

Minutes of the Regular Meeting of the Zoning Board of Appeals of the Village/Town of Mount Kisco held on Tuesday, **March 19, 2024** at 7:03 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: William Seegmuller, Assistant Building Inspector
Lisa Cobb, Interim Village Counsel (via Zoom)

Staff Absent: Peter J. Miley, Building Inspector

Minutes:

1. February 20, 2024

Mr. Roithmayr introduced a motion to approve the February 20, 2024 minutes, seconded by Mr. Spector.

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

New Cases:

2. **Rivera Toyota (Ken Hicks)**
227 N. Bedford Road
Mount Kisco, NY 10549
(SBL 69.57-1-1)

ZBA 24-7
Signage

Mr. Maximilian Mahalek of Cuddy & Feder and Ms. Tina Arcuri were present to represent the application.

The requested variance is for a double-sided monument sign for “Parts & Service” for Rivera Toyota. The proposed sign will be 6’-2” tall with a total area 49.34 square feet. The requested variance is 29.34 square feet of total area.

Mr. Mahalek provided a detailed presentation of the requested variances.

No public comments were received verbally or in writing.

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. Hoyt introduced a motion to grant a negative declaration of SEQRA; seconded by Mr. Goldberg.

The motion carried by a vote of 5 to 0.

Mr. Spector reviewed the five factors.

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

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

Returning Cases:

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

ZBA# 24-5
Signage

The requested variances include: Section(s) 89-11 A(4): 89-11 General Provisions A: 89- 11 Table 1 page 5: of the Code of the Village/Town of Mount Kisco, which requires: each business shall be limited to one (1) principal sign of any type permitted within such district at the primary public entrance. In no event will there be more than two (2) signs on any building for any establishment. (89- 11 General Provisions A). Request is for three (3) exterior wall signs. Code requires the maximum letter height NTE 18" (8a-11 Table 1 page 5). Request is for one (1) sign to exceed maximum letter height by 3". Code requires a maximum face area NTE 20SF for freestanding/monument signs (89-11 Table 1 page 5). Request is for one (1) sign to exceed the maximum face area by 23.2SF.

Ms. Tina Arcuri was present to represent the applicant.

Ms. Arcuri provided a presentation for the requested signage variances.

The Zoning Board of Appeals discussed the illumination of the entrance wall/portal. The lighting issue will be dealt with at the Planning Board and with the property owner. Discussion of former signage compared to new signage and lighting. The Zoning Board also discussed the SEQRA requirement

No public comments were received.

Mr. Hoyt 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 discussed the wall sign variances and the variances required. A condition to be added that signage lighting shall be turned off at 10 pm.

Mr. Spector discussed the Five Factors.

Mr. Roithmayr introduced a motion to grant the building mounted signage variances as requested; seconded by Mr. Hoyt.

Mr. Spector asked for all in favor. The motion carried by a vote of 4 to 1. Ms. Broth voted nay.

Mr. Goldberg introduced a motion to grant the monument sign as requested; seconded by Mr. Roithmayr.

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

**4. Jamie Scoli
Hickory Lane
Mount Kisco, NY 10549
(SBL 69.75-1-4)**

**ZBA# 23-2
Area**

Ms. Broth introduced a motion to adjourn the application to April 16, 2024; seconded by Mr. Goldberg.

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

**5. Lisa Mitchell & Alex Smoller (1 Leonard Street)
2 ½ Leonard Street
Mount Kisco, NY 10549
(SBL 80.26-1-18)**

**ZBA# 21-21
Interpretation**

Ms. Broth introduced a motion to adjourn the application to April 16, 2024; seconded by Mr. Goldberg.

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

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

**ZBA# 24-1
Signage**

Ms. Broth introduced a motion to adjourn the application to April 16, 2024; seconded by Mr. Goldberg.

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

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

**ZBA# 24-5
Signage**

Ms. Broth introduced a motion to adjourn the application to April 16, 2024; seconded by Mr. Goldberg.

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

**8. North Bedford Energy Storage 1, LLC
333 N. Bedford Road
Mount Kisco, NY 10549
(SBL 69.50-2-1)**

**ZBA# 24-6
Use/Interpretation
Area**

Ms. Broth introduced a motion to adjourn the application to April 16, 2024; seconded by Mr. Goldberg.

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