



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

July 9, 2024

Law Offices of Aldo V. Vitagliano, P.C.
150 Purchase Street
Rye, New York 10580-2136

Re: Zoning Determination
40 Grove Barn, LLC
Barn Alteration
Section 69.81 Block 5 Lot 13

Dear Mr. Vitagliano:

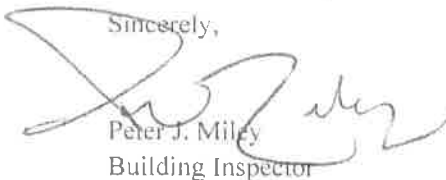
In response to your request for "*an expected amended and revised denial letter*" found in your June 4, 2024, updated Planning Board submission, this letter shall serve as the amended and revised zoning determination. We also note that the Building Department is unable to issue a building permit for the reconfiguration and alteration (structural LVL header (new portal, garage door, 4th garage bay), adding a shower and repositioning the bathroom on the second floor, and reconfiguring stairs to the second level) to the barn until a variance (determination in favor of the applicant) is obtained pursuant to Chapter 110, Zoning Article VI, Nonconforming Uses and Noncomplying Buildings §110-34. Nonconforming uses – which states:

Any nonconforming use may be continued, subject to compliance with the conditions set forth below:

A. Except upon the granting of a variance by the Zoning Board of Appeals, no building containing a nonconforming use shall be enlarged, altered, extended, reconstructed or restored or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever. In the case of any lot containing a nonconforming residential use in a nonresidential district or a nonconforming nonresidential use in a residential district, any proposed new use or increase in the size of said use on any portion of such lot, which new use or increase in the size of said use is not accompanied by the total elimination of the existing nonconforming use, shall be deemed to be an enlargement and extension of an existing nonconforming use.

You have the right to appeal this decision within 60 days to the Zoning Board of Appeals. If you have any questions, please don't hesitate to contact me.

Sincerely,


Peter J. Miley
Building Inspector

CC: Lisa M. Cobb, Counsel to the Planning and Zoning Board

LAW OFFICES
OF
ALDO V. VITAGLIANO, P.C.
ATTORNEY AT LAW

150 PURCHASE STREET - RYE, NEW YORK 10580-2136

(914) 921-0333

FAX: (914) 921-0796

E-mail: avvpco@verizon.net

ALDO V. VITAGLIANO*

*Also admitted in Fla. & Conn.

BRENDAN G. MALONEY

RECEIVED

AUG 21 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

August 19th, 2024

Hon. Wayne Spector, Chairman and
Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

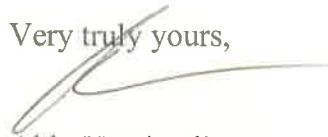
Re: Zoning Matter
Application of 40 Grove Barn, LLC 40 Grove Street, Mount Kisco

Dear Chairman and Members of the Zoning Board of Appeals:

Our office represents 40 Grove Barn, LLC the applicant for the interpretation and or variances requested for the referenced property. This letter satisfied the require of a written notice of our intent to appeal a decision of the Building Inspector denying the proposed use in the absence of an interpretation or approval from your Board.

Please set this matter down of public hearing on the September 17th, 2024 agenda or on a later agenda if necessary. Thank you

Very truly yours,



Aldo V. Vitagliano

Date: _____

Case No.: _____

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Zoning Board of Appeals
Application

Appellant: 40 GROVE BARN LLC

Address: 17 Brett Lane, Bedford, NY 10506

Address of subject property (if different): 40 Grove Street
Mount Kisco, NY 10549

Appellant's relationship to subject property: X Owner Lessee Other

Property owner (if different): _____

Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken
from the decision of the Building Inspector, PETER MILEY
dated July 9, 2024. Application is hereby made for the following:

X Variation or Interpretation of Section X
of the Code of the Village/Town of Mount Kisco,

to permit the: Erection; X Alteration; Conversion; Maintenance
of an existing garage

 in accordance with plans filed on (date) _____
for Property ID # 69.81 - 5 - 13 located in the RT-6 Zoning District

The subject premises is situated on the west side of (street) Grove
 in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No NO
(If on two streets, give both street names) a/k/a Hillview Circle

Type of Variance sought: X Use Area

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? YES

Is there an approved site plan for this property? No in connection with a
Proposed or x Existing building; erected (yr.) Portion prior to 1929
Portion 1981

Size of Lot: feet wide feet deep Area 48,100.85 (1.104 acres)

Size of Building: at street level 58 feet wide 28 irr. feet deep
38' x 27' + 20 x 17

Height of building: 32' Present use of building:

Former Plumbing Shop with truck storage and 1 family with office
Use as staging business for roofing Company

Does this building contain a nonconforming use? X Please identify and explain:

Former plumbing business - Building approved for Plumbing shop for
storage of materials, tools, trucks and administration of same

Is this building classified as a non-complying use? Please identify and explain:

Building appears to be legal structure

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? Yes

Was a variance ever granted for this property? Yes If so, please identify and explain:
Case # 81-3 Demolition of prior garages and permission to construct
Existing building

Are there any violations pending against this property? No If so, please identify and explain:

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
Yes or x No Date of Issue:

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? No petiti on Pending

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items **MUST** be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on _____ upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

[Signature]
(Appellant to sign here)

Sworn to before me this day of: July 20th, 20 24

Notary Public, Westchester County, County, NY

[Signature]

Aldo V. Vitagliano
Notary Public, State of New York
Qualified in Westchester County
#01VI4727805

My Commission Expires 7/31/2026

[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

LAW OFFICES
OF
ALDO V. VITAGLIANO, P.C.
ATTORNEY AT LAW

150 PURCHASE STREET - RYE, NEW YORK 10580-2136

(914) 921-0333

FAX: (914) 921-0796

E-mail: avvpcl@verizon.net

ALDO V. VITAGLIANO*

*Also admitted in Fla. & Conn.

BRENDAN G. MALONEY

August 19th, 2024

Hon. Wayne Spector, Chairman and
Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

Re: Zoning Matter
Application of 40 Grove Barn, LLC 40 Grove Street, Mount Kisco

Dear Chairman and Members of the Zoning Board of Appeals:

Our office represents 40 Grove Barn, LLC the applicant for the interpretation and or variances requested for the referenced property. The purpose of this letter is to explain why we believe the required balancing test for the requested relief has been met.

My client purchased the property – a pre-existing non-conforming use – from the Duffy family that operated a plumbing business at 40 Grove Street from a reconstructed barn. My client is proposing to convert the existing residential building to a legal two family. No relief from your Board is required for this. In addition, my client is proposing to make minor modifications to the existing barn structure to facilitate its use by a roofing business the principal partially owns in Port Chester, for vehicle storage, and as a support location for Northern Westchester jobs. A site plan application has been before the Mount Kisco Planning Board, and referral to your Board by them has been made. We include a business plan which has been provided to the Planning Board, as well as the denial letter from the Building Inspector.

The proposed changes to the barn structure include the installation of a 4th garage door, utilizing support already built into the structure. Storage of a vehicle in this inside space, would occur in an area that was used as an office for the building. Two of the other bays were used for storage by the plumbing business. All four of the bays will be used for vehicle storage by the current applicant. In addition, installation of shower in the second floor bathroom is sought, allowing employees the opportunity to change from work clothes prior to returning to their homes. Taken in its totality this clearly is a diminution in intensity of any prior commercial use. Even viewing the two requested changes in isolation, in our opinion, does not represent an enlargement unpermitted by your code.

We believe that we satisfy the five part balancing test that your Board may choose to undertake to evaluate what essentially are area variances within a non-conforming use.

First, no undesirable change will be produced in the character of the neighborhood or detriment to nearby properties by the granting of the variance. The neighborhood is comprised of two-family and other larger multi-family homes on the street. They will benefit from a less intense use of the commercial use of the property.

Second, the applicant's goal to reconfigure the interior space to allow for storage of an extra vehicle, and the installation of a shower in a pre-existing bathroom. cannot be achieved in any other way.

Third, the variance requested should not be deemed substantial. Utilization of a preexisting area differently, for a more passive use of parking rather than active storage is obviously less intense. Using the preexisting support demonstrates that this intended use was contemplated at the time of the prior approvals.

Fourth, there will be no adverse effect or impact on physical or environmental conditions in the neighborhood. The request is neither precedential nor whimsical, or out of line with the neighborhood.

Fifth, the applicant, acquired the property as a legal non-confirming use, somewhat aware of the restrictions of the code, certainly aware of the intensity of the prior use. Being required to submit to the site plan application process allows for better future control of the site. Any approval process however, should not stifle out normal gradual diminution of a non-conforming use of a building on the property. While some can argue a hardship is self-created by the mere acquisition, it must be acknowledged that the prior use was a legal non-conforming use which does not change with the acquisition of the property by a subsequent owner, thereby mitigating any concern that the hardship is self-created. The hardship created by an adaptive less intense reuse of a property is demonstrated by the application process, the additional studies required of this application as well as delays occasioned by the review process.

In sum, we look forward to presenting this case to you and will answer any questions at our hearing.

Very truly yours,



Aldo V. Vitagliano

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a public hearing on September 17, 2024, beginning at 7:00 PM, or as soon thereafter at the matter may be heard, on the appeal of 40 Grove Barn, LLC for property located at 40 Grove Street, Mount Kisco, New York, and identified on the tax map as Section 69.81, Block 5, Lot 13, in the RT-6 Zoning District. The applicant is seeking an interpretation of Village/Town Code §110-34(A), which provides that, “[e]xcept upon the granting of a variance by the Zoning Board of Appeals, no building containing a nonconforming use shall be enlarged, altered, extended, reconstructed . . .”, to establish that the proposed changes to the existing structure, which include the addition of a 4th garage bay door and a bathroom with shower, do not constitute an enlargement, alteration, extension or reconstruction. In the alternative, the applicant seeks a determination from the Board pursuant to the same section, that such changes may be permitted, in light of the determination of Peter J. Miley, Building Inspector, dated July 9, 2024, which concluded that the proposed changes constituted alterations and were not permitted in the absence of a determination allowing them by the Board.

The meeting will be held in a hybrid format, with the public, applicants and consultants able to participate in person at the Municipal Building, Mount Kisco Town Hall, 104 Main Street, Mount Kisco, New York, or remotely via Zoom videoconferencing and via telephone. People may participate in the public hearing via Zoom by clicking the following link:

<https://us02web.zoom.us/j/87519920690>, or directly from the Zoom website using Meeting ID: 875 1992 0690, or by telephone at 1-646-558-8656, using the same Meeting ID.

By order of:
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

AFFIDAVIT OF MAILING

RECEIVED

SEP 10 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

STATE OF NEW YORK

}
}SS.:
}

COUNTY OF WESTCHESTER

Aldo Vitagliano being duly sworn, deposes and says:

I reside at Post Chester NY

On August 26 20 24 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B.

I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

[Signature]

Sworn to before me on this

10th day of September 20 24

[Signature]
(Notary Public)

Brendan G. Maloney
Notary Public, State of New York
Registration #02MA6269498
Qualified In Westchester County
Commission Expires February 17, 20 25

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By order of:
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

EXHIBIT A

Tax Maps

Aerial Photos

Hybrid

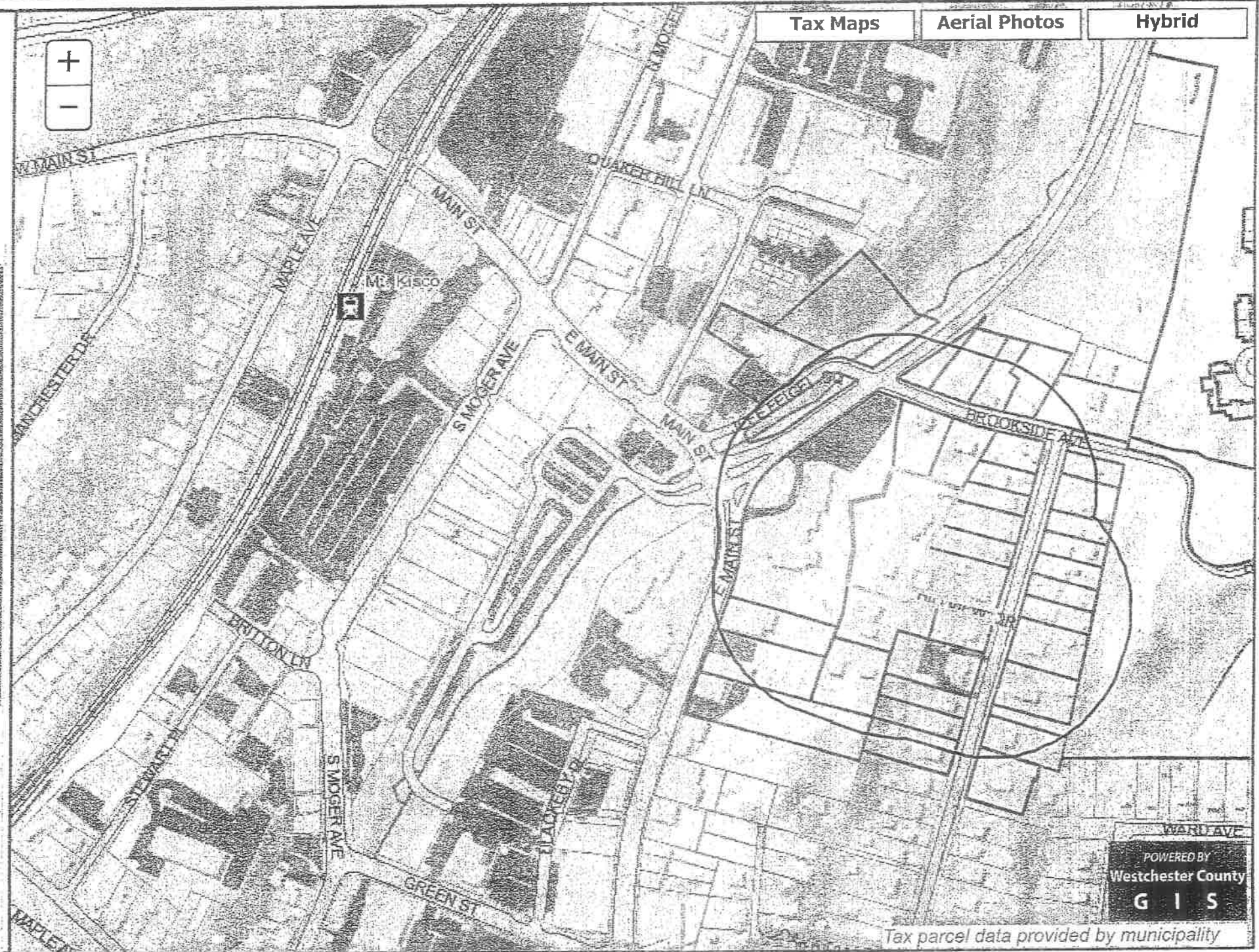


EXHIBIT B

New England Authentic Lumber
91 Main St
MOUNT KISCO, NY 10549 ✓

The Joann Cerretani Rev Trust
43 Grove St
MOUNT KISCO, NY 10549 ✓

Affrunti, Vincent
12 Grove St
MOUNT KISCO, NY 10549 ✓

Luppino, Anthony
3 Grove St
MOUNT KISCO, NY 10549 ✓

Village Of Mount Kisco
99 Main St
MOUNT KISCO, NY 10549

Cox, Matthew J
37 Grove St
MOUNT KISCO, NY 10549 ✓

Antonaccio, Michael C
33 Grove St
MOUNT KISCO, NY 10549 ✓

Current Occupant
MOUNT KISCO, NY 10549

Romelio Ortiz Cabrera
30 Park Avenue
Ossining, NY 10562

Mendoza, Eduardo R
57 Brookside Ave
MOUNT KISCO, NY 10549 ✓

AA-MK LLC
4 Grove St
MOUNT KISCO, NY 10549 ✓

Keating, Andre
38 Grove St
MOUNT KISCO, NY 10549 ✓

Edward Pressley
32 Grove Street
Mount Kisco, NY 10549

Village of Mount Kisco
N Bedford Rd
MOUNT KISCO, NY 10549

PSJS14 Inc.
c/o Simone
453 Rte. 22
North Salem, NY 10560

Mannion, Francis W Jr
48 Grove St
MOUNT KISCO, NY 10549 ✓

Naftali Unger
26 Par Road
Montebello, NY 10901

Bono, John B
42 Grove St
MOUNT KISCO, NY 10549 ✓

Guerra Roberto
29 Grove St
MOUNT KISCO, NY 10549 ✓

Walter John A
44 Brookside Ave
MOUNT KISCO, NY 10549 ✓

Stuckey Andrew
63 Brookside Ave
MOUNT KISCO, NY 10549 ✓

Lillian Aracelli Guerra
19 Grove Street
Mount Kisco, NY 10549

Altilio, Theresa Ann
71 Brookside Ave
MOUNT KISCO, NY 10549 ✓

Herbert Daley Revocable Trust
44 Grove St
MOUNT KISCO, NY 10549 ✓

PSJS73
c/o Simone
453 Rte 22
North Salem, NY 10560

Oliveri, Concetta
59 Grove St
MOUNT KISCO, NY 10549 ✓

Current Occupant
MOUNT KISCO, NY 10549

Village of Mount Kisco
Brookside Ave
MOUNT KISCO, NY 10549

Blue Bear Capital, LLC
45 Hudson View Way Unit 401
Tarrytown, NY 10591

St Marks Church
85 Main St
MOUNT KISCO, NY 10549

Ian Krasne
36 Bretton Ridge
Mt. Kisco, NY 10549

60 Grove

Coppola, Antonio
58 Grove St
MOUNT KISCO, NY 10549

Carbajal, Edwin
25 Grove St
MOUNT KISCO, NY 10549

Amuso, Joseph
56 Brookside Ave
MOUNT KISCO, NY 10549

Peralta Juan M
55 Brookside Ave
MOUNT KISCO, NY 10549

Lopez Heber
23 Grove St
MOUNT KISCO, NY 10549

Moses Taylor Jr Post 136
19 Jeff Feigel Sq
MOUNT KISCO, NY 10549

Five D's Realty Ent. L.P.
40 Grove St
MOUNT KISCO, NY 10549

Subject

Naranjo Manuel
65 Grove St
MOUNT KISCO, NY 10549

Terlizzi Family Trust
51 Grove St
MOUNT KISCO, NY 10549

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 10 2024

State of Wisconsin
County of Brown

Linda Tutt being duly sworn, deposes and says she is the Principal Clerk of The Journal News
Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland
Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said
newspaper editions dated:

