)

APPLICATION TO THE BOARD OF APPEALS

Location of affected Premises: 40 Hunt Farm Rd, Waccabuc, NY 10597 Tax Map: Sheet 20A Block 10801 Lot(s) 140 Zoning District: R-1A Lot Area: .48 Acres	*Cal. No. 03-24-BZ (BZ)	**Cal. No(SP)
A Variation of ArticleI.V	Applicant's Name: Pamela Weinzapfel 40 Hunt Farm Rd, Waccabuc,, NY 10597 Owner's Name: Weinzapfel - DeMartino Revocable Address Same	E-Mail pamdem@optonline.net Trust 646-280-7592 Phone: same
II. IDENTIFICATION OF PROPERTY: 40 Hunt Farm Rd, Waccabuc, NY 10597 Tax Map: Sheet 20A Block 10801 Lot(s) 140 Zoning District: R-1A Lot Area: .48 Acres V. ADDITIONAL INFORMATION Have previous appeals/special permits been filed in regard to these premises? Cal. No. Date Cal. No. Date	Application is hereby made for: A Variation of ArticleIV	
Has a court summons been served relative to this matter?	II. IDENTIFICATION OF PROPERTY: Location of affected Premises: Tax Map: Sheet 20A Block 10801 Lot(s) 140 Zoning District: R-1A Lot Area: 48 V. ADDITIONAL INFORMATION Have previous appeals/special permits been filed in regal Cal. No. Date Cal. Cal. No. Date Cal. Cal. No. Cal.	Acres NO rd to these premises? No Date No Date

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?NO
Attached hereto and made a part of this application, I submit the following:
 A copy of the ground and floor plans with all necessary measurements. A property survey. A signed consent by the owner of the property if the applicant is not the owner.
V. APPROVED FOR SUBMISSHON:
Applicant's Signature: Amela Weinzepfel Date 02-26-2024
VI. RECEIPT:
Date Received by Clerk 2 28 2924 Fee Received \$ 252 20
Check # 1022 Receipt # 24-0550
*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, PAMELA WEIN CAPFEL Being duly sworn, deposes
County of Mestchester
and says that he/she resides at 40 HUNT FARM, WHICHOU in the Town of LEZUIS BORD
In the County of WESTCHES TER 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 Sheet20A
Block 10801 Lot 140 and that he/she hereby authorizes Pamela Weinzapfel & Erick DeMartino
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 day of Flb 204 Notary Public - State of New York NO. 01LE0007691 Qualified in Westchester County My Commission Expires May 16, 2027 (Sign here)

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, March 27, 2024, at 7:30 p.m., 79 Bouton Road, South Salem, New York, Justice Court.

CAL. NO. 03-24-BZ

Application of Pamela Weinzapfel, [Weinzapfel-Demartino Revocable Trust, owner of record], 40 Hunt Farm Road, Waccabuc, NY for the following variance of the proposed kitchen addition to an existing residence has a 26.78' rear yard setback whereas 30' are required in a R-1 AC-Conservation 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 rear yard variance of 3.22'.

The property is located on the north side of (#40) Hunt Farm Road, Waccabuc, NY designated on the Tax Map as Sheet 020A, Block 10801, Lot 140, in an R1CON, Residential One-Acre Conservation District consisting of approximately 0.480 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.

