



TOWN OF BEDFORD

www.bedfordny.gov

AGENDA

BEDFORD ZONING BOARD OF APPEALS

425 Cherry Street, 2nd Floor Conference Room

Bedford Hills, New York 10507

WEDNESDAY, May 6, 2015

7:30 P.M.

MINUTES: April 8, 2015

NEW APPLICATIONS:

- 1. Anthony and Sandra Sirchia, 106 Millertown Road, Bedford, NY 10536.** Section 74.19 Block 1 Lot 21, R-1 Acre Zoning District. The applicants request a variance of the Town of Bedford Zoning Ordinance to permit the construction of additions and alterations to a one story residence to create a two story residence with two car garage resulting in a side yard setback from the garage of 25 feet where 30 feet is required in the Residential 1 Acre Zoning District. Article V Section 125-50.
- 2. Nancy Herbst Trust, 68 Brundage Ridge Road, Bedford, NY 10506.** Section 95.7 Block 1 Lot 23, R-2 Acre Zoning District. The applicant requests variances of the Town of Bedford Zoning Ordinance to permit the legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District; and the legalization of an existing low deck resulting in a side yard setback of 35 feet where 40 feet is required in the Residential 2 Acre Zoning District. Article V Section 125-50 and Article III Section 125-11
- 3. Elizabeth H. Messinger, 189 Pound Ridge Road, Bedford, NY 10506.** Section 84.12 Block 2 Lot 7, R-1 Acre Zoning District. The applicant requests variances of the Town of Bedford Zoning Ordinance to permit the legalization of a ground floor accessory cottage (studio apartment) in an existing accessory building with 2-car garage located in a Residential 1-Acre Zoning District where cottages are permitted in Residential 2-Acre Zoning Districts and Residential 4-Acre Zoning Districts only. The gross floor area of the accessory cottage is 548.5 square feet, which exceeds 25% of the total floor area of the principal residence. The existing accessory building is located on a pre-existing, non-conforming lot consisting of .849 acres where 1 acre is required in the Residential 1 Acre Zoning District.
Article VIII Section 125-79.1(A)
- 4. CR Wallauer & Co., Inc., dba Wallauer's, 655 Bedford Road, Bedford Hills, NY 10507.** Section 71.8 Block 2 Lot 21, RB Zoning District. The applicant requests variances of the Town of Bedford Zoning Ordinance to permit the construction of a 238 square foot one-story addition at the southwest side of an existing one-story commercial building resulting in an increase in building coverage to 38.5% where 20% maximum building coverage is permitted and where the existing building coverage is existing, non-conforming at 37.1%; and to permit the use of 20 existing parking spaces where 35 parking spaces are required in the RB Zoning District.

Zoning Board of Appeals Meeting – Wednesday, May 6, 2015
425 Cherry Street, Bedford Hills – 2nd Floor Conference Room
Page Two

5. CR Wallauer & Co., Inc., dba Wallauer’s, 655 Bedford Road, Bedford Hills, NY 10507. Section 71.8 Block 2 Lot 21, RB Zoning District. The applicant requests variances of the Town of Bedford Zoning Ordinance to permit:

1. The installation of two wall signs and one free-standing sign resulting in a total of three signs where two signs are permitted. 125 Attachment 1:3.
2. A wall sign where the height of the word “ACE” is 19 inches where 12 inches is permitted when the wall upon which it is affixed is less than 100 feet from the center line of the nearest road. Article XI 125-120 B. (1).
3. A free-standing sign located one foot from the front property line where ten feet is required in the RB Zoning District and where the height of the word “ACE” is 24 inches where 12 inches is permitted. Article XI 125-120.

6. Bedford Village Plaza, Inc. and Bedford Gourmet, 460 Old Post Road, Bedford, NY 10506. Section 84.10 Block 1 Lot 26, RB-R Zoning District. The applicants request variances of the Town of Bedford Zoning Ordinance to permit:

1. The addition of a one new tenant sign on existing, non-conforming free-standing sign; the installation of a new free-standing sign; and signage on an awning resulting in a total of three signs for the tenant where two signs are permitted. Article XI Section 125-20 and 125 Attachment 1:2.
2. Signage on an awning where signage on awnings is prohibited, Article XI Section 125-122 H.

7. ML Management Associates, LLC, 378-384 Croton Lake Road, Mount Kisco, NY 10549. Section 59.7 Block 1 Lot 7, R-4 Acre Zoning District. The applicant requests a variance of the Town of Bedford Zoning Ordinance to permit (1) the re-configuration of roof dormers on a single family residence to improve bedroom egress and ceiling height resulting in a front yard setback of 19’ 8” where 75 feet is required in the Residential 4-Acre Zoning District; (2) the alteration of an existing second floor flat roof to be used as a deck with pergola above resulting in a front yard setback of 19’ 8” where 75 feet is required in the Residential 4 Acre Zoning District; (3) the construction of a 4-foot wide wood deck located at the rear of the residence resulting in a front yard setback of 30’6” where 75 feet is required in the Residential 4 Acre Zoning District. The existing residence has an existing, non-conforming front yard setback of 9.5 feet. Article V Section 125-50 and Article III Section 125-11

Supporting documentation for all items on this agenda is available at the Town of Bedford website www.bedfordny.gov. Town Government –Boards--Zoning Board of Appeals-Calendar of Meetings. Larger documents and plans are available at the office of the Board of Appeals

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Anthony and Sandra Sirchia**
106 Millertown
Bedford, NY 10506

for a variance of the Town of Bedford Zoning Ordinance to permit:

The construction of additions and alterations to a one story residence to create a two story residence with two-car garage resulting in a side yard setback from the garage of 25 feet where 30 feet is required in the R-1 Acre Zoning District. This being a variance of Article V Section 125-50 for property located on:

106 Millertown Road
Bedford, NY 10506

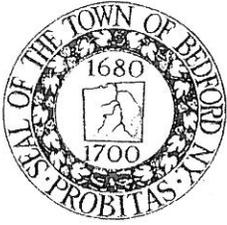
designated as Section 74.19 Block 1 Lot 21 on the Tax Maps of the Town of Bedford in a Residential 1-Acre Zoning District. Said hearing will take place on **Wednesday, the 6th day of May 2015**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present.

DATED: April 6, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 3/25/2015

Parcel ID: 74.19-1-21

Owner Information

Sirchia, Anthony

Applicant Information

Sirchia, Anthony

Sirchia, Sandra Broas

106 Millertown Rd

Bedford

NY

10506

Location: 106 Millertown Rd

Parcel ID: 74.19-1-21

Permit Type: Additions & Alterations

Work Description: Additions and alterations to an existing residence including adding a two car garage addition located off the right side of the house utilizing the existing blacktop driveway.

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-1A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The addition of a 2-car garage to the existing residence will result in a side yard setback of 25 feet where 30 feet is required in the Residential 1 Acre Zoning District in accordance with Article V Section 125-50 and will require a variance from the Board of Appeals.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Steven Fraietta

Building Inspector



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: ANTHONY & SANDRA SIRCHIA

Address: 106 MILLERTOWN ROAD, BEDFORD, NY 10506

Telephone/Email: 914-205-3128 914-481-2727
ANTHONY SIRCHIA@aol.com SBROAD@aol.com

2. Name of Applicant, if other than Owner: THE HELMES GROUP, LLP

Address: 184 KATONAH AVENUE, KATONAH, NY 10530

Telephone/Email: 914-232-4633/SCH@THEHELMESGROUP.COM

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):

THE HELMES GROUP, LLP ARCHITECT

Address: 184 KATONAH AVENUE, KATONAH, NY 10530

Telephone/Email: 914-232-4633/SCH@THEHELMESGROUP.COM

4. Identification Property:

Street Address: 106 MILLERTOWN ROAD

Tax ID: 74.19/1/21 Zoning District: R-1A Total Land Area: 42,145 sf

Age of the Building 1970

Is the property located in a designated Historic District? NO

% of Building Coverage: 7.13% % of Impervious Surface 13.15%

Property Abuts a State or County highway, parkway, thruway or park: Yes No

Property is within 500 feet of the boundary of the Town of Bedford: Yes: No:

Property is on the WEST side of MILLERTOWN within the unincorporated area of the Town of Bedford.

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MAR 25 2015

BEDFORD ZONING
BOARD OF APPEALS

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: V Section: 125-50

To Permit:

ADDITIONS & ALTERATIONS TO EXISTING RESIDENCE
INCLUDING ADDING A TWO-CAR GARAGE ADDITION
LOCATED OFF THE RIGHT SIDE OF HOUSE UTILIZING
EXISTING BLACKTOP DRIVEWAY. AS A RESULT, THE
GARAGE ENCRDACHES INTO THE NORTH BUILDING YARD
SETBACK BY 5'-0", WHICH WILL BE 25'-0" FROM NORTH
PROPERTY LINE AS INDICATED ON SITE PLAN DRAWING.

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential: \$350.00 ✓

Commercial: \$550.00

**REFER TO AUTHORIZATION LETTER
HEREBY ATTACHED**

Signature of Owner

3/21/15

Date



3/24/15

Date

Signature of Applicant
STEVEN C. HELMES, AIA

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MAR 25 2015

BEDFORD ZONING
BOARD OF APPEALS

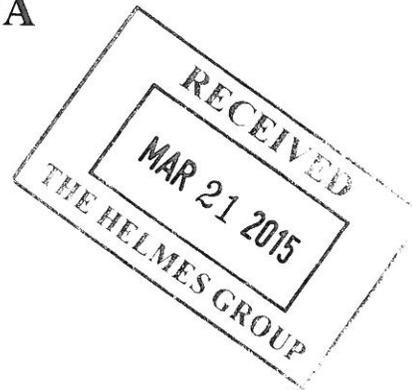
ANTHONY & SANDRA SIRCHIA
106 Millertown Road
Bedford, NY 10506

(914) 205-3128

(914) 481-2727

anthonysirchia@aol.com

sbroas@aol.com



March 21, 2015

Town of Bedford Building Department
Attn: Steven Fraietta, Building Inspector
425 Cherry Street
Bedford Hills, NY 10507

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BEDFORD ZONING
BOARD OF APPEALS

**Project: Additions & Alterations to Existing Residence
for Mr. & Mrs. Anthony Sirchia
106 Millertown Road, Bedford
Section 74.19, Block 1, Lot 21, R-1A Zone District**

Subject: 'Authorization Letter'

Dear Mr. Fraietta:

We, Anthony and Sandra Sirchia, Owners of the above subject property, hereby authorize Steven C. Helmes, AIA, of The Helmes Group, LLP, Architects, to act as Owner's agent for filing all applications as required, for obtaining a variance from the Town of Bedford Zoning Board of Appeals, ZBA and a Building Permit from the Town of Bedford Building Department regarding the proposed additions and alterations to our existing residence.

