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, August 5, 2015

7:00 P.M.
EXECUTIVE SESSION – Pending Litigation

7:30 P.M.
MINUTES: June 10, 2015, July 8, 2015, April 3, 2014

NEW APPLICATIONS:

1. Antonio and Francesca Bueti, 11 Captain Theale Road, Bedford, NY 10506. Section 95.09 Block 2 Lot 2, R-4 Acre Zoning District. The applicants request the legalization of as-built coverage of 4.35% where 3% is permitted for a parcel located in the Residential 4 Acre Zoning District; and the legalization of as-built impervious surface coverage of 14.84% where 8% is permitted for a parcel located in the Residential 4 Acre Zoning District. Article V Section 125-50 and Article III Section 125-11

2. 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 300.11 square foot one-story addition at the southwest side of an existing one-story commercial building resulting in (1) an increase in building coverage to 41.60% where 20% maximum building coverage is permitted and where the existing building coverage is existing, non-conforming at 39.85%; and (2) combined building and parking area coverage of 89.7% where 80% maximum building and parking area coverage is permitted where the existing building and parking area coverage is non-conforming at 89.7%; and (3) to permit the use of 20 existing parking spaces where 35 parking spaces are required in the RB Zoning District. Article V Section 125-50 and Article III Section 125-11.

3. 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 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 20 inches where 12 inches is permitted. Article XI 125-120.

4. Mark and Michele Chernis, 16 Overlook Road, Bedford Corners, NY 10549. Section 83.10 Block 1 Lot 1.21, R-4 Acre Zoning District. The applicants request a variance of the Town of Bedford Zoning Ordinance to permit the construction of additions and alterations to an existing residence including the construction of a rear yard porch and patio resulting in impervious surface coverage of 10.71% where 85 is permitted in the Residential 4 Acre Zoning District where the existing impervious surface coverage is existing, non-conforming at 10.47%. Article III Section 125-11 and Article V Section 125-50.

5. Robert and Anna Zable, 257 Mount Holly Road, Katonah, NY 10536. Section 50.7 Block 1 Lot 7, R-4 Acre Zoning District. The applicants request a variance of the Town of Bedford Zoning Ordinance to permit the construction of a two-story addition creating habitable space connecting a single family residence to a pre-existing non-conforming detached garage resulting in a side yard setback of 41.3 feet where 50 feet is required in the Residential 4 Acre Zoning District where the existing detached garage is located 30.7 feet from the side property line where 50 feet is required; and building coverage of 3.09% where 3% is permitted in the Residential 4 Acre Zoning District. The parcel has non-conforming lot area consisting of 3.358 acres where 4 acres are required in the Residential 4 Acre Zoning District. Article V Section 125-50 and Article III Section 125-11.

6. Casa Zeta, LLC, 44 West Patent Road, Bedford Hills, NY 10507. Section 72.10 Block 1 Lot 11, R-4 Acre Zoning District. The applicants request a variance of the Town of Bedford Zoning Ordinance to permit the creation of a 538 square foot caretaker's studio apartment (cottage) within an existing 1,536 square foot accessory building (6-car garage) resulting in two cottages on the lot where one cottage per lot is permitted on the parcel which is located in the Residential 4-Acre Zoning District. The proposed building coverage on the parcel is 3.17% where 3% is permitted and the existing building coverage is 3.17%. Article VIII Section 125-79.1(4)

7. Robert Cantisani, 789 North Bedford Road Corp. (Owner) and Weldon Tire (Applicant), 789 Bedford Road, Bedford Hills, NY 10507. Section 71.12 Block 2 Lot 34, RB Zoning District. The applicant requests a Special Use Permit in accordance with Article VIII Section 125-68 of the Town of Bedford Zoning Ordinance to permit the operation of a tire sales and installation facility to include oil changes, State inspections, alignments, shocks, brakes and exhaust systems where such uses are classified as "automotive service stations or public garages" under the Town of Bedford Zoning Code.

8. Robert Cantisani, 789 North Bedford Road Corp. (Owner) and Weldon Tire (Applicant), 789 Bedford Road, Bedford Hills, NY 10507. Section 71.12 Block 2 Lot 34, RB Zoning District. The applicant requests a variance of the Town of Bedford Zoning Ordinance to permit the legalization of one, 299 square foot shed (shed #1) and one, 452 square foot shed (shed #2) located at the southwest side of a commercial building resulting in (1) zero rear yard setback to shed #2 where 30 feet is required and 17 foot rear yard setback to shed #1 where 30 feet is required in the RB Zoning District (2) building coverage of 24.56% where 20% maximum building coverage is permitted in the RB Zoning District; and (2) combined building and parking area coverage of 80.12% where 80% maximum building and parking area coverage is permitted in the RB Zoning District. Article V Section 125-50 and Article III Section 125-11

9. Robert Cantisani, 789 North Bedford Road Corp. (Owner) and Weldon Tire (Applicant), 789 Bedford Road, Bedford Hills, NY 10507. Section 71.12 Block 2 Lot 34, RB Zoning District. The applicant requests a variance of the Town of Bedford Zoning Ordinance to permit the replacement of two existing wall signs and the replacement of one free-standing sign resulting in a total of three signs where two signs are permitted. 125 Attachment 1:3

10. Anthony and Jessica Cusato, 35 Meadow Lane, Katonah, NY 10536. Section 49.14 Block 2 Lot 40, R-1/2 Acre Zoning District. The applicants request a variance of the Town of Bedford Zoning Ordinance to permit the construction of a one bay garage with storage attached to the existing single family residence resulting in a side yard setback of 11' 9" where 20 feet is required for property located in the Residential 1/2 Acre Zoning District. Article V Section 125-50.

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: **Antonio and Francesca Bueti**
11 Captain Theale Road
Bedford, NY 10506

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

The legalization of as-built building coverage of 4.35% where 3% is permitted for a parcel located in the Residential 4 Acre Zoning District; and the legalization of as-built impervious surface coverage of 14.84% where 8% is permitted for a parcel located in the Residential 4 Acre Zoning District. This requires being a variance of Article V Section 125-50 and Article and Article III Section 125-11 for property located on:

11 Captain Theale Road
Bedford, NY 10506

designated as Section 95.09 Block 2 Lot 2 on the Tax Map of the Town of Bedford in a R-4 Acre Zoning District. Said hearing will take place on **Wednesday, 8th day of July, 2015** at the Town House Offices, 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: June 16, 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: 6/15/2015

Parcel ID: **95.9-2-2**

Owner Information

Bueti, Antonio

Applicant Information

Bueti, Antonio
Bueti, Francesca
11 Captain Theale Rd
Bedford NY 10506

Location: 11 Captain Theale Rd
Parcel ID: 95.9-2-2
Permit Type: Garage
Work Description: Legalization of as built building coverage of 4.35% and as built impervious surface coverage of 14.84%

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 parcel which is located in the R-4 Acre Zoning District has as-built building coverage of 4.35% where 3% is permitted; and as-built impervious surface coverage of 14.84% where 8% is permitted. A variance from the Board of Appeals is required in accordance with Article V Section 125-50 and Article 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

Pd # 35
Ck # 8863 receipt 2404

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JUN 15 2015
BEDFORD ZONING
BOARD OF APPEALS

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: ANTONIO BUETI

   Address: 11 CAPTAIN THEALE RD BEDFORD NY 10506

   Telephone/Email: 914-234-6613 ENTREALTY@MSN.COM

2. Name of Applicant, if other than Owner: ANTONIO BUETI

   Address: _____

   Telephone/Email: _____

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

   H. Stanley Johnson

   Address: Smith Ave, Mt. Kisco NY 10549

   Telephone/Email: _____

4. Identification Property:

   Street Address: 11 Captain Theale Rd, Bedford NY 10506

   Tax ID: 95.9-2-2 Zoning District: 4A Total Land Area: 4.

   Age of the Building 1989

   Is the property located in a designated Historic District? NO

   % of Building Coverage: 4.35% % of Impervious Surface 14.84%

   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 Captain Theale within the unincorporated area of the Town of Bedford.

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: 111 V Section: 125-11 125-50

To Permit:
As built Building coverage of 4.35% where 3% permitted
As built impervious coverage of 14.84% where 8% 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

Signature of Owner

6/15/2015
Date

Signature of Applicant

Date

Area = 188,045 S.F or 4.317 Acres.

R4A ZONE

BUILDING COVERAGE: 3.0% ALLOWABLE (5,641 S.F.)	
	EXISTING
2 STORY STUCCO RESIDENCE SHED GREEN HOUSE PORTICO POOL GAZEBO PERGOLA SPA	4,186 S.F. 214 S.F. 194 S.F. 879 S.F. 789 S.F. 99 S.F. 184 S.F. 58 S.F.
TOTAL BUILDING COVERAGE:	6,603 S.F.
PERCENTAGE OF COVERAGE:	3.51%

6,603 S.F. SURVEY TOTAL
-214 S.F. SHED
-194 S.F. GRN. HO.
-99 S.F. GAZEBO
-184 S.F. PERGOLA
=5,912 S.F. or 3.14%
+ 2,286 S.F. GAR/ PERGOLA
= 8,198 S.F. or 4.35%

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BOARD OF APPEALS

IMPERVIOUS AREAS: 8.0% ALLOWABLE (15,044 S.F.)	
	EXISTING
TOTAL BUILDING COVERAGE: MACADAM DRIVEWAY- 1/3 PINK MACADAM DRIVEWAY- BLUE MACADAM DRIVEWAY-YELLOW FLAG.PLATFORM WATER FOUNTAIN CONCRETE PADS PATIO WALKS AND STEPS WALLS AND PIERS	8,198 S.F. 2,187 S.F. 7,685 S.F. 0 S.F. 17 S.F. 113 S.F. 112 S.F. 3,022 S.F. 194 S.F. 551 S.F.
TOTAL COVERAGE:	22,079 S.F.
PERCENTAGE OF COVERAGE:	11.7%

DRIVEWAY (PINK) 6,562 S.F.

