

**MINUTES OF THE YORKTOWN ZONING BOARD OF APPEALS
JULY 29TH, 2021**

The regular monthly meeting was held for the Zoning Board of Appeals via Zoom, July 29th, 2021. The meeting began at 6:30 p.m.

The following members of the board were present:

Robert Fahey
Gordon Fine
William Gregory
John Meisterich
Anthony Tripodi

Also present is Kyra Brunner, Legal Secretary, and Adam Rodriguez, Special Counsel. The meeting was aired on Channel 20 Cablevision and Channel 33 Verizon Fios.

It was announced that the next public hearing would be held September 23rd, 2021. Mailings are to be sent from August 30th, 2021 to September 8th, 2021.

NEW BUSINESS

FOX #37/21 This is an application for a special use permit for the renewal of an accessory apartment.
Property Address:
2309 Vista Ct.
Section 37.05, Block 1, Lot 31

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item will be handled administratively.

ROVIEZZO #38/21 This is an application for a special use permit for the renewal of an accessory apartment.
Property Address:
74 Jennifer Ct.
Section 6.18, Block 1, Lot 62

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item will be handled administratively.

NEW CINGULAR WIRELESS #42/21 This is an application for a renewal of a special use permit for the existing wireless telecommunications facility
Property Address:
2649-2651 Strang Blvd.
Section 26.19, Block 1, Lot 2

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item will be handled administratively.

IPARRAGUIRRE #36/21 This is an application to allow a 6' fence in the front and side yards where a maximum of 4.5' is permitted as per 300-13(f) and the town zoning code. This property is located in a R-2 zone.
Property Address:
1765 Hanover St.
Section 37.19, Block 1, Lot 50

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item was scheduled for a Public Hearing on September 23rd, 2021, and referred to the Building Inspector. Site Visits will be done by the Board members separately.

GUERRA #39/21 This is an application to allow a side yard addition with a side yard setback of 7.75' where a minimum of 12' is required as per 300-21 and appendix A of the town zoning code. This property is located in a R1-10 zone.
Property Address:
3310 Lookout St.
Section 16.17, Block 1, Lot 77

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item was scheduled for a Public Hearing on September 23rd, 2021, and referred to the Building Inspector. Site Visits will be done by the Board members separately.

AUSTIN #41/21 This is an application for a side yard setback of 7.1' for a deck and 11.3' for a pool where 15' is required as per 300-21 and Appendix A of the Town Zoning Code. This property is located in a R1-20 zone.
Property Address:
2365 Sherry Rd.
Section 36.10, Block 2, Lot 59

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item was scheduled for a Public Hearing on September 23rd, 2021, and referred to the Building Inspector. Site Visits will be done by the Board members separately.

HILL #35/21 This is an application to allow for an existing wood and a wire deer fence in a front and side yard with a height of 6' to 7'8" where a maximum of 4.5' is allowed. The wood fence also has the decorative side facing inwards where it is required to face out. All per 300-13(f) and Appendix A of the town zoning code. This property is located in a R1-80 Zone.
Property Address:
1440 Old Logging Rd.
Section 47.17, Block 1, Lot 27

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item was scheduled for a Public Hearing on September 23rd, 2021, and referred to the Building Inspector. Site Visits will be done by the Board members separately.

BRAVO #40/21 This an application for a front deck addition with a front yard setback of 27.8' for the main structure and 25.45' for the stairs where a minimum of 40' is required. The applicant is legalizing a garage and shed with setbacks of 5.7' and 2.4' where a minimum of 10' is required. The lot size is 19,595 s.f. where a minimum of 20,000 s.f. is required. All per 300-21 and Appendix A of the Town Zoning Code. This property is located in a R1-20 zone.
Property Address:
633 East Main St.
Section 16.08, Block 1, Lot 9

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item was scheduled for a Public Hearing on September 23rd, 2021, and referred to the Building Inspector. Site Visits will be done by the Board members separately.

CONTINUED PUBLIC HEARINGS

CARVALHO #44/20 This is an application to subdivide a lot creating 2 lots under the required 10,000s.f. where a minimum of 20,000 s.f. is required. This property is located in a R1-10 zone.
Property Address:
1681 Summit St.
Section 48.07, Block 2, Lot 9

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item is adjourned.

GRACE #45/20 This is an application to allow a caretaker's cottage as per 300-47 of the Town Code. This property is in a R1-80 zone.
Property Address: 959
Hanover St.
Section 59.07, Block 1, Lot 4

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, this item is adjourned.

TAMBURELLO #9/21 This is an application for a special use permit for a new accessory apartment.
Property Address:
3061 Oak St.
Section 25.12, Block 2, Lot 5

Not opened.

NEW PUBLIC HEARING

The Board discussed the application and applied the statutory factors.

NAKHLA #32/21 This is an application for a special use permit for the renewal of an accessory apartment.
Property Address:
2717 Quinlan St.
Section 27.13, Block 1, Lot 38

Mailings and sign certification in order.

Memo from the Assistant Building Inspector dated, July 22, 2021 states:

The subject premises were inspected on July 14, 2021, and no changes have been made to the apartment since the previous approval.

The use will continue to be in substantial compliance with the applicable building and zoning regulations.

The applicant should be advised that a new Certificate of Occupancy must be issued for continued use of the accessory dwelling.

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, the application for a special use permit for the renewal of an accessory apartment was granted for a period of three (3) years.

MASSERMAN #31/21 This is an application for a 2nd story addition with a combined side yard setback of 29'1" where a minimum of 40' is required as
Property Address:

500 Manchester Rd. per 300-21 and Appendix A of the Town Zoning Code. This
Section 17.13, Block 1, Lot 32 property is located in a R1-20 zone.

Mailings and sign certification in order.

Dan Masserman appeared before the Board.

Mr. Masserman said it is a 2nd story addition, expanding the master bedroom to add a laundry room and closet. The existing footprint is staying exactly the same. It is going over the garage, not exceeding the outside wall. It should not change the property at all.

Memo from the Assistant Building Inspector dated, July 26, 2021 states:

There was a previous variance granted back on August 22, 2005 allowing the side yard setback of 9' for an addition on that side.

I have attached a copy of a revised site plan showing the side stairs in the correct configuration. (still within the allowable setback)

I have inspected the property on July 13, 2021 and have no objections in granting relief. The applicant will need a building permit and c.o. for this work.

Chairman Fine asked from the side where you are asking for the variance, how far from there is your neighbors' home on that side.

Mr. Masserman said he does not know the exact distance, my architect knows that. He said the existing furthest outside wall which is the garage on that side, this wall is not going to exceed that wall. Stops just short of the existing wall.

The Board reviewed the plans

Upon motion by Fine, seconded by Fahey and unanimously voted in favor by Fahey, Fine, Gregory, Meisterich, and Tripodi, the application for a variance was granted for a 2nd story addition with a combined side yard setback of 29'1" where a minimum of 40' is required as per 300-21 and Appendix A of the Town Zoning Code. The variance pertains only to the requested variance and not the remainder of the property line. The addition is to be built in substantial conformity with the plans submitted.

Recording Secretary, Glenda Daly
Meeting adjourned at 6:45pm
Happy Zoning!