

Minutes of the Regular Meeting of the Zoning Board of Appeals of the Village/Town of Mount Kisco held on Tuesday, **February 20, 2024** at 7:05 pm at the Frank J. DiMicco Board Room and via Zoom Teleconference

Members Present: Wayne Spector, Chairman
George Hoyt
Jacqueline Broth
Alex Roithmayr
Ken Goldberg

Staff Present: Peter J. Miley, Building Inspector
Lisa Cobb, Interim Village Counsel (via Zoom)

Minutes:

1. January 18, 2022

Mr. Hoyt introduced a motion to approve the January 18, 2022 minutes; seconded by Ms. Broth.

Mr. Spector asked for all in favor. The motion carried by a vote of 4 to 0. Mr. Roithmayr abstained from voting.

2. December 19, 2023

Mr. Goldberg introduced a motion to approve the December 19, 2023 minutes; seconded by Mr. Hoyt.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

New Cases:

**1. Signart Graphix
333 N Bedford Road
(SBL 69.50-2-1)**

**ZBA# 24-1
Signage**

Applicant requested an adjournment due to additional variances being sought.

Ms. Broth introduced a motion to adjourn the application to March 19, 2024; seconded by Mr. Goldberg.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

**2. Michael Piccirillo Architecture, PLLC
103 Grove Street
Mount Kisco, NY 10549
(SBL 80.25-4-6)**

**ZBA# 24-2
Area**

Mr. Vladimir Levin of Michael Piccirillo Architects was present to represent the application.

Applicant sought three variances in conjunction with the conversion of an existing carport to a two-car detached garage.

Variances requested are for the accessory structure being closer to the side lot line than the principal structure by 5.57', a side yard variances of 3.17' and a combined (both) side yards setback variance of 1.17'.

No public comments were received.

Ms. Broth introduced a motion to close public hearing; seconded by Mr. Hoyt.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

Mr. Spector read and responded to the five factors.

The Zoning Board of Appeals did not have further comments.

Mr. Hoyt introduced a motion to grant the requested variances; seconded by Ms. Broth.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

**3. VKS Architects
346-348 Spring Street
Mount Kisco, NY 10549
(SBL 80.64-2-4)**

**ZBA# 24-3
Area**

Mr. Viktor Solarik of VKS Architects and Mr. Jose Flora were present.

Applicant sought two variances in conjunction with the construction of a three-car detached garage.

Variances requested are for the accessory structure being located closer to the front property line than the principal structure by 43' and the proposed height of the structure exceeds the 15' maximum height by 3'-6".

No public comments were received.

Ms. Broth introduced a motion to close the public hearing; seconded by Mr. Goldberg.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

Mr. Spector read and responded to the five factors.

The Zoning Board of Appeals did not have further comments.

Mr. Goldberg introduced a motion to grant the requested variances; Seconded by Mr. Roithmayr.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

**4. Walter Soto
785 Main Street
Mount Kisco, NY 10549
(SBL 80.80-1-3)**

**ZBA# 24-4
Area**

Mr. David Cooper of Zarin & Steinmetz and Mr. Walter Soto were present.

Applicant sought one variance in conjunction with a one-story addition over an existing garage.

Variance of 3.70' is requested for the side yard setback.

No public comments were received.

Mr. Roithmayr introduced a motion to close the public hearing; seconded by Ms. Broth.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

Mr. Spector read and responded to the five factors.

The Zoning Board of Appeals did not have further comments.

Mr. Goldberg introduced a motion to grant the requested variances; seconded by Mr. Roithmayr.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

**5. Tina Arcuri – Coastal Sign Services, Inc.
325 N. Bedford Road
Mount Kisco, NY 10549
(SBL 69.51-1-2)**

**ZBA# 24-5
Signage**

Ms. Gina Sterling of Sign Star was present

Ms. Sterling gave a presentation of the requested variances for the signage proposed for Rivera Toyota.

Proposed variances include placement of signs on the building, distance to a public right of way, number of principal signs at primary entrances, Toyota maximum letter height, Rivera maximum letter height, and monument signage square feet.

The Zoning Board of Appeals discussed the lighting currently on the façade of the building. The representative was unaware of the backlighting of the façade.

The Zoning Board requested that the Building Inspector investigate this façade lighting further and informed the applicant that they would not be voting tonight until there is more information.

Mr. Goldberg introduced a motion to adjourn the public hearing to March 19, 2024; Seconded by Mr. Roithmayr.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

6. North Bedford Energy Storage 1, LLC	ZBA# 24-6
333 N. Bedford Road	Use/Interpretation
Mount Kisco, NY 10549	Area
(SBL 69.50-2-1)	

Mr. Robert Gaudio of Snyder & Snyder and Ms. Corina Solis of New Leaf Energy were present.

Mr. Gaudio gave a presentation on the requested interpretation or alternative use variance and requested fence height variance.

Ms. Solis provided the Zoning Board with some background on New Leaf Energy.

Chris of New Leaf Energy gave a presentation of the project and walked the Zoning Board through the plans and location of the energy storage. He discussed the Tesla Mega pack that will be on site.

The Zoning Board would like to hear from the Mount Kisco Volunteer Fire Department Chief. There was also inquiry regarding what could cause a fire with these batteries. Mr. Gaudio will have an additional expert to speak to the fire safety and extinguishing system associated with this installation. The Zoning Board requested additional information for Use Variance.

Mr. Gaudio requested that the Building Inspector review the application for any additional variances.

Mr. Hoyt introduced a motion to adjourn the public hearing to March, 19, 2024; Seconded by Ms. Broth.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

Returning Cases:

3. Jamie Scoli	ZBA# 23-2
Hickory Lane	Area
Mount Kisco, NY 10549	
(SBL 69.75-1-4)	

Ms. Broth introduced a motion to adjourn the application to March 19, 2024; seconded by Mr. Goldberg.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

4. Lisa Mitchell & Alex Smoller (1 Leonard Street)	ZBA# 21-21
2 ½ Leonard Street	Interpretation
Mount Kisco, NY 10549	
(SBL 80.26-1-18)	

Ms. Broth introduced a motion to adjourn the application to March 19, 2024; seconded by Mr. Goldberg.

Mr. Spector asked for all in favor. The motion carried by a vote of 5 to 0.

Mr. Goldberg introduced a motion to close the meeting; Seconded by Mr. Roithmayr.

Mr. Spector asked for all in favor. The motion carried by a vote 5 to 0.

The meeting adjourned at 9:06 pm