DRIVEWAY (BLUE) 7,685 S.F.*

*with stone curb & aprons

DRIVEWAY (YELLOW) 1,452 S.F*

*with stone curb

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BOARD OF APPEALS

TOTAL 15,699 S.F.

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 300.11 square foot one-story addition at the southwest side of an existing one-story commercial building resulting in (1) an increase in building coverage to 41.60% where 20% maximum building coverage is permitted where the existing building coverage exists, non-conforming at 39.85%; and (2) combined building and parking area coverage of 89.7% where 80% maximum building and parking area coverage is permitted where the existing building and parking area coverage is non-conforming at 89.7%; and (3) 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 5th day of August 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: July 13, 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

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/13/2015

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: 7/7/15: Application amended - construction of a 300.11 square foot, one-story addition at the the southwest side of an existing one-story commercial building

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 amended application will require site plan review by the Planning Board and a variance of Article V Section 125-50 from the Board of Appeals. The proposal will result in (1) building coverage of 41.60% where 20% is permitted where the existing building coverage is 39.85%; (2) combined building and parking area coverage of 89.7% where the 80% is permitted where the existing coverage of 89.7% is non-conforming; (3) 20 parking spaces where 35 spaces are required.

This amends the Letter of Permit Denial issued on 2/17/15.

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

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 two existing wall signs and the installation of one free-standing sign resulting in a total of three signs where two signs are permitted. 125 Attachment 1:3.

2. 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 20 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 5th day of August 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: July 13, 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

PLANNING BOARD
TOWN OF BEDFORD
WESTCHESTER COUNTY, NEW YORK

Resolution No. 15/09
Denial – Waiver of Site Plan Approval
C. R. Wallauer & Co., Inc.

WHEREAS, an application received March 5, 2014 from George Petre, C.R. Wallauer & Co., Inc., 30 Virginia Road, White Plains, New York for a Waiver of Site Plan Approval, affecting property located at 655-665 Bedford Road, Bedford Hills shown and designated on Town Tax Maps as Section 71.8 Block 2 Lot 21, in the Roadside Business 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 V – District Regulations - Section 125-50: Table of Dimensional Requirements – Coverage.
2. The proposal does not meet the requirements of Article X – Off-Street Parking and Loading Facilities - Section 125-102 – Schedule of Off-Street Parking Requirements.
3. The proposal does not meet the requirements of Article XI – Signs - Section 125.121 – General Regulations.

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

ADOPTED: April 14, 2015
DATED: July 17, 2015

The foregoing resolution is certified to be a true copy of the resolution, which was adopted April 14, 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 July 17, 2015.

Anne Paglia, Secretary
Town of Bedford Planning Board

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BOARD OF APPEALS

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/13/2015

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 -

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:

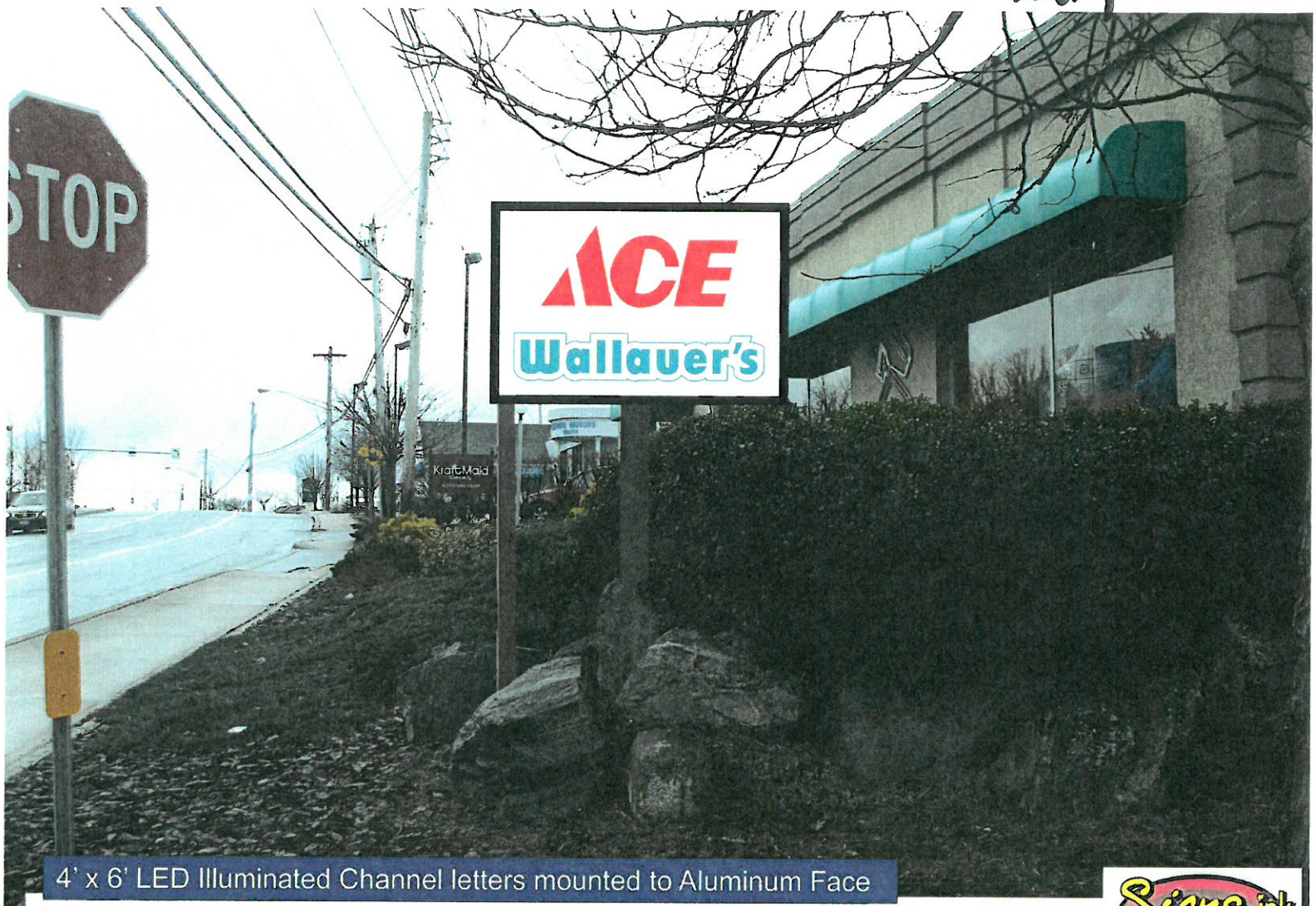
Amended request submitted on 6/3/15:
The addition of a free-standing sign for "Wallauer's & Ace Hardware" will result in a total of 3 signs on the building where 2 signs are permitted (Article XI, Section 125-120 B. and 125 Attachment 1:3 Schedule of Permitted Signs). The free-standing sign will require a variance due to its location which is less than 10 feet from the front property line and the "ACE" letter height on the free-standing sign is proposed to be 20 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).
Revised 7/13/15 from original 3/6/15 Letter of Permit Denial

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,

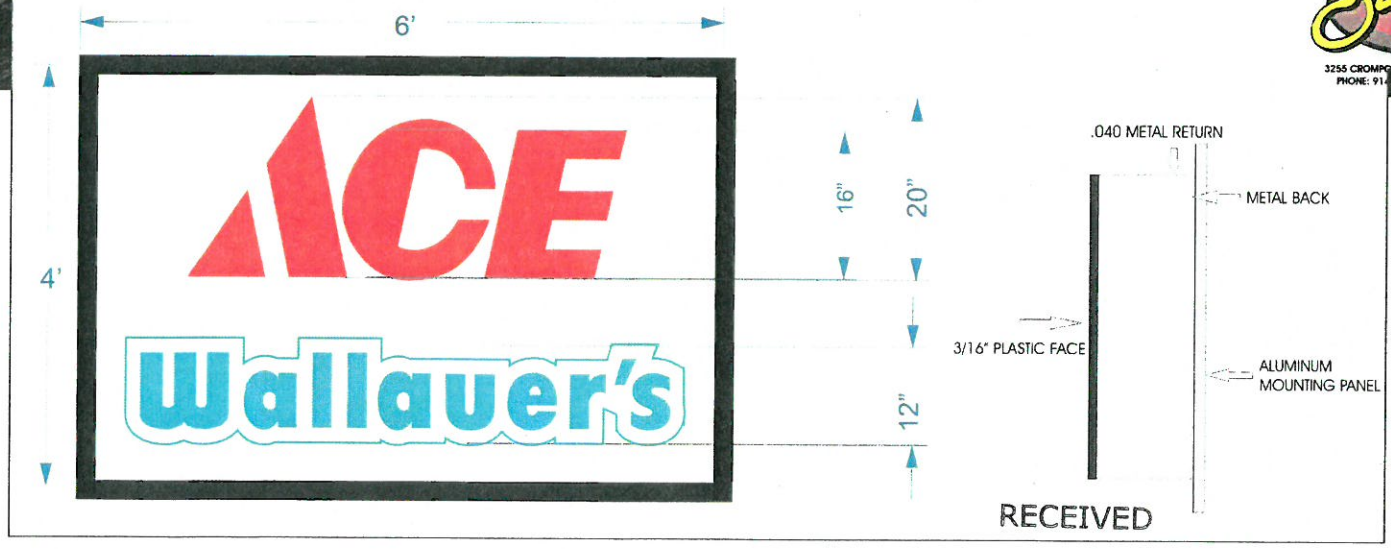
Steven Fraietta
Building Inspector

Revised/New submission
on view @ 8-5-15
4th



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

Signs ink
3255 CROMPOND ROAD YORKTOWN, N.Y. 10598
PHONE: 914



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BOARD OF APPEALS

Revised/
New submission
on view
8-5-15 MK

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JUN 3 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: **Mark and Michele Chernis**
16 Overlook Road
Bedford Corners, NY 10549