Very truly yours,

A handwritten signature in black ink, appearing to be "AS" or similar initials, written over the typed name.

Anthony & Sandra Sirchia

Owners



THE HELMES GROUP, LLP

ARCHITECTURE • ENGINEERING
PROJECT MANAGEMENT

Hand Delivered

March 24, 2015

Peter Michaelis, Chairman & Members of the
Town of Bedford Zoning Board of Appeals
425 Cherry Street
Bedford Hills, NY 10507

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MAR 25 2015

BEDFORD ZONING
BOARD OF APPEALS

Project: Proposed Additions & Alterations to Existing Residence
For Anthony & Sandra Sirchia, Owners
106 Millertown Road, Bedford, NY 10506
Section 74.19, Block 1, Lot 21, R-1A Zone District

Dear Mr. Michaelis & Members of the Board:

On behalf of our client, Anthony and Sandra Sirchia, Owners, and as required by the Building Department, we are making this submission to the Zoning Board of Appeals, (ZBA), requesting a variance of the Town of Bedford Zoning Ordinance to permit the construction of a two-car garage addition to an existing residence as indicated on our Preliminary Design Drawings dated 3/16/15, as prepared by The Helmes Group, LLP, Architects.

The applicants request a side yard variance of the Town of Bedford Zoning Ordinance to permit the construction of a two-car garage addition located off the right (north) side of the existing residence resulting in a side yard setback of 25 feet where 30 feet is required for property located in the Residential R-1A Acre Zoning District. *Article V Section 125-50.*

Please note the building coverage and impervious surface calculations comply with Zoning District Regulations as noted on Site Plan Drawing. If the variance is granted, we believe there will be no undesirable change in the character of the neighborhood and the proposed additions and alterations would help improve the overall appearance of the existing house and will not be detrimental to any of the adjoining property owners.

Since, the square feet being added to existing house exceeds 1,000 SF of heated living space including first and second floor level additions this project will require filing and obtaining approvals from the Westchester County Health Department, WCHD, which can be stated as a condition in the ZBA Resolution - if the side yard variance is granted by the Zoning Board of Appeals, ZBA Members.

Please note, the Sirchia's are currently working with Kellard Sessions Consulting Engineers who have already tested the site / property for the required new septic system as a result of the square feet being added, which needs to meet today's current code requirements / guidelines regarding size of septic tank, leaching fields and clearance distances, etc., for the four-bedroom dwelling.

In accordance with Vincenzo Federici, CPESC, Engineer with Kellard Session's office and after reviewing the existing and proposed site plan / survey and Preliminary Design Drawings including floor plans and exterior elevations, their office needs as much land area as they can obtain for designing the new septic system layout, which is to be located off the south and east sides of the existing house that unfortunately, consists of some ledge and rock out-cropping; thus, limiting the usable septic area on property.

Therefore, as a result of the proposed overall building length including portico / balcony, house, additions the proposed attached two-car garage addition will need to encroach 5'-0" into the right (north) side building yard setback to accommodate the new septic system on site as noted above.

Accordingly, enclosed herewith please find the following attachments:

- Application for Building Permit - (1 original & 5 copies)
- Application for a Variance - (1 original & 5 copies)
- Check #1273 in the amount of \$350 made payable to the "Town of Bedford", covering the ZBA Filing Fee - (6 copies)
- Check #22518 in the amount of \$75 made payable to the "Town of Bedford", covering Building Permit Application Filing Fee - (6 copies)
- Architectural Drawing #1 of Site Plan / Survey and Preliminary Design Drawings including Proposed Floor Plans and Front (East) Elevation Drawing & Reference Photographs - dated 3/23/15, as prepared by The Helmes Group, LLP - Architects - (6 copies)
- Authorization Letter, dated 3/21/15, allowing The Helmes Group, LLP to act as Owner's Architect & Agent - (6 copies)
- List and Map of surrounding property Owners within 500 feet, including Section, Block, Lot, Name and Address of each property Owner - *To be submitted under separate cover.*

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BEDFORD ZONING
BOARD OF APPEALS

It is my understanding that we will be scheduled to appear before the Zoning Board of Appeals, ZBA on Wednesday, May 6, 2015 at 7:30 p.m. and look forward to presenting this application in order to obtain the required variance to allow the proposed additions and alterations to the existing residence be constructed as indicated on Site Plan and Preliminary Design Drawings.

I trust that the above information is in order; however, should you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

THE HELMES GROUP, LLP



Steven C. Helmes, AIA
Architect

SCH:KA Encl.

cc: Anthony & Sandra Sirchia, Owners

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MAR 25 2015
BEDFORD ZONING
BOARD OF APPEALS

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Nancy Herbst Trust**
68 Brundage Ridge Road
Bedford, NY 10506

for a variance of the Town of Bedford Zoning Ordinance to permit:

(1) The legalization of an existing 2-car garage (20 x 30) and deck resulting in a front yard setback of 30 feet where 50 feet is required in the Residential 2 Acre Zoning District; and the legalization of an existing low deck resulting in a side yard setback of 35 feet where 40 feet is required in the Residential 2 Acre Zoning District.

Requiring variances of Article V Section 125-50 and Article III Section 125-11 for property located on:

68 Brundage Ridge Road
Bedford, NY 10506

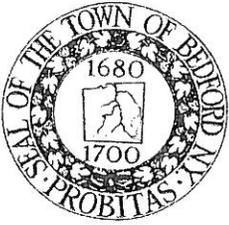
designated as Section 95.7 Block 1 Lot 23 on the Tax Maps of the Town of Bedford in a Residential 2-Acre Zoning District. Said hearing will take place on **Wednesday, the 6th day of May 2015**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present.

DATED: April 6, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 3/27/2015

Parcel ID: 95.7-1-23

Owner Information

Herbst Trust, Nancy

Applicant Information

Herbst Trust, Nancy

68 Brundage Ridge Rd

Bedford NY 10506

Location: 68 Brundage Ridge Rd

Parcel ID: 95.7-1-23

Permit Type: Additions & Alterations

Work Description: Legalization of existing 2-car garage (20 x 20); rear wood deck, railing with stair; and low deck off of living room

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-2A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The existing 2-car garage has a front yard setback of 30 feet where 50 feet is required and the existing low deck has a side yard setback of 35 feet where 40 feet is required in the Residential 2-Acre Zoning District. A variance of the Board of Appeals is required in accordance with Article V Section 125-50 and Article III Section 125-11

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Steven Fraietta

Building Inspector



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

pd
du#
2698
Receipt
2382

APPLICATION FOR A VARIANCE

1. Name of Owner: Nancy Herbst

Address: 68 Brundage Ridge Rd Bedford

Telephone/Email: 234 9764 Teachnycy@optonline.net

2. Name of Applicant, if other than Owner: SAME

Address: SAME

Telephone/Email: SAME

3. Name of Professional (New York State Licensed Architect, ~~Engineer, Land Surveyor, Landscape Architect~~):
John Whalen, RA

Address: 61 North St, Katonah, 10536

Telephone/Email: 914-232-4732 JW PENINKY@AOL.COM

4. Identification Property:

Street Address: 68 BRUNDAGE RIDGE ROAD, BEDFORD, NY 10506

Tax ID: 95.7-1-23 Zoning District: R-2A Total Land Area: 2.003 Acres

Age of the Building 1979

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Is the property located in a designated Historic District? NO BEDFORD ZONING BOARD OF APPEALS

% of Building Coverage: 1.8% OK (6% allowed) R2A % of Impervious Surface: .8% OK (14% allowed) R2A

Property Abuts a State or County highway, parkway, thruway or park: Yes (No) ✓

Property is within 500 feet of the boundary of the Town of Bedford: Yes: (No) ✓

Property is on the South side of BRUNDAGE RIDGE ROAD within the unincorporated area of the Town of Bedford.

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: III Section: 125-11

To Permit:

✓
 125-50
 • THE EXISTING 2 CAR GARAGE WITH A SIDE SETBACK OF 30'-0" WHERE A SETBACK OF 50' IS REQUIRED.

• THE EXISTING SIDE DECK (16'-2" X 19'-6") WITH A SIDE SET BACK OF 35'-0" WHERE A SETBACK OF 40' IS REQUIRED.

• THE EXISTING REAR DECK BEHIND GARAGE & HOUSE WITH A REAR SETBACK OF 94'-0" WHERE A 50' SETBACK IS REQUIRED COMPLIES

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00

Commercial:

\$550.00

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MAR 27 2015

BEDFORD ZONING BOARD OF APPEALS

Nancy Hebert
 Signature of Owner

Date

Whalen, R.A. Architect
 Signature of Applicant

March 30, 2015
 Date

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Elizabeth H. Messinger**
189 Pound Ridge Road
Bedford, NY 10506

for a variance of the Town of Bedford Zoning Ordinance to permit:

The legalization of a ground floor accessory cottage (studio apartment) in an existing accessory building with 2-car garage located in a Residential 1-Acre Zoning District where cottages are permitted in Residential 2-Acre Zoning Districts and Residential 4-Acre Zoning Districts only. The gross floor area of the accessory cottage is 548.5 square feet, which exceeds 25% of the total floor area of the principal residence. The existing accessory building is located on a pre-existing, non-conforming lot consisting of .849 acres where 1 acre is required in the Residential 1 Acre Zoning District. This being a variance of Article VIII Section 125-79.1(A) for property owned by the applicant and located on:

189 Pound Ridge Road
Bedford, New York 10506

designated as Section 84.12 Block 2 Lot 7 on the Tax Maps of the Town of Bedford in a R-1 Acre Zoning District. Said hearing will take place on **Wednesday, the 6th day of May 2015** at the Town House Offices at 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicant or his representative must be present.