Zoning Board of Appeals
Village/Town of Mount Kisco08/29/2024Linda Tutt

Subscribed and sworn to before me this 29 day of August, 2024

Kathleen Allen
Exp 1-2-25Notary Public
State of Wisconsin, County of BrownKATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NOTICE

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By order of:
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco
August 29 2024
LNYS0146177

State of New York)
) ss:
County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the 9th day of September 2024, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building --
104 Main Street

X

Public Library
100 Main Street

X

Fox Center

X

Justice Court -- Green Street
40 Green Street

X

Mt. Kisco Ambulance Corp
310 Lexington Ave

X

Carpenter Avenue Community House
200 Carpenter Avenue

X

Leonard Park Multi Purpose Bldg

X


Gilmar Palacios Chin

Sworn to before me this 9th day of September 2024


Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

RECEIVED

SEP 09 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



621393763DED0024

Westchester County Recording & Endorsement Page

Submitter Information

Name: ALDO V. VITAGLIANO, P.C.
Address 1: 150 Purchase Street
Address 2: Suite 9
City/State/Zip: Rye NY 10580

Phone: 914-921-0333
Fax: 914-921-0796
Email: avvpc@verizon.net
Reference for Submitter: 40 GROVE ELLEDIAS

Document Details

Control Number: **621393763**

Document Type: **Deed (DED)**

Package ID: 2022051900300001001

Document Page Count: **3**

Total Page Count: **4**

Parties

☐ Additional Parties on Continuation page

1st PARTY

1: ELLEDIAS EVELIO
2: ELLEDIAS CARMEN

- Individual
- Individual

1: 40 GROVE BARN LLC
2:

- Other

Property

☐ Additional Properties on Continuation page

Street Address: 40 GROVE STREET
City/Town: MOUNT KISCO

Tax Designation: 69.81-5-13
Village:

Cross-References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$20.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$125.00
TP-584 Filing Fee: \$5.00
RPL 291 Notice Fee: \$10.00
Total Recording Fees Paid: **\$200.00**

Transfer Taxes

Consideration: \$10.00
Transfer Tax: \$0.00
Mansion Tax: \$0.00
Transfer Tax Number: 832

Mortgage Taxes

Document Date:
Mortgage Amount:

Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK

Record and Return To

☒ Pick-up at County Clerk's office



Recorded: 08/15/2022 at 08:43 AM
Control Number: **621393763**
Witness my hand and official seal

Timothy C. Idoni
Westchester County Clerk

Aldo V. Vitagliano
150 Purchase Street
Suite #9
Rye, NY 10580

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the

24th day of May in the year 2022

BETWEEN

EVELIO ELLEDIAS AND CARMEN ELLEDIAS residing at 17 Brett Lane, Bedford, New York 10506

party of the first part, and 40 GROVE BARN LLC with an address of 17 Brett Lane, Bedford, New York 10506

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the SEE SCHEDULE A ATTACHED HERETO.

BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART HERIN BY VIRTUE OF A DEED MADE BY FIVE D'S REALTY ENTERPRISES, L.P. DATED SEPTEMBER 23, 2021 AND RECORDED OCTOBER 1, 2021 IN CONTROL NUMBER 612463154 IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK'S OFFICE

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same, that the party of the second part shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


EVELIO ELLEDIAS

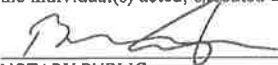

CARMEN ELLEDIAS

✓

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Westchester, ss:

On the 24th day of May in the year 2022, before me, the undersigned, personally appeared EVELIO ELLEDIAS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

Brendan G. Maloney
Notary Public, State of New York
Registration #02MA6269498
Qualified in Westchester County
Commission Expires February 17, 2025

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of , ss:

On the day of in the year , before me, the undersigned, a Notary Public in and for said State, personally appeared , the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in (if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

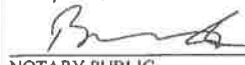
to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

NOTARY PUBLIC

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Westchester, ss:

On the 24th day of May in the year 2022, before me, the undersigned, personally appeared CARMEN ELLEDIAS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

Brendan G. Maloney
Notary Public, State of New York
Registration #02MA6269498
Qualified in Westchester County
Commission Expires February 17, 2025

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of , County of , ss:

On the day of in the year , before me, the undersigned personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

NOTARY PUBLIC

Warranty Deed

EVELIO ELLEDIAS AND CARMEN ELLEDIAS
TO
40 GROVE BARN LLC

Title No.

COUNTY: Westchester

TOWN/CITY: MOUNT KISCO

PROPERTY ADDRESS: 40 GROVE STREET

SECTION: 69.81

BLOCK: 5

LOT: 13

RETURN BY MAIL TO:

ALDO V. VITAGLIANO, P.C.
150 Purchase Street, #9
Rye, New York 10580

DISTRIBUTED BY



JUDICIAL TITLE

T: 800-281-TITLE F: 800-FAX-9396

Title #AT21-15481W

**SCHEDULE "A"
(DESCRIPTION)**

ALL that certain plot, piece or parcel of land situate, lying and being in the Village and Town of Mount Kisco, County of Westchester, and State of New York, being known and designated as Parcel 5 as shown on a certain map entitled "Resubdivision of Property Prepared For Frank and Margaret Duffy" made by H. Stanley Johnson, land Surveyor, and filed in the Office of the Westchester County Clerk, Division of Land Records on March 31, 1988 as Filed Map No. 23176.

Address: 40 Grove Street, Mt. Kisco

Village & Town: Mt. Kisco

County: Westchester

TAX DESIGNATION: Section: 69.81, Block: 5, Lot: 13



VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

March 17, 2021

Attorney's Title Insurance Agency
126 Barker Street
Mount Kisco, NY 10549

Re: 40 Grove Street
69.81-5-13

To Whom It May Concern:

Please be advised that Village records indicate that a single family residence was constructed circa 1910 at the property located at 40 Grove Street, Mount Kisco, NY 10549, known and designated on the Village/Town of Mount Kisco Tax Assessment Map as follows: Section 69.81 Block 5 Lot 13. This original building pre-dates the 1929 origin of local zoning regulations. This property is located in the RT-6 – One and Two Family Residence District.

Building permit #3149 was issued May 27, 1981 for plumbing shop for storage or materials, tools, trucks and administration of same. Certificate of Occupancy #2476 was issued October 28, 1983 to close this permit.

Building Permit #17332 was issued October 30, 2003 for electrical and heating upgrade, create a storage area and future bathroom. This permit was renewed February 9, 2021 and is an active permit.

Notice of Violation and Order to Remedy #2020-2593 (attached) issued December 7, 2020.

Sincerely,

Patti Tipa
Office Manager
Building and Code Administrator

/pat



Village of Mt. Kisco
104 MAIN STREET
MOUNT KISCO, NEW YORK 10549-0150
914-864-0019 Fax: 914-864-1085

CERTIFICATE OF OCCUPANCY

Certificate Number: 20210126
Street Address: 40 Grove St
Certificate Holder: James Duffy
Property Owner: Five D's Realty Ent. L.P.

Issue Date: 06/02/2021
SBL: 69.81-5-13
Address: 40 Grove Street
Address: c/o Andrew Duffy

Inspection of the building or space at the above location constructed or altered under the terms of

BUILDING PERMIT NO: 17332 **Issued:** 10/30/2003 **For:**

WORK DESCRIPTION:

Alterations to an existing third (3rd) floor area to include: create a storage area and future bathroom.

CONDITION: Third (3rd) floor is not to be used as a sleeping room.

has been made by the undersigned, and that said construction or alteration is hereby certified ready for occupancy and use in compliance with all terms and conditions of said permit and as otherwise may be conditioned herein.

Building Inspector:

LAW OFFICES
OF
ALDO V. VITAGLIANO, P.C.

ATTORNEY AT LAW
150 PURCHASE STREET - RYE, NEW YORK 10580-2136
(914) 921-0333
FAX: (914) 921-0796
E-mail: avvpc@verizon.net

ALDO V. VITAGLIANO*

*Also admitted in Fla. & Conn.

BRENDAN G. MALONEY

PERRY M. OCHACHER

Of Counsel

June 4th, 2024

Michael Bonforte
Chairman & Members of the
Planning Board - Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: Application for Site Plan Approval by
40 Grove Barn, LLC
2 Family House -- Barn retrofit
Section 69.81 Block 5 Lot 13

Dear Chairman Bonforte and Members:

We represent 40 Grove Barn LLC (Principal Evelio Elledias owner) in connection with the referenced application. The purpose of this submission is to request that we be given a opportunity to update the Board on the status of the application based upon the information submitted herewith and after discussion with the Building inspector and your counsel.

We include a further amended proposed building plan which in addition to other comments, advises of the intention to curtail deliveries in trucks previously identified in the earlier submissions. A close review of the file, and information provided after the file was turned over, discloses that Duffy Plumbing the predecessor in title and occupancy, had an extensive fleet of vehicles, and that these were stored outside for at least some time. (See photos attached).

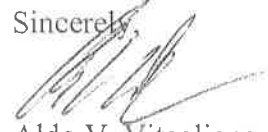
More importantly, a close review of the file confirms that Duffy after approval was received in March of 1981 to demolish existing structures and construct the currently existing structure, went back to the zoning Board in May of 1981 to clarify that a portion of the existing garage was to remain and the new construction simply added to this, in essence validating the legal existence of the currently structure. This is contrary to the denial letter of the Building Inspector, and after review with the Building Inspector and your counsel, we await an expected amended and revised denial letter so that whatever relief the Zoning Board of Appeals needs to give us can be applied for. Prior to presenting at the Zoning Board of Appeals, we felt it was important to clear the air of the mis-confusion which may have arisen from our prior submission when the possible use of a truck with a forklift boomlet was somehow misinterpreted as creating an opportunity for deliveries from trucks parked in Grove Street utilizing roving individual

forklifts. Recall that we had previously submitted proof that any trucks were going to have sufficient room to turnaround on site and never represented that deliveries would be from trucks parked on Grove Street. Nonetheless, since my client will be able to control his deliveries, his amended business plan will not call for any scheduled deliveries from other than pick-up trucks or vans, and any possible larger items previously identified for this type business (sky-lights and or copper) will be delivered to their Port Chester location, eliminating the potential for deliveries from Grove Street, and therefore allow the Planning Board to control this in the expected final site plan approval resolution.

In addition my client intends to discuss with the Planning Board its intention to work with the pending site plan application to enable the construction on rehabilitation of the residential building into a permitted zoning compliance in all events two family residence. The client understands that this construction will be done as his risk in the event site plan approval with any sort of a commercial use is not obtained. The garage structure is legal. We believe it is only the use which requires review by the Zoning Board, subject of course to the expected revised denial letter from the Building Inspector. Once Zoning has ruled we can hopefully return to Planning for final action on the scaled back site plan application currently before you.

We look forward to the opportunity to update you in a brief segment at an upcoming meeting. Thank you.

Sincerely,



Aldo V. Vitagliano

R E S O L U T I O N

ZONING BOARD OF APPEALS OF THE
VILLAGE/TOWN OF MOUNT KISCO

----- X
In the Matter of the Appeal :

-of- :

Case No. 81-3

FRANK M. and MARGARET F. DUFFY :
----- X

moved the following resolution:

WHEREAS, Frank M. and Margaret F. Duffy made application to the Zoning Board of Appeals of the Village/Town of Mount Kisco for a variance of Section 4-1.1.1a of the Zoning Ordinance relating to the demolition and replacement of one non-residential building and a portion of another non-residential building in a Two-Family Residence "R-2" District, which non-residential uses were legally non-conforming, on premises known as 40 Hillview Circle, and designated as Section 6, Lots 20-21A on the Tax Map of the Village; and

WHEREAS, upon a re-hearing held on May 26, 1981, the fact that only a portion of one of such buildings was to be demolished and not the whole thereof, was brought to the attention of the Board; and

WHEREAS, the Board should have noted the same from the survey presented by the applicant at the hearing on March 17, 1981,

NOW, THEREFORE, be it

RESOLVED that the Resolution herein adopted on April 21, 1981, be amended to read as follows:

"RESOLVED that a variance of the provisions of Section 4-1.1.1A of the Zoning Ordinance is hereby granted, and applicants are permitted to demolish those portions of the two garages located on said premises and to replace the same with a new building; all as shown on the survey of said premises prepared by Chas. H. Sells, Lic. Surveyor."

SECONDED BY:

AYES:

NAYES: ^{pp?}

ABSENT:

~~Resolution~~
Respectfully adopted,

MINUTES

At a meeting of the Zoning Board of Appeals of the Village/Town of Mount Kisco on May 26, 1981 at the Municipal Building, Mount Kisco, New York.

PRESENT:

Israel Machtey, Chairman
Frank DiMicco
Tito Cordelli
Frank J. Costa

ABSENT:

Willard Ticknor, Jr.

-----x
In the Matter of the Appeal :

-of- : Case No. 81-3

FRANK M. and MARGARET F. DUFFY :
-----x

A ~~THE~~ hearing in the above matter was held at 8:30 P.M. at the request of the applicant.

Mr. Duffy stated that it had not been his intention to completely demolish one of the garages, but only so much thereof as was in poor condition, and that the Sells survey, which had been marked in evidence, had indicated the portion of one garage that was to be demolished and the portion thereof that was to remain. He further stated that his presentation of the appeal may not have been as clear and explicit as perhaps it should have been, and he regretted that the Board may have been led to the conclusion that both garages were to be totally demolished. He requested the Board to reconsider its Resolution of April 21, 1981, which had granted a variance and had provided for the demolition of both garages.

The Board observed that it, too, should have seen from the Sells survey that only a portion of one of the garages was to be demolished and the remainder left in tact, and should not have

provided for the total demolition of both garages in granting the variance.

The hearing was closed at 8:45 P.M.

TABLE 1

TYPE 1250

SECTION 112, CA

MINUTES

At a Meeting of the Zoning Board of Appeals of the Village/Town of Mount Kisco on March 17, 1981 at the Municipal Building, Mount Kisco, New York.

Present: Israel Machtey, Chairman
Tito Cordelli
Frank DiMicco
Willard Ticknor Jr.
Anthony Quadrino

In the Matter of the Appeal	:	
	:	
of	:	Case No. 81-3
	:	
Frank M. and Margaret F. Duffy	:	
	:	

The hearing in the above matter was held at 8:20 P.M.. The appeal was by Mr. and Mrs. Duffy relating to premises at 40 Hillview Circle, designated as Section 6, Lots 20-21A on the Village Tax Map.