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

The construction of additions and alterations to an existing residence including the construction of a rear yard porch and patio resulting in impervious surface coverage of 10.71% where 8% is permitted in the Residential 4 Acre Zoning District where the existing impervious surface coverage is existing, non-conforming at 10.47%. This being a variance of Article III Section 125-11 and Article V Section 125-50 for property owned by the applicants and located on:

16 Overlook Drive
Bedford Corners, NY 10549

designated as Section 83.10 Block 1 Lot 1.21 on the Tax Map of the Town of Bedford in an R-4 Acre Zoning District. Said hearing will take place on **Wednesday, the 5th day of August 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. Applicants or their representative must be present.

DATED: July 13, 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: 7/7/2015

Parcel ID: **83.10-1-1.21**

Owner Information

Chernis, Mark & Michele

Applicant Information

Chernis, Mark & Michele
16 Overlook Rd

Bedford Corners NY 10549

Location: 16 Overlook Dr
Parcel ID: 83.10-1-1.21
Permit Type: Additions & Alterations
Work Description: Convert an existing screened porch to a kitchen; add rear porch and patio

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 proposed additions and alterations will increase the impervious surface coverage to 10.71% where 8% is permitted in the Residential 4 Acre Zoning District. The existing impervious surface coverage is non-conforming at 10.47%. A variance of Article III Section 125-11 and Article V Section 125-50 from the Board of Appeals will be 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

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

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JUL 2 2015
BEDFORD ZONING
BOARD OF APPEALS

APPLICATION FOR A VARIANCE

1. Name of Owner: MARK & MICHELE CHERNIS

   Address: 16 OVERLOOK DRIVE, MT KISCO, NY.

   Telephone/Email: 914-242-1024 MARK@CHERNIS.com

2. Name of Applicant, if other than Owner: JAMES BEST

   Address: P.O. BOX 240, POUND RIDGE, NY - 10576

   Telephone/Email: 914-764-8889 jtbest8@gmail.com

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

   JAMES T. BEST

   Address: P.O. BOX 240, POUND RIDGE, N.Y. 10576

   Telephone/Email: 914-764-8889 jtbest8@gmail.com

4. Identification Property:

   Street Address: 16 OVERLOOK DR.

   Tax ID: 83 10-1-1.21 Zoning District: 4A Total Land Area: 4.376 ACRES

   Age of the Building 17 yrs

   Is the property located in a designated Historic District? NO

   % of Building Coverage: 2.92 % of Impervious Surface 10.71%

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

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

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

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: III, V Section: 125-11 / 125-50

To Permit:

ADDITION OF REAR PORCH & PATIO

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

JUL 2 2015

BEDFORD ZONING
BOARD OF APPEALS

Signature of Owner

Date

Signature of Applicant

7/2/15
Date

Rev. 5/18/10

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: **Robert and Anna Zable**
257 Mount Holly Road
Katonah, NY 10536

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

A two-story addition creating habitable space connecting a single family residence to a pre-existing non-conforming detached garage resulting in a side yard setback of 41.3 feet where 50 feet is required in the Residential 4 Acre Zoning District where the existing detached garage is located 30.7 feet from the side property line where 50 feet is required; and building coverage of 3.09% where 3% is permitted in the Residential 4 Acre Zoning District. The parcel has non-conforming lot area consisting of 3.358 acres where 4 acres are required in the Residential 4 Acre Zoning District. This being a variance of Article V Section 125-50 and Article III Section 125-11 for property owned by the applicants and located on:

257 Mount Holly Road
Katonah, NY 10536

designated as Section 50.7 Block 1 Lot 7 on the Tax Map of the Town of Bedford in an R 4 Acre Zoning District. Said hearing will take place on **Wednesday, the 5th day of August 2015** at the Town House Offices, 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: July 13, 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; (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: 6/19/2015

Parcel ID: **50.7-1-7**

Owner Information

Zable, Robert & Anna

Applicant Information

Zable, Robert & Anna

257 Mt. Holly Rd.

Katonah NY 10536

Location: 257 Mt Holly Rd
Parcel ID: 50.7-1-7
Permit Type: Additions & Alterations
Work Description: Two-story addition between connecting the existing residence and detached garage. ZBA and Historic

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 residence is located on a parcel consisting of 3.358 acres where 4 acres are required in the Residential 4-Acre District. The existing side yard setback to the garage is 30.7 feet where 50 feet is required in the R-4 Acre District and the new addition will not meet the required 50 foot side yard setback. The proposal will result in building coverage in excess of 3% which is permitted in the Residential 4 Acre District. The parcel is listed on the HBPC's Survey of Historic Buildings and will required review of the Commission.

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

RECEIVED
JUL 27 2015
BEDFORD ZONING
BOARD OF APPEALS

Historic Building Preservation Commission
Town of Bedford
Westchester County, New York

HBPC DETERMINATION NO. 15/15
Two-Story Addition Connecting Existing Residence and Existing Garage

Robert and Anna Zable

WHEREAS, the Building Department has received an application for a two-story addition connecting the existing residence and the existing garage from Robert and Anna Zable, 257 Mount Holly Road, Bedford, New York at the Applicant's property commonly known as 257 Mount Holly Road, Katonah, Town of Bedford, County of Westchester, State of New York; and

WHEREAS, the Historic Building Preservation Commission received a memo from the Building Inspector dated 6/19/2015 requesting a determination of whether the proposed application should be approved; and

WHEREAS, the Property is designated on the Town's Tax Maps as Section 50.7, Block 1, Lot 7 and is located in an R-4A zoning district; and

WHEREAS, the Applicant submitted an Application for Determination (the "Application") to the Commission for a permit (the "Permit") dated 6/22/2015; and

WHEREAS, the Applicant submitted a set of plans (7 pages) prepared by The Prepared by Kenneth R. Nadler Consulting, LLC, Architects Planners, received in this office on 6/30/15, titled:

Dwg. No.	Dwg. Start Date	Title
S-1	6/9/15	Proposed Site Plan
A 100	5/19/15	Basement Floor Plan
A 101	5/19/15	First Floor Plan
A 102	5/19/15	Second Floor Plan
A 103	5/19/15	Elevations
A 104	5/19/15	Elevations
A 105	5/19/15	Sections; and

WHEREAS, the Commission and the Consultant to the Commission conducted a site inspection of the building on 6/24/2015; and

WHEREAS, the Commission at its meeting on 7/15/2015, reviewed the application and the information submitted to it; and

WHEREAS, the Commission has determined that the proposed work meets the requirements of the Historic Building Preservation Law (Bedford Code-Article III of Chapter 71); and

NOW, BE IT RESOLVED that the Commission hereby recommends the Building Inspector approve the application for a two-story addition connecting the existing residence and the existing garage; and

BE IT FURTHER RESOLVED, that, pursuant to Section 71-25D (2) of the Town Code, the Applicant shall reimburse the Town for the costs of any inspection, review or work performed by the Consultant to the Commission in connection with the proposal.

The Commission approved this Determination No. 15/15 at the 7/15/2015 meeting by the unanimous vote of the following members: John Stockbridge, Ben Branch and Amy Parsons.

John Stockbridge
Chairman

Dated as of July 15, 2015

The foregoing is certified to be a true copy of a Resolution of the Historic Building Preservation Commission of the Town of Bedford and was filed in the Office of the Clerk of the Town of Bedford on 7/27/2015.

Anne Paglia
Commission Secretary

ZONING BOARD OF APPEALS

RECEIVED
JUL 1 2015
BEDFORD 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 and Anna Zable

   Address: 257 Mount Holly Road, Bedford, NY

   Telephone/Email: (914) 232-1217

2. Name of Applicant, if other than Owner: Kenneth R. Nadler Consulting, LLC

   Address: 103 South Bedford Road, Suite 204, Mount Kisco, NY 10549

   Telephone/Email: (914) 241-3620 ken@nadlerarchitects.com

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

   Kenneth R. Nadler Consulting, LLC

   Address: 103 South Bedford Road, Suite 204, Mount Kisco, NY 10549

   Telephone/Email: (914) 241-3620

4. Identification Property:

   Street Address: 257 Mount Holly Road, Bedford, NY

   Tax ID: 50.07, 1, 7 Zoning District: R-4A Total Land Area: 146,272 s.f.