DATED: April 14, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; Fax: 914-666-2026
acostello@bedfordny.gov
www.bedfordny.gov



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

\$350 pd
out # 2240
Receipt 2386

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APR 6 2015

BEDFORD ZONING
BOARD OF APPEALS

APPLICATION FOR A VARIANCE

- Name of Owner: Elizabeth Messinger
Address: 189 Pound Ridge Road Bedford NY 10506
Telephone/Email: 914/234-2442; 914/980-0059 ehjmessinger@gmail.com
- Name of Applicant, if other than Owner: _____
Address: _____
Telephone/Email: _____
- Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Peter Dusenberry Architecture, PC
Address: 43 Bedford Road Pound Ridge, NY 10576
Telephone/Email: 914/806-2992; 203/629-0096 peterduse@gmail.com
- Identification Property:
Street Address: 189 Pound Ridge Road Bedford, NY 10506
Tax ID: Lot 7, Blk 2, Sa 8412 Zoning District: R-1A Total Land Area: .849 acres
Age of the Building > 75 yrs
Is the property located in a designated Historic District? No
% of Building Coverage: 5.7 % of Impervious Surface 1950.7/33,959' sq.
Property Abuts a State or County highway, parkway, thruway or park: Yes No _____
Property is within 500 feet of the boundary of the Town of Bedford: Yes: _____ No:
Property is on the _____ side of _____ within the unincorporated area of the Town of Bedford.

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: 125-79.1 Section: Part A, sub P's 1-10

To Permit:

Approval of Special Use Permit for pre-existing
accessory cottage.

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APR 6 2015

BEDFORD ZONING
BOARD OF APPEALS

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00 ✓

Commercial:

\$550.00


Signature of Owner

3 April 2015
Date


Signature of Applicant

Date

PETER DUSENBERRY ARCHITECTURE, P.C.

43 Bedford Road Pound Ridge, NY 10576

peteduse@gmail.com

December 12, 2014

Westchester County Department of Health
25 Moore Avenue,
Mount Kisco, New York 10549

RE: 189 Pound Ridge Rd, Bedford NY

To Whom It May Concern,

I am writing to address your concerns regarding the number of bedrooms contained within the above referenced property.

As you know, the property is a single family residence, served by a well and private septic system. From the available records, it is unclear exactly when the house was originally built, but it is clear that it was built prior to the time the County started keeping septic records. It is my understanding from the homeowner that the tax records for the property list the house as a three bedroom home, and it has apparently been taxed as such since it was constructed. Early tax records clearly show a room count of six, but the current house configuration has only five rooms.

The current configuration includes only two bedrooms; one bedroom is approximately eleven feet by nine feet in size. The other bedroom is significantly larger, eleven feet by twenty two feet.

There is physical evidence that the large bedroom was originally divided into two separate rooms of eleven feet by eleven feet each in size. The evidence is in the form of patches in the wall and ceiling plaster as well as the baseboard trims. The original flooring remains in all rooms except for the large bedroom, most likely because too much patching was required (with the closet walls) and it was easier to replace the entire floor in this room. There is also evidence in the wall of the large bedroom that a second door once existed. The large bedroom currently has a built-in closet, but it is constructed of much newer materials and was probably added when the original demising wall was removed.

Because of this evidence, as well as the layout of the house, it is my opinion that the house was most likely built with three bedrooms.

Please contact me if you have any additional questions. Thank you very much.

Peter Dusenberry



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APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS

189 Pound Ridge Road, Bedford NY

PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK

Resolution No. 15/04
DENIAL of Special Use Permit - Cottage

Elizabeth Messinger

WHEREAS, an application dated February 3, 2015 was received from Elizabeth Messinger, 189 Pound Ridge Road, Bedford, New York, for approval of an existing cottage, affecting property located at 189 Pound Ridge Road, Bedford, New York, shown and designated on Town Tax Maps as Section 84.12 Block 2 Lot 7, in the Residential One Acre District, and

WHEREAS, the Planning Board finds that the proposal does not meet the standards for approval as specified in the Town Code as follows:

1. The proposal does not meet the requirements of Article VIII Section 125-79.1.A – In the R-2a and R-4A districts, the Planning board may grant a special permit to create a cottage in an existing accessory building.
2. The proposal does not meet the requirement of Article VIII Section 125.79.1.A (5) – the lot must meet the lot area, yard and coverage requirements for the zoning district in which it is located.
3. The proposal does not meet the requirement of Article VIII Section 125-79.1A (7) – the cottage shall contain at least 400 square feet and not more than 800 square feet of gross floor area, but shall not exceed 25% of the total floor area of the principal residence structure.

5/28/15
GMB-2

NOW THEREFORE BE IT RESOLVED that the request for approval of the special use permit is hereby denied.

ADOPTED: 3/10/15

DATED: _____

The foregoing resolution is certified to be a true copy of the resolution, which was approved on March 10, 2015 by the Planning Board of the Town of Bedford that was filed in the Office of the Clerk of the Town of Bedford on _____.

Anne Paglia, Secretary
Town of Bedford Planning Board

Elizabeth Messinger
189 Pound Ridge Road
Bedford, NY 10506

April 1, 2015

Town of Bedford
Zoning Board
425 Cherry Street
Bedford Hills, NY 10507

Att'n: Alexandra J. Costello, Secretary, and Peter Michaelis, Chairman

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APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS

Variance Application to Support a Special Use Permit

With respect to the above referenced property, submitted herein is my application for a Variance to allow a Special Use Permit for a pre-existing accessory cottage. In compliance with Article 125-79.1 of the Town Code regarding separate cottages, please note the following conditions pertaining to Paragraph A, sub-paragraphs 1-10 for this property, which is located in an R-1A zone.

- (1) Records on file vary regarding this property. The pre-existing structure of the main house dates from at least 1940, when records from the Tax Assessor's office note the property as "remodeled" in that year. That same document evaluates the age of the property at that time as "old," which the Tax Assessor's office says reflects a building deemed to have been built approximately one hundred years prior.

Regarding the pre-existing accessory cottage, Town documents record the addition of a "Loft" added to the structure on 8-29-1973. There is also a computer entry for Building Permit (# 770574) to generate a Certificate of Occupancy for the structure in 1976. Further, the Town of Bedford issued a Certificate of Compliance (#000945) to Frank and Margaret Pappalardo in May of 1981 for a "Detached garage." Finally, Town records dated 11-30-1983 note, "Owner is renovating the house and the garage. Inspected and revalued."

As current Owner, I acquired this property in 2003, at which time the pre-existing accessory cottage was in use as guest quarters.

- (2) The pre-existing cottage floor area pre-dates 7/25/1989.
- (3) As Owner, I occupy the principal residence on this property with my son.
- (4) The cottage is the sole additional residence on this property.
- (5) The entire property complies with zoning requirements regarding setbacks, lot coverage, building height, etc. Lot size, however, is less than one acre (.849 acres). *
- (6) The number of off-street parking spaces on this property amply exceeds the two-car minimum, and the property currently is well screened from both roads and neighboring properties.

- (7) The accessory cottage comprises 548.5 sq. ft. of space, within the required criteria. The main house comprises 946.2 sq. ft. of habitable space, so the accessory cottage is approximately 56%. Considering the deck as part of building coverage, however, it should also be considered as part of the main house for the house/cottage ratio, which results in a ratio of 38%. *
- (8) Please refer to architectural drawings included for site plan and other relevant information, including prior approvals granted.
- (9) Approval of septic system was received from the Westchester County Department of Health on December 19, 2014.
- (10) According to preliminary review by Building inspector, the existing structure requires a two-hour-rated firewall between the existing rooms and the storage area. Certification of electrical and plumbing systems is also pending, awaiting further action from appropriate Town Boards.

* With regard to items 5 and 7 above, I request the Zoning Board's consideration of the accessory cottage recently approved on the property at 17 Washington Avenue in Bedford. In that instance, a two-bedroom cottage, complete with full kitchen and bathroom, was approved on a 14,500' sq. (approximately 1/3 acre) plot within a 1/4 acre zone. Given the similarities between that structure and the more modest structure at 189 Pound Ridge Road, I suggest that the Town has already established a comparable precedent for approval of the pre-existing accessory cottage proposed for Variance herein.

Moreover, Section 125 of the Zoning Code provides for the Board of Appeals to grant Variances "to vary or modify the application of any of the regulations or provision of this chapter relating to the use, construction or alteration of buildings or structures or the use of the land, so that the spirit of the chapter shall be observed...in instances where "applicable zoning regulations and restrictions have caused unnecessary hardship."

Use of the accessory cottage as guest quarters has enabled me to support a life with son in Bedford, while also providing affordable housing in a town with little stock of same. Without the income provided by a guest living in the accessory cottage, I simply cannot afford to keep our house. The building has existed as it is for nearly 35 years and is consistent with the essential character of the neighborhood. With all information in hand, including the precedent-establishing property at 17 Washington Avenue, surely the Board can agree that denying approval of this application poses undue hardship, while granting its approval upholds the spirit of the chapter.

With appreciation for your compassionate consideration, application is hereby submitted.

Signed Respectfully,



Elizabeth H.J. Messinger

(relevant documents attached)

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APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS









PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **C R Wallauer & Co. Inc.**
dba Wallauer's
655 Bedford Road
Bedford Hills, NY 10507

for a variance of the Town of Bedford Zoning Ordinance to permit:

The construction of a 238 square foot one-story addition at the southwest side of an existing one-story commercial building resulting in an increase in building coverage to 38.5% where 20% maximum building coverage is permitted and where the existing building coverage is existing, non-conforming at 37.1%; and to permit the use of 20 existing parking spaces where 35 parking spaces are required in the RB Zoning District.

For property owned by **C R Wallauer & Co Inc.** and located on:

655 Bedford Road
Bedford Hills, New York 10507

designated as Section 71.8 Block 2 Lot 21 on the Tax Map of the Town of Bedford in an RB Zoning District.