The appeal sought a variance of Section 4-1.1.1a of the Zoning Ordinance relating to the demolition and replacement of two non-residential buildings in a two-family residence "R-2" District which non-residential uses were legally nonconforming.

Mr. Duffy made the presentation for the applicants.

He presented the consent of seven abutting property owners to the grant of the variance permitting the removal of two existing structures and the construction of a replacement building. He stated that two other abutting owners did not sign the consent but told him that they would not object to the grant of a variance. The consent was marked in evidence.

The Board asked Mr. Wade, the Building Inspector, to state his findings as to the two existing buildings involved in the light of the provisions of Section 4-1.1.4 of the Zoning Ordinance. Mr. Wade said that he found the buildings in an unsafe condition. In the metal garage, the beams were rusted and did

not support loads. In the stucco garage the walls had deteriorated and the building was structurally unsound, and there was water seepage through the walls. The buildings were both unsafe and should be demolished.

Mr. Duffy stated that the old buildings had an aggregate area of 1,335 square feet, and the new building would be 1,300 square feet. The location of the new building, which would be substantially between the locations of the existing buildings, would be less conspicuous to the surrounding properties than the two old buildings because of the topography. The new building would be used for storage, warehouse and office, the same as the old buildings, and there would be no increase in traffic created by the new building.

Mrs. Theresa Atilio asked whether the non-conforming use of the subject premises was not to be discontinued because Mr. Duffy had property on Kisco Avenue in the former Urban Renewal area. She was informed that there had been no prior proceeding before this Board relating either to that property or to the subject parcel, and that the only matter before the Board was the present application for a variance.

The nonconforming use of the subject parcel was a legal nonconforming use since it was in existence prior to the adoption of any zoning ordinance in the Village and had been continuously used in the plumbing and heating business.

The Chairman marked in evidence the survey of the subject property, prepared by Chas. H. Sells, Inc. Licensed Surveyor, upon which had been superimposed the site of the proposed new building. Also marked in evidence was the application for a building permit, the denial thereof by the Building Inspector, the notice of Appeal and statement in support thereof, and the affidavits of mailing, posting and publication.

The hearing was closed at 8:50 P.M.


ZBA - 3/17/81
Duffy - Case No. 81-3
Minutes
Page Two

RESOLUTION

Zoning Board of Appeals of the
Village/Town of Mount Kisco

In the Matter of the Appeal
of
Frank M. and Margaret F. Duffy

Case No. 81-3

Mr. Ticknor moved the following resolution:

WHEREAS, Frank M. and Margaret F. Duffy made application to the Zoning Board of Appeals of the Village/Town of Mount Kisco for a variance of Section 4-1.1.1a of the Zoning Ordinance of the Village/Town of Mount Kisco, relating to the demolition and replacement of two non-residential buildings in a two-family residence "R-2" District, which non-residential uses were legally nonconforming on premises known as 40 Hillview Circle and designated as Section 6, Lots 20-21A on the Tax Map of the Village, and

WHEREAS, after due notice a public hearing by the Zoning Board of Appeals was held on March 17, 1981 at the Municipal Building in said Village, and

WHEREAS, at said hearing all those who desired to be heard were heard, and

WHEREAS, statements and exhibits made and exhibited at said hearing have been carefully considered, and

WHEREAS, the members of the Board have examined the premises in question, the Board does make the following findings:

1. The applicants are the owners of the subject premises.
2. Said premises are located in a two-family "R-2". District on the Zoning Map and contain a two and one-half (2½) story residence structure being used partly as residence and partly as offices, and also two (2) garages, one metal and one stucco, being used for storage and warehousing of plumbing supplies and

ZBA
Resolution
Duffy - Case No. 81-3

fixtures.

3. The uses being made of such premises are legal non-conforming uses having pre-dated the adoption of any zoning ordinance by the Village.

4. That the two garages are in an unsafe condition and should be demolished.

5. That applicants wish to replace the two garages with one building that would be situated substantially between where the two garages now exist.

6. That the new building would be less conspicuous than the two buildings to be demolished and would be used for the storage and warehousing of parts and fixtures as well as for offices.

7. That the construction of the new building will not generate any additional traffic in the area.

8. That abutting property owners have consented to the granting of a variance permitting the demolition of the old garages and the construction of a new building.

9. That the granting of a variance is necessary for the reasonable use of said premises and the continuance of a long-established business in the community.

10. That the granting of a variance will be in harmony with the general purposes and intents of the Zoning Ordinance, will not be injurious to the neighborhood, and will not change the character thereof and will not otherwise be detrimental to the public welfare.

NOW, THEREFORE, be it

RESOLVED that a variance of the provisions of Section 4-1.1.1a of the Zoning Ordinance is hereby granted, and applicants are permitted to demolish the two garages located on said premises, and replace the same with a new building as shown on the survey of said premises, prepared by Charles H. Sells, Licenses Surveyor.

ZBA
Resolution
Duffy - Case No. 81-3

Seconded By: Tito Cordelli

Ayes: Mr. Ticknor, Mr. Cordelli, Mr. DiMicco, Chairman Machtey

Abstain: Mr. Costa

Resolution adopted: April 21, 1981

ZBA
Resolution
Duffy - Case No. 81-3

VILLAGE OF MT. KISCO, NEW YORK
PERMIT FEE RECEIPT

Nº 3749

(Date) 5/27/81

Received of: Frank Duffy & Son, Inc.

Address: P.O. Box 88

Mount Kisco, New York 10549

Amount: \$. 110.00 (words) One Hundred Ten dollars

For: Building Permit #3149

Remarks:

Received by Gerry Matts (Date) 5/27/81

INSTRUCTIONS: All fees and deposits must be paid in the village clerk's office before the permit issuing authority can issue the permit requested. After payment, please return the blue copy to the office to which you applied for a permit so that the permit can be issued.

PERMIT ISSUING AUTHORITY COPY

VILLAGE OF MOUNT KISCO

WESTCHESTER COUNTY, NEW YORK

104 Main Street

Mount Kisco, New York 10549

Telephone
(914) 241-0920

APPLICATION FOR PLAN EXAMINATION AND BUILDING PERMIT

IMPORTANT - Applicant to complete all items in sections: I, II, III, IV, and V.

I. LOCATION OF BUILDING	Number and street <u>40 HILLVIEW CIRCLE</u>		Ward <u>6</u>	Block	Lots <u>21-21A</u>	Census tract
	N S		N S			
	E <u>(W)</u> side of <u>HILLVIEW CIRCLE</u> <u>250</u> feet		E <u>(W)</u> from intersection of <u>GROVE STREET</u>			

II. TYPE AND COST OF BUILDING — All applicants complete Parts A - D

A. TYPE OF IMPROVEMENT

- 1 ☐ New building
- 2 ☐ Addition (If residential, enter number of new housing units added, if any, in Part D, 13)
- 3 ☐ Alteration (See 2 above)
- 4 ☒ Repair, replacement
- 5 ☐ Wrecking (If multifamily residential, enter number of units in building in Part D, 13)
- 6 ☐ Moving (relocation)
- 7 ☐ Foundation only

B. OWNERSHIP

- 8 ☒ Private (individual, corporation, nonprofit institution, etc.)
- 9 ☐ Public (Federal, State, or local government)

D. PROPOSED USE — For "Wrecking" most recent use

Residential

- 12 ☐ One family
- 13 ☐ Two or more family — Enter number of units — — — — —
- 14 ☐ Transient hotel, motel, or dormitory — Enter number of units — — — — —
- 15 ☐ Garage
- 16 ☐ Carport
- 17 ☐ Other — Specify

Nonresidential

- 18 ☐ Amusement, recreational
- 19 ☐ Church, other religious
- 20 ☐ Industrial
- 21 ☐ Parking garage
- 22 ☐ Service station, repair garage
- 23 ☐ Hospital, institutional
- 24 ☐ Office, bank, professional
- 25 ☐ Public utility
- 26 ☐ School, library, other educational
- 27 ☐ Stores, mercantile
- 28 ☐ Tanks, towers
- 29 ☒ Other — Specify Plumbing Shop

C. COST

- 10 Cost of improvement
To be installed but not included in the above cost

- a. Electrical 2000
- b. Plumbing 2000
- c. Heating, air conditioning 3000
- d. Other (elevator, etc.)

11: TOTAL COST OF IMPROVEMENT

(Omit cents)

\$ 17,500200020003000\$ 24,500

NONRESIDENTIAL — Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.

PLUMBING SHOP FOR STORAGE OF MATERIAL,
TOOLS, TRUCKS AND ADMINISTRATION
OF SAME

III. SELECTED CHARACTERISTICS OF BUILDING — For new buildings, and additions, complete Parts E — M; for wrecking, complete only Part I, for all others skip to IV.

E. PRINCIPAL TYPE OF FRAME

- 30 ☐ Masonry (wall bearing)
- 31 ☒ Wood frame
- 32 ☐ Structural steel
- 33 ☐ Reinforced concrete
- 34 ☐ Other — Specify

G. TYPE OF SEWAGE DISPOSAL

- 40 ☐ Public or private company
- 41 ☒ Private (septic tank, etc.)

H. TYPE OF WATER SUPPLY

- 42 ☒ Public or private company
- 43 ☐ Private (well, cistern)

J. DIMENSIONS

- 48 Number of stories 1 1/2
- 49 Total square feet of floor area, all floors, based on exterior dimensions
- 50 Total land area, sq. ft.

K. NUMBER OF OFF-STREET PARKING SPACES

- 51 Enclosed
- 52 Outdoors

L. RESIDENTIAL BUILDINGS ONLY

- 53 Number of bedrooms
- 54 Number of bathrooms { Full
Partial

PRINCIPAL TYPE OF HEATING FUEL

- 35 ☒ Gas
- 36 ☐ Oil
- 37 ☐ Electricity
- 38 ☒ Coal
- 39 ☐ Other — Specify

I. TYPE OF MECHANICAL

- will there be central air conditioning?
- 44 ☐ Yes
- 45 ☒ No
- Will there be an elevator?
- 46 ☐ Yes
- 47 ☒ No

(M) Occupancy (in detail)

[illegible]

Open spaces remaining on lot after this building is erected

Sq. ft.

1. In computing this area, measurement shall be taken to the outside surfaces of exterior walls at each floor. Courts, yards, etc., shall be excluded.
2. The term "height" of a structure shall mean the vertical distance from the curb level to the highest point of the roof beams in the case of flat roofs or to a point of the average height of the gable in the case of roofs having a pitch of more than one foot in four and one-half, except that in the case of a structure where the grade of the street has not been established or where the structure does not adjoin the street, the average level of all the ground adjoining such structure shall be used instead of the curb level.
3. Total height shall be measured from 6 inches below the lowest finished floor to the outside of the roof, and in case of sloping roofs, to the average height.
4. The cubical contents is the actual space enclosed within the outer surfaces of the outside walls and between the outer surfaces of the roof and six inches below the surface of the lowest floors. This includes the cube of dormers, penthouses, vaults, pits, enclosed porches, and other enclosed appendages. Outside steps, terraces, footings, courts, yards, light shafts, and buildings detached from main structure are not to be included. (Detached structures are to be separately computed.)

IV. IDENTIFICATION — *To be completed by all applicants*

SECTION 20 to be completed by all applicants				
Name		Mailing address — Number, street, city, and State	ZIP code	Tel. No.
1. Owner, or Tenant in possession	FRANK M DUFFY	9 GRAY ROCK PARK RD	10549	
	MARGARET F DUFFY	MT KISCO, N.Y.		
2. Builder or Contractor	APPLE BROOK FARM	BOX 255		
	INC	SOMERS, N.Y.		
3. Architect or Engineer				

The owner of this building is _____

The owner of this building and the undersigned agree to conform to all applicable laws of this jurisdiction.

Signature of Builder & Title <i>Dany L. Fagan (her)</i>		Address <i>Box 255 Somers N.Y.</i>	Application date <i>2/20/81</i>
Print Name & Title of Builder <i>APPLEBROOK FARM INC</i>		<i>10589</i>	

Has the (Builder or Contractor) any employees? YES WORKMENS COMP #WC 4260800

V.

AFFIDAVIT OF OWNERSHIP

STATE OF NEW YORK,
COUNTY OF WESTCHESTER, } ss.

DO NOT CHANGE THE WORDING OF THIS AFFIDAVIT

Frank & Margaret J. Duffy

(owner, lessee, architect or builder)

being duly sworn, deposes and says:

that *they are* the owner in fee of the premises to which this application applies; that he (the applicant) is duly authorized to make this application; and that the statements contained herein are true to the best of his knowledge and belief.

Sworn to before me this *20th*day of *February* 1981

Margaret J. Duffy
(Signature of Applicant)
Ann C. Daly
(Notary Public, Westchester County)

ANN C. DALY
Notary Public, State of New York
No. 4631683
Qualified in Westchester County
Commission Expires March 30, 1982

DO NOT WRITE BELOW THIS LINE

VI. PLAN REVIEW RECORD — For office use

Plans Review Required	Check	Plan Review Fee	Date Plans Started	By	Date Plans Approved	By	Notes
BUILDING		\$					
PLUMBING		\$					
MECHANICAL		\$					
ELECTRICAL		\$					
OTHER		\$					

VII. ADDITIONAL PERMITS REQUIRED OR OTHER CITY DEPT. APPROVALS

Permit or Approval	Check	Date Obtained	Number	By	Permit or Approval	Check	Date Obtained	Number	By
BOILER					PLUMBING				
CURB OR SIDEWALK CUT					ROOFING				
ELEVATOR					SEWER				
ELECTRICAL					SIGN				
FURNACE					STREET GRADES				
GRADING					USE OF PUBLIC AREAS				
OIL BURNER					WRECKING				
OTHER					OTHER				

NOTES:

VIII. ZONING PLAN EXAMINERS NOTES

ZONE DISTRICT: USE:

YARDS:

INDICATED

REQUIRED

FRONT:

SIDE: (minimum)

SIDE: (total)

REAR:

LAND AREA:

BUILDING AREA: (at street level)

PERCENTAGE OF LOT COVERED:%

FLOOR AREA RATIO: (F.A.R.)

HEIGHT OF BUILDING: (from reference grade)

FT. STORIES

PARKING: PROVIDED REQUIRED

OFF STREET LOADING ZONE: PROVIDED

REQUIRED

FLOOD ELEVATION FOR 100 YR. STORM

LOWEST FLOOR ELEV. INCLUDING CELLAR

SITE PLAN APPROVAL

CONDITIONS ATTACHED

ARCHITECTURAL REVIEW BOARD APPROVAL

CONDITIONS ATTACHED

OTHER:

NOTES:

IX. VALIDATION

USE GROUP

TYPE CLASSIFICATION

Building Permit number 3149

Building Permit issued 5/27/81

Building Permit Fee \$ 110.00 Total Due
 \$ 110.00 Paid (date) ✓
 \$ Bal. Paid (date)

Receipt No. 3749

Receipt No.

John J. Wade
 Approved by
Building Inspector
 Title



VILLAGE OF MOUNT KISCO
OFFICE OF THE VILLAGE CLERK
GENERAL LICENSE AND PERMIT FORM

--

Nº 3229

SPL. 00
FEE

Plumbing Permit
TYPE OF LICENSE OR PERMIT

MO.	DAY	YR.
8	10	81
ISSUE DATE		

Frank Duffy & Son, Inc. P.O. Box 88 Mount Kisco, N.Y. 10549
LICENSE OR PERMIT ISSUED TO

() If marked, terms and conditions
of license or permit must be
attached and displayed as part
of license document.

Hillview Circle - Barn

MO.	DAY	YR.
EXPIRES		

[Signature]
Licensing Officer

TERMS AND CONDITIONS — LICENSE OR PERMIT

Nº 3229

DEPARTMENT

VILLAGE OF MT. KISCO, NEW YORK

PERMIT FEE RECEIPT

Nº 3836

(Date) 8/10/81

Received of: Frank Duffy & Sons, Inc.

Address: P.O. Box 88

..... Mount Kisco, New York 10549

Amount: \$ 20.00 (words) Twenty dollars

For: Plumbing Permit # 3229

Remarks:
.....
.....

Received by Gerry Matts (Date) 8/10/81

INSTRUCTIONS: All fees and deposits must be paid in the village clerk's office before the permit issuing authority can issue the permit requested. After payment, please return the blue copy to the office to which you applied for a permit so that the permit can be issued.

PERMIT ISSUING AUTHORITY COPY

Fee Paid \$

VILLAGE OF MOUNT KISCO
Westchester County, N. Y.