   Age of the Building 95 Years

   Is the property located in a designated Historic District? No

   % of Building Coverage: 3.09 % of Impervious Surface 4.01

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

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

   Property is on the south side of Mount Holly Road within the unincorporated area of the Town of Bedford.

ZONING BOARD OF APPEALS
APPLICATION FOR A VARIANCE

RECEIVED
JUL 1 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: Chapter 125 E Section: _____

To Permit:

The existing site is a pre-existing, non-conforming 3.35 acre site in the 4 acre minimum R4A zone. The proposed garage extends into the 50' setback 8.7' for a side yard setback of 41.3' from the east corner of the property line. The proposed lot coverage is 3.09% the maximum lot coverage permitted is 3%.

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 _____ Date _____

Signature of Applicant _____ Date 6/30/15

Rev. 5/18/10

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: **Casa Zeta, LLC**
1990 Bundy Drive
Los Angeles, NY 90025

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

The creation of a 538 square foot caretaker's studio apartment (cottage) within an existing 1,536 square foot accessory building (6-car garage) resulting in two cottages on the lot where one cottage per lot is permitted on the parcel which is located in the Residential 4-Acre Zoning District. The proposed building coverage on the parcel is 3.17% where 3% is permitted and the existing building coverage is 3.17%. The request being a variance of Article VIII Section 125-79.1(4) for property owned by the applicants and located on:

44West Patent Road
Bedford Hills, NY 10507

designated as Section 72.10 Block 1 Lot 11 on the Tax Map of the Town of Bedford in a Residential 4-Acre Zoning District. Said hearing will take place on **Wednesday, the 5th day of August 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. The applicant or his representative must be present.

DATED: July 13, 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 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

APPLICATION FOR A VARIANCE

1. Name of Owner: Casa Zeta, LLC

   Address: 44 WEST PATENT RD.

   Telephone/Email: 914-960-0145

2. Name of Applicant, if other than Owner: PHILLIP CERADINI, ARCHITECT

   Address: 105 KISCO AVE., Mt. KISCO, N.Y. 10549

   Telephone/Email: 914-666-0547 / phillipceradini@gmail.com

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

   Phillip Ceradini

   Address: Same

   Telephone/Email: Same

   RECEIVED
   JUL 10 2015
   BEDFORD ZONING
   BOARD OF APPEALS

4. Identification Property:

   Street Address: 44 West Patent Rd.

   Tax ID: 72.10 Zoning District: R-4 Total Land Area: 3.339 Acres

   Age of the Building 17

   Is the property located in a designated Historic District? No

   % of Building Coverage: 3.17% % of Impervious Surface 9.7

   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 West Pat. Rd. within the unincorporated area of the Town of Bedford.

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: VIII Section: 125-79.1 (4)

To Permit:

the conversion of a portion of an existing garage/storage building into a caretakers studio apt. Existing bldg. is one story @ 1,536 s.f., of which 538 s.f. would be converted to the apartment plus open deck to rear.

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:	RECEIVED	$350.00
Commercial:	JUL 10 2015	$550.00
	BEDFORD ZONING BOARD OF APPEALS	

Signature of Owner — Date

Signature of Applicant — 10 JUL 2015 Date

Rev. 5/18/10

10 July 2015

Zoning Board of Appeals

Town of Bedford NY

425 Cherry St.

Bedford Hills NY 10507

Dear Board members,

Casa Zeta, LLC is the owner of the 13.339 acre parcel located at 44 West Patent Road in the Town of Bedford (Tax map: section 72.10, Block 1, Lot 11 (the "Property").

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JUL 10 2015
BEDFORD ZONING
BOARD OF APPEALS
RECEIVED
JUL 10 2015
BEDFORD BUILDING
DEPARTMENT

The Property is improved with:

Principal residence footprint	9,668 sf
guest house with attached greenhouse	1,355 sf
6 bay garage	1,536 sf
dance studio	1,060 sf
tennis court	3,600 sf
swimming pool	1,000 sf
tool shed	236 sf

18,445 sf = 3.17 % existing bldg coverage (to rmain same)

PHILLIP CERADINI ARCHITECT AIA

105 KISCO AVE.
MT. KISCO NEW YORK 10549
914 - 666 - 0547 FAX: 914 - 666 - 2386
www.phillipceradini.com

Owner proposes to construct a 538 sq ft studio apartment (hereinafter referred to as the "Cottage") within the existing 6-bay detached one story garage/storage building that comprises 1,536 sq ft (hereinafter referred to as the "Garage Building") to be occupied by the caretaker of the Property.

Article 125-79.1 of the Town of Bedford Zoning Ordinance provides that the planning board may grant a Special Permit to create a cottage in an existing accessory building, providing that the following conditions are met:

1. The accessory building in which the cottage is to be located shall have been in existance ptior to the adoption of this chapter-based on Town records, the Garage Building was built in 1997 which is prior to the Towns adoption f section 125-79.1 of the Zonong Ordinance.

2.The total floor area to be occupied by the cottage within the accessory building must have been in existance prior to the adoption of this chapter-based on Town records, the Garage Building is the same as it was when originally constructed.

3. The owner of the lot on which the cottage is to be locatedshall occupy at least one of the dwelling units on the premises-the owners occupy the principal residence on the Property.

4. There will be no more than one cottage or accessory apartment per lot-there are presently two (2) residential structureson the Property... the principal residence occupied by the owners and a guest house which is sporadically occupied by guests to the owners.

5. The lot must meet the lot area, yard and coverage requirementsfor the zoning district in which it is located- The Property conforms in all respects to the area, yard and coverage requirements except with respect to Building Coverage. The permitted building/structure coverage is 3%. The existing building/structure coverage is 3.17%.

6. A minimum of two off street parking spaces suitable for year round use shall be providedon the lot- the number of off street parking spaces on the Property exceeds the two car minimum requirement.

7. The cottage shall contain at least 400 sq ft and not more than 800 sq ft but shall not exceed 25% of the total floor area of the principal residence- the proposed cottage is 538 sq ft and is far less that the 25% of the total floor area of the primcipal residence which is in excess of 14,000 sq ft.

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BEDFORD ZONING
BOARD OF APPEALS

8. Applicant to furnish suffcient data for Borads' review- see submitted survey and plans.

9.The approval of the Westchester County Department of Health must be obtained for water supply and sewage disposal systems prior to the approval of the special use permit- Bibbo Associates has been retained to review with the health dept.... there is an existing 2,600 gal septic tank on the Property... this might be utilised or a small new septic system might be designed for the caretaker apt.(Cottage) Review is under way.

10. The building inspector shall inspect the proposed cottage and report in writing any deficiencies to the planning board prior to granting of the special use permit- The applicant, Phillip Ceradini, Architect, will contact the building inspector to arrange for him to visit the Property to inspect the 6 bay garage building in question.

Sincerely,

Phillip Ceradini, Architect

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JUL 10 2015
BEDFORD ZONING
BOARD OF APPEALS

Certificate 004111 A

Issued March 3, 1989

TOWN OF BEDFORD

WESTCHESTER COUNTY, N. Y.

CERTIFICATE OF ~~COMPLIANCE~~ Occupancy

Building Permit No. None

This is to certify that John & Phyllis Landi of 44 West Patent Road having filed on March 3, 1989 Application No. 4111 A for a Certificate of Occupancy applying to premises located at 44 West Patent Road being Sec. 10, Lot 45, Town of Bedford Assessment Map at a R4A zone as shown on the building zone map, and the application having been approved, authority is hereby given to occupy or use said premises or building or part thereof for the following purposes:

Cottage with attached greenhouse

Inspected 3/2/89

under the following limitations

on and after this date until revoked, and subject to all the provisions of THE BUILDING ZONE ORDINANCE

Richard Megna
Asst. Building Inspector

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/2/2015

Parcel ID: **72.10-1-11**

Owner Information

Casa Zeta LLC

Applicant Information

Casa Zeta LLC
1990 Bundy Dr

Los Angeles NY 90025

Location: 44 West Patent Rd
Parcel ID: 72.10-1-11
Permit Type: Cottage/Accessory Apartment
Work Description: Convert a portion of an existing garage/storage building into a caretaker's studio apt. Existing building is 1,536 sq. ft., of which 538 sq. ft. would be converted to the apt.

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:

Conversion of a portion of an existing garage/storage building into a caretaker's studio apartment would result in a second accessory cottage/apartment where there shall be no more than one cottage or accessory apartment per lot in accordance with Article VIII Section 125-79.1(4). A variance from the Board of Appeals and a Special Use Permit from the Planning Board is 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

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 Jessica Cusato**
35 Meadow Lane
Katonah, NY 10536

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

Construction of a one bay garage with storage attached to the existing single family residence resulting in a side yard setback of 11' 9" where 20 feet is required for property located in the Residential 1/2 Acre Zoning District. This request being a variance of Article V Section 125-50 for property owned by the applicants and located on:

35 Meadow Lane
Katonah, New York 10536

designated as Section 49.14 Block 2 Lot 40 on the Tax Map of the Town of Bedford in an R-1/2 Acre Zoning District. Said hearing will take place on **Wednesday, the 5th day of August 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. Applicants or their representatives must be present.