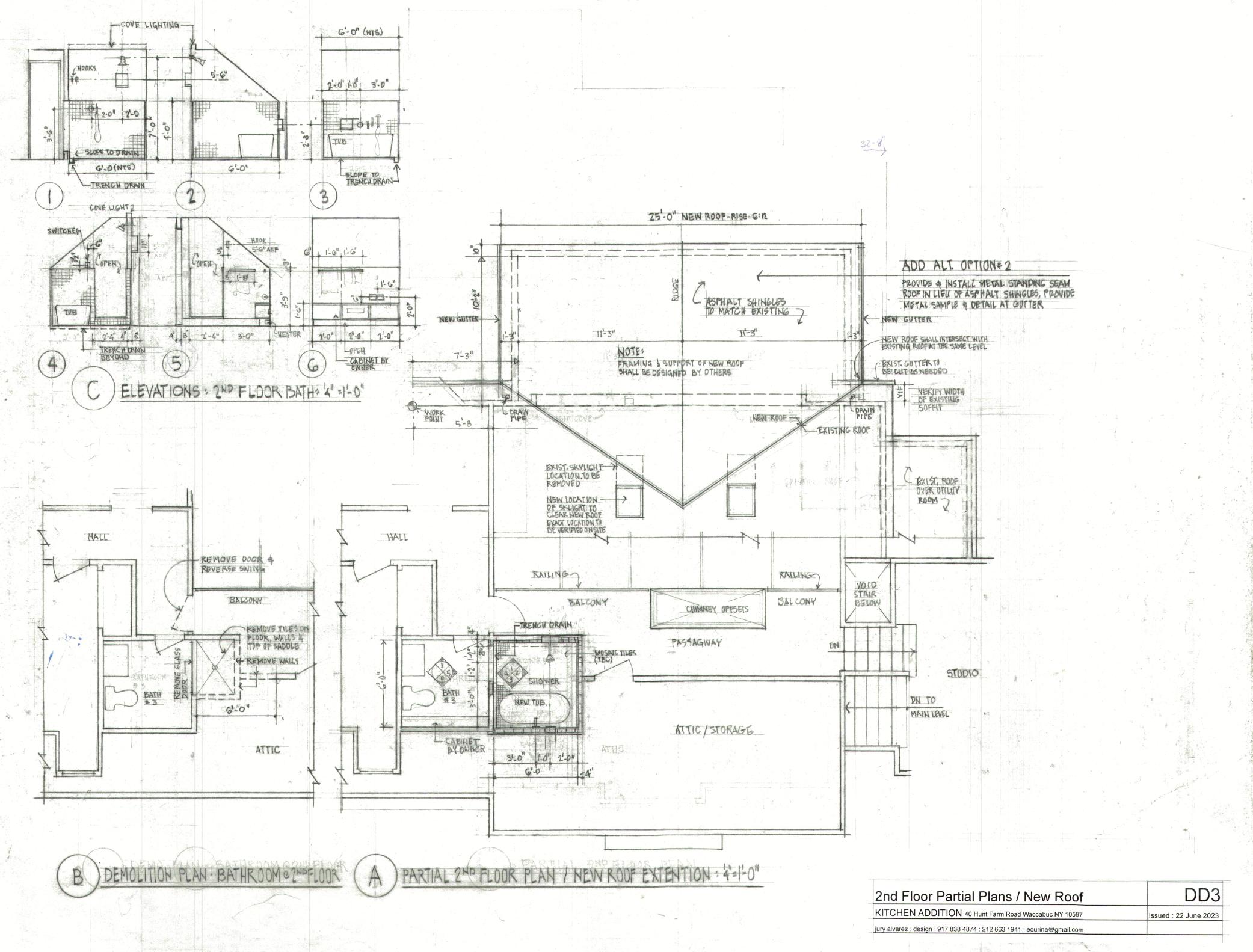
ZONING BOARD OF APPEALS

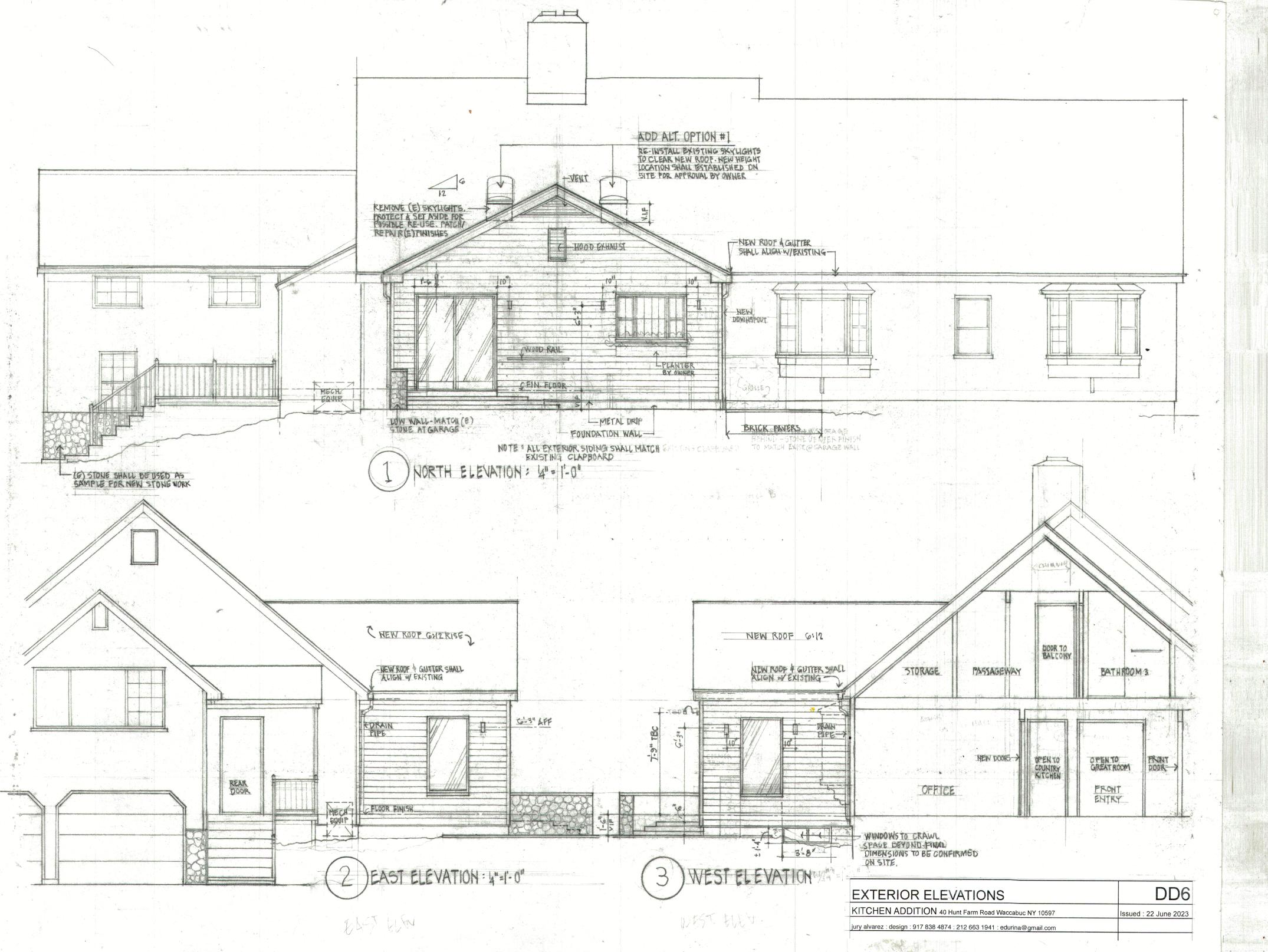
Dated this 28th day of February 2024
in South Salem, New York

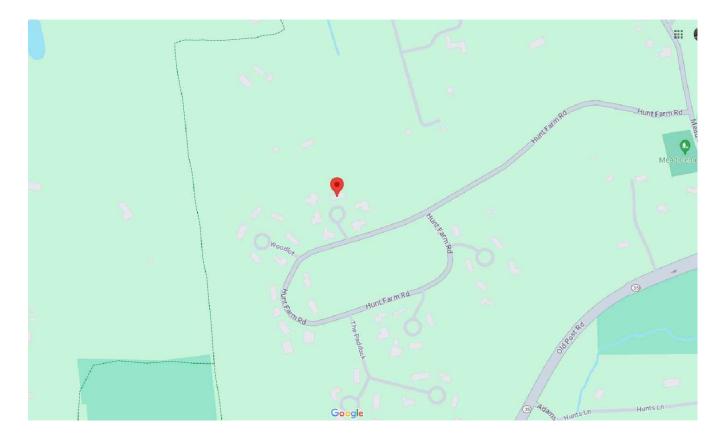
By:

CHAIR

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodation to attend or participate in this meeting is encouraged to notify the Secretary to the Zoning Board of Appeals in advance.



