

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

Minutes of the Meeting held by the Zoning Board of Appeals on Wednesday, April 24, 2019 at 7:30 P.M., at the Town of Lewisboro Offices at 79 Bouton Road, South Salem, New York.

Board Members:

Present: Robin Price, Jr. Chairman  
Thomas Casper  
Carolyn Mandelker  
Jason Krellenstein  
Todd Rendo

Also Present:

Kara Sullivan, Secretary  
Joseph Angiello, Building Inspector

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The Meeting was called to order at 7:38 P.M. Chairman Price introduced the members of the Board and others present and noted the emergency exits. (The next ZBA meeting is scheduled for Wednesday, May 29, 2019, with a site visit scheduled for Saturday, May 18, 2019.)

**I. Review and adoption of minutes of March 2019**

Mrs. Mandelker moved to adopt the minutes of March 27, 2019. The motion was seconded by Mr. Rendo. To approve: Chairman Price, Mr. Krellenstein, Mr. Rendo, Mr. Casper and Mrs. Mandelker.

**II. PUBLIC HEARINGS**

**CAL. NO. 9-19 BZ**

Application of John Assumma [Waccabuc Country Club, owner of record], 5 Carriage House Road, Waccabuc, NY for variances in the matter of a proposed chemical storage and wash down facility that will have a front yard setback of 21'-4" whereas 50' are required per Article IV Section 220-23E of the Town of Lewisboro Zoning Code, that will increase the lot coverage to 18.6% whereas 6% is the maximum permitted per Article IV Section 220-23E of the Town of Lewisboro Zoning Code, that will have a floor area of 3,150 square feet whereas 600 square feet is the maximum permitted per Article IV Section 220-23D(11) of the Town of Lewisboro Zoning Code, that will be an improvement to a nonconforming use whereas an approval by the Board of Appeals is required per Article III Section 220-9E(1) of the Town of Lewisboro Zoning Code, and that will not have frontage on a road which is improved to the satisfaction of the Town and requires variances per Article III Section 220-11 of the Town of Lewisboro Zoning Code and Section 280a of NYS Town Law.

The property is located on the north side of (#5) Carriage House Road, designated on the Tax Map as Sheet 22, Block 10802, Lot 061 in an R-4A, Four-Acre Residential District, consisting of approximately 2.460 acres.

Mr. Assumma, the applicant, was present with his architect, John Doyle, and lawyer, Frank Connolly, Esq.

There were no objections to the notice of public hearing as published.

Mr. Doyle introduced the matter of the pre-engineered, 105 foot x 30 foot proposed chemical wash-down, storage and mixing facility and walked the Board through the site and structural plans. Mr. Doyle referenced the revised plans, dated April 23, 2019, which included an updated survey. He indicated the percentage lot coverage, 22.8%, differed from the original submission, but the type of variances requested remained the same.

Mr. Casper inquired about the drainage and mechanical equipment and if they were approved by the Building Inspector. He inquired if the Board should make their decision contingent upon the Building Inspector's approval.

Mr. Angiello, the Building Inspector, indicated that no building plans had been submitted yet and that it has only, at this point, been reviewed for the zoning variances.

Mr. Assumma indicated that the proposed facility would prevent the risk of chemical spillage and it is the recommendation and determined best practice by the Metropolitan Golf Course Association and the Department of Environmental Conservation.

The Board inquired about the Department of Environmental Conservation's and Planning Board's feedback, previous variances sought and received, the proposed fence, practical alternate locations, and feasibility of reducing the size for the proposed facility.

There were no comments from the public.

The Board reached consensus that the public hearing shall remain open and continue May 29, 2019, and the Board would refer the matter to Anthony Molé, Town Attorney, and request review and recommendations from both the Town and Planning Board as required per Article III Section 220-11 of the Town of Lewisboro Zoning Code.


#### **IV. CORRESPONDENCE & GENERAL BUSINESS**

Mr. Krellenstein requested the Board add a future agenda item to discuss the matter of whether the minutes should appear in a recorded form and/or a transcribed, written form online.

At 8:32 P.M., Mr. Krellenstein recused himself as Chairman Price read correspondence received from Mrs. DeNicola, dated April 24, 2019, regarding the request of the Planning Board for the Zoning Board's voluntary feedback on the proposed variances sought by Mercedes Benz of Goldens Bridge, (CAL NO. 8-19BZ). Chairman Price indicated no comments or vote had been made and would not until an application had been received and the matter had been discussed thoroughly. The Board addressed the public's comments.

Mr. Krellenstein returned to the meeting and Mr. Casper moved to adjourn the meeting at 8:40 P.M. The motion was seconded by Mr. Rendo. The Board reached consensus to adjourn the meeting.

Respectfully submitted,



Kara Sullivan

Secretary, Zoning Board of Appeals