DATED: July 13, 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

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SEP 5 2014
BEDFORD ZONING
BOARD OF APPEALS

APPLICATION FOR A VARIANCE

1. Name of Owner: Anthony Cusato

   Address: 35 Meadow Lane Katonah

   Telephone/Email: 9145231233 203 9829639 TrinityAnn aol.com

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

   Address: _____

   Telephone/Email: _____

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

   _____

   Address: _____

   Telephone/Email: _____

4. Identification Property:

   Street Address: 35 Meadow Lane Katonah

   Tax ID: 49.14-2-40 Zoning District: RFY Total Land Area: .50

   Age of the Building 65 years old

   Is the property located in a designated Historic District? NO

   % of Building Coverage: 2468.60 % of Impervious Surface 2,950

   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 [illegible] side of Meadow within the unincorporated area of the Town of Bedford.

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: ✓ Section: 125-50

To Permit: to build a garage with a setback 10 feet from the side property line.

RECEIVED
SEP 5 2014
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 — Date 9/5/14

Signature of Applicant — Date 9/5/14

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA:

GROUND SNOW LOAD: 45

WIND SPEED: 90 MPH

SEISMIC DESIGN CATEGORY: C

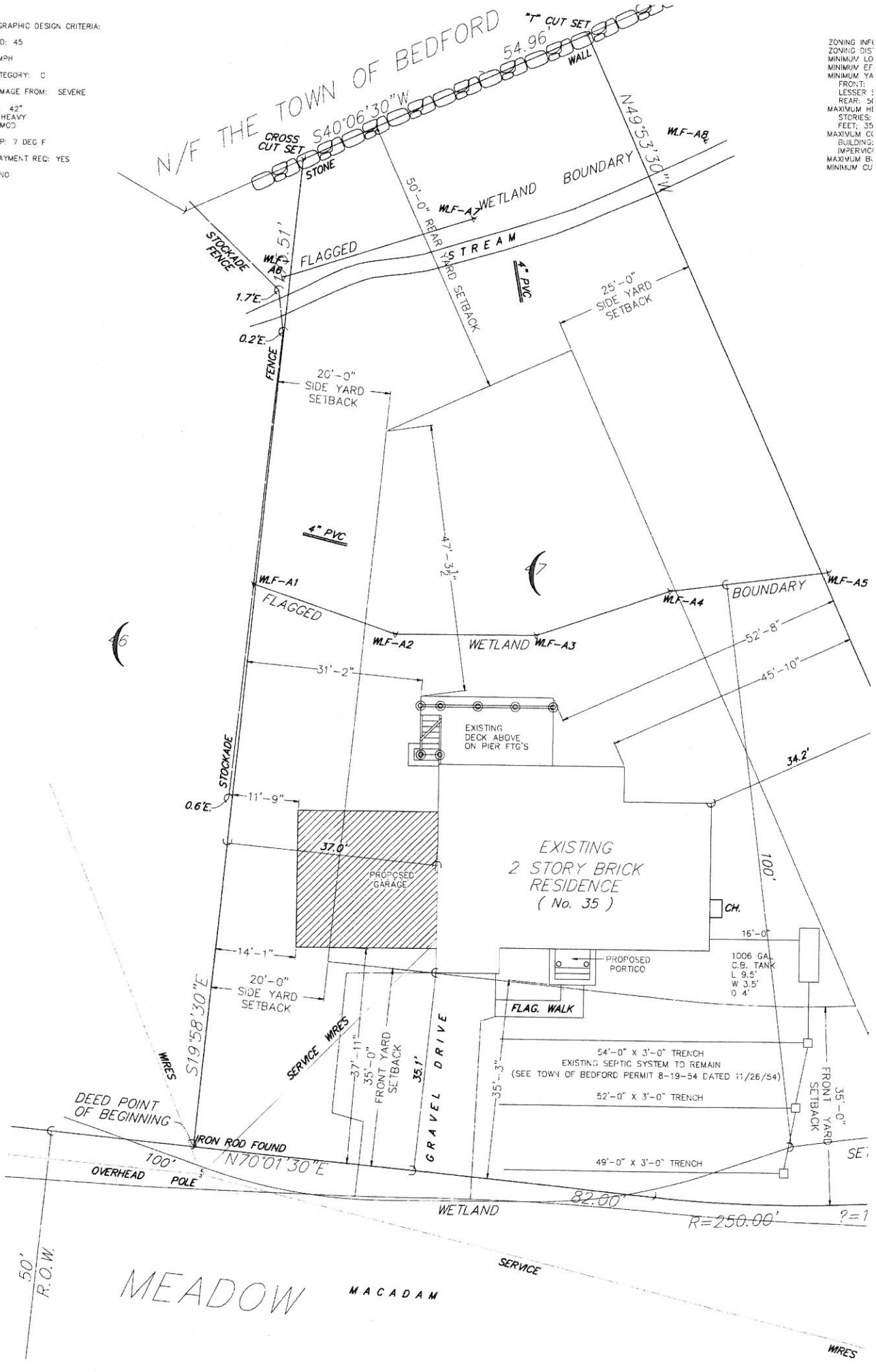
SUBJECT TO TO DAMAGE FROM: SEVERE
WEATHERING:
FRONT LINE DEPTH: 42"
TERMITE: MOD TO HEAVY
DECAY: SLIGHT TO MOD

WINTER DESIGN TEMP: 7 DEG F

ICE SHIELD UNDERLAYMENT REQ: YES

FLOOD HAZARDS: NO

ZONING INFO
ZONING DIS
MINIMUM LO
MINIMUM EF
MINIMUM YA
FRONT:
LESSER S
REAR: 5
MAXIMUM HE
STORIES:
FEET: 35
MAXIMUM CO
BUILDING:
IMPERVIOI
MAXIMUM BL
MINIMUM CU



MOT-CURATO-DOB DRAWINGS

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: **Robert Cantisani**
789 North Bedford Road Corp (Owner)
Weldon Tire (Applicant)
789 Bedford Road
Bedford Hills, NY 10507

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

1. The replacement of two existing wall signs and the replacement of one free-standing sign resulting in a total of three signs where two signs are permitted. 125 Attachment 1:3.

For property located on:

789 Bedford Road
Bedford Hills, New York 10507

designated as Section 71.12 Block 2 Lot 34 on the Tax Map of the Town of Bedford in an RB Zoning District.

Said hearing will take place on **Wednesday, the 5th day of August 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: July 21, 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

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 CANTISANI
   27 McCARTHY RD, HOLMES, NY 12531
   Address: ~~789 N. BEDFORD RD., BEDFORD NY~~
   Telephone/Email: (914) 666-8006
2. Name of Applicant, if other than Owner: MICHAEL MANES / WELDON TREE
   Address: 358 SAW MILL RIVER RD, MILLWOOD, NY 10546
   Telephone/Email: (914) 215-6714
3. Name of Professional (New York State Licensed Architect, Engineer, Land Surveyor, Landscape Architect):

   Address: _____

   Telephone/Email: _____
4. Identification Property:

   Street Address: 789 N. BEDFORD RD, BEDFORD NY

   Tax ID: 71-12-2-34 Zoning District: RB Total Land Area: .40 AC

   Age of the Building 1995 +/-

   Is the property located in a designated Historic District? NO

   % of Building Coverage: 24.4 % of Impervious Surface 19.9%

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

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

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

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: _____ Section: _____

To Permit:
SIGN VARIANCE TO ALLOW A THIRD SIGN ON THE PROPERTY. PROPOSED SIGN DRAWINGS ATTACHED.

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

_____ 7/24/15
Signature of Owner Date

_____ 7/24/15
Signature of Applicant Date

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/22/2015

Parcel ID: **71.12-2-34**

Owner Information

789 North Bedford Road Corp

Applicant Information

789 North Bedford Road Corp
c/o R & E Cantisani
27 McCarthy Rd
Holmes NY 12531

Location: 789 Bedford Rd
Parcel ID: 71.12-2-34
Permit Type: Sign
Work Description: Weldon Tire replacement signs for existing signage: One, Type "E" freestanding and Two Wall Signs

Dear Resident,
Regarding the application for a PlanningPermit 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 replacement of two existing wall signs and the replacement of one free-standing sign will result in a total of 3 signs where 2 signs are permitted 125 Attachment 1:3

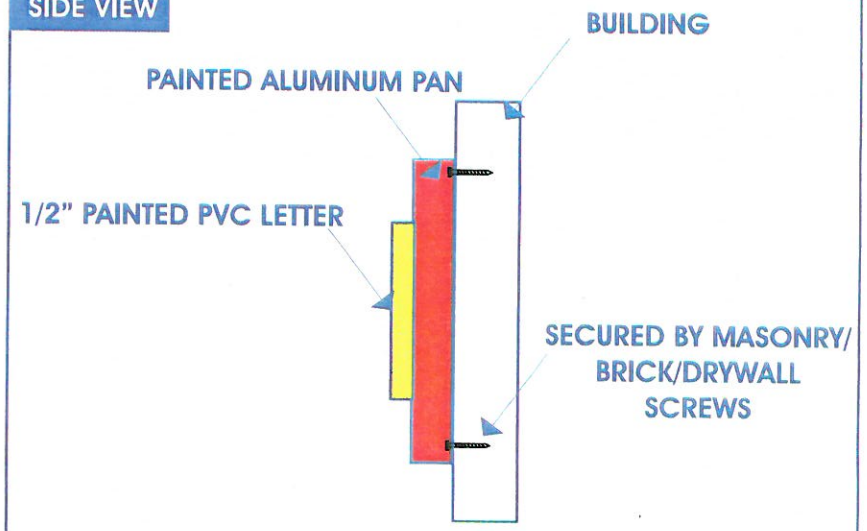
Because your project does not meet the requirements of the Town of Bedford Zoning Ordinance, your application for a building permit is DENIED. If you wish to proceed with your request, you may, within sixty days of this letter, apply to the of the above provisions