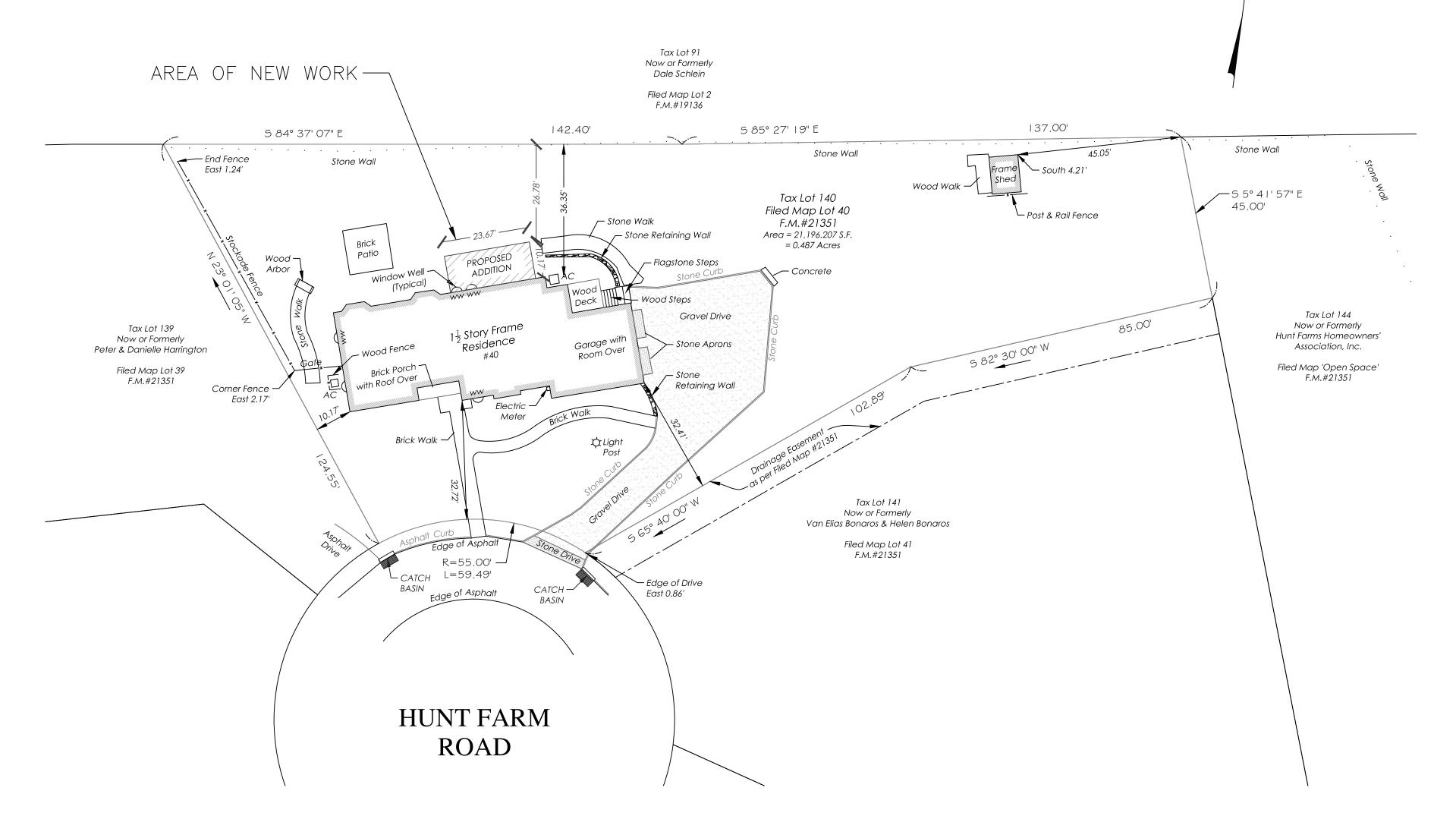




LOCATION MAP NTS

LOT SIZE: 21,196.207 SQFT EXISTING RESIDENCE: 2,223.36 SQFT (10.48% TOTAL) PROPOSED ADDITION: 281 SQFT

TOTAL LOT COVERAGE: 2,504.36 SQFT (11.81% TOTAL)



PROPERTY SURVEY INCLUDING NEW WORK PROPOSED SCALE: 1"=20"

ALL INFORMATION PRESENTED COURTOUSY OF TC MERRITTS LAND SURVEYORS, 394 BEDFORD RD PLEASEANTVILLE NY, 15070 ALL RIGHTS RESERVED