Date 7/8/81.

To the Plumbing Inspector:

Application is hereby made for a permit to perform the work herein specified and shown on the drawings accompanying this application. It is desired to construct the plumbing and drainage system in the new building(s) on the premises known as 40 Hillview Circle (Barn) in Section Sheet Block Lot and in a District, as shown on the Building Zone Map. The proposed work outlined in this application conforms to all provisions of the ordinances of the Village of Mt. Kisco and laws of the State of New York. It is agreed that the work will be prosecuted in accordance with the provisions of such ordinances and laws.

The building (s) 2 stories in height 1s used as business building(s).
(If alteration, present use is and occupied as Phlg. & Htg. Building)
(Specify all classes of occupancy)

The sewage and drainage are to be disposed of by 1 house sewers, constructed of cast iron leading to septic tank (material)

There are to be 1 house drains, 1 soil lines, 3 waste lines, 2 vent lines, and no refrigerator waste pipes.
(number) (number) (number) (number)

FIXTURES ARE TO BE LOCATED ACCORDING TO THE FOLLOWING SCHEDULE:

	Water Closets	Urinals	Slop Sinks	Sinks	Wash Tubs	Bath Tubs	Wash Basins	Showers	Hose Ribs		Total
Yards, Courts											
Basement											
First Story	2		1	1			1				5
Second Story											
Third Story											
Above											

The water closet and urinals are described as follows:

and the water closet apartment floors and bases are waterproofed in the following manner

Sewer — New Connection X Replacement

Gas
Gas Burner — New Installation X Replacement

Oil Tank (With Underwriters Label) — New Replacement

Pipe sizes, materials and workmanship are to conform to all provisions of the ordinances of the Village of Mt. Kisco. Additional information for a thorough understanding of the proposed work is as follows: (If alteration, give extent of changes involved. Give description of sewage disposal. Give information regarding floor, cellar and stall drains, yard, area, court or shaft drains.)

Estimated cost (including labor, material and fixtures) \$2,500.00

The applicant submits herewith Certificate of Workmen's Compensation Insurance issued by the The State Insurance Fund 287 463-3 7/31/82
(Name of Company) (No. of Policy) (Date of Expiration)

covering employees proposed to be engaged on the construction or alteration applied for.

If no employment is contemplated, state circumstances

Accompanying this application is the fee of Twenty Dollars (\$ 20.00) being the amount required.

Owner Frank M. Duffy 9 Gray Rock Park Rd. Mt. Kisco, N.Y.
(Name) (Address)

Applicant Frank Duffy & Son, Inc. P.O. Box 88 Mt. Kisco, N.Y. 10549 Plumber
(Name) (Address) (Relationship to Property)

State of New York } ss.:
County of Westchester }

Frank M. Duffy
(Type or print name of applicant)

being duly sworn, deposes and says: That he is the person named as applicant in this application; that he is duly authorized as representative of the owner or lessee of the land and property herein mentioned and described to make application for permit to perform the work herein described and shown on detailed plans and amendments thereto in said behalf, and that the statements contained herein are true to the best of his knowledge and belief.

Sworn to before me this

day of , 19

(The applicant must be a Licensed Master Plumber)

(Notary Public—Westchester County)



Westchester County License #WC-26305-H13
CT Registration #HIC.0631565

Main Office
114 Pearl Street - #LL1
Port Chester, NY 10573
Tel:(914) 937-7134•Fax:(914) 937-8809

15 East Putnam Ave.-#3336
Greenwich, CT 06830
Tel/Fax: (203) 883-4710
www.armor-tite.com

June 4th , 2024

Michael Bonforte
Chairman & Members of the
Planning Board - Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Re: Application for Site Plan Approval by
40 Grove Barn, LLC
Barn retrofit
Section 69.81 Block 5 Lot 13

Dear Chairman Bonforte and Members:

On behalf of Armor-Tite Construction Corp, the purpose of this letter is to provide a further revised and amended business plan for our expected utilization of the above referenced property (barn and permitted adjoining surrounding area). The principal owner of 40 Grove Barn LLC is Evelio Elledias. He is a key principal with our company.

We understand that the use of the property is non-conforming, and therefore, we look to the prior use to frame our proposed use. The prior use of the barn was for Duffy Plumbing Company. It is the applicant's intent to maintain the use in a less intense manner. We are familiar with the proposed improvements and they have been designed to facilitate our use and future plans.

Our business, primarily a roofing business, is located in Port Chester, New York. We service commercial and residential clients. We very often have work in Northern Westchester, Putnam or even further upstate. The nature of roof business is that many jobs are labor and time intensive. Roofing jobs are performed on the site where the roof is being replaced or repaired. Typically, roofing supplies for a job are delivered to the job site. We have agreed that no scheduled supply deliveries will take place at 40 Grove. For scheduled supply deliveries, we will have them delivered to our Port Chester location, and only as and if needed, cause same to be delivered via our company pickup truck or vans. We are eliminating the possibility that deliveries will occur in any of the vehicles depicted in our last submission.

In specific response to the outstanding request of the Board, to clarify prior submission, we would expect only occasional minor deliveries will need to come to 40 Grove for the business, usually by UPS or Federal Express. We understand from your independent inquiry, the predecessor in title Duffy would have deliveries 3-5 times a day. Our intended use will be substantially less intense. We also note the photos only recently provided to us – copy attached – shows a fleet of trucks being used on site – all stored outside. We propose inside storage and have asked for the utilization of a fourth bay – the framing construction of which was initially done as part of the creation of the existing structure. We simply need to add a door for utilization in this bay and do not view this as an expansion. We are simply trying to be transparent to assuage any fears as may have been expressed to any member of the Board and preserve as much of the nonconformity as we can for any future successor owner or business tenant. We have previously modified the site plan drawing as requested to show how the existing outdoor paved area will be marked and utilized for employee parking or meeting with business professionals.

There will be indoor storage of surplus materials, tools and other equipment at the property. We expect that we will be storing some vehicles – typically pick-up trucks or commercial vans at the property. As such, our trucks tend to be stocked with tools and some supplies and materials and it is our desire that these be stored inside. The extra garage bay will facilitate that. We understand that the prior owner, Duffy was able to and did store at least one commercial vehicle overnight outside. We find nothing at all in the 1981 approval on this point which we raised, but note that the business operated on site for a very long time, so any such use would likely be nonconforming if not in fact permitted. For approval purposes, we would like the approval to allow us to store no more than one vehicle outside at night whether it is retrofitted with a plow for the driveway snow clearance or just in general.

We have provided a plan showing how the existing outdoor paved area can accommodate vehicles. Right now, the only vehicles we would expect that would need to be parked on site would be those of any employees working on site (likely only 1 or 2 part time), or of any workers that left their vehicle during the day to take a truck to a jobsite, or perhaps for any construction management meeting that might take place. Again, it is the expectation that company vehicles would be stored inside overnight but for us or any future use that may be subject to the approved site plan restriction, we would like approval to store one vehicle from the business outside overnight. We cannot control whether a residential tenant would be driving a truck.

We certainly would expect that supervisory personnel would utilize the office, as well as we would expect that construction meetings may be held there. Business hours would be from 7AM until 6PM, and there could be some Saturday use.

Some of our management and personnel live in mid to Northern Westchester, and being able to utilize an office would be of great use for us. We could expect that there may be some morning staging or afternoon unstaging which could also result in employees changing from work clothes and utilizing the bathroom/shower improvements prior to leaving for home.

We would not expect that there would be any retail conducted on site, nor do we believe that Duffy conducted any such business. In essence, we would expect to operate our business similar to how Duffy conducted their Plumbing Contracting business or how any similar small contracting company might expect to utilize such a site.

We await a further revised denial letter from the Building Inspector which would enable us to get in front of the Zoning Board of Appeals. Our attorney has provided proof that the approval in March 1981 was revised in May 1981 – a month later to clarify that a portion of the then existing garage would remain in addition to the new structure. The concrete pads shown on our drawing will be removed. They are vestiges from the building replaced in 1981.

We specifically asked to reappear before you prior to going to Zoning, to again assuage any fears, and clarify the record regarding what was done in the past and what the intent going forward is.

We also specifically request that we be allowed to proceed with renovations for the existing residence. Renovation permits have been delayed pending a determination of the commercial use on the site. I understand the risk I am taking but in all events, a two family house is a permitted use and renovation should not be further delayed while the respective Boards determine the permitted use of the garage – now with the discovery of the May 1981 amended variance, confirmed to be approved and not a further expansion.

We appreciate the opportunity to update the Board on the information discovered and presented herewith as this application continues to move forward.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Evelio Elledias", written in a cursive style.

Evelio Elledias





STATE OF NEW YORK
COUNTY - Westchester
TOWN - Mount Kisco
SWIS - 555600

2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E SECTION OF THE ROLL - 1
TAX MAP NUMBER SEQUENCE
UNIFORM PERCENT OF VALUE IS 014.03

PAGE 196
VALUATION DATE-JUN 01, 2024
TAXABLE STATUS DATE-MAY 01, 2024

TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS	ACCOUNT NO.		
***** 69.81-4-2 *****						
55 Brookside Ave					093800	
69.81-4-2	210 1 Family Res		BAS STAR 41854	0	0	11,520
Peralta Juan M	Bedford Central 552002	13,800	COUNTY TAXABLE VALUE	53,400		
55 Brookside Ave	58	53,400	TOWN TAXABLE VALUE	53,400		
Mount Kisco, NY 10549	FRNT 90.00 DPTH 172.00		SCHOOL TAXABLE VALUE	41,880		
	BANK 01		DD561 Ref disposal dist #1	53,400 TO		
	EAST-0705462 NRTH-0865928					
	DEED BOOK 46194 PG-363					
	FULL MARKET VALUE	380,613				
***** 69.81-4-3 *****						
57 Brookside Ave					093600	
69.81-4-3	210 1 Family Res		SENIOR ALL 41800	23,800	23,800	23,800
Mendoza Eduardo R	Bedford Central 552002	10,000	ENH STAR 41834	0	0	23,800
Flores Eugenia	57	47,600	COUNTY TAXABLE VALUE	23,800		
57 Brookside Ave	FRNT 82.00 DPTH 170.00		TOWN TAXABLE VALUE	23,800		
Mt Kisco, NY 10549	EAST-0705524 NRTH-0865901		SCHOOL TAXABLE VALUE	0		
	DEED BOOK 12145 PG-323		DD561 Ref disposal dist #1	47,600 TO		
	FULL MARKET VALUE	339,273				
***** 69.81-4-4 *****						
63 Brookside Ave					093700	
69.81-4-4	210 1 Family Res		BAS STAR 41854	0	0	11,520
Stuckey Andrew	Bedford Central 552002	12,300	COUNTY TAXABLE VALUE	74,000		
63 Brookside Ave	57a	74,000	TOWN TAXABLE VALUE	74,000		
Mt Kisco, NY 10549	FRNT 70.00 DPTH 173.00		SCHOOL TAXABLE VALUE	62,480		
	EAST-0705610 NRTH-0865903		DD561 Ref disposal dist #1	74,000 TO		
	DEED BOOK 50117 PG-3040					
	FULL MARKET VALUE	527,441				
***** 69.81-5-1 *****						
91 Main St					088500	
69.81-5-1	449 Other Storag		COUNTY TAXABLE VALUE	88,000		
New England Authentic Lumber	Bedford Central 552002		65,000 TOWN TAXABLE VALUE	88,000		
91 E Main St	18	88,000	SCHOOL TAXABLE VALUE	88,000		
Mt Kisco, NY 10549	FRNT 75.00 DPTH 251.00		DD561 Ref disposal dist #1	88,000 TO		
	EAST-0705036 NRTH-0865354					
	DEED BOOK 61048 PG-3636					
	FULL MARKET VALUE	627,227				
***** 69.81-5-3 *****						
44 Brookside Ave					089000	
69.81-5-3	210 1 Family Res		COUNTY TAXABLE VALUE	67,500		
Walter John A	Bedford Central 552002	11,700	TOWN TAXABLE VALUE	67,500		
Walter Kaitlin	22a	67,500	SCHOOL TAXABLE VALUE	67,500		
44 Brookside Ave	Bk 10		DD561 Ref disposal dist #1	67,500 TO		
Mt Kisco, NY 10549	FRNT 121.00 DPTH 148.00					
	BANK 01					
	EAST-0705348 NRTH-0865763					
	DEED BOOK 54195 PG-3613					
	FULL MARKET VALUE	481,112				

STATE OF NEW YORK
COUNTY - Westchester
TOWN - Mount Kisco
SWIS - 555600

2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
TAX MAP NUMBER SEQUENCE
UNIFORM PERCENT OF VALUE IS 014.03

PAGE 197
VALUATION DATE-JUN 01, 2024
TAXABLE STATUS DATE-MAY 01, 2024

TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS		ACCOUNT NO.	
***** 69.81-5-4 *****						
56 Brookside Ave					089100	
69.81-5-4	220 2 Family Res		BAS STAR 41854	0	0	11,520
Amuso Joseph	Bedford Central 552002	25,000	COUNTY TAXABLE VALUE	92,400		
Amuso Carmen	22b	92,400	TOWN TAXABLE VALUE	92,400		
56 Brookside Ave	FRNT 100.00 DPTH 147.00		SCHOOL TAXABLE VALUE	80,880		
Mt Kisco, NY 10549	EAST-0705439 NRTH-0865731		DD561 Ref disposal dist #1	92,400 TO		
	DEED BOOK 8805 PG-00111					
	FULL MARKET VALUE	658,589				
***** 69.81-5-5 *****						
4 Grove St					089300	
69.81-5-5	230 3 Family Res		COUNTY TAXABLE VALUE	95,700		
AA-MK LLC	Bedford Central 552002	25,000	TOWN TAXABLE VALUE	95,700		
c/o Chiara Affrunti	23a	95,700	SCHOOL TAXABLE VALUE	95,700		
22 High St	FRNT 75.00 DPTH 123.00		DD561 Ref disposal dist #1	95,700 TO		
Armonk, NY 10504	EAST-0705562 NRTH-0865738					
	DEED BOOK 57286 PG-3599					
	FULL MARKET VALUE	682,110				
***** 69.81-5-6 *****						
12 Grove St					089200	
69.81-5-6	220 2 Family Res		COUNTY TAXABLE VALUE	93,960		
Affrunti Vincent	Bedford Central 552002	20,000	TOWN TAXABLE VALUE	93,960		
Affrunti Rosemarie	23-24	93,960	SCHOOL TAXABLE VALUE	93,960		
228 Grove St	FRNT 50.00 DPTH 138.00		DD561 Ref disposal dist #1	93,960 TO		
Mt Kisco, NY 10549	BANK 01					
	EAST-0705535 NRTH-0865675					
	DEED BOOK 55162 PG-3191					
	FULL MARKET VALUE	669,708				
***** 69.81-5-7 *****						
14 Grove St					089500	
69.81-5-7	210 1 Family Res		COUNTY TAXABLE VALUE	65,500		
PSJS14 Inc	Bedford Central 552002	10,000	TOWN TAXABLE VALUE	65,500		
c/o Simone	24b	65,500	SCHOOL TAXABLE VALUE	65,500		
453 Rt 22	FRNT 50.00 DPTH 150.00		DD561 Ref disposal dist #1	65,500 TO		
North Salem, NY 10560	EAST-0705513 NRTH-0865629					
	DEED BOOK 58010 PG-3330					
	FULL MARKET VALUE	466,857				
***** 69.81-5-8 *****						
28 Grove St					089400	
69.81-5-8	220 2 Family Res		COUNTY TAXABLE VALUE	82,600		
Ortiz Cabrera Romelio O	Bedford Central 552002	16,000	TOWN TAXABLE VALUE	82,600		
30 Park Ave	24a-25A	82,600	SCHOOL TAXABLE VALUE	82,600		
Ossining, NY 10562	FRNT 62.00 DPTH 165.00		DD561 Ref disposal dist #1	82,600 TO		
	BANK 01					
	EAST-0705494 NRTH-0865582					
	DEED BOOK 62250 PG-3766					
	FULL MARKET VALUE	588,738				

STATE OF NEW YORK
COUNTY - Westchester
TOWN - Mount Kisco
SWIS - 555600

2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
T A X M A P N U M B E R S E Q U E N C E
U N I F O R M P E R C E N T O F V A L U E I S 0 1 4 . 0 3