Very truly yours,

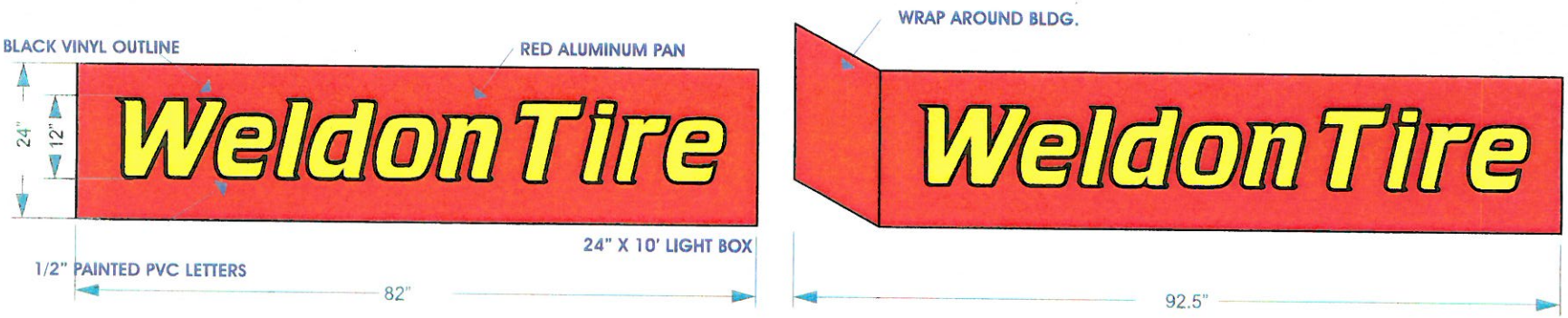
Steven Fraietta
Building Inspector

INSTALLATION SITE

SIDE VIEW



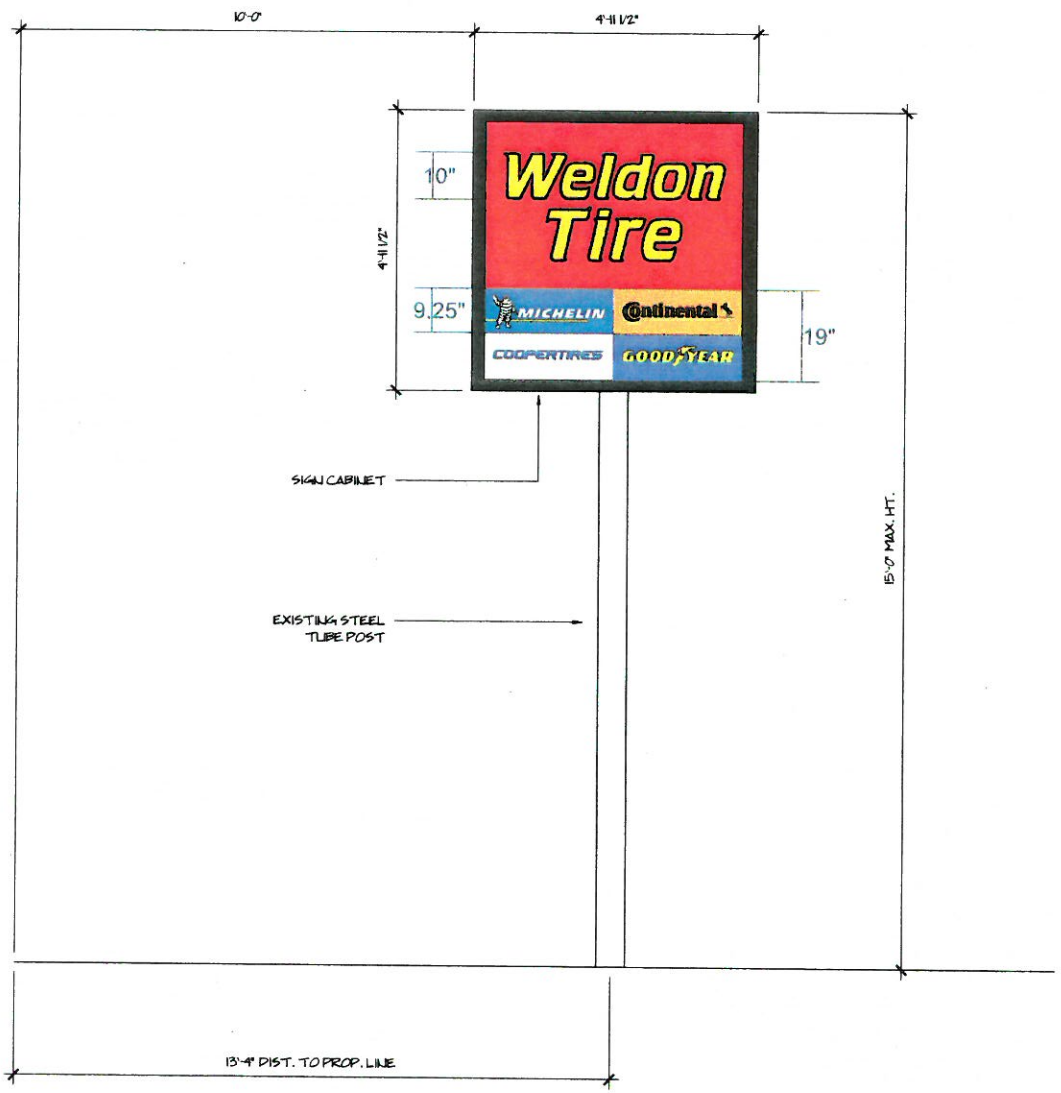
Aluminum Pan with 1" Aluminum tube frame Qty.1 24"x82 Qty.1 24"x92.5"



Signs ink
3255 CROMPOND ROAD, YORKTOWN, N.Y. 10598
PHONE: 914-739-9059 / FAX: 914-739-9728

CUSTOMER:	MAVIS DISCOUNT TIRE	SALES:	DESIGNER:	DATE:	07/02/15
ADDRESS:		FILE NAME:	S:\CUSTOMER FILES\M\MAVIS\BEDFORD\SIGNS.CDR		
SIGN TYPE:	ALUMINUM PAN	APPROVED BY CUSTOMER:			
		DATE:			

POLE SIGN



Signs ink

3255 CROMPOND ROAD, YORKTOWN, N.Y. 10598
PHONE: 914-739-9059 / FAX: 914-739-9728

CUSTOMER:	MAVIS DISCOUNT TIRE	SALES:	DESIGNER:	DATE:	07/02/15
ADDRESS:		FILE NAME:	S:\CUSTOMER FILES\M\MAVIS\BEDFORD\SIGNS.CDR		
SIGN TYPE:	POLE SIGN	APPROVED BY CUSTOMER:			
		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: **Robert Cantisani**
789 North Bedford Road Corp (Owner)
Weldon Tire (Applicant)
789 Bedford Road
Bedford Hills, NY 10507

For a Special Use Permit in accordance with Article VIII Section 125-68 of the Town of Bedford Zoning Ordinance to permit the operation of a tire sales and installation facility to include oil changes, State inspections, alignments, shocks, brakes and exhaust systems where such uses are classified as "automotive service stations or public garages" under the Town of Bedford Zoning Code on property owned by the applicant and located on:

789 Bedford Road
Bedford Hills, NY 10507

designated as Section 71.12 Block 2 Lot 34 on the Tax Maps of the Town of Bedford in a RB Zoning District. **Said hearing will take place on Wednesday, the 5th day of August 2015 at the Town House Offices, 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: July 21, 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 acostello@bedfordny.gov
www.bedfordny.gov

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: **Robert Cantisani**
789 North Bedford Road Corp (Owner)
Weldon Tire (Applicant)
789 Bedford Road
Bedford Hills, NY 10507

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

The legalization of one, 299 square foot shed (shed #1) and one, 452 square foot shed (shed #2) located at the southwest side of a commercial building resulting in (1) zero rear yard setback to shed #2 where 30 feet is required and 17 foot rear yard setback to shed #1 where 30 feet is required in the RB Zoning District (2) building coverage of 24.56% where 20% maximum building coverage is permitted in the RB Zoning District; and (2) combined building and parking area coverage of 80.12% where 80% maximum building and parking area coverage is permitted in the RB Zoning District for property located on:

789 Bedford Road
Bedford Hills, New York 10507

designated as Section 71.12 Block 2 Lot 34 on the Tax Map of the Town of Bedford in an RB Zoning District. Said hearing will take place on **Wednesday, the 5th day of August 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: July 21, 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

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

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JUL 21 2015
BEDFORD ZONING
BOARD OF APPEALS

APPLICATION FOR A SPECIAL PERMIT

1. Name of Owner: ROBERT CANTISANI

   Address: 789 NORTH BEDFORD RD.

   Telephone/Email: (914) 666-8008

2. Name of Applicant, if other than Owner: MICHAEL MANES

   Address: 358 SAW MILL RIVER RD., MILLWOOD, NY 10546

   Telephone/Email: (914) 215-6714 / mmanes@mavistire.com

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

   _____

   Address: _____

   Telephone/Email: _____

4. Identification Property:

   Street Address: 789 NORTH BEDFORD RD.