MARCHETTI CONSULTING ENGINEERS

25 High Ridge Rd
Pound Ridge, NY 10576
P (914) 764-9011
F (914) 764-9012
info@marchetticonsultingengineers.com

Drawings and Specifications, as instruments of professional service, are and shall remain the property of the Engineer. Documents are not to be used, in whole or in part, for other projects or purposes or by any other parties than those authorized by contract without the specific written authorization of the Engineer. The use of this document is contingent upon payment to the engineer for services rendered. Non-payment shall give the Engineer the authority to bar document use by any and all parties. If owner disputes any Engineer's statements for services, it is required that the owner advise the engineer in writing with ten (10) days. Remaining, undisputed portions are due and payable upon receipt. The owner shall indemnify the Engineer against any claims alleging damages or delays incurred in the event the Engineer exercises the right to bar document use for non-payment. Contractors must check all dimensions on site. Only figured dimensions are to be worked from. Discrepancies must be reported immediately to the Engineer

before proceeding.

No. DESCRIPTION DATE

STAMP & SIGN:

SCALE:



NEW KITCHEN ADDITION 40 HUNT FARM RD WACCABUC, NY 10597

PROPERTY SURVEY

PROJECT NUMBER:	#2023-46
DATE:	9-1-2023
DRAWN BY:	CP/ZTM
CHECKED BY:	ZTM
CHECKED BY.	ZIM
C 1	

S-1

AS NOTED

AFFIDAVIT OF SERVICE

IN THE MATTER OF ZONING BOARD OF APPEAL APPLICATION BY Pamela Weinzapfel REQUESTING A PUBLIC HEARING IN REGARD TO Zoning of Appeal Cal. No. 03-24-BZ LOCATED AT 40 Hunt Farm Road, Waccabuc, NY.

STATE OF NEW YORK

COUNTY OF WESTCHESTER

Pamela Weinzapfel, being duly sworn says: I am over 18 years of age and reside in Waccabuc, New York.

On <u>March</u> 1 served a copy of the attached Public Notice by mailing same in a sealed envelope, via certified mail return receipt requested, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the property owners on the 250'(ft) mailing list and map annexed hereto.

Sworn to before me this

4th day of MARC

2024

NOTARY RUBLIC

Name

JOHN SHEA Notary Public - State of New York NO. 015H6390036

Qualified in Putnam County
My Commission Expires Apr 28, 2027

MAR - 4 RECD JOSY ZBA



s_\$0.0

\$ \$0.00

MR. VAN BONARDS

03W@p/\$024

Return Receipt (electronic)

Adult Signature Required

Total Postage and Fees

\$8.73

Adult Signature Restricted Delivery \$ __

Certified Mail Restricted Delivery \$ _______

\$0.68



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Tipeturn Receipt (hardcopy) s \$11-11 Postmark) 2 Return Receipt (electronic) Certified Mail Restricted Delivery \$ \$1.... Adult Signature Required \$ \$0.00 Adult Signature Restricted Delivery \$ __ \$0.68 Total Postage and Fees ASSOC! HUNT FARM 43 HUNT FARM RD WACLABUC NY 10597 U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only New York, NY 10158 Certified Mail Fee \$4.40 xtra Services & Fees (check box, add fee as anco Return Receipt (hardcopy) Return Receipt (electronic) MAR O Here2024 Adult Signature Required \$ \$0.00 Adult Signature Restricted Delivery \$_ \$0.68 Total Postage and Fees 03/01/2024 et and ANI NI OF PORTON AND LAUDER Street and Apt. Na., or BO BOX No.

Oity, State, ZiFf 48 PPTH AVE, 40TH FL tate, 2014, NY 10153 U.S. Postal Service™ **CERTIFIED MAIL® RECEIPT** Domestic Mail Only For delivery information, visit our Waccabuc, NY 10597 CABUC Certified Mail Fee \$4.40 xtra Services & Fees (check box, add fee as day box Return Receipt (electronic) \$__\$0**.**00_ MAR 0 Flostmark Certified Mail Restricted Delivery \$ \$ Adult Signature Required Adult Signature Required \$ Adult Signature Restricted Delivery \$ Postage \$0.68 Total Postage and Fees \$8.73 Sent TO MR DALE SCHLEIN, TRUSTED Street and Apt. No. or PO Box No. LHOUSE RD
City, State 21 ACCH BUC, NY 10597