Said hearing will take place on **Wednesday, the 6th day of May 2015** at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York at **7:30 p.m.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicant or his representative must be present.

DATED: April 15, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello - Secretary
Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov



Pa \$550
ca # 2366
12-4-14
Receipt
2362

ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: ROBERT JUNCAN / CR WALLAVER & CO
Address: 655 N Bedford Rd.
Telephone/Email: 914 241 1666 / george@wallaver.com

2. Name of Applicant, if other than Owner: GEORGE TETRE
Address: 30 VIRGINIA RD., NORTH WHITE PLAINS
Telephone/Email: 914 948 4000 / GEORGE@wallaver.com

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Susan M. Riordan AIA Architect
Address: 127 Main Street, OSSINING NY 10562
Telephone/Email: 914-923-0498 smrarch@aol.com

4. Identification Property:
Street Address: 655 North Bedford Rd
Tax ID: _____ Zoning District: _____ Total Land Area: 18,026

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BEDFORD ZONING
BOARD OF APPEALS

Age of the Building 30 yrs
Is the property located in a designated Historic District? No
% of Building Coverage: 30.6% % of Impervious Surface 77.4%
Property Abuts a State or County highway, parkway, thruway or park: Yes _____ No
Property is within 500 feet of the boundary of the Town of Bedford: Yes: _____ No:
Property is on the _____ side of _____ within the unincorporated area of the Town of Bedford.

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: 125-129 Section: (2)(b)

To Permit:

AREA VARIANCE to permit a 20'0" x 8'6" one story addition
to existing structure. A 238 square foot addition for a hallway.
Imperious Surface coverage will be 77.4%
Building coverage will be 38.6%

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00

Commercial:

\$550.00

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DEC 4 2014

BEDFORD ZONING
BOARD OF APPEALS

Date

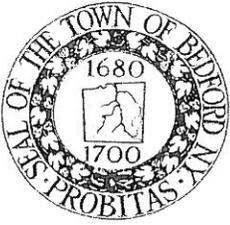
6/20/14

[Signature]
Signature of Owner

[Signature]
Signature of Applicant

06/13/14
Date

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 2/17/2015

Parcel ID: 71.8-2-21

Owner Information

C R Wallauer & Co Inc

Applicant Information

C R Wallauer & Co Inc
30 Virginia Rd

North White Plains NY 10603220

Location: 655-665 Bedford Rd

Parcel ID: 71.8-2-21

Permit Type: Commercial Renovation

Work Description: Construction of a one story, 238 square foot addition at the rear of an existing one story stucture.

Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in RB Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The proposed construction will require site plan review by the Planning Board and will result in building coverage of 38.5% where 20% is permitted where the existing building coverage is 37.1%; impervious coverage of 85% where the 80% is permitted where the existing coverage of 85% is non-conforming-Article V Section 125-50; and a variance to permit 20 parking spaces where 35 spaces are required.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

Steven Fraietta

Building Inspector



PAINTS · WALLCOVERING · WINDOW TREATMENTS · IN-HOME DECORATING

Corporate Headquarters
30 VIRGINIA ROAD · WHITE PLAINS · NEW YORK 10603
914-948-4000 · FAX 914-948-0390 · www.wallaver.com

To: Mr. Jeff Osterman , Planner at town of Bedford Hills

BEDFORD HILLS
355 N. Bedford Rd
914-241-3646
FAX 914-241-3045

Dear Mr. Osterman ,

CARMEL
1855 Route 6
845-225-6613
FAX 845-225-6610

This letter is to respond to your questions in regards to our Store located at
655 North Bedford Road, Bedford Hills , NY 10507

MANCHESTER
217 Route 7
845-621-4131
Fax 845-621-1120

The reason for the extension is to create a hallway between the two buildings
which we own for an easy customer flow .

ROCKY HILL
1000 Main Ave
East Main St
914-328-6811
FAX 914-328-3458

Should you have any questions or concerns please do not hesitate to contact me
at: 914.948.400 ext 830 .

DESIGNER
3000 Woodlawn Cir
914-948-1581
FAX 914-762-1114

Truly Yours,

George Petre , Corporate Controller

PORT CHESTER
143 North Main St
914-939-7600
FAX 914-939-0046

G. Petre 06/20/14

SLIPSDALE
836 Post Road
914-723-4811
FAX 914-713-1071

N. WHITE PLAINS
30 Virginia Road
914-948-4000
FAX 914-948-0390

ROCKY HILL
521 Trumbull Rd
914-773-6797
FAX 914-773-3804

TOWN HILL
13603 Comstock St
914-366-3000
FAX 914-366-3000

BOARD OF APPEALS
Town of Bedford
Westchester County, New York
Resolution # 5-92 three

FRANK VERALLI - WALLAUER, INC.

WHEREAS, application has been made pursuant to Section 125-15 of the Code of the Town of Bedford, to permit the installation of a 10 foot fence on a portion of the property. Premises being known and designated on the tax map of the Town of Bedford as Section 7A, Lot 25-5, and shown on the survey of property submitted on April 2, 1992, and

WHEREAS, a public hearing was held on May 6, 1992 on this application, at which time all those present wishing to be heard were given the opportunity to be heard, and

WHEREAS, members of the Board of Appeals have inspected the site, and

WHEREAS, the Board of Appeals has received substantial evidence as to the practical difficulty involved in the failure to grant the variance, and

WHEREAS, the granting of this variance would in no way change the nature of the neighborhood,

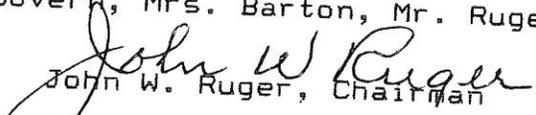
NOW, THEREFORE, on a motion by Mr. Ruger and seconded by Mr. McMillan, BE IT

RESOLVED, that the application for a variance be approved as submitted, but limiting the height to 8 feet.

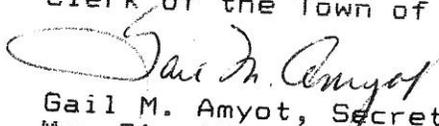
Vote taken on the foregoing motion was as follows: A "Yes" vote is to approve.

Ayes - Mr. McMillan, Mr. McGovern, Mrs. Barton, Mr. Ruger.

Nays - None


John W. Ruger, Chairman

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on


Gail M. Amyot, Secretary
May 21, 1992

- 1107 -
BOARD OF APPEALS
TOWN OF BEDFORD
Westchester County, New York

RESOLUTION NUMBER TWO

WHEREAS, EMMA M. BROOKS of Green Lane, Mount Kisco, New York, filed on May 16, 1966 an application for a Special Use Permit pursuant to Article IV, Section 5, Paragraph E, of the Town of Bedford Zoning Ordinance of 1945, for the operation and maintenance of an automobile and motorcycle salesrooms and shops for servicing and repair of automobiles and motorcycles and auto body repairs in the building on premises owned by her, located at 655 North Bedford Road (Route 117), Bedford Hills, New York, designated as Section 7A, Lot 25-5 on the Tax Assessment Map of the Town of Bedford in a Central Business "CB" District, and

WHEREAS, -publication of notice of the public hearing was made on May 26, 1966 and proof of publication of said notice and proof of service of said notice on the Westchester County Planning Board has been submitted to the Board, and

WHEREAS, the required written consents of the owners of record of 80% of the frontage on both sides of Route 117 within 1,000 feet of the property measured along said road frontage and all land within a radius of 250 feet have been filed with the Board, and

WHEREAS, the said application has come on to be heard on June 1, 1966, and

WHEREAS, Members of the Board of Appeals have inspected the premises, and

WHEREAS, the Board has reviewed the hardships and difficulties or other facts as alleged by the applicant and finds that the following permit observes the spirit of the Ordinance,

RESOLVED, that the application herein is granted pursuant to Article I, Section 5,

THE SPECIAL PERMIT and APPROVAL

The applicant is permitted to operate and maintain an automobile and motorcycle salesrooms and shops for servicing and repair of automobiles and motorcycles and auto body repairs in the building owned by her located at 655 North Bedford Road (Route 117), Bedford Hills, New York and designated as Section 7A, Lot 25-5 on the Tax Assessment Map of the Town of Bedford, all in accordance with the plat plan submitted with the application.

Dated: June 1, 1966

William F. Moore, Chairman

BOARD OF APPEALS
TOWN OF BEDFORD
Westchester County, New York

RESOLUTION NUMBER THREE

WHEREAS, EDNA M. BROOKS of Green Lane, Bedford Hills, New York, filed on September 18, 1962 an application for a permit, pursuant to the provisions of Article IV, Section 5, Paragraph E, of the Zoning Ordinance of the Town of Bedford, to permit an automobile repair shop in the building on premises owned by her located at 655 North Bedford Road (Route 117), Bedford Hills, New York, designated as Section 7A, Lot 25-5 and 5A, on the Tax Assessment Map, and

WHEREAS, publication of notice of public hearing was made on September 27, 1962 and proof of publication of said notice and proof of service of said notice on the Westchester County Planning Board has been submitted to the Board, and

WHEREAS, the required written consents of the owners of record of 80% of the frontage on both sides of Route 117 within 1000 feet of the property measured along said road frontage and all land within a radius of 250 feet have been filed with the Board, and

WHEREAS, the said application has come on to be heard on October 4, 1962, and

WHEREAS, the Board has reviewed the hardships and difficulties or other facts as alleged by the applicant and finds that the following permit observes the spirit of the Ordinance,

RESOLVED, that the application herein is granted pursuant to Article I, Section 5.

THE PERMIT

The applicant is permitted to lease a portion of the building owned by her located at 655 North Bedford Road (Route 117) Bedford Hills, New York, designated as Section 7A, Lot 25-5 and 5A, on the Tax Assessment Map, for the purposes of an automobile repair shop, all in accordance with the plot plan submitted with the application.

Dated: October 4, 1962.

The foregoing is certified to be a true copy
of a resolution of the Board of Appeals of the Town
of Bedford.