   Tax ID: _____ Zoning District: RB Total Land Area: .40AC

   Age of the Building ~1995

   Is the property located in a designated Historic District? NO

   % of Building Coverage: _____ % of Impervious Surface _____

   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 SPECIAL PERMIT

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JUL 21 2015
BEDFORD ZONING
BOARD OF APPEALS

5. Request:
The applicant requests that the Board approve the issuance of a Special Permit under the following section of the Code of the Town Bedford:

Article: ~~125 ATTACHMENT 1~~ V III Section: 125-6

The applicant proposes the following Special Permit:
PUBLIC GARAGE IN RB ZONE

6. Plans required:
Include six copies of a narrative, 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. Site Plan:
Include a Preliminary Site Plan Application form, fee, and ten (10) copies of a Preliminary Site Plan complying with all requirements of Article IX, Section 125-88 of the Code of the Town of Bedford.

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

Special Permit Application	$350.00
Preliminary Site Plan: (As required by Fee Schedule Town of Bedford Code)	$_____
Total:	$_____

SIGN HERE

Signature of Owner — Date: 7/20/15

Signature of Applicant — Date: 7/17/15

Rev. 5/18/10

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 CANTISANI

   Address: 27 McCARTHY RD. HOWES, NY 12531

   Telephone/Email: (914) 666-8008

2. Name of Applicant, if other than Owner: MICHAEL MANES / WELDON TIRE

   Address: 358 SAW MILL RIVER RD. MILLWOOD, NY 10546

   Telephone/Email: (914) 215-6714 / mmanes@mavistire.com

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

   STANLEY JOHNSON

   Address:

   Telephone/Email:

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JUL 21 2015
BEDFORD ZONING
BOARD OF APPEALS

4. Identification Property:

   Street Address: 789 NORTH BEDFORD RD.

   Tax ID: 71.12-2-34 Zoning District: LB Total Land Area: .40AC

   Age of the Building 1995 +/-

   Is the property located in a designated Historic District? NO

   % of Building Coverage: 24.4 % of Impervious Surface 19.9%

   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

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 Section: 129

To Permit:
AN AREA VARIANCE TO ALLOW EXISTING BUILDING COVERAGE OF 24.4%.

~~SIGN VARIANCE TO ALLOW A THIRD SIGN TO BE ATTACHED.~~

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 — Date 7/20/15

Signature of Applicant — Date 7/17/15

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/22/2015

Parcel ID: **71.12-2-34**

Owner Information

789 North Bedford Road Corp

Applicant Information

789 North Bedford Road Corp
c/o R & E Cantisani
27 McCarthy Rd
Holmes NY 12531

Location: 789 Bedford Rd
Parcel ID: 71.12-2-34
Permit Type: Addition
Work Description: Legalization of one, 299 square foot shed (shed #1) located at the southwest side of a commercial building

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:

Shed #1 has a 17 foot rear yard setback where 30 feet is required in the RB Zoning District. The combined building coverage with Shed #2 is 24.56% where 20% maximum building coverage is permitted and combined building and parking area coverage of 80.12% where 80% is permitted in the RB District Article V Section 125-50.

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

LETTER OF PERMIT DENIAL

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

Application #:

Date: 7/22/2015

Parcel ID: **71.12-2-34**

Owner Information

789 North Bedford Road Corp

Applicant Information

789 North Bedford Road Corp
c/o R & E Cantisani
27 McCarthy Rd
Holmes NY 12531

Location: 789 Bedford Rd
Parcel ID: 71.12-2-34
Permit Type: Additions & Alterations
Work Description: Legalization of one, 452 square foot shed (shed #2) which is an expansion of what was permitted by BP 19480

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:

Shed #2 has a zero rear yard setback where 30 feet is required in the RB Zoning District. The combined building coverage with Shed #1 is 24.56% where 20% maximum building coverage is permitted and combined building and parking area coverage of 80.12% where 80% is permitted in the RB District Article V Section 125-50.

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

Weldon Tire

2 July 2015

Michael Manes
Director Real Estate Development
Weldon Tire
358 Saw Mill River Rd.
Millwood, NY 10546
(914) 215-6714

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BEDFORD ZONING
BOARD OF APPEALS

Mr. Jeffrey Osterman
Director of Planning
Town of Bedford
425 Cherry St.
Bedford Hills, NY 10507

Re: 789 North Bedford Road, Bedford, NY 10549

Dear Mr. Osterman:

Weldon Tire, in connection with its' new lease at the above referenced location, and in conformance to Town requirements for a Special Permit Application, hereby submits this narrative.

Weldon Tire hopes to open as soon as possible In preparation we would like to clean, paint, and install furniture and equipment and signs.

This store will employ 6 to 8 people and will operate in strict accordance with Mavis guidelines for professionalism, the safety of our employees and convenience of our customers. Hours of operation will be M-F 8 AM to 6PM, Thurs until 8:30 PM, Saturday 8-5 PM and Sunday 9 to 5 PM. The store will be stocked daily using a 26 ft. box truck or smaller. Scrap tires will be stored inside and will be removed once a week. Cars will not be stored or left outside overnight No work will be done outside the building. Mavis uses double-walled, 275 gallon tanks for new oil and waste oil. These will be filled and emptied approximately once a month Noise generated by the use of power tools and any other operations will be at levels below the current ambient noise level of Route 117.

Activity at this store will include tire sales and installation, oil changes, state inspections, alignments, shocks, brakes and possible exhaust systems. There will be no major engine work. In this respect it is a much cleaner operation than a typical automotive repair shop.

I hope this answers your questions. If you have any additional comments or questions, please do not hesitate to contact me.

Many thanks.
Michael

BOARD OF APPEALS
Town of Bedford
Westchester County, New York

AMENDMENT NO. 1 TO RESOLUTION #12-91 TWO
ZASSO MEINEKE DISCOUNT MUFFLER

WHEREAS, the Town of Bedford Board of Appeals granted variances to DAVID and ANN ZASSO on property known and designated on Town Tax Maps as Section 10C, Lot 39A, pursuant to Resolution #12-91 Two, dated December 31, 1991, and

WHEREAS, the application made to the Board of Appeals, the published Public Notice and the minutes of the December 7, 1991 meeting indicated an application for a Special Permit in conjunction with the aforementioned variances.

NOW THEREFORE BE IT RESOLVED, that Resolution #12-91 Two is hereby amended to include approval of a Special Permit under Section 125-68 as applied for by the applicant.

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 September 23, 1992.

Eileen M. Regan,
Secretary

BOARD OF APPEALS
Town of Bedford
Westchester County, New York

Resolution # 12-91 two

Zasso Meineke Discount Muffler

WHEREAS, application has been made pursuant to Section 125-68 of the Code of the Town of Bedford, application to permit a variance for the decrease in lot size, side yard setbacks and minimum side lot distrance from the driveway, premises being known and designated on the tax map of the Town of Bedford as Section 10C, Lot 39A and as shown on the survey of property submitted on October 29, 1991 , and

WHEREAS, a public hearing was held on December 4, 1991, 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. McGovern , seconded by Mrs. Deickler , BE IT

RESOLVED, that the application for a variance be approved as submitted. Vote taken on the foregoing motion was as follows:

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

Nays - None

John W. Ruger
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 December 31 , 1991

Gail M. Amyot
Gail M. Amyot, Secretary

person is moving out. He did not know how long he's been renting it. Mr. Sandvoss reiterated that they are coming to the Zoning Board specifically for the variance of the sideyard setback.

Mrs. Deickler said that the board had given a variance for use as a studio for a sculptor, who was the son of the owner. The studio was subsequently rented, so it is a use problem. It is in violation right now. She expressed a concern that accessory apartments are not only illegal, but they not necessarily safe. We have to protect the citizens of this community by observing the fire code, the electrical code, the septic and everything else.

Mr. Sandvoss stated that Mr. Meade came forward and admitted that he was illegally renting the studio as an apartment. The reason why they're coming forward is to get it legalized. Mr. Sandvoss said he informed Mr. Brown of the situation and has invited him to inspect the property. He also said he has submitted to Mr. Brown the Fire Underwriters, septic approval and the plans of the building. He was under the impression that the property would be inspected when the variance was granted.

Mrs. Deickler said she would feel more comfortable if the Building Inspector would give us a report on it.

Mr. Sandvoss informed the board that the tenant would move out by the end of December, or at the latest January 31, 1992. He presented a letter as evidence to that fact.

Mr. McGovern proposed that the board take this up when the illegal occupancy ceases. The board should no vote on something that has a current violatio on it. Also, the premises should be inspected.

Mr. Sandvoss said he had a "CO" signed by Richard Megna dated December 8, 1988.

Mr. Ruger said that a suggestion has been made that this be held over until the tenant has vacated the property and the Building Inspector inspects it. He told Mr. Meade and Mr. Sandvoss they would see them January 8, 1991.

