

Minutes of the Regular Meeting of the Zoning Board of Appeals of the Village/Town of Mount Kisco held on Tuesday, **May 16, 2023** at 7:00 pm at the Frank J. DiMicco Board Room and via Zoom Teleconference

Members Present: Wayne Spector, Chairman  
George Hoyt  
Arthur Weise (via Zoom)  
Jacqueline Broth

Staff Present: Peter J. Miley, Building Inspector  
Whitney Singleton, Village Counsel (via Zoom)

**Minutes:**

1. June 15, 2021
2. January 17, 2023
3. January 31, 2023
4. February 21, 2023

**Mr. Hoyt introduced a motion to approved the minutes; seconded by Mr. Spector. The motion carried by a vote of 4 to 0.**

**New Cases:**

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

Mr. Hoyt introduced a motion to adjourn the public hearing to June 20, 2023; seconded by Mr. Weise. The motion carried by a vote of 4 to 0.

- 2. DP 21, LLC, DP 62, LLC & DP 102, LLC** **ZBA# 23-3**  
**333 N. Bedford Road** **Area**  
**Mount Kisco, NY 10549**  
**(SBL 69.50-4-1, 69.51-1-3, 69.43-1-2 & 3, Bedford 71.12-2-36)**

Mr. Stephen Spina of JMC and Mr. Jay Black of Diamond Properties were present via Zoom.

Mr. Spina discussed the requested variances and site modifications.

Mr. Spector discuss the application, actions at Planning Board, and amendments of variances.

Mr. Weise introduced a motion to close the public hearing; seconded by Mr. Hoyt. The motion carried by a vote of 4 to 0.

Requested variances include: 8,618 sf maximum allow building area variance; 2.3% maximum development coverage variance; 2.3 foot side yard setback variance; 6.4% maximum development coverage variance; 5 foot rear yard buffer variance; 5 food side yard buffer variance; 9 foot side yard setback variance; 10 foot rear yard setback variance; and a dumpster location variance;

Mr. Spector requested a straw poll of the Board.

This application will appear on the June 20, 2023 Zoning Board of Appeals agenda.

**Returning Cases:**

- 1. Fortunato Cambareri** **ZBA# 22-14**  
**52 W. Main Street** **Area**  
**Mount Kisco NY, 10549**  
**(SBL) 69.80-4-2**

Mr. Hoyt introduced a motion to adjourn the public hearing to June 20, 2023; seconded by Mr. Weise. The motion carried by a vote of 4 to 0.

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

Mr. Hoyt introduced a motion to adjourn the public hearing to June 20, 2023; seconded by Mr. Weise. The motion carried by a vote of 4 to 0.

**3. Homeland Towers  
180 South Bedford Road  
Mount Kisco, NY 10549  
(SBL) 80.44-1-1**

**ZBA# 20-14  
Area**

Mr. Robert Gaudio of Snyder & Snyder and Mr. Manny Vicente of Homeland Towers were present.

Mr. Gaudio discussed the requested variances.

The Zoning Board of Appeals discussed the variances with the Village Attorney.

Public comments were received by Mr. Rex Pietrobono, Ms. MaryAnn Tarnok, and Mr. John Stockbridge.

**Mr. Weise introduced a motion to close the public hearing; seconded by Ms. Broth. The motion carried by a vote of 4 to 0.**

**Ms. Broth introduced a motion to grant the height interpretation that no variance is required; seconded by Mr. Hoyt. The motion carried by a vote of 4 to 0.**

**Mr. Weise introduced a motion to grant the setback variances as laid out; seconded by Mr. Hoyt. The motion carried by a vote of 3 to 1. Mr. Hoyt voted in opposition.**

**Ms. Broth introduced a motion to grant the fence 3.5 foot fence height variance; seconded by Mr. Weise. The motion carried by a vote of 4 to 0.**

**Mr. Weise introduced a motion to adjourn the meeting; seconded by Mr. Hoyt. The motion carried by a vote of 4 to 0.**

The meeting adjourned at 8:30 pm.