PAGE 198
VALUATION DATE-JUN 01, 2024
TAXABLE STATUS DATE-MAY 01, 2024

TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS		ACCOUNT NO.	
***** 69.81-5-9 *****						
69.81-5-9	32 Grove St					089600
Pressley Edward E	210 1 Family Res		COUNTY TAXABLE VALUE	49,500		
32 Grove St	Bedford Central 552002	10,800	TOWN TAXABLE VALUE	49,500		
Mt Kisco, NY 10549	25b	49,500	SCHOOL TAXABLE VALUE	49,500		
	FRNT 54.00 DPTH 132.00		DD561 Ref disposal dist #1	49,500 TO		
	BANK 01					
	EAST-0705471 NRTH-0865528					
	DEED BOOK 62321 PG-3686					
	FULL MARKET VALUE	352,815				
***** 69.81-5-10 *****						
69.81-5-10	38 Grove St					089700
Keating Andre	220 2 Family Res		COUNTY TAXABLE VALUE	67,000		
Arai Mizuki	Bedford Central 552002	40,000	TOWN TAXABLE VALUE	67,000		
7 Elm St	26	67,000	SCHOOL TAXABLE VALUE	67,000		
Croton on the Hudson, NY 10520	FRNT 103.00 DPTH 184.00		DD561 Ref disposal dist #1	67,000 TO		
	ACRES 0.48 BANK 01					
	EAST-0705443 NRTH-0865456					
	DEED BOOK 61125 PG-3550					
	FULL MARKET VALUE	477,548				
***** 69.81-5-11 *****						
69.81-5-11	42 Grove St					089800
Bono Lori	220 2 Family Res		ENH STAR 41834	0	0	32,270
Bono Vincenza	Bedford Central 552002	20,000	COUNTY TAXABLE VALUE	73,000		
Attn: Mr. John Bono	27	73,000	TOWN TAXABLE VALUE	73,000		
42 Grove Dr	FRNT 75.00 DPTH 130.00		SCHOOL TAXABLE VALUE	40,730		
Mt Kisco, NY 10549	EAST-0705443 NRTH-0865340		DD561 Ref disposal dist #1	73,000 TO		
	DEED BOOK 61187 PG-3667					
	FULL MARKET VALUE	520,314				
***** 69.81-5-12 *****						
69.81-5-12	44 Grove St					088700
Elizabeth Daley Rev Trust	210 1 Family Res		Vol Fire/A 41640	6,770	6,770	6,770
Daley Elizabeth	Bedford Central 552002		12,900 BAS STAR 41854		0	0
44 Grove St	20-20B	67,700	VETWAR CTS 41120	10,155	5,051	6,314
Mt Kisco, NY 10549	FRNT 75.00 DPTH 200.00		COUNTY TAXABLE VALUE	50,775		
	EAST-0705258 NRTH-0865373		TOWN TAXABLE VALUE	55,879		
	DEED BOOK 62294 PG-3396		SCHOOL TAXABLE VALUE	43,096		
	FULL MARKET VALUE	482,537	DD561 Ref disposal dist #1	67,700 TO		
***** 69.81-5-13 *****						
69.81-5-13	40 Grove St					088900
40 Grove Barn LLC	483 Converted Re		COUNTY TAXABLE VALUE	85,200		
Evelio Elledias	Bedford Central 552002	37,500	TOWN TAXABLE VALUE	85,200		
17 Brett Ln	21-21A	85,200	SCHOOL TAXABLE VALUE	85,200		
Bedford, NY 10506	ACRES 1.17		DD561 Ref disposal dist #1	85,200 TO		
	EAST-0705305 NRTH-0865541					
	DEED BOOK 62139 PG-3763					
	FULL MARKET VALUE	607,270				

STATE OF NEW YORK
COUNTY - Westchester
TOWN - Mount Kisco
SWIS - 555600

2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E SECTION OF THE ROLL - 1
TAX MAP NUMBER SEQUENCE
UNIFORM PERCENT OF VALUE IS 014.03

PAGE 202
VALUATION DATE-JUN 01, 2024
TAXABLE STATUS DATE-MAY 01, 2024

TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS	ACCOUNT NO.		
***** 69.81-6-16 *****						
69.81-6-16	15 S Moger Ave					069500
Larrlem LLC	482 Det row bldg		COUNTY TAXABLE VALUE	620,000		
Attn: Larstrand Corp	Bedford Central 552002	275,000	TOWN TAXABLE VALUE	620,000		
500 Park Ave Fl 11	Include Shoppers Park Eas	620,000	SCHOOL TAXABLE VALUE		620,000	
New York, NY 10022	008 37D-2		DD561 Ref disposal dist #1	620,000 TO		
	FRNT 70.00 DPTH 265.00					
	EAST-0704506 NRTH-0865782					
	DEED BOOK 11295 PG-231					
	FULL MARKET VALUE	4419,102				
***** 69.82-1-2 *****						
69.82-1-2	2 Grove St					093200
Kazer Henry	210 1 Family Res		BAS STAR 41854	0	0	11,520
Kazer Joan	Bedford Central 552002	13,500	COUNTY TAXABLE VALUE	69,600		
2 Grove St	54	69,600	TOWN TAXABLE VALUE	69,600		
Mount Kisco, NY 10549-2906	ACRES 0.23		SCHOOL TAXABLE VALUE	58,080		
	EAST-0705794 NRTH-0865918		DD561 Ref disposal dist #1	69,600 TO		
	DEED BOOK 7608 PG-00637					
	FULL MARKET VALUE	496,080				
***** 69.82-1-3 *****						
69.82-1-3	71 Brookside Ave					093100
Altilio Theresa Ann	210 1 Family Res		BAS STAR 41854	0	0	11,520
71 Brookside Ave	Bedford Central 552002	19,300	COUNTY TAXABLE VALUE	55,900		
Mt Kisco, NY 10549	53	55,900	TOWN TAXABLE VALUE	55,900		
	FRNT 221.00 DPTH 114.00		SCHOOL TAXABLE VALUE	44,380		
	EAST-0705733 NRTH-0865834		DD561 Ref disposal dist #1	55,900 TO		
	DEED BOOK 11652 PG-74					
	FULL MARKET VALUE	398,432				
***** 69.82-1-5 *****						
69.82-1-5	N Bedford Rd					093500
Somberg Ellen	311 Res vac land		COUNTY TAXABLE VALUE	60,000		
Praeger Jonathan	Bedford Central 552002	60,000	TOWN TAXABLE VALUE	60,000		
c/o Ellen Somberg	56	60,000	SCHOOL TAXABLE VALUE	60,000		
1112 S Northlake Dr	FRNT 82.00 DPTH 200.00		DD561 Ref disposal dist #1	60,000 TO		
Hollywood, FL 33019	EAST-0705606 NRTH-0866010					
	DEED BOOK 53107 PG-3003					
	FULL MARKET VALUE	427,655				
***** 69.82-2-1 *****						
69.82-2-1	122 McLain St					061600
Albanese Isidoro	210 1 Family Res		BAS STAR 41854	0	0	11,520
Albanese Frances G	Bedford Central 552002	50,000	COUNTY TAXABLE VALUE	190,000		
122 McLain St	5-6 23A	190,000	TOWN TAXABLE VALUE	190,000		
Mt Kisco, NY 10549	ACRES 2.41		SCHOOL TAXABLE VALUE	178,480		
	EAST-0707158 NRTH-0866035		DD561 Ref disposal dist #1	190,000 TO		
	DEED BOOK 11378 PG-139					
	FULL MARKET VALUE	1354,241				

STATE OF NEW YORK
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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
TAX MAP NUMBER SEQUENCE
UNIFORM PERCENT OF VALUE IS 014.03

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VALUATION DATE-JUN 01, 2024
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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS	ACCOUNT NO.		
***** 69.82-3-1 *****						
69.82-3-1	1 Brookside Ave					059750
Sultana Vincent M	210 1 Family Res		BAS STAR 41854	0	0	11,520
Sultana Carolyn L	Bedford Central 552002	32,500	COUNTY TAXABLE VALUE	82,000		
1 Brookside Ave	005 21	82,000	TOWN TAXABLE VALUE	82,000		
Mt Kisco, NY 10549	ACRES 1.58		SCHOOL TAXABLE VALUE	70,480		
	EAST-0706082 NRTH-0865617		DD561 Ref disposal dist #1	82,000 TO		
	DEED BOOK 44166 PG-1038					
	FULL MARKET VALUE	584,462				
***** 69.82-4-1 *****						
69.82-4-1	3 Grove St					093000
Luppino Anthony	220 2 Family Res		BAS STAR 41854	0	0	11,520
Luppino Anna Maria	Bedford Central 552002	40,000	COUNTY TAXABLE VALUE	106,000		
3 Grove St	52a	106,000	TOWN TAXABLE VALUE	106,000		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 135.00		SCHOOL TAXABLE VALUE	94,480		
	EAST-0705735 NRTH-0865692		DD561 Ref disposal dist #1	106,000 TO		
	DEED BOOK 8590 PG-00262					
	FULL MARKET VALUE	755,524				
***** 69.82-4-3 *****						
69.82-4-3	51 Grove St					092200
Terlizzi Family Trust	220 2 Family Res		Senior TS 41806	0	44,271	44,271
Terlizzi Michael	Bedford Central 552002	49,000	SENIOR CTY 41802	44,271	0	0
Anthony & Rocchina Terlizzi	46	98,380	ENH STAR 41834	0	0	32,270
51 Grove St	FRNT 100.00 DPTH 174.00		COUNTY TAXABLE VALUE	54,109		
Mt. Kisco, NY 10549	EAST-0705612 NRTH-0865203		TOWN TAXABLE VALUE	54,109		
	DEED BOOK 58226 PG-3677		SCHOOL TAXABLE VALUE	21,839		
	FULL MARKET VALUE	701,212	DD561 Ref disposal dist #1	98,380 TO		
***** 69.82-4-4 *****						
69.82-4-4	43 Grove St					092300
The Joann Cerretani Rev Trust	220 2 Family Res		COUNTY TAXABLE VALUE	65,000		
43 Grove St	Bedford Central 552002		20,000 TOWN TAXABLE VALUE	65,000	65,000	
Mt Kisco, NY 10549	47	65,000	SCHOOL TAXABLE VALUE	65,000		
	FRNT 100.00 DPTH 167.00		DD561 Ref disposal dist #1	65,000 TO		
	BANK 01					
	EAST-0705634 NRTH-0865301					
	DEED BOOK 59091 PG-3148					
	FULL MARKET VALUE	463,293				
***** 69.82-4-5 *****						
69.82-4-5	37 Grove St					092500
Cox Matthew	210 1 Family Res		COUNTY TAXABLE VALUE	62,000		
Levadas Anastasia A	Bedford Central 552002	10,000	TOWN TAXABLE VALUE	62,000		
37 Grove St	48a	62,000	SCHOOL TAXABLE VALUE	62,000		
Mount Kisco, NY 10549	Driveway Easement to 33 G		DD561 Ref disposal dist #1	62,000 TO		
	FRNT 50.00 DPTH 160.00					
	BANK 01					
	EAST-0705654 NRTH-0865374					
	DEED BOOK 60349 PG-3601					
	FULL MARKET VALUE	441,910				

STATE OF NEW YORK
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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E SECTION OF THE ROLL - 1
TAX MAP NUMBER SEQUENCE
UNIFORM PERCENT OF VALUE IS 014.03

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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS			ACCOUNT NO.
***** 69.82-4-6 *****						
69.82-4-6	33 Grove St					092400
Antonacci Michael C	210 1 Family Res		BAS STAR 41854	0	0	11,520
Antonacci Jennifer A	Bedford Central 552002	10,000	COUNTY TAXABLE VALUE	66,500		
33 Grove St	48	66,500	TOWN TAXABLE VALUE	66,500		
Mount Kisco, NY 10549	Sewer Line Easement to 37		SCHOOL TAXABLE VALUE	54,980		
	FRNT 50.00 DPTH 156.00		DD561 Ref disposal dist #1	66,500 TO		
	BANK 01					
	EAST-0705667 NRTH-0865418					
	DEED BOOK 60349 PG-3601					
	FULL MARKET VALUE	473,984				
***** 69.82-4-7 *****						
69.82-4-7	29 Grove St					092600
Guerra Roberto	210 1 Family Res		COUNTY TAXABLE VALUE	61,200		
29 Grove St	Bedford Central 552002	10,000	TOWN TAXABLE VALUE	61,200		
Mt Kisco, NY 10549	49	61,200	SCHOOL TAXABLE VALUE	61,200		
	FRNT 50.00 DPTH 152.00		DD561 Ref disposal dist #1	61,200 TO		
	BANK 01					
	EAST-0705681 NRTH-0865465					
	DEED BOOK 59268 PG-3375					
	FULL MARKET VALUE	436,208				
***** 69.82-4-8 *****						
69.82-4-8	25 Grove St					092700
Carbajal Edwin	220 2 Family Res		BAS STAR 41854	0	0	11,520
Martinez Carbajal Estela	Bedford Central 552002	9,900	COUNTY TAXABLE VALUE	66,500		
25 Grove St	50	66,500	TOWN TAXABLE VALUE	66,500		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 148.00		SCHOOL TAXABLE VALUE	54,980		
	BANK 01		DD561 Ref disposal dist #1	66,500 TO		
	EAST-0705690 NRTH-0865516					
	DEED BOOK 47264 PG-639					
	FULL MARKET VALUE	473,984				
***** 69.82-4-9 *****						
69.82-4-9	23 Grove St					092800
Lopez Heber	220 2 Family Res		COUNTY TAXABLE VALUE	67,000		
23 Grove St	Bedford Central 552002	9,900	TOWN TAXABLE VALUE	67,000		
Mt Kisco, NY 10549	50a	67,000	SCHOOL TAXABLE VALUE	67,000		
	FRNT 50.00 DPTH 144.00		DD561 Ref disposal dist #1	67,000 TO		
	BANK 01					
	EAST-0705701 NRTH-0865564					
	DEED BOOK 45238 PG-407					
	FULL MARKET VALUE	477,548				
***** 69.82-4-10 *****						
69.82-4-10	19 Grove St					092900
Araceli Arroyo Guerra Lilian A	210 1 Family Res		COUNTY TAXABLE VALUE	105,000		
Cruz Ramiro J	A Bedford Central 552002	20,000	TOWN TAXABLE VALUE	105,000		
19 Grove St	51-52	105,000	SCHOOL TAXABLE VALUE	105,000		
Mt Kisco, NY 10549	FRNT 83.00 DPTH 138.00		DD561 Ref disposal dist #1	105,000 TO		
	BANK 01					
	EAST-0705715 NRTH-0865624					

STATE OF NEW YORK
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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
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TAX MAP NUMBER SEQUENCE
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VALUATION DATE-JUN 01, 2024
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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS			ACCOUNT NO.
***** 80.25-3-2 *****						
80.25-3-2	48 Grove St					088450
Mannion Francis W Jr	210 1 Family Res		BAS STAR 41854	0	0	11,520
48 Grove St	Bedford Central 552002	20,000	Vol Fire/A 41640	7,600	7,600	7,600
Mt Kisco, NY 10549	17a	76,000	COUNTY TAXABLE VALUE	68,400		
	ACRES 0.32		TOWN TAXABLE VALUE	68,400		
	EAST-0705203 NRTH-0865239		SCHOOL TAXABLE VALUE	56,880		
	DEED BOOK 41072 PG-375		DD561 Ref disposal dist #1	76,000 TO		
	FULL MARKET VALUE	541,696				
***** 80.25-3-3 *****						
80.25-3-3	52 Grove St					089900
PSJS73	418 Inn/lodge		COUNTY TAXABLE VALUE	140,000		
c/o Simone	Bedford Central 552002	40,000	TOWN TAXABLE VALUE	140,000		
453 Rt 22	28	140,000	SCHOOL TAXABLE VALUE	140,000		
North Salem, NY 10560	FRNT 100.00 DPTH 200.00		DD561 Ref disposal dist #1	140,000 TO		
	EAST-0705389 NRTH-0865262					
	DEED BOOK 48274 PG-160					
	FULL MARKET VALUE	997,862				
***** 80.25-3-4 *****						
80.25-3-4	58 Grove St					090000
Coppola Antonio	220 2 Family Res		COUNTY TAXABLE VALUE	76,300		
Amy Coppola	Bedford Central 552002	20,000	TOWN TAXABLE VALUE	76,300		
63 School St	29	76,300	SCHOOL TAXABLE VALUE	76,300		
Bedford Hills, NY 10507	FRNT 50.00 DPTH 200.00		DD561 Ref disposal dist #1	76,300 TO		
	EAST-0705369 NRTH-0865192					
	DEED BOOK 7458 PG-00797					
	FULL MARKET VALUE	543,835				
***** 80.25-3-5 *****						
80.25-3-5	60 Grove St					090100
Krasne Ian	210 1 Family Res		COUNTY TAXABLE VALUE	65,000		
36 Bretton Rdg	Bedford Central 552002	20,000	TOWN TAXABLE VALUE	65,000		
Mt Kisco, NY 10549	30	65,000	SCHOOL TAXABLE VALUE	65,000		
	FRNT 50.00 DPTH 200.00		DD561 Ref disposal dist #1	65,000 TO		
	EAST-0705356 NRTH-0865143					
	DEED BOOK 61356 PG-3514					
	FULL MARKET VALUE	463,293				
***** 80.25-3-6 *****						
80.25-3-6	62 Grove St					090200
Unger Naftali	220 2 Family Res		COUNTY TAXABLE VALUE	90,000		
26 Par Rd	Bedford Central 552002	15,000	TOWN TAXABLE VALUE	90,000		
Montebello, NY 10901	31	90,000	SCHOOL TAXABLE VALUE	90,000		
	FRNT 80.00 DPTH 200.00		DD561 Ref disposal dist #1	90,000 TO		
	BANK 01					
	EAST-0705335 NRTH-0865088					
	DEED BOOK 64067 PG-3004					
	FULL MARKET VALUE	641,483				