De Forest Hibbard
Chairman

Conrad P. Barrett
Secretary.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **C R Wallauer & Co. Inc.**
dba Wallauer's
655 Bedford Road
Bedford Hills, NY 10507

for a variance of the Town of Bedford Zoning Ordinance to permit:

1. The installation of two wall signs and one free-standing sign resulting in a total of three signs where two signs are permitted. 125 Attachment 1:3.
2. A wall sign where the height of the word "ACE" is 19 inches where 12 inches is permitted when the wall upon which it is affixed is less than 100 feet from the center line of the nearest road. Article XI 125-120 B. (1).
3. A free-standing sign located one foot from the front property line where ten feet is required in the RB Zoning District and where the height of the word "ACE" is 24 inches where 12 inches is permitted. Article XI 125-120.

For property owned by **C R Wallauer & Co Inc.** and located on:

655 Bedford Road
Bedford Hills, New York 10507

designated as Section 71.8 Block 2 Lot 21 on the Tax Map of the Town of Bedford in an RB Zoning District.

Said hearing will take place on **Wednesday, the 6th day of May 2015** at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York at **7:30 p.m.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicant or his representative must be present.

DATED: April 15, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello - Secretary
Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

PUBLIC NOTICE

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Request of: **C R Wallauer & Co. Inc.**
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For property owned by **C R Wallauer & Co Inc.** and located on:

655 Bedford Road
Bedford Hills, New York 10507

designated as Section 71.8 Block 2 Lot 21 on the Tax Map of the Town of Bedford in an RB Zoning District.

Said hearing will take place on **Wednesday, the 6th day of May 2015** at the Town House Offices, 2nd

Floor, 425 Cherry Street, Bedford Hills, New York at **7:30 p.m.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicant or his representative must be present.

DATED: April 15, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:

Alexandra J. Costello - Secretary
Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

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MAR 6 2015
BEDFORD ZONING
BOARD OF APPEALS



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ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

1. Name of Owner: Wallaver

Address: 655 North Bedford Rd

Telephone/Email: _____

2. Name of Applicant, if other than Owner: Mark Peterson/George Petri

Address: 30 Virginia Rd, N. White Plains, NY 10603

Telephone/Email: (914) 948-4000 / markp@wallaver.com

3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):

Susan M. Riordan AIA Architect

Address: 10 Calam Ave, Ossining NY 10582

Telephone/Email: 914-923-0498 / smriordn@aia.com

4. Identification Property:

Street Address: 655 North Bedford Rd.

Tax ID: _____ Zoning District: RB Total Land Area: 18,026

Age of the Building 80 years

Is the property located in a designated Historic District? No

% of Building Coverage: 38.6% % of Impervious Surface 71.4%

Property Abuts a State or County highway, parkway, thruway or park: Yes No _____

Property is within 500 feet of the boundary of the Town of Bedford: Yes: _____ No:

Property is on the _____ side of _____ within the unincorporated area of the Town of Bedford.

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Page 2

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MAR 6 2015

BEDFORD ZONING
BOARD OF APPEALS

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: _____ Section: _____

To Permit:

Signs

① wall sign "19" "ACE" where 12" is permitted

② Pylon sign "24" high "Ace" where 12" is permitted

③ Pylon sign located 14' from property line where 10' is permitted

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00

Commercial:

\$550.00

Debra A. Duncan

Signature of Owner

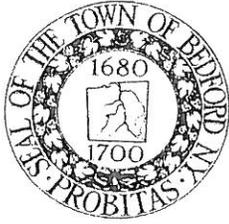
G. Peter

03/06/2015
Date

G. Peter
Signature of Applicant

03/06/2015
Date

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 2/17/2015

Parcel ID: 71.8-2-21

Owner Information

C R Wallauer & Co Inc

Applicant Information

C R Wallauer & Co Inc
30 Virginia Rd

North White Plains NY 10603220

Location: 655-665 Bedford Rd

Parcel ID: 71.8-2-21

Permit Type: Sign

Work Description: Signage for "ACE Hardware"

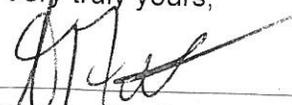
Dear Resident,

Regarding the application for a Sign Permit on the property referenced above, the following facts are noted. This property is located in RB Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The addition of a free-standing sign for "Wallauer's & Ace Hardware" will result in a total of 6 signs on the building where 3 signs are permitted (Article XI, Section 125-120 B. and 125 Attachment 1 Schedule of Permitted Signs) in accordance with variance granted #4-77 Two. The free-standing sign will require a variance due to its location which is less than 10 feet from the front property and the "ACE" letter height is 24 inches where 12 inches is permitted when the sign is located less than 100 feet from the center line of Bedford Road and Edna Street (Article XI Section 125-120 B. (1).

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,


Steven Fraietta
Building Inspector

CERTIFICATION OF DECISION
OF THE
ZONING BOARD OF APPEALS
OF THE
TOWN OF BEDFORD

Meeting held at Town Hall, Town of Bedford on the 6th day of April 1977

MEMBERS PRESENT: Laurence S. Kennedy Jr., Acting Chairman, Donald M. McGrath, Martha E. Streeter, Theodore P. Hawryluk

MEMBERS ABSENT: Edward R. Weidlein, Jr.

NAME AND ADDRESS OF APPLICANT: ART LINOLEUM CO.
655 N. Bedford Rd., Bedford Hills, N.Y.

PROPERTY DESCRIPTION:

ZONING Central Business SECTION 7A LOT 5

Owned _____ Leased xx Contract-Vendee _____

Dated of Patent Trader Issue: February 24, 1977

Number of Property Owners Noticed: 37

RELIEF APPLIED FOR:

A variance of Article IV, Section 8 to permit the installation of a second sign measuring 4 ft. x 6 ft. to read "ARMSTRONG FLOORS" for business identification purposes.

APPEARANCES:

Mr. Havel for Petitioner

EXHIBITS:

Sketch of proposed sign

THE BOARD'S FINDING OF FACT:

Art Linoleum Co. is located to the rear of Wallauer Paint & Wallpaper and is therefore not easily visible from the main road, Route 117. A second sign is desirable for business identification.

ON MOTION DULY MADE AND SECONDED, Messrs. Kennedy, McGrath, Hawryluk and Mrs. Streeter in favor

IT WAS RESOLVED THAT:

A variance of Article IV, Section 8 is granted to permit the installation of a second sign measuring 4 ft. x 6 ft. with 12 inch letters to read "ARMSTONG FLOORS".

Dated: April 6, 1977

By Ed. R. Weidlein, Jr.
EDWARD R. WEIDLEIN, JR. CHAIRMAN

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on April 21, 1977.

Lisa B. Dickens
LISA B. DICKENS, SECRETARY

RESOLUTION 4-77 TWO

18205

CERTIFICATION OF DECISION
OF THE
ZONING BOARD OF APPEALS
OF THE
TOWN OF BEDFORD

Meeting held at Town Hall, Town of Bedford on the 6th day of April 1977.

MEMBERS PRESENT: Laurence S. Kennedy Jr., Acting Chairman, Donald M.

McGrath, Martha E. Streeter, Theodore P. Hawryluk

MEMBERS ABSENT: Edward R. Weidlein, Jr.

NAME AND ADDRESS OF APPLICANT: WALLAUER PAINT & WALLPAPER

655 N. Bedford Rd., Bedford Hills, N.Y.

PROPERTY DESCRIPTION:

ZONING Central Business SECTION 7A LOT 5

Owned xx Leased _____ Contract-Vendee _____

Dated of Patent Trader Issue: February 24, 1977

Number of Property Owners Noticed: 37

RELIEF APPLIED FOR:

A variance of Article IV, Section 8 for a second and third sign measuring 1' x 10' and 1' x 7' respectively for business identification purposes.

APPEARANCES:

Mr. Robert Duncan for Petitioner

EXHIBITS:

Sketch and rendering of proposed signs

THE BOARD'S FINDING OF FACT:

Mr. Duncan requested the proposed signs to indicate the address of the premises and the name. Due to the position of the building and the traffic flow on Route 117 on which the building faces Mr. Duncan stated that his customers would be better served with clearer identification.

ON MOTION DULY MADE AND SECONDED, Messrs. Kennedy, McGrath and Hawryluk and Mrs. Streeter in favor

IT WAS RESOLVED THAT:

A variance of Article IV, Section 8 is granted to permit the installation of a second and third sign measuring 1' x 10' and 1' x 7' to read "655" and "Wallauer" respectively, all with letters not in excess of 12 inches.

Dated: April 6, 1977

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on April 21, 1977.

Lisa B. Dickens
LISA B. DICKENS, SECRETARY

By E.R. Weidlein, Jr.
EDWARD R. WEIDLEIN, JR. CHAIRMAN



30" x 28' Plexi face

70 Sq Ft

5"

17"

10"

Wallaver's Design Center

WINDOW TREATMENTS
WALLCOVERING
IN HOME DESIGN

28'

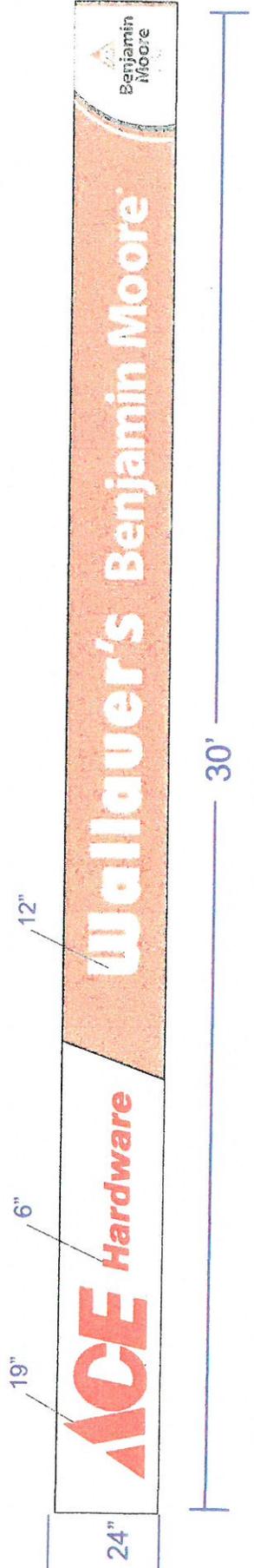
OK: More than 100' ft from the line of Rd



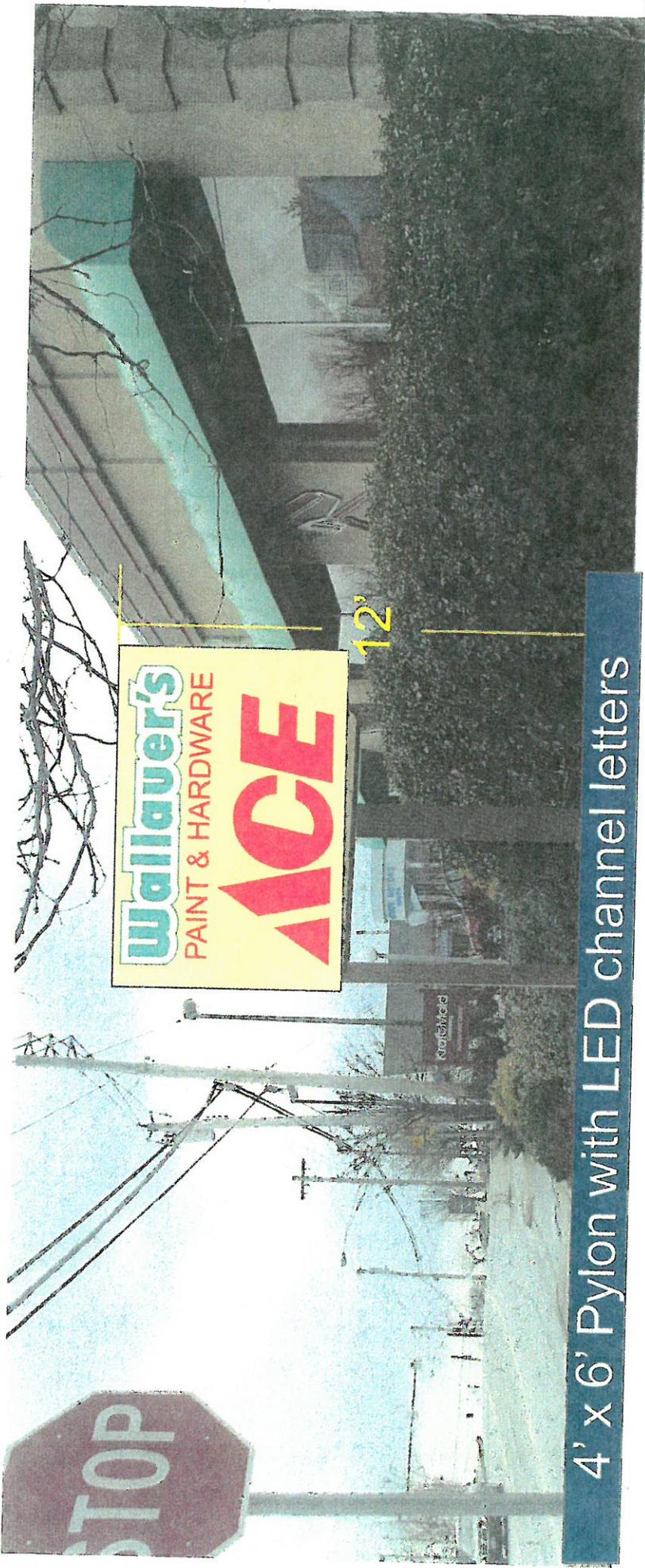


24" x 30' Plexi faces

60' Sq Ft



Variance Required for Letter Height of 19" where 12" Permitted



4' x 6' Pylon with LED channel letters



Submitted
to ZBA

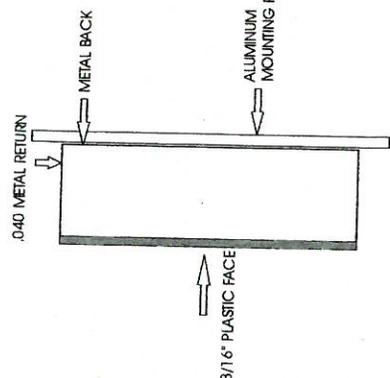


* On View @ Planning Board Meeting



12' TOP OF SIGN

4' x 6' LED Illuminated Channel Letters mounted to Aluminum Face



RECEIVED
APR 14 2015
BEDFORD PLANNING BOARD

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **Bedford Gourmet**
 460 Old Post Road
 Bedford, NY 10506

For a variance of the Town of Bedford Zoning Ordinance to permit:

1. The addition of a one new tenant sign on existing, non-conforming free-standing sign; the installation of a new free-standing sign; and signage on an awning resulting in a total of three signs for the tenant where two signs are permitted. Article XI Section 125-20 and 125 Attachment 1:2.
2. Signage on an awning where signage on awnings is prohibited, Article XI Section 125-122 H.

for property owned by **Bedford Village Plaza, Inc.** and located on

460 Old Post Road
Bedford, NY 10536

designated as Section 84.10 Block 1 Lot 26 on the Tax Map of the Town of Bedford in a PBR Zoning District. Said hearing will take place on **Wednesday, the 6th day of May 2015**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present.

DATED: April 15, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov



ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507

Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

RECEIVED
APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS

APPLICATION FOR A VARIANCE

- Name of Owner: Bedford Village Plaza Inc.
Address: 147 Rolling Hills Rd, Thornwood, NY 10549
Telephone/Email: 914-329-0312
- Name of Applicant, if other than Owner: Patrick Croke for Bedford Gourmet
Address: P.O. Box 758, Bedford, NY 10506
Telephone/Email: 914-234-6093 / Patrick@PMCArchitect.com
- Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Patrick M. Croke, Architect
Address: P.O. Box 758, Bedford, NY 10506
Telephone/Email: 914-234-6093 / Patrick@PMCArchitect.com
- Identification Property:
Street Address: 460 Old Post Rd., Bedford, NY
Tax ID: 84.10-1-26 Zoning District: PBR Total Land Area: 1 acre ±
Age of the Building 1987 ±
Is the property located in a designated Historic District? NO
% of Building Coverage: No change % of Impervious Surface Reduced by 177 SF.
Property Abuts a State or County highway, parkway, thruway or park: Yes No
Property is within 500 feet of the boundary of the Town of Bedford: Yes: No:
Property is on the North side of Old Post Rd within the unincorporated area of the Town of Bedford.
(Route 22)

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: XI Section: 125-122H
XI 125-20
125 Attachment 1:2

To Permit:

Installation of more than two signs including
one on an driveway

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance	
(As required by Fee Schedule Town of Bedford Code)	
Residential:	\$350.00
Commercial:	\$550.00

RECEIVED
APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS

Signature of Owner

Date


Signature of Applicant

4/6/15
Date

RECEIVED
APR 6 2015



BEDFORD ZONING
BOARD OF APPEALS

TOWN OF BEDFORD

425 Cherry Street, Bedford Hills, NY 10507 Ph. (914) 666-8040 Fax (914) 666-2026 e-mail: buildinginsp@bedfordny.info

Application for Sign Permit

Fee to be Determined According to the Sign Size

Visual Image of Sign and Survey must be included with Application

1. Name of Applicant: Bedford Gourmet (Patrick Crooke, Architect)
 Address: 460 Old Post Road, Bedford, NY
 Telephone/Email: 914-234-6093 / Patrick@PMCArchitect.com
 2. Name of Owner: Bedford Village Plaza, Inc.
 Address: 147 Rolling Hills Rd., Thornwood, NY 10549
 Telephone/Email: 914-329-0312
 3. Name of ~~Sign Contractor~~ Preparing Plan: Patrick Crooke, Architect
 Address: P.O. Box 758, Bedford, NY 10506
 Telephone/Email: 914-234-6093 Patrick@PMCArchitect.com
 4. Identification Property:
 Street Address: 460 Old Post Rd, Bedford, NY 10506
 Tax ID: 84.10-1-26 Zoning District: PBR Total Land Area: 1 acre ±
 5. Number of Signs existing on the property: THREE including Tricare Physical Therapy Sign
 6. Variances for Signs on the property: _____
 7. Number of Signs to be erected: Two ~~Three~~ plus signs on Awning (Not including Tricare Physical Therapy)
 8. Size of Signs/Logo to be erected (Letter Height): SEE ELEVATIONS on drawings
 9. Length of Frontage of building (Distance from Road): 53'-8" at roof (207' ±)
- Signature of Owner: _____ Signature of Applicant: [Signature]

Permit Issued: _____ Date: _____ Fee: _____

AFFIDAVIT OF AUTHORIZATION

Bedford Village Plaza, Inc.

(Name of owner/representative)

460 Old Post Road, Bedford, NY 10506

(Address of premises)

Project: Renovation of the 1st floor and basement of the front (southern most) section of the building noted above for use by Bedford Gourmet.

Being duly sworn deposes and says

1. (He)/(She) is the owner of the premises described above or, if such owner is a corporation, an office thereof.
2. (He)/(She) has duly authorized Patrick Croke, as architect of record for the project, to make and file an application with the Bedford Building Department for a building permit and make applications and/or obtain reviews from the Westchester County Department of Health or any other boards, departments or committees as may be required for the following project at the above referenced address
3. To the best of (his)/(her) knowledge, information and belief, all statements contained in this application are true, complete and correct.

Signed: Silvio Dinardo Date: 12-2-14

Print name: SILVIO DINARDO

Corporation: _____

Title in Corporation: _____

RECEIVED
APR 6 2015
BEDFORD ZONING
BOARD OF APPEALS

ZONING BOARD OF APPEALS
Town of Bedford
Westchester County, New York

Resolution #12-01 Two
Odarnid Construction Corp.

WHEREAS, application has been made pursuant to Article X Section 125-102.B.(1) of the Code of the Town of Bedford for a variance to permit a parking lot for thirteen (13) vehicles to be located in a R-1/4A Zone. Premises located at 460 Old Post Road, Bedford, New York, being known and designated on the tax map of the Town of Bedford as Section 84.10 Block 1 Lot 26, PB-R Zone, and shown on a site plan submitted on October 4, 2001, and

WHEREAS, a public hearing was held on November 7, 2001 and another meeting was held on December 12, 2001 on this application, at which times all those present wishing to be heard were given the opportunity to be heard, and

WHEREAS, members of the Board of Appeals have inspected the site, and

WHEREAS, the Board of Appeals has received substantial evidence regarding the benefits sought by the applicant as well as evidence that these benefits cannot be achieved by a satisfactory alternate method that would not require a variance, and

WHEREAS, since the property fronts Old Post Road and will be in keeping with the zoning of the area, the granting of this variance would not change the nature of the neighborhood, would not present a problem to the area and would have no negative effect on the properties of the immediate neighbors.

NOW, THEREFORE, on a motion by Mr. McGovern, seconded by Mr. Otto,

RESOLVED, that the application for a variance to permit a parking lot for thirteen (13) vehicles to be located in a R-1/4A Zone be approved in accordance with plans entitled, "Amended Site Plan Bedford Village Plaza-Odarnid Construction Corp. Old Post Road Bedford, New York," dated September 4, 2001, prepared by Timothy S. Allen, P.E., of Bibbo Associates, L.L.P., and subject to the following conditions:

1. Usage of the property shall be limited to parking.
2. No commercial or residential construction shall be permitted.

3. This variance is granted subject to site plan approval by the Bedford Planning Board.

Vote taken on the foregoing motion was as follows:

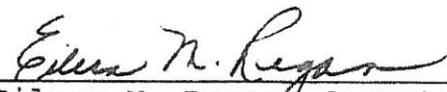
Ayes - Mr. MCGovern, Mrs. Barton, Mr. Otto, Mr. McMillan

Nays - Ms. Nourse



Hugh C. McMillan, Chairman

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on January 4, 2002.



Eileen M. Regan, Secretary
Zoning Board of Appeals

BOARD OF APPEALS
Town of Bedford
Westchester County, New York

Resolution #5-90 Eleven

Silvio DiNardo

WHEREAS, application has been made pursuant to Section 125-29.3 of the Code of the Town of Bedford, application for an interpretation of the Zoning Ordinance to determine whether the applicant requires a Special Permit to establish a convenience store and further reversing the Planning Board's determination, property located on the west side of Route 22, premises being known and designated on the tax map of the Town of Bedford as Section 20B, Lot 22, NB zone, and

WHEREAS, a public hearing was held on May 2, 1990, on this application, at which time all those present wishing to be heard were given the opportunity to be heard, and

WHEREAS, members of the Board of Appeals have inspected the site, and

WHEREAS, although the applicant has stated that the proposed use as a convenience store is a permitted use but for the fact that it is in the Aquifer Protection Zone, and

WHEREAS, it is the applicant's belief that the proposed use is not a delicatessen as defined under the Bedford Ordinance, and

WHEREAS, the majority of the Board felt that the proposed convenience store, so closely allied with how a delicatessen would operate, should be considered a cause of concern as to the Aquifer and the number of gallons per day discharge,

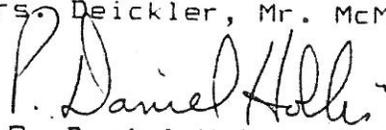
NOW, THEREFORE, on a motion by Chairman Hollis, seconded by Mr. McGovern, BE IT

RESOLVED, that this matter be referred back to the Planning Board for its consideration in relation to the Aquifer Protection Law, based on the fact that even discounting the square footage the applicant has said will be used, taking into consideration where revenues are to be derived from, the proposed use that this convenience store would, if approved, that is the predominant source of its revenues would be from its food operation and given that the premise is engaged primarily in the retail sale of prepared food and beverages and the water to be used therein will be substantial. A "Yes" vote is to send it back to the Planning Board.

Vote taken on the foregoing motion was as follows:

Ayes - Mr. Ruger, Mrs. Deickler, Mr. McMillan, Mr.
McGovern, Mr. Hollis

Noes - None



P. Daniel Hollis, III, Chairman

The foregoing is certified to be a true copy of a Resolution
of the Zoning Board of Appeals of the Town of Bedford and was
filed in the Office of the Clerk of the Town of Bedford on
November 7, 1990.



Mary G. Kavanaugh, Secretary

May 2, 1990

CERTIFICATION OF DECISION
OF THE
ZONING BOARD OF APPEALS
OF THE
TOWN OF BEDFORD

Meeting held at Town Hall, Town of Bedford on the 10th day of October 1988

MEMBERS PRESENT: John W. Ruger, Judith J. Deickler, Hugh C. McMillan, P. Daniel
Hollis, III, Chairman

MEMBERS ABSENT: Philip J. McGovern

NAME AND ADDRESS OF APPLICANT: Silvio DiNardo
147 Rolling Hills Road
Thornwood, New York

PROPERTY DESCRIPTION:

PB-0 SECTION 20B LOT 22

OWNED xx LEASED _____ CONTRACT-VENDEE _____

DATE OF PATENT TRADER ISSUE: June 23, 1988

NUMBER OF PROPERTY OWNERS NOTICED: 32

RELIEF APPLIED FOR:

A variance pursuant to Article XI, Sections 125-118 B (3) and 125-119 (D), to permit the erection of an overdimensional sign which will not meet the front yard setback requirements of the Town of Bedford Code.

APPEARANCES: Mr. DiNardo
Rulolph C. Petruccelli, Engineer

EXHIBITS: Site Plan
Correspondence in Opposition

This matter is a carry over from last month and at that time, the hearing was closed, except for the Boards request for information regarding the enforcement of the removal for existing non-conforming signs. This matter has been referred to the Code Enforcement Officials and they will see to the enforcement of same. Mr. Hollis read a letter from William Bump, President of the Farms Association to Mr. Brown, Building Inspector, dated 9/20/88, setting forth three establishments that are in violation of the Sign Ordinance, according to Mr. Bump, The Village Inn, Shorco Gas Station and Shell. Mr. Hollis then read information from the variance file with regard to signs along that strip. Shell received two variances in 1974 and Bedford Hardware, a setback variance in 1983.

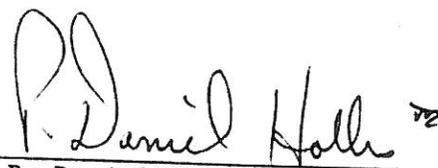
Mr. Petrucelli and Mr. DiNardo were present to represent the application. Mr. Petrucelli showed the Board a drawing of the proposed 5' x 5' sign that they would like to place 5 feet from the property line. Mr. Petrucelli feels that his client has a practical hardship, not brought on by Mr. DiNardo, but brought on by the zoning and what the Planning Board required. If the sign is set back to conform, it won't be seen because his client left the trees up that the Planning Board wanted - they only cut down the trees that were required for the parking lot and drainage. Mr. Petrucelli said that if his client conforms to the zoning, he will be the only one on the strip conforming to the zoning and it is unfair to have the last person come in on the strip and require him to conform with the new zoning. Mr. Hollis mention that the Bedford Hardware has a sign that is 3' x 2 1/2'. Mr. Petrucelli said that their building is set so far back, that a sign that size would not be seen. Mr. Ruger asked Mr. DiNardo if he would be agreeable to a 4' x 4' sign. Mr. DiNardo said that he would be.

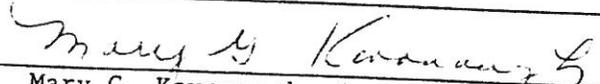
Mr. Hollis made a motion, seconded by Mr. Ruger, to approve the sign based upon the practical difficulty demonstrated by the applicant and further conditioned that this sign being no greater in area than 4' x 4' and the design as submitted and that the sign be no closer than 5 feet from the property line. Vote taken on the foregoing motion as follows: Mr. Ruger, Yes; Mr. Deickler, Yes; Mr. McMillan, Yes; Mr. McGovern, Yes; Mr. Hollis, Yes.

The application is approved, subject to as per above motion.

Dated: October 5, 1988

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on


P. Daniel Hollis, III, Chairman


Mary G. Kavanaugh, Secretary

RESOLUTION #12-85 ONE

CERTIFICATION OF DECISION
OF THE
ZONING BOARD OF APPEALS
OF THE
TOWN OF BEDFORD

Meeting held at Town Hall, Town of Bedford on the 4th day of December 1985

MEMBERS PRESENT: John W. Ruger, Judith J. Deickler, Hugh C. McMillan, Phi
J. McGovern, P. Daniel Hollis, III, Chairman

MEMBERS ABSENT: _____

NAME AND ADDRESS OF APPLICANT: Silvio DiNardo
147 Rolling Hills Road
Thornwood, New York

PROPERTY DESCRIPTION:

ZONING PBO SECTION 20B LOT 22

Owned xx Leased _____ Contract-Vendee _____

Dated of Patent Trader Issue: November 23 1985

Number of Property Owners Noticed: 11

RELIEF APPLIED FOR:

A variance to permit the construction of a retail and office building on a lot that does not meet the requirements of the Town of Bedford Code as to area and effective square.

APPEARANCES:

Mr. Silvio DiNardo
Rudolph C. Petruccelli, Consulting Engineer

EXHIBITS:

Survey of Property
Correspondence

THE BOARD'S FINDING OF FACT

This item had been adjourned from the meeting of November 6, 1985, in order that the Board might have the advice of the Town Attorney as to whether they could vote on this item during the period of the building moratorium in Bedford. Mr. Ruger had been in touch with the Town Attorney the afternoon of this meeting and was advised that the Board could vote on the matter before it in this application. Stuart Shamberg, Esq., represented the applicant at the meeting of November 6th. A Resolution, dated October 1, 1985, was received and read from the Planning Board. This communication is attached hereto and made part of the record. Donovan Craven of The Farms Association expressed disapproval of the application. Letters in opposition were received and read from Ruth Hartman, Michael McCormick and Mr. and Mrs. Charles Gregory. Mr. Shamberg did not agree with the statements made by the opposition. He stated that Mr. DiNardo had purchased the property in 1982 because it was zoned for what he wanted to do at that time. The zoning ordinance has been changed since that time. Mr. Shamberg, referring to the Resolution of the Planning Board, stated that everything necessary has been done to comply with the ordinance and that as a matter of law his client is entitled to the area variance he is seeking. At this meeting of December 4, 1985, three affirmative votes will be needed, since Mr. Hollis will abstain from voting on this issue.