3. DAVID AND ANN ZASSO - MEINEKE DISCOUNT MUFFLER FACILITY, North Bedford Road, Bedford Hills, New York 10507. Section 10C, Lot 39A, CB Zone. The applicant is requesting a variance for a decrease in lot size, side yard setbacks and minimum side lot distance from driveway. They are also requesting a Special Permit to construct a new Automotive Service Building. VII 125-68

Bruce Helmes and his son Peter appeared on behalf of the applicant. Mr. Helmes stated that Mr. Zasso bought a piece of

property directly north of the A Plus gas station on the north side of Bedford Road and directly south of the existing Midas. The lot is zoned for Central Business, which means there's no property line, sideyard restriction required and there's a 10 foot front yard requirement. This lot is unique because it is 85 feet wide, frontage and 198 feet deep and gives about 17,000 square feet of land area. The permit is for automotive service, not a gasoline or fuel, but mufflers and brakes. The code says the sideyards must be 10 feet. We have 48 feet on one side and we are requesting to build 8 inches from the property line on the other side. The property backs up to the gasoline station which is a wide open space with lots of trees. There was a deed restriction put on by the gasoline corporation that there must be a 60 foot setback for the building. You will note that our building is 60 feet back from the original property line. We can't have any obstructions over 4 feet in height, this covers signage and things like that. We comply 100% with everything else. We're looking for the permit to use this type of a building and to reduce the sideyard to 8 inches, which is allowed by Central Business. Because of the curb cut, we have a 6 foot dimension that we want reduced from the 10 feet to 6 feet.

Peter Helmes brought up some of the practical difficulties, specifically that Meineke is a franchise and recommends a minimum width building. They are underneath that minimum width in order to accommodate the building on this site, and to allow for the maximum amount of parking. Also, we have a DOT easement for a storm drainage along one of the property lines, which prevents us from putting the building there.

Mr. Helmes interjected that there was a letter in file from the Planning Board recommending that the Zoning Board approve this.

Mr. O'Neill, representing Mr. Balrano, owner of Midas Muffler, stated that they objected to this, because they did not want the competition. He also expressed concern about the easement of access across the property in favor of Peppe's in the back. It was determined that this easement did not affect the property in question. Mr. McGovern said if you take the meets and bounds of the easement, 65 51 40 on one side, and it's 65 51 40 on the other side. They're both parallel lines and they're running parallel to the northerly line of this property in question.

Mr. McGovern moved that the application be approved as submitted. Mrs. Deickler seconded the motion.

Vote taken on the foregoing motion was as follows: Mrs. Deickler, yes; Mr. McMillan, yes; Mr. McGovern, yes; Mrs. Barton, yes; Mr. Ruger, yes.

4. JEFFREY AND PATRICIA BENNETT - 190 Green Lane, Bedford Hills, New York 10507, Section 7C, Lot 66, R-2A Zone. The

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

Resolution #10-01 Six
Robert Cantisani/Zasso

WHEREAS, application has been made pursuant to Article V Section 125-50 of the Code of the Town of Bedford for a variance to permit the construction of a storage shed resulting in a building coverage of 22.5% where 20% is permitted. Premises located at 789 North Bedford Road, Bedford Hills, New York, being known and designated on the tax map of the Town of Bedford as Section 71.12 Block 2 Lot 34, CB Zone, and shown on a site plan submitted on August 3, 2001, and

WHEREAS, a public hearing was held on October 3, 2001 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 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, the granting of this variance would not change the nature of the neighborhood and would have no negative effect on the properties of the immediate neighbors.

NOW, THEREFORE, on a motion by Mrs. Barton, seconded by Mr. McGovern,

RESOLVED, that the application for a variance to permit the construction of a storage shed resulting in a building coverage of 22.5% where 20% is required be approved, subject to the following conditions:

1. The existing trailer shall be removed from the property.

2. This approval is granted subject to the memorandum dated July 30, 2001 from Jane Schewior of the Tree Advisory Board.

3. This variance is granted subject to the approval of the Bedford Planning Board.

Vote taken on the foregoing motion was as follows:

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

Nays - None

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 November 26, 2001.

Eileen M. Regan, Secretary
Zoning Board of Appeals

TOWN OF BEDFORD
PLANNING BOARD

RESOLUTION NO. 01/49

STORAGE SHED
MEINEKE DISCOUNT MUFFLER – WAIVER OF SITE PLAN APPROVAL

WHEREAS, a formal application, dated July 16, 2001, was received from Robert Cantisani, Meineke Discount Muffler, 789 Bedford Road, Mount Kisco (Town of Bedford), New York 10549, for a waiver of the requirement of site plan approval to construct a storage shed, on property located at 789 Bedford Road, Mount Kisco, New York, shown and designated on Town Tax Maps as Section 71.12 Block 2 Lot 34, in the Commercial Business (CB) District, was received by the Planning Board on July 17, 2001, and

WHEREAS, accompanying the application was a site plan entitled "Proposed Meineke Service Building for D & A Zasso, North Bedford Road, Town of Bedford," prepared by The Helmes Group, last revised January 21, 1993, received by the Planning Board on July 17, 2001, and

WHEREAS, on July 17, 2001, the Planning Board also received a single sheet entitled "Construction Details,", undated, and

WHEREAS, the Bedford Zoning Board of Appeals by Resolution No. 10-01 Six granted a variance to permit the construction of a storage shed resulting in a building coverage of 22.5% where 20% is required, and

WHEREAS, the Planning Board has determined that the proposed use will not have a significant effect on the environment as defined in the New York State Environmental Quality Review act (SEQRA),

NOW THEREFORE BE IT RESOLVED, that due to the limited nature of the proposal to construct a storage shed, the requirement of preliminary and final site plan approval is hereby waived pursuant to Article IX section 125-93 of the Code of the Town of Bedford with the following conditions:

1. The applicant shall comply with the July 30, 2001 letter from the Tree Advisory Board with specific consideration given to the following conditions:
   a. The two missing trees shall be replaced.
   b. Topping of the tress is to be discontinued and only corrective pruning shall be done for five (5) seasons.
   c. A re-inspection of the site shall take place after three (3) years and a pruning schedule shall be developed at that time.

2. The building to be erected is "Kris" as shown on the plan received by the Planning Board on July 17, 2001.
3. The new shed shall be painted to match the existing building.

APPROVED: October 9, 2001

DATED: October 22 2001

The foregoing resolution is certified to be a true copy of the resolution, which was approved on October 9, 2001 by the Planning Board of the Town of Bedford.

Alexandra J. Costello, Sr. Office Assistant
Town of Bedford Planning Board

PLANNING BOARD
Town of Bedford
Westchester County, New York

RESOLUTION NO. 92/59

MEINEKE DISCOUNT MUFFLER FACILITY

FINAL SITE PLAN

WHEREAS, an application, dated September 14, 1992, from David and Ann Zasso, 55 Cliffield Road, Bedford, New York, for approval of a final site plan for the construction of a building for a Meineke Discount Muffler Facility on property located on Bedford Road (Route #117), shown and designated on Town Tax Maps as Section 10C Lot 39A, in the Central Business (CB) District, was received by the Planning Board on September 22, 1992, and

WHEREAS, included in the application is a final site plan entitled, "Proposed Meineke Service Building for D & A Zasso", consisting of eight sheets, last revised September 14, 1992, prepared by The Helmes Group, Architects/Engineers, as follows: Dwg. SD-1 entitled, "Site Plan", dated August 6, 1991; Dwg. SD-2 entitled, "Septic System Layout and Drainage Plan", dated March 4, 1992; Dwg. SD-3 entitled, "Drainage Details", dated March 4, 1992; Dwg. SD-4 entitled, "Site Drainage Calculations", dated July 20, 1992; Dwg. 5 entitled, "Floor Plans", dated July 20, 1992; Dwg. 6 entitled, "Elevations", dated July 20, 1992; Dwg. 7 entitled, "Wall Section Details", dated July 20, 1992; and Dwg. 8 entitled, "Structural Plans and Details", dated July 20, 1992, and

WHEREAS, by resolution entitled, "Resolution #12-91 Two", dated December 4, 1991, the Bedford Board of Appeals granted a variance for the decrease in lot size, side yard setbacks and minimum side lot distance from the driveway, and

WHEREAS, by resolution entitled, "Amendment No. 1 to Resolution #12-91 TWO", the Bedford Board of Appeals included approval of a Special Permit under Section 125-68 as applied for by the applicant, and

WHEREAS, the applicant has disclosed that 1200 cubic yards of fill will be imported to the site, and

WHEREAS, the Planning Board has determined that the proposal will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act (SEQR).

WHEREAS, the above described final site plan meets all requirements of the Bedford Planning Board, except as noted below.

NOW, THEREFORE, BE IT RESOLVED, that the above described final site plan is approved subject to the following conditions:

1. An estimate of the site construction costs shall be submitted to the Planning Board by the applicant. A site plan compliance fee shall be paid based on the Town of Bedford Fee Schedule. The amount of the fee shall be determined by the Town Engineering Consultant based on the cost estimate.

2. All of the comments of the Town Engineering Consultant in his memorandum, dated September 25, 1992, shall be satisfied.

3. The following note on the site plan: "Planting area not to exceed 4' in height per deed restriction", shall be deleted.

4. A note regarding the importation of 1200 cubic yards of fill shall be added to the final site plan.

5. The proposed signs shall be deleted from the site plan.

6. Approval from the New York State Department of Transportation for the new driveway entrance shall be received prior to issuance of a building permit.

and that the Chairman of the Planning Board, or, in his absence, the Vice Chairman, is hereby authorized to endorse said approval on said final site plan upon compliance with the foregoing conditions.

BE IT FURTHER RESOLVED, that since there has been explicit disclosure that 1200 cubic yards of fill are estimated to be imported to this site, the Planning Board hereby authorizes such importation.

BE IT FURTHER RESOLVED, that pursuant to Section 125-98 of the Code of the Town of Bedford, the approval shall expire unless a building permit is applied for within a period of eighteen (18) months from the date of the signing of the final site plan by the Planning Board.

DATED: September 29, 1992