



TOWN OF NORTH SALEM

BOARD OF APPEALS

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PUBLIC HEARING AGENDA

Town Meeting Hall, 66 June Road
Thursday, April 13th, 2023, 7:30 p.m.

CALL TO ORDER:

ANNOUNCEMENTS:

SET NEXT MEETING DATE: May 11, 2023

ACCEPTANCE OF MINUTES: February 9, 2023

HEARINGS HELD OVER:

1. **BA23-04** Matthew and Jennifer McManmon, (8 Morris Road) – **Area Variance** – to allow an 8 ft. x 12 ft. shed within the required side yard in an R-1/2 zoning district, per Article V, Section 250-15 of the Zoning Ordinance. The request is for a side yard setback variance of 13 ft. where 15 ft. is required and 2 ft. is proposed.
2. **BA23-07** Janet Barnetta, (46 Lake Street) – **Area Variance** – to install a 14 kW GENERAC Standby Generator within the required front yard in an R-1/2 zoning district consisting of approximately 0.12 acres, per Article V, Section 250-15 of the Zoning Ordinance. The request is for a front yard setback variance of 20 ft. where 30 ft. is required and 10 ft. is proposed.
3. **BA23-08** Steven Rattner & Maureen White, (706 Titicus Road) – **Area Variance** – to increase the maximum floor area of an accessory apartment within a new accessory structure in an R-4 zoning district consisting of approximately 16.87 acres, per Article XIII, Section 250-68C of the Zoning Ordinance. The request is for a floor area variance of 275 sq. ft. where 750 sq. ft. is the maximum allowed and 1,025 sq. ft. is proposed.
4. **BA23-09** Steven Rattner & Maureen White, (706 Titicus Road) – **Special Permit** – for the construction and maintenance of an accessory apartment in an R-4 zoning district consisting of approximately 16.87 acres, per Article XIII, Section 250-68 of the Zoning Ordinance.

PUBLIC HEARINGS:

5. **BA23-10** S&L Stables, Inc., (1 Lost Pond Lane) – **Area Variance** – to permit construction of a 4-stall barn within the required side yard in an R-4 zoning district consisting of approximately 15.4 acres, per Article XIII, Section 250-72A of the Zoning Ordinance. The request is for a side yard setback variance of 55.6 ft where 150 ft. is required and 94.4 ft. is proposed.
6. **BA23-11** S&L Stables, Inc., (1 Lost Pond Lane) – **Area Variance** – to permit construction of a barn with 3 enclosed stalls and 1 run-in stall within the required side yard in an R-4 zoning district consisting of approximately 15.4 acres, per Article XIII, Section 250-72A of the Zoning Ordinance. The request is for a side yard setback variance of 82.3 ft where 150 ft. is required and 67.7 ft. is proposed.
7. **BA23-12** S&L Stables, Inc., (1 Lost Pond Lane) – **Special Permit** – to amend Special Permit BA22-25 (for the keeping of up to eight (8) horses for personal use) per Article XIII, Section 250-72 of the Zoning Ordinance, to construct two barns and increase the number of horses to the keeping of up to fifteen (15) in an R-4 zoning district consisting of approximately 15.4 acres.
8. **BA23-13** Michael and Jaime Roche, (288 Titicus Road) – **Area Variance** – to permit installation of a 6-ft., wire fence with 1-in. x 1-in. mesh within the required side and rear yards per Article VI, Section 250-22(c) of the Zoning Ordinance, a fence height variance of 1 foot is requested.
9. **BA23-14** T-Mobile Northeast, LLC/Bloomerside Cooperative, (101 Bloomer Road) – **Area Variance** –to permit an increase in the maximum allowed height of the existing tower and decrease the required front yard setback in an R-1 Zoning District consisting of approximately 100.18 acres, per Article XIII Section 250-77.5E(2a)&(4) of the Zoning Ordinance to allow the co-location of T-Mobile's proposed wireless communication antennae and faux branches for concealment. A height of 139 feet (to be measured from the top of the tower base foundation to the top of the faux branches) is requested where a tower height of 119 feet exists and a maximum tower height of 120 feet is allowed. A height variance of 19 feet is requested. A front yard setback variance of 16 feet is requested where 239 feet is required, 223 feet exists, and 223 feet is proposed.

Join Zoom Meeting:

<https://zoom.us/j/7558828866>

* Meeting ID: 755 882 8866

* Dial in: +1 929 205-6099

Participants joining Via Zoom must display their full name. Anyone wishing to participate must also have their video on.

REVISED 4/12/2023