Vote taken as follows subject to Mr. DiNardo adhering to the conditions set forth in the Planning Board Resolution dated October 1, 1985, and subject to site plan approval and issuance of a building permit: Mrs. Deickler, Yes; Mr. McMillan, Yes; Mr. McGovern, Yes; Mr. Ruger, Yes.

A variance is granted to the applicant as per above stipulations.

Dated: December 4, 1985

The foregoing is certified to be a true copy of a Resolution of the Zoning Board of Appeals of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on _____

Mary G. Kavanaugh
Mary G. Kavanaugh, Secretary

P. Daniel Hollis
P. Daniel Hollis, III, Chairman

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Appeals of the Town of Bedford will hold a public hearing on the following:

Request of: **ML Management Associates, LLC**
250 West 57th Street
New York, NY 10017

for a variance of the Town of Bedford Zoning Ordinance to permit:

(1) the re-configuration of roof dormers on a single family residence to improve bedroom egress and ceiling height resulting in a front yard setback of 19' 8" where 75 feet is required in the Residential 4 Acre Zoning District; (2) the alteration of an existing second floor flat roof to be used as a deck with pergola above resulting in a front yard setback of 19' 8" where 75 feet is required in the Residential 4 Acre Zoning District; (3) the construction of a 4-foot wide wood deck located at the rear of the residence resulting in a front yard setback of 30'6" where 75 feet is required in the Residential 4 Acre Zoning District. The existing residence has an existing, non-conforming front yard setback of 9.5 feet requiring variances of Article V Section 125-50 and Article III Section 125-11 for property located on:

378-384 Croton Lake Road
Mount Kisco, NY 10506

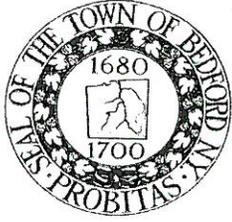
designated as Section 59.7 Block 1 Lot 7 on the Tax Maps of the Town of Bedford in a Residential 4-Acre Zoning District. Said hearing will take place on **Wednesday, the 6th day of May 2015**, at the Town House Offices, 2nd Floor, 425 Cherry Street, Bedford Hills, New York, at **7:30 P.M.** At this hearing all persons appearing in favor of or in opposition to the above application will be heard. Attendance at said hearing is not required. Applicants or their representative must be present.

DATED: April 9, 2015

Peter Michaelis, Chair
Town of Bedford Zoning Board of Appeals

Inquiry may be directed to:
Alexandra J. Costello, Secretary
Town of Bedford Zoning Board of Appeals
425 Cherry Street, Bedford Hills, NY 10507
(914) 666-4585; FAX: (914) 666-2026
acostello@bedfordny.gov
www.bedfordny.gov

LETTER OF PERMIT DENIAL



Town of Bedford
Building Dept.
425 Cherry St.
914-666-8040

Application #:

Date: 4/8/2015

Parcel ID: 59.7-1-7

Owner Information

340 Croton Lake Road LLC

Applicant Information

340 Croton Lake Road LLC
378-384 Croton Lake Road

Mount Kisco NY 10549

Location: 378-384 Croton Lake Rd

Parcel ID: 59.7-1-7

Permit Type: Additions & Alterations

Work Description: Additions & alterations: 1)re-configuration of roof dormers; 2)alteration of existing 2nd floor flat roof for use as a deck with pergola; construction of a 4-foot wide wood deck

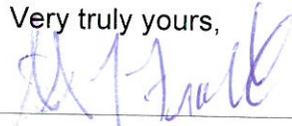
Dear Resident,

Regarding the application for a Building Permit on the property referenced above, the following facts are noted. This property is located in R-4A Zoning District. The requirements of the Zoning Ordinance of the Town of Bedford in comparison to your proposal are listed as follows:

The re-configuration of roof dormers on a single family residence will result in a front yard setback of 19' 8" where 75 feet is required in the R-4 Acre Zoning District; (2) the alteration of an existing second floor flat roof to be used as a deck with pergola above will result in a front yard setback of 19' 8" where 75 feet is required in the R-4 Acre Zoning District; (3) the construction of a 4-foot wide wood deck located at the rear of the residence will result in a front yard setback of 30' 6" where 75 feet is required in the R-4 Acre Zoning District. The existing residence has a pre-existing, non-conforming front yard setback of 9.5 feet requiring variances of Article V Section 125-50 and Article III Section 125-11.

Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,


Steven Fraietta

Building Inspector



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ZONING BOARD OF APPEALS

Town of Bedford, Westchester County, New York
425 Cherry Street, Bedford Hills, New York 10507
Alexandra J. Costello, Secretary
914-666-4585; 914-666-2026 FAX
acostello@bedfordny.gov

APPLICATION FOR A VARIANCE

- Name of Owner: ML Management Associates, LLC c/o Paul Zukowsky
Address: 250 West 57th Street New York, New York 10017
Telephone/Email: (212) 333-5665/ pzukowsky@mlmgmt.com
- Name of Applicant, if other than Owner: _____
Address: _____
Telephone/Email: _____
- Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):
Sullivan Architecture, PC/ John P. Sullivan, FAIA
Address: 31 Mamaroneck Avenue White Plains, New York 10601
Telephone/Email: (914) 761-6006/Johns@sullivanarch.com
- Identification Property:
Street Address: 378 Croton Lake Road
Tax ID: 59.7-1-7 Zoning District: R4-A Total Land Area: 8.161 ac.
Age of the Building Unknown
Is the property located in a designated Historic District? No
% of Building Coverage: 1.55 % of Impervious Surface 3.89
Property Abuts a State or County highway, parkway, thruway or park: Yes _____ No _____
Property is within 500 feet of the boundary of the Town of Bedford: Yes: _____ No: _____
Property is on the East side of Croton Lake Road within the unincorporated area of the Town of Bedford.

**ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE**

Page 2

5. Request:

The applicant requests that the Board approve the issuance of a Variance under the following section of the Code of the Town Bedford:

Article: 'V' Section: 125-50 (Attachments)

To Permit:

Front yard setback variance.

1. Reconstruction of roof dormers to improve bedroom egress and ceiling height.

2. Addition of 4' wide wood deck off rear wall of gathering room.

3. Use of existing second floor flat roof for deck, off (2) bedrooms.

6. Plans required:

Include six copies of survey, site plan, building elevations and floor plans.

7. Public Notice:

Notice of the public hearing shall be published at least 10 days prior to the hearing in the Town newspaper and shall be mailed by the applicant at least 10 days prior to the hearing to all owners of property within 500 feet of the perimeter of the subject lot. The expense of publishing and mailing any notice shall be paid by the applicant, who shall file an affidavit of mailing with the Board Secretary prior to the hearing.

8. Fees: (make checks payable to the Town of Bedford)

Variance

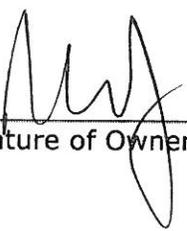
(As required by Fee Schedule Town of Bedford Code)

Residential:

\$350.00

Commercial:

\$550.00



Signature of Owner

9/2/15

Date

Signature of Applicant

Date

**TOWN OF BEDFORD
BUILDING & CODE
ENFORCEMENT**

Memo

To: Historic Building Preservation Commission
From: Steven Fraietta – Building Inspector
CC: Jeff Osterman; John P. Sullivan, Architect
Date: 4/8/2015
Re: 378-384 Croton Lake Road, Mount Kisco
59.7-1-7, R-4 Acre Zoning District

With reference to the above, a building permit application has been submitted for the construction of additions and alterations consisting of (1) the re-configuration of roof dormers on a single family residence to improve bedroom egress and ceiling height; (2) the alteration of an existing second floor flat roof to be used as a deck with pergola above; (3) the construction of a 4-foot wide wood deck located at the rear of the residence. The project will require a setback variance from the Zoning Board of Appeals and is scheduled for a public hearing on May 6, 2015.

The residence is located at 378-384 Croton Lake Road, Mount Kisco and is listed on the HBPC's Survey of Historic Buildings.

The Assessor's card is not available. I have attached copies of the Certificates of Occupancy and variances we have on file for the property.

Please advise the outcome of the Commission's review. Thank you.

Att.

- 40 Church Street
- 48 Church Street
- 50 Church Street
- 52 Church Street

Clark Road

- * 24 Clark Road, Merritt Clark House, circa 1901: report, chronology, maps, genealogical information
- 64 Clark Road, circa 1780: assessor info.

Clinton Road

- 10 Clinton Road
 - 20 Clinton Road, circa 1901, assessor information
 - 27 Clinton Road, 1870's: notes, chronology, assessor information
- 87 Clinton Road

Court Road

- 7 Court Road
- 11-15 Court Road
- 21-27 Court Road
 - 27 Court Road, 1870's: notes
- 31 Court Road

Crescent Terrace

- * 77-81 Crescent Terrace, Howe Farm, circa 1905: report, maps, deeds back to 1891

Cross River Road

- 472 Cross River Road
- 516 Cross River Road
 - 540 Cross River Road, "Forest View Farm", George Green/ Edward Coster property, circa 1900: report, genealogical and assessor's information, 1966 recollections of farm by former farm worker
- 595 Cross River Road
- 600 Cross River Road
 - 731 Cross River Road "Bee Tree" Whitney Blake Mansion, circa 1917, mostly destroyed: notes, maps and clippings
- 732 Cross River Road

Croton Lake Road

- 95 Croton Lake Road
 - 100 Croton Lake circa 1916, Robert Brewster's "Avalon", then Yeshiya: notes, map, early 20th c. clippings
- 149 Croton Lake Road
- 150 Croton Lake Road
- 153 Croton Lake Road
- 180 Croton Lake Road
- 201 Croton Lake Road
- 212 Croton Lake Road
- 378 Croton Lake Road
- 387 Croton Lake Road
- 406 Croton Lake Road