STATE OF NEW YORK
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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
T A X M A P N U M B E R S E Q U E N C E
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VALUATION DATE-JUN 01, 2024
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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS			ACCOUNT NO.
***** 80.25-3-7 *****						
80.25-3-7	66 Grove St					090300
Reilly Kevin	210 1 Family Res		BAS STAR 41854	0	0	11,520
Reilly Kristina L	Bedford Central 552002	30,000	Vol Fire/A 41640	7,500	7,500	7,500
66 Grove St	31a&32	75,000	COUNTY TAXABLE VALUE	67,500		
Mt Kisco, NY 10549	FRNT 60.00 DPTH 200.00		TOWN TAXABLE VALUE	67,500		
	BANK 01		SCHOOL TAXABLE VALUE	55,980		
	EAST-0705315 NRTH-0865022		DD561 Ref disposal dist #1	75,000 TO		
	DEED BOOK 46243 PG-844					
	FULL MARKET VALUE	534,569				
***** 80.25-3-8 *****						
80.25-3-8	70 Grove St					090400
Krinick Nathan	210 1 Family Res		COUNTY TAXABLE VALUE	65,000		
Farkas Nicollette	Bedford Central 552002	12,300	TOWN TAXABLE VALUE	65,000		
70 Grove St	32a	65,000	SCHOOL TAXABLE VALUE	65,000		
Mt Kisco, NY 10549	FRNT 60.00 DPTH 200.00		DD561 Ref disposal dist #1	65,000 TO		
	BANK 01					
	EAST-0705299 NRTH-0864962					
	DEED BOOK 61004 PG-3733					
	FULL MARKET VALUE	463,293				
***** 80.25-3-9 *****						
80.25-3-9	86 Grove St					090500
Ramon Luis G	210 1 Family Res		BAS STAR 41854	0	0	11,520
Ramon Trancito M	Bedford Central 552002	32,000	COUNTY TAXABLE VALUE	75,000		
86 Grove St	33	75,000	TOWN TAXABLE VALUE	75,000		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 200.00		SCHOOL TAXABLE VALUE	63,480		
	EAST-0705283 NRTH-0864909		DD561 Ref disposal dist #1	75,000 TO		
	DEED BOOK 54079 PG-3179					
	FULL MARKET VALUE	534,569				
***** 80.25-3-10 *****						
80.25-3-10	80 Grove St					090600
Berliner Richard	210 1 Family Res		BAS STAR 41854	0	0	11,520
Berliner Jill	Bedford Central 552002	11,000	COUNTY TAXABLE VALUE	59,500		
80 Grove St	33a	59,500	TOWN TAXABLE VALUE	59,500		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 200.00		SCHOOL TAXABLE VALUE	47,980		
	EAST-0705267 NRTH-0864860		DD561 Ref disposal dist #1	59,500 TO		
	DEED BOOK 45160 PG-129					
	FULL MARKET VALUE	424,091				
***** 80.25-3-11 *****						
80.25-3-11	88 Grove St					090700
Luppino Antonio	220 2 Family Res		COUNTY TAXABLE VALUE	80,000		
Luppino Anna Marie	Bedford Central 552002	20,000	TOWN TAXABLE VALUE	80,000		
Attn: Anthony Luppino	34	80,000	SCHOOL TAXABLE VALUE	80,000		
3 Grove St	FRNT 90.00 DPTH 200.00		DD561 Ref disposal dist #1	80,000 TO		
Mt Kisco, NY 10549	EAST-0705246 NRTH-0864783					
	DEED BOOK 40200 PG-00732					
	FULL MARKET VALUE	570,207				

STATE OF NEW YORK
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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
T A X M A P N U M B E R S E Q U E N C E
U N I F O R M P E R C E N T O F V A L U E I S 0 1 4 . 0 3

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VALUATION DATE-JUN 01, 2024
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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS			ACCOUNT NO.
***** 80.25-3-12 *****						
	90 Grove St					090900
80.25-3-12	220 2 Family Res		COUNTY TAXABLE VALUE	82,500		
Arias Sergio L	Bedford Central 552002	40,000	TOWN TAXABLE VALUE	82,500		
Arias Lidia C	35a	82,500	SCHOOL TAXABLE VALUE	82,500		
PO Box 29	FRNT 50.00 DPTH 200.00		DD561 Ref disposal dist #1	82,500 TO		
Mt Kisco, NY 10549	BANK 01					
	EAST-0705227 NRTH-0864717					
	DEED BOOK 59025 PG-3445					
	FULL MARKET VALUE	588,026				
***** 80.25-3-13 *****						
	94 Grove St					090800
80.25-3-13	220 2 Family Res		BAS STAR 41854	0	0	11,520
Fontecchio Cullen Mary	Bedford Central 552002	29,200	COUNTY TAXABLE VALUE	85,000		
94 Grove St	Lot 35 & 35B	85,000	TOWN TAXABLE VALUE	85,000		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 201.00		SCHOOL TAXABLE VALUE	73,480		
	BANK 01		DD561 Ref disposal dist #1	85,000 TO		
	EAST-0705211 NRTH-0864662					
	DEED BOOK 44282 PG-711					
	FULL MARKET VALUE	605,845				
***** 80.25-3-15 *****						
	100 Grove St					087600
80.25-3-15	210 1 Family Res		COUNTY TAXABLE VALUE	82,000		
Morgano Matthew	Bedford Central 552002	40,000	TOWN TAXABLE VALUE	82,000		
Matthew Caroline	11k	82,000	SCHOOL TAXABLE VALUE	82,000		
100 Grove St	FRNT 55.00 DPTH 120.00		DD561 Ref disposal dist #1	82,000 TO		
Mt Kisco, NY 10549	BANK 01					
	EAST-0705227 NRTH-0864577					
	DEED BOOK 55338 PG-3123					
	FULL MARKET VALUE	584,462				
***** 80.25-3-16 *****						
	104 Grove St					087500
80.25-3-16	220 2 Family Res		COUNTY TAXABLE VALUE	77,000		
104 Grove LLC	Bedford Central 552002	30,000	TOWN TAXABLE VALUE	77,000		
20 Benedict Ave	11h	77,000	SCHOOL TAXABLE VALUE	77,000		
White Plains, NY 10603	FRNT 50.00 DPTH 120.00		DD561 Ref disposal dist #1	77,000 TO		
	EAST-0705238 NRTH-0864512					
	DEED BOOK 63171 PG-3248					
	FULL MARKET VALUE	548,824				
***** 80.25-3-17 *****						
	108 Grove St					087400
80.25-3-17	220 2 Family Res		BAS STAR 41854	0	0	11,520
Gomez Patricia	Bedford Central 552002	20,000	COUNTY TAXABLE VALUE	69,000		
108 Grove St	11f	69,000	TOWN TAXABLE VALUE	69,000		
Mt Kisco, NY 10549	FRNT 50.00 DPTH 105.00		SCHOOL TAXABLE VALUE	57,480		
	EAST-0705245 NRTH-0864462		DD561 Ref disposal dist #1	69,000 TO		
	DEED BOOK 63144 PG-3612					
	FULL MARKET VALUE	491,803				

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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
T A X A B L E S E C T I O N O F T H E R O L L - 1
TAX MAP NUMBER SEQUENCE
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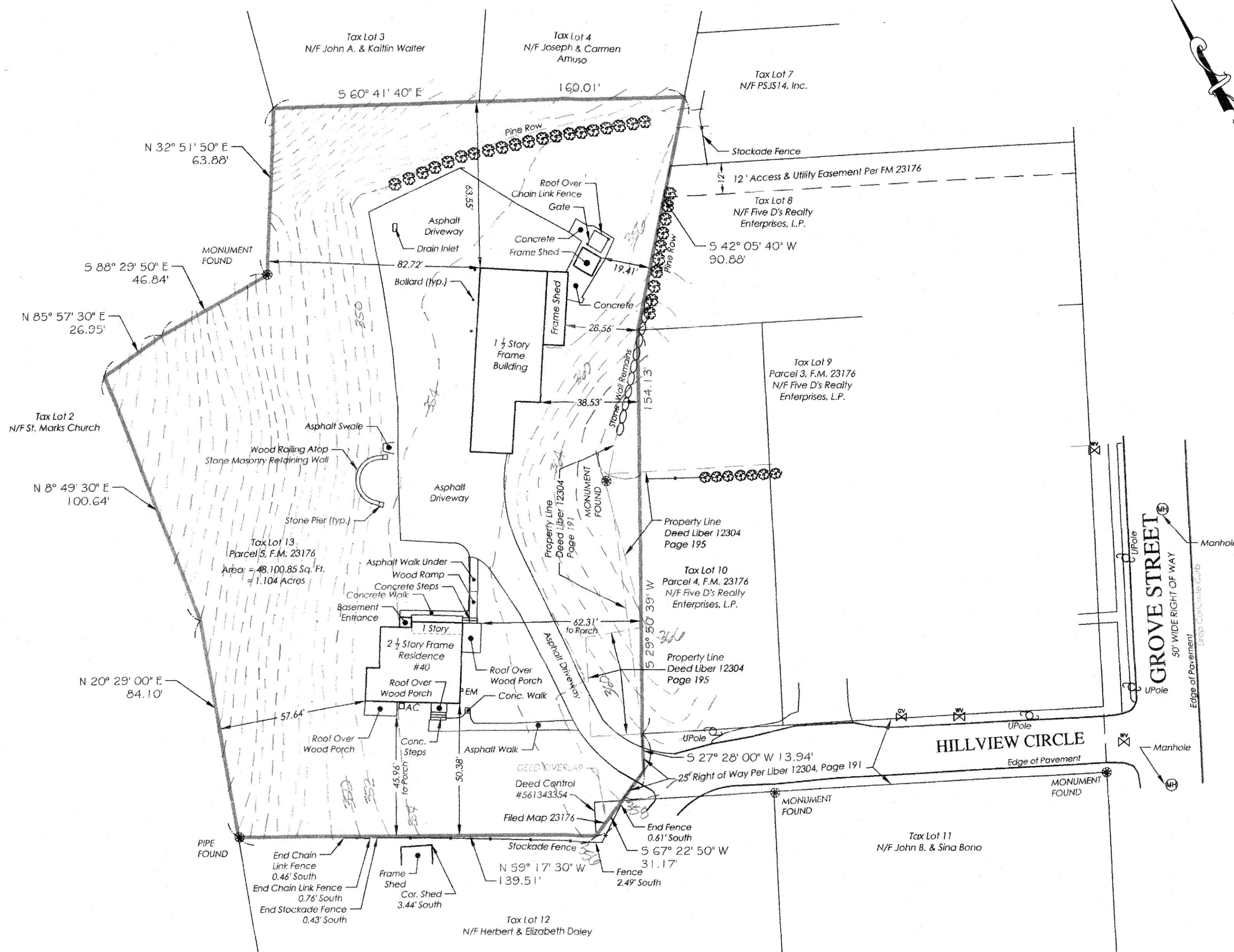
TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS	ACCOUNT NO.		
***** 80.25-3-32.2 *****						
	141 Main St					
80.25-3-32.2	481 Att row bldg		COUNTY	TAXABLE VALUE	161,975	
Grandsons Realty LLC	Bedford Central 552002	50,000	TOWN	TAXABLE VALUE	161,975	
180 Stone Hill Rd	Formerly P/O 80.25-3-32		161,975	SCHOOL	TAXABLE VALUE	161,975
Bedford, NY 10560	Old Lot #'s: 8A, 8A1		DD561 Ref disposal dist #1		161,975 TO	
	FRNT 36.27 DPTH 166.00					
	BANK 01					
	EAST-0704815 NRTH-0864814					
	DEED BOOK 61207 PG-3023					
	FULL MARKET VALUE	1154,490				
***** 80.25-3-33 *****						
	135 Main St					087800
80.25-3-33	481 Att row bldg		COUNTY	TAXABLE VALUE	135,500	
ALB Main St LLC	Bedford Central 552002	87,500	TOWN	TAXABLE VALUE	135,500	
c/o Antonio Buetti	12a-12E	135,500	SCHOOL	TAXABLE VALUE	135,500	
40 New Castle Dr	FRNT 98.00 DPTH 123.00		DD561 Ref disposal dist #1		135,500 TO	
Mt Kisco, NY 10549	EAST-0704807 NRTH-0864913					
	DEED BOOK 60274 PG-3459					
	FULL MARKET VALUE	965,788				
***** 80.25-3-34 *****						
	131 Main St					088100
80.25-3-34	482 Det row bldg		COUNTY	TAXABLE VALUE	265,000	
125-131 Central Main Realty Co	Bedford Central 552002		100,000	TOWN	TAXABLE VALUE	265,000
Attn: Nicola & Filomena	14-14B	265,000	SCHOOL	TAXABLE VALUE	265,000	
Morelli	FRNT 98.00 DPTH 136.00		DD561 Ref disposal dist #1		265,000 TO	
21 Sulgrave Rd	EAST-0704845 NRTH-0865006					
Scarsdale, NY 10583	DEED BOOK 11692 PG-272					
	FULL MARKET VALUE	1888,810				
***** 80.25-3-35 *****						
	117-119 Main St					088200
80.25-3-35	482 Det row bldg		COUNTY	TAXABLE VALUE	175,000	
Goldbaum Martin	Bedford Central 552002	100,000	TOWN	TAXABLE VALUE	175,000	
Goldbaum Sally	15	175,000	SCHOOL	TAXABLE VALUE	175,000	
49 The Ter	FRNT 100.00 DPTH 411.00		DD561 Ref disposal dist #1		175,000 TO	
Katonah, NY 10536-2017	EAST-0705007 NRTH-0865062					
	DEED BOOK 11298 PG-305					
	FULL MARKET VALUE	1247,327				
***** 80.25-3-36 *****						
	111 Main St					088300
80.25-3-36	482 Det row bldg		COUNTY	TAXABLE VALUE	292,000	
Blue Bear Capital LLC	Bedford Central 552002	175,000	TOWN	TAXABLE VALUE	292,000	
Gary Heltzer	16	292,000	SCHOOL	TAXABLE VALUE	292,000	
45 Hudson View Way Unit 401	aka 111-115 Main or 111 E		DD561 Ref disposal dist #1		292,000 TO	
Tarrytown, NY 10591	FRNT 100.00 DPTH 403.00					
	EAST-0705039 NRTH-0865154					
	DEED BOOK 62081 PG-3519					
	FULL MARKET VALUE	2081,254				

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2 0 2 4 T E N T A T I V E A S S E S S M E N T R O L L
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TAX MAP NUMBER SEQUENCE
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VALUATION DATE-JUN 01, 2024
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TAX MAP PARCEL NUMBER	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME	SCHOOL DISTRICT	LAND	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS	PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS	ACCOUNT NO.		
***** 80.25-5-7 *****						
	47 Dakin Ave					144500
80.25-5-7	484 1 use sm bld		COUNTY TAXABLE VALUE	81,000		
Dakin James R	Bedford Central 552002	39,300	TOWN TAXABLE VALUE	81,000		
Brian Dakin	11a&11b	81,000	SCHOOL TAXABLE VALUE	81,000		
1404 Granby Way	FRNT 155.00 DPTH 160.00		DD561 Ref disposal dist #1	81,000 TO		
West Chester, PA 19380	EAST-0704273 NRTH-0864450					
	FULL MARKET VALUE	577,334				
***** 80.26-1-2 *****						
	59 Grove St					092000
80.26-1-2	210 1 Family Res		COUNTY TAXABLE VALUE	65,000		
Oliveri Concetta	Bedford Central 552002	13,200	TOWN TAXABLE VALUE	65,000		
c/o Carmela Oliveri	44	65,000	SCHOOL TAXABLE VALUE	65,000		
59 Grove St	FRNT 75.00 DPTH 183.00		DD561 Ref disposal dist #1	65,000 TO		
Mt Kisco, NY 10549	EAST-0705585 NRTH-0865094					
	DEED BOOK 11060 PG-161					
	FULL MARKET VALUE	463,293				
***** 80.26-1-3 *****						
	65 Grove St					091800
80.26-1-3	210 1 Family Res		COUNTY TAXABLE VALUE	62,500		
Naranjo Manuel	Bedford Central 552002	15,000	TOWN TAXABLE VALUE	62,500		
65 Grove St	42	62,500	SCHOOL TAXABLE VALUE	62,500		
Mt Kisco, NY 10549	FRNT 117.00 DPTH 134.00		DD561 Ref disposal dist #1	62,500 TO		
	BANK 01					
	EAST-0705540 NRTH-0865006					
	DEED BOOK 56272 PG-3170					
	FULL MARKET VALUE	445,474				
***** 80.26-1-4 *****						
	71 Grove St					091900
80.26-1-4	210 1 Family Res		BAS STAR 41854	0	0	11,520
Tapia Hernan	Bedford Central 552002	15,000	COUNTY TAXABLE VALUE	77,500		
Tapia Laura	43	77,500	TOWN TAXABLE VALUE	77,500		
71 Grove St	nka 71 Grove; fka 15 War		SCHOOL TAXABLE VALUE	65,980		
Mt Kisco, NY 10549	FRNT 17.00 DPTH 135.00		DD561 Ref disposal dist #1	77,500 TO		
	BANK 01					
	EAST-0705632 NRTH-0864961					
	DEED BOOK 47103 PG-621					
	FULL MARKET VALUE	552,388				
***** 80.26-1-5 *****						
	21-27 Ward Ave					103700
80.26-1-5	311 Res vac land		COUNTY TAXABLE VALUE	7,500		
Morgan Charles J	Bedford Central 552002	7,500	TOWN TAXABLE VALUE	7,500		
Morgan Lisa M	1,2b,155	7,500	SCHOOL TAXABLE VALUE	7,500		
7 Bliss Rd	FRNT 59.00 DPTH 131.00		DD561 Ref disposal dist #1	7,500 TO		
Warren, CT 06777	EAST-0705715 NRTH-0864992					
	DEED BOOK 49322 PG-114					
	FULL MARKET VALUE	53,457				



Only copies from the original of this survey marked with an original of the Land Surveyors embossed seal or red colored seal shall be considered to be true, valid copies.

Said certifications shall run only to the person for whom this survey is prepared and on his/her behalf to the title company, governmental agency and lending institutions listed hereon. Certifications are not transferable to additional institutions or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyors seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

Possession only where indicated.

Adjacent property lines and easements not surveyed or certified. Access to adjacent rights of way, easements and public or private lands not guaranteed or certified.

Underground utilities shown hereon are approximate and should be verified before excavating. Additional underground utilities are not shown or certified. Encroachments and structures below grade, if any, not shown or certified.

Subject to covenants, easements, restrictions, conditions and agreements of record.

Premises hereon being Parcel 5 as shown on a certain map entitled, "Resubdivision of Property Prepared for Frank and Margaret Duffy, situate in the Village and Town of Mount Kisco, Westchester County, New York." Said map filed in the Westchester County Clerk's Office, Division of Land Records on March 31, 1988 as map number 23176.

Surveyed in accordance with Parcel 5, Filed Map 23176. Property subject to an up to date and accurate title report.

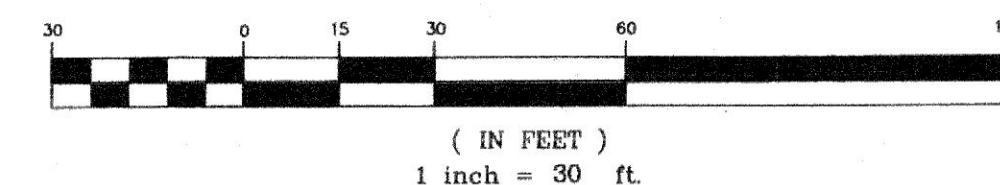
Premises shown hereon designated on the Town of Mount Kisco Tax Maps as: Section 69.81, Block 5, Lot 13.

Property Address:
40 Grove Street
Mount Kisco, NY 10549

**SURVEY OF PROPERTY
PREPARED FOR
PARCEL 5, FILED MAP #23176**
SITUATE IN THE
VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

SCALE: 1" = 30'

GRAPHIC SCALE



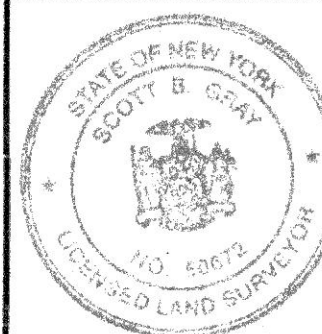
TOPOGRAPHICAL INFORMATION TAKEN FROM
WESTCHESTER COUNTY GIS

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ALL RIGHTS RESERVED. UNAUTHORIZED DUPLICATION OR
ELECTRONIC TRANSMISSION WITHOUT PRIOR PERMISSION
IS A VIOLATION OF APPLICABLE LAWS.



TC MERRITTS LAND SURVEYORS

394 BEDFORD ROAD • PLEASANTVILLE • NY 10570
(914) 769-8003 • (203) 622-8899



Surveyed: March 12, 2021
Map Prepared: March 17, 2021

By: 
Scott B. Gray New York State Licensed Land Surveyor No. 050672

Project: 21-075	Field Survey By:
Job: 21-086	AN/SH
Drawn By:	Checked By:
CMP	SBC

R301.5 Design Loads-Live Loads:

-Living Areas	40lb/sf
-Sleeping Rooms	30lb/sf
-Attic- No Storage	10lb/sf
-Attic-Storage	20lb/sf
-Stairs	40lb/sf
-Decks	40lb/sf
-Roof	45lb/sf
-Guards and Handrails	200lb/lf

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R310.1 Basements with habitable spaces and every sleeping room to have at least one openable emergency escape and rescue opening of minimum 5.7 percent net clear opening with a minimum opening height of 24 inches and opening width of 20 inches net clear opening.

R311.7 Stairs:

-Maximum Riser Height	8 1/4 inches
-Minimum Tread Depth	9 inches
-Minimum Head Room	6'-8" from nosing to sloped ceiling
-Minimum Width	36 inches above rail and 31 1/2 inches at rail height and below with rail on one side or 27 inches with handrail on both sides.

R312.1 Guards:

- Required at surface more than 30 inches above floor.
- Height minimum of 36 inches
- At open side of stairs minimum 34 inches
- Intermediate rails or ornamental closures cannot allow the passage of a sphere 4 inches or more in diameter
- Triangular opening formed by riser treads and bottom rail of guard at open side of stair shall not allow a sphere of 6 inches to pass through

R314,R315 Smoke and Carbon monoxide Alarms

- Each sleeping room to have a smoke alarm
- Outside of each sleeping area in the immediate vicinity of the bedrooms to have a smoke alarm
- All smoke detectors to be interconnected
- All smoke detectors shall be hardwired and have battery backup
- Carbon monoxide alarms to be located outside of each separate sleeping area
- Carbon monoxide alarm to be located on each level of the dwelling

Plumbing Work: all plumbing to conform to the requirements of the 2020 Residential Code of New York State

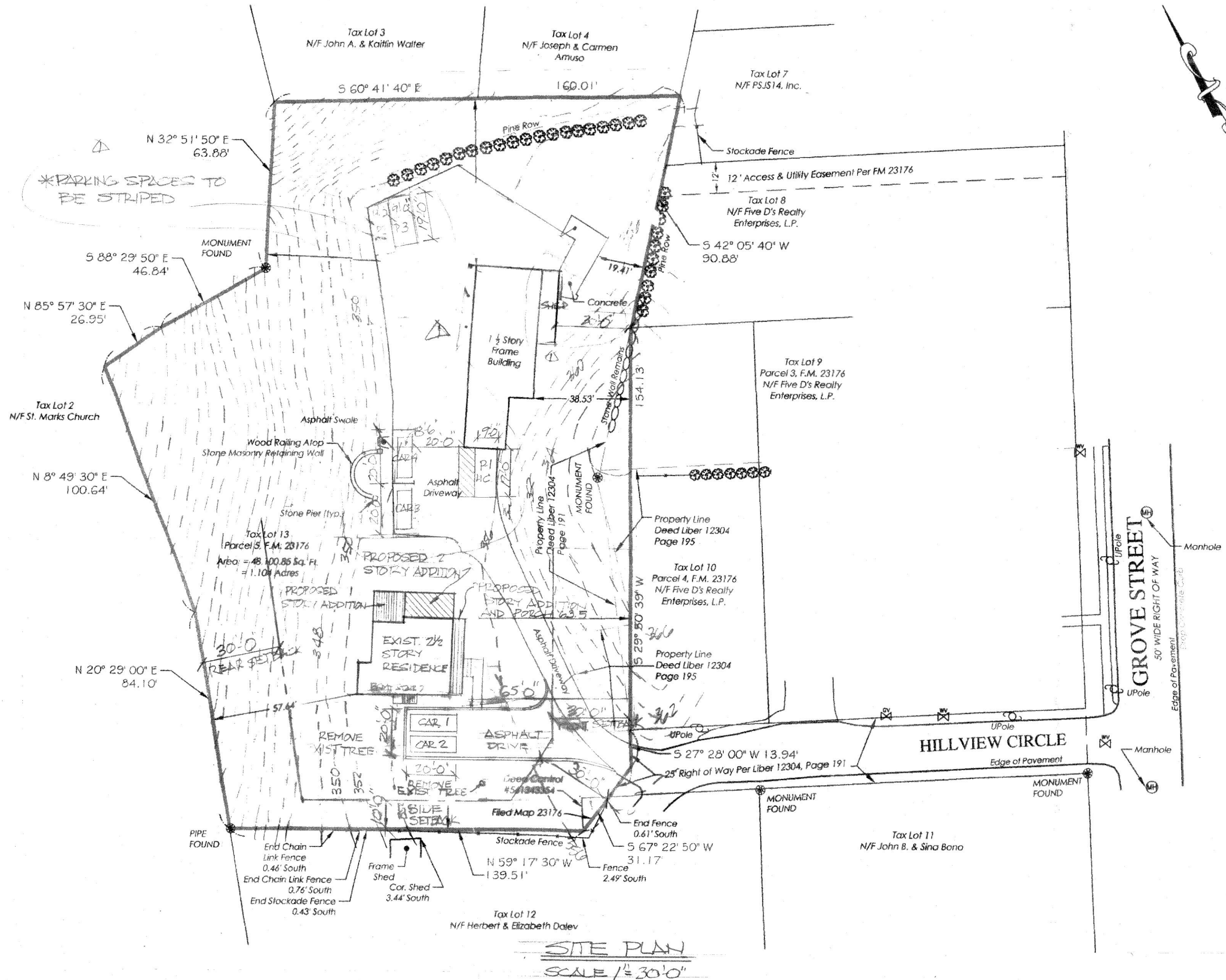
Electrical Work: all electrical work to conform to the requirements of the 2020 Residential Code of New York State

Mechanical Work: all mechanical systems to comply with the 2020 Residential Code of New York State

All work to conform to the 2020 Energy Conservation Construction Code of New York State

General Notes

- 1) All work to be done according to 2020 Building Code of New York State and local codes
- 2) All plumbing work to be done by a licensed plumber
- 3) All electric work to be done by a licensed electrician
- 4) Provide a code 53 confirmation before starting any digging or excavation
- 5) File for a tree permit before removing any trees
- 6) File for a demolition permit for starting any demolition
- 7) Building setbacks and layouts to be done by a licensed surveyor
- 8) Workmanship to be first class in all respects
- 9) Soil bearing capacity to be minimum 2 tons p.s.f
- 10) Poured concrete to be minimum 3000psi
- 11) Poured concrete for exterior steps, porches, etc exposed to the weather and garage slabs to be minimum 3500p.s.i. strength
- 12) Stepped footings to be 1 vertical to 2 horizontal
- 13) Concrete block walls to have horizontal reinforcement 16" oc
- 14) Finish grades to be a minimum 8" below top of foundation wall and slope away from house
- 15) any steel beams etc. to be min A36 grade
- 16) Steel lally columns to have 6"x6" plates with 4-9/16 holes top and bottom
- 17) All lumber to minimum #2 doug/fir 900p.s.i fiber strength
- 18) All deck lumber to be pressure treated for header and joists
- 19) Double joists under parallel partitions
- 20) All posts for headers, beams, and girders to be taken down solid to the foundation and bearing posts
- 21) Provide flashing at wall/roof, valleys, chimneys, windows, doors and roof penetrations as required
- 22) All bath exhaust fans to vent to exterior
- 23) All walls to be tiled to receive cement board backing
- 24) Dryer vents to be vented directly to the exterior



Zoning District RT-6		
	Required	Proposed
Lot Area	6,250 s.f.	48,100.85s.f.
Building Coverage	9,970.17s.f.	3,500.75s.f.
Development Coverage	19,240.34s.f.	16,521.75s.f.
Lot Width	50'-0"	276.18'
Lot Depth	100'-0"	139.51'
Yards-Front	30'-0"	63.5'
Yards-Side	10'-0"	50.38'
Yards-Rear	30'-0"	57.64'
Height-Stories	2 1/2	2 1/2
Height-Feet	35'-0"	27.5'



Project

PROPOSED ADDITION FOR 40 GROVE BARN LLC
40 GROVE ST.
MT. KISCO, N.Y.

SMM Architect PLLC
5 Scott Circle
Purchase, New York 10577

Drawing

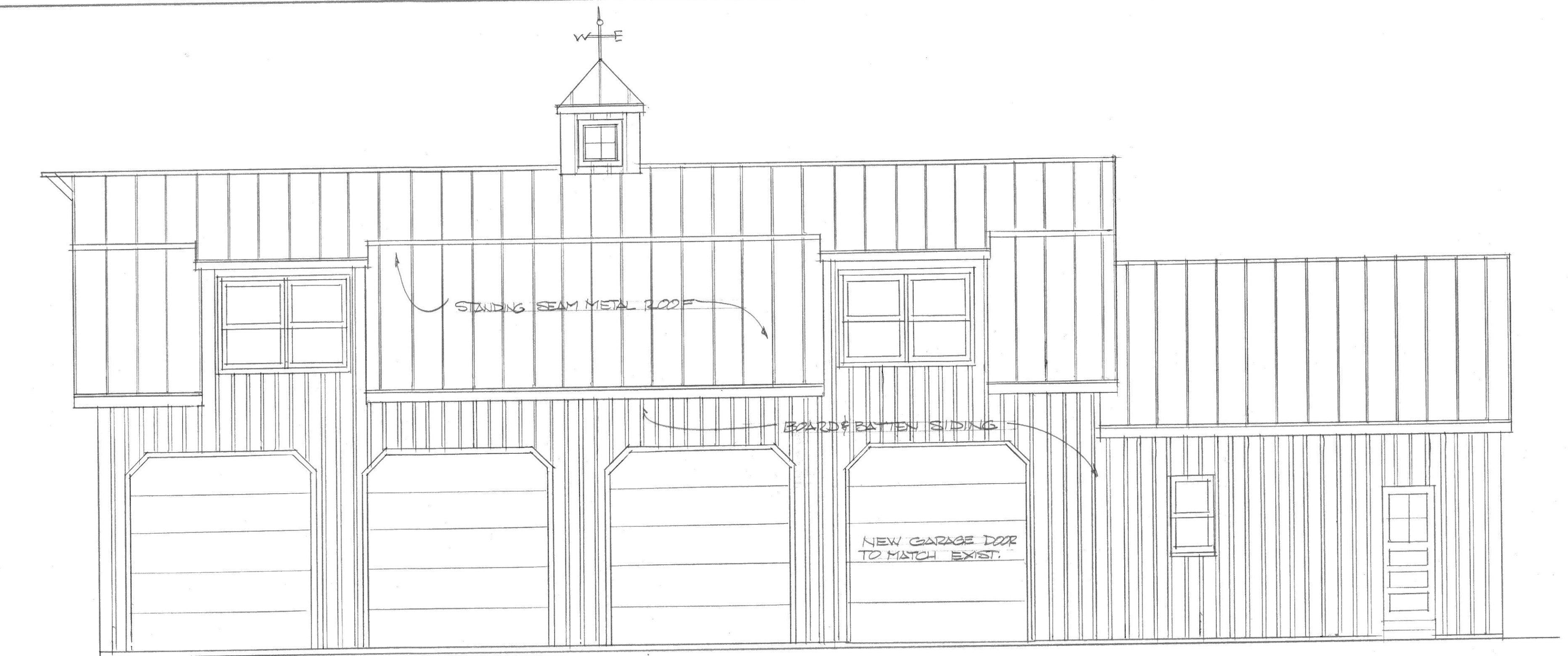
SITE PLAN

Drawing Number

A1

Date 9/28/22
Scale 1" = 30'-0"
Drawn By SM

REVIS 8/15/23
REVIS 4/15/23
REVIS 12/20/22

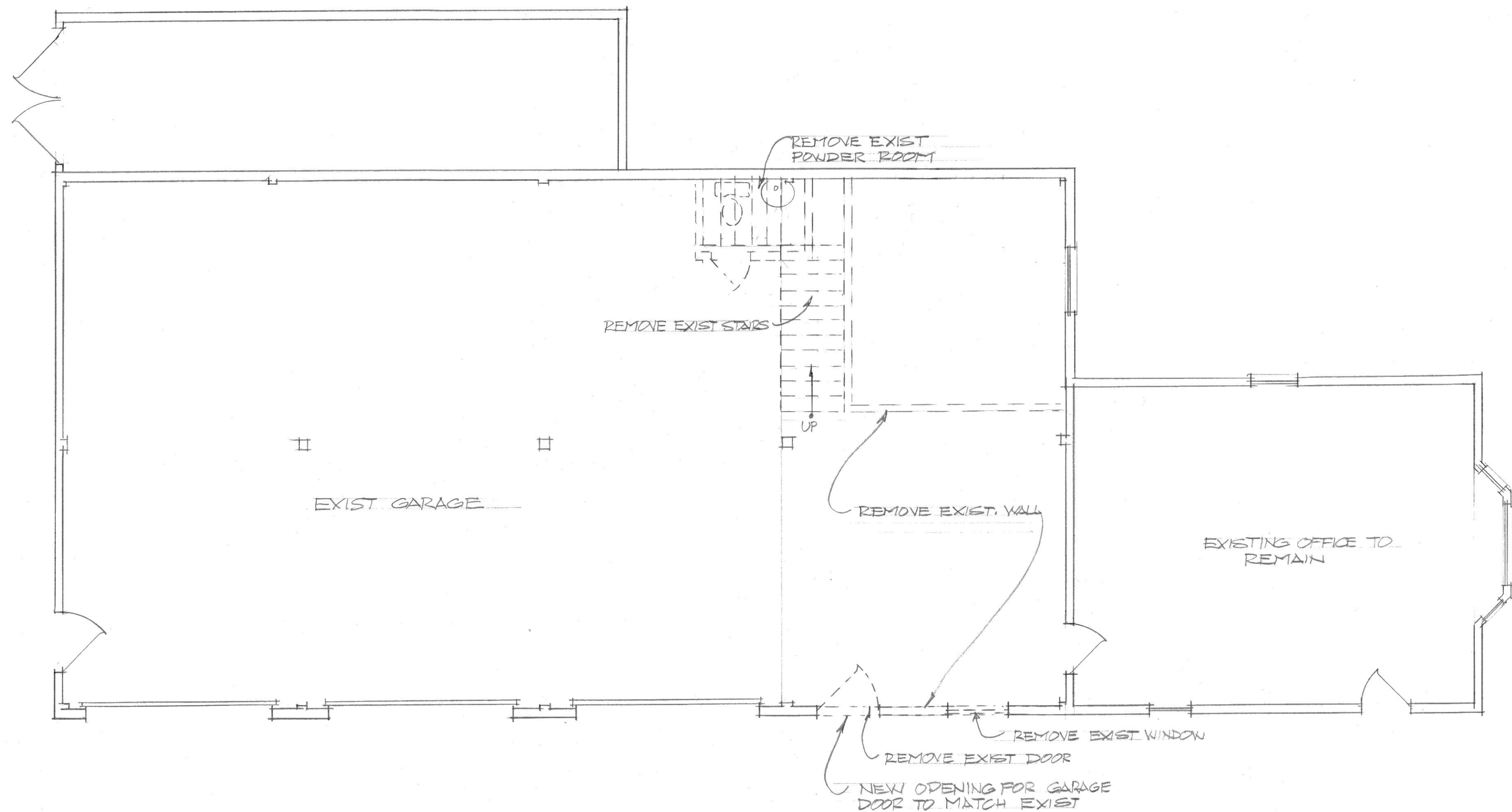


FRONT ELEVATION

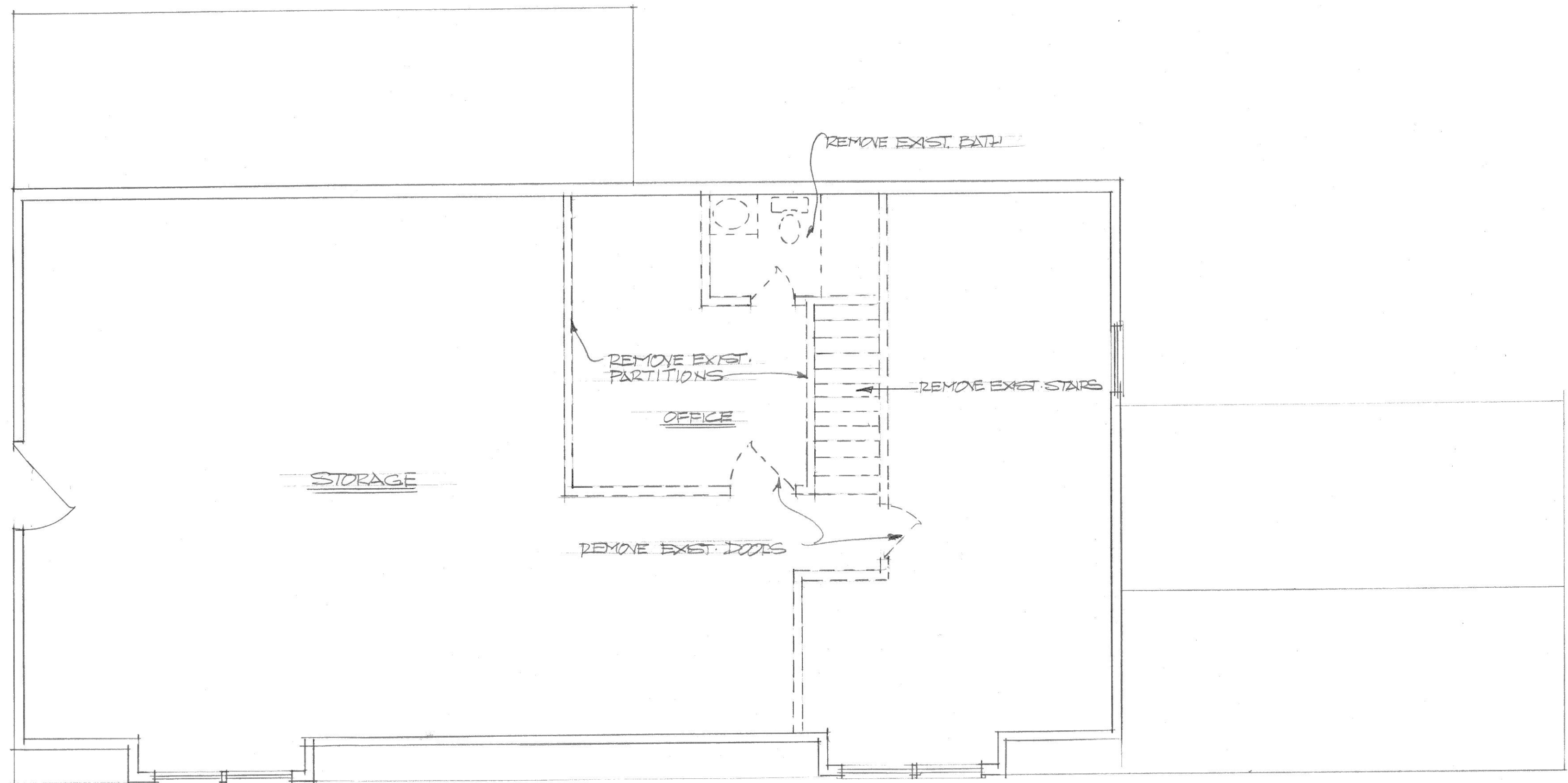


RIGHT SIDE ELEVATION

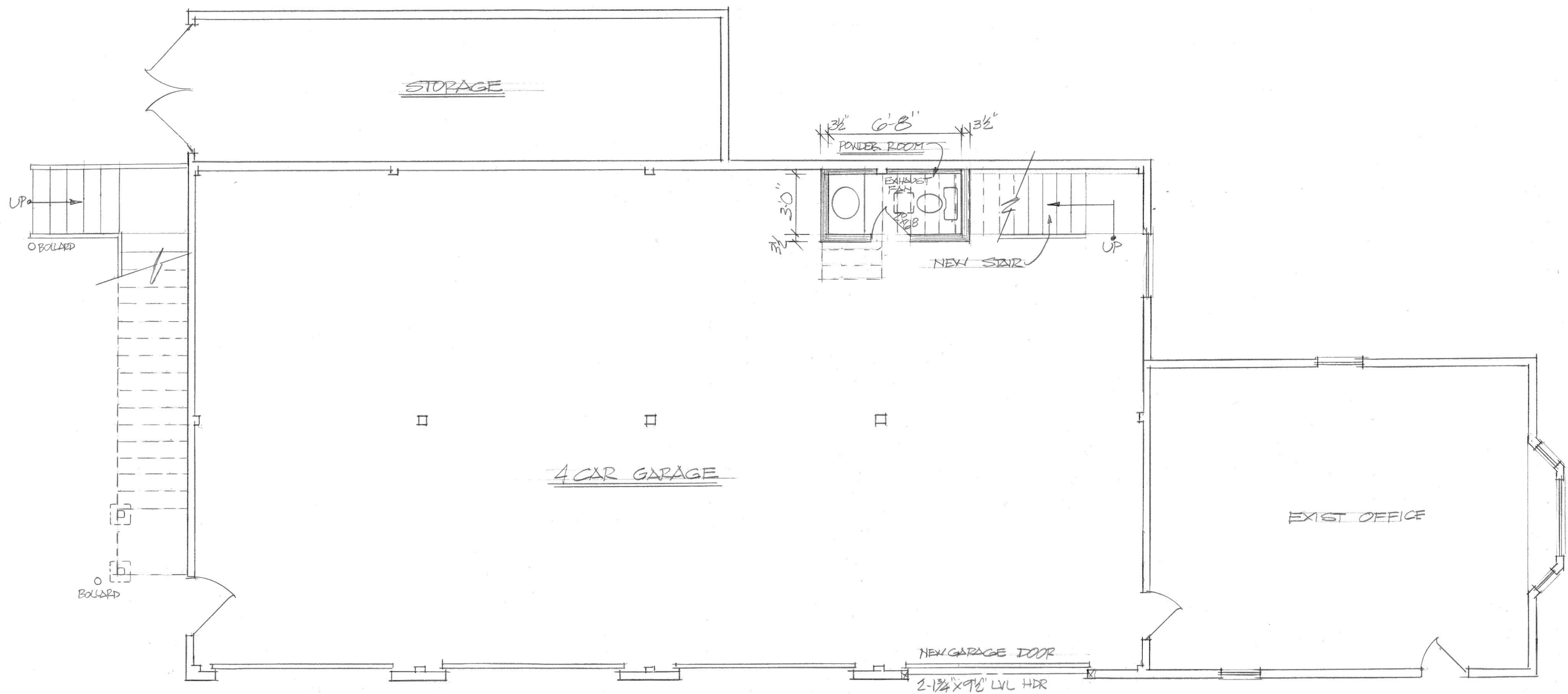
SEAL	Project PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST. MT KISCO, NY	Drawing Number A8 Date 9/28/22 Scale 1/4" = 1'-0" Drawn By SM
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing BARN ELEVATIONS



SEAL	Project PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST. MT. KISCO, N.Y. SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing Number A9 Date 9/28/22 Scale 1/4" = 1'-0" Drawn By SM
		Drawing BARN 1ST FLOOR DEMO PLAN

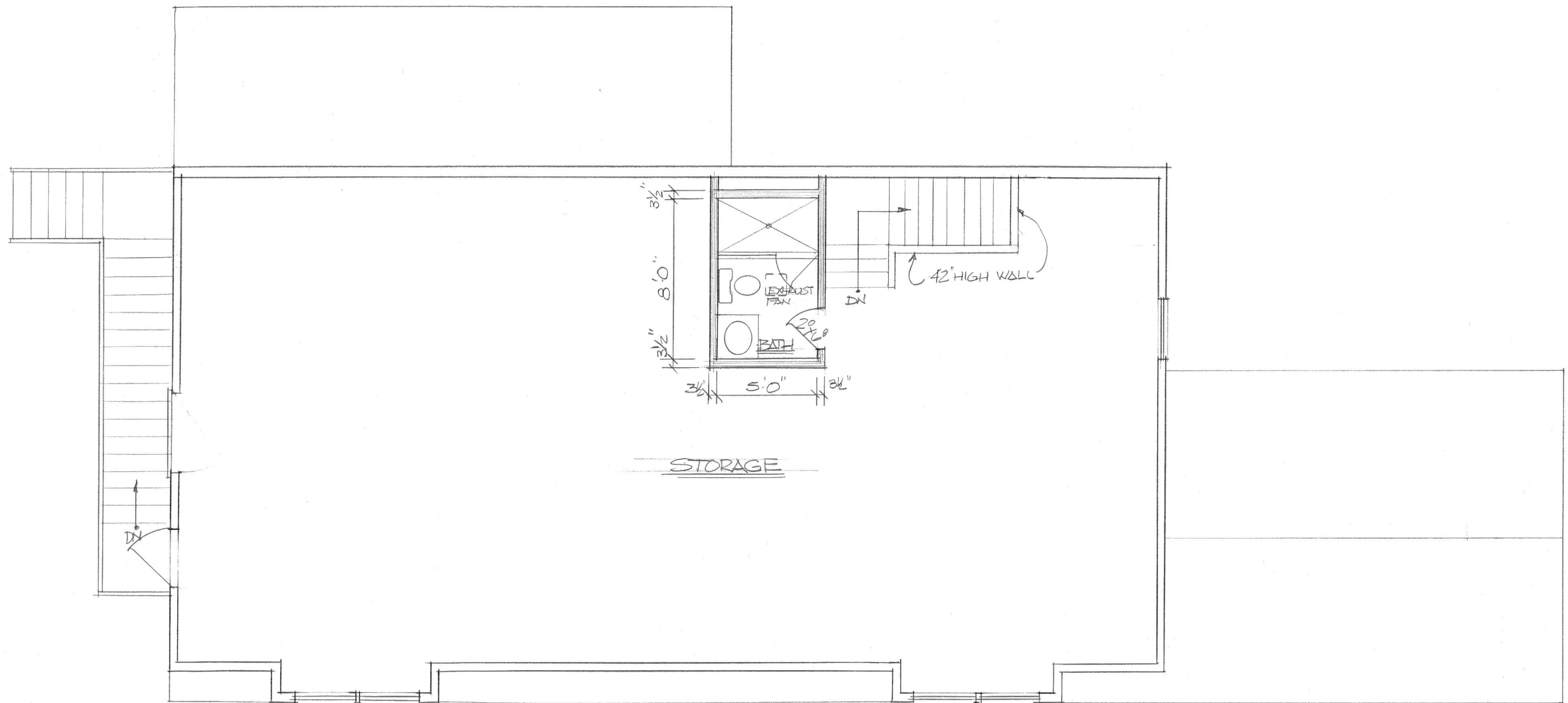


SEAL	Project	Drawing Number
	PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST. MT. KISCO, N.Y.	A10
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Date 9/28/22 Scale 1/4" = 1'-0" Drawn By SM
	Drawing	
	BARN 2ND FLOOR DEMO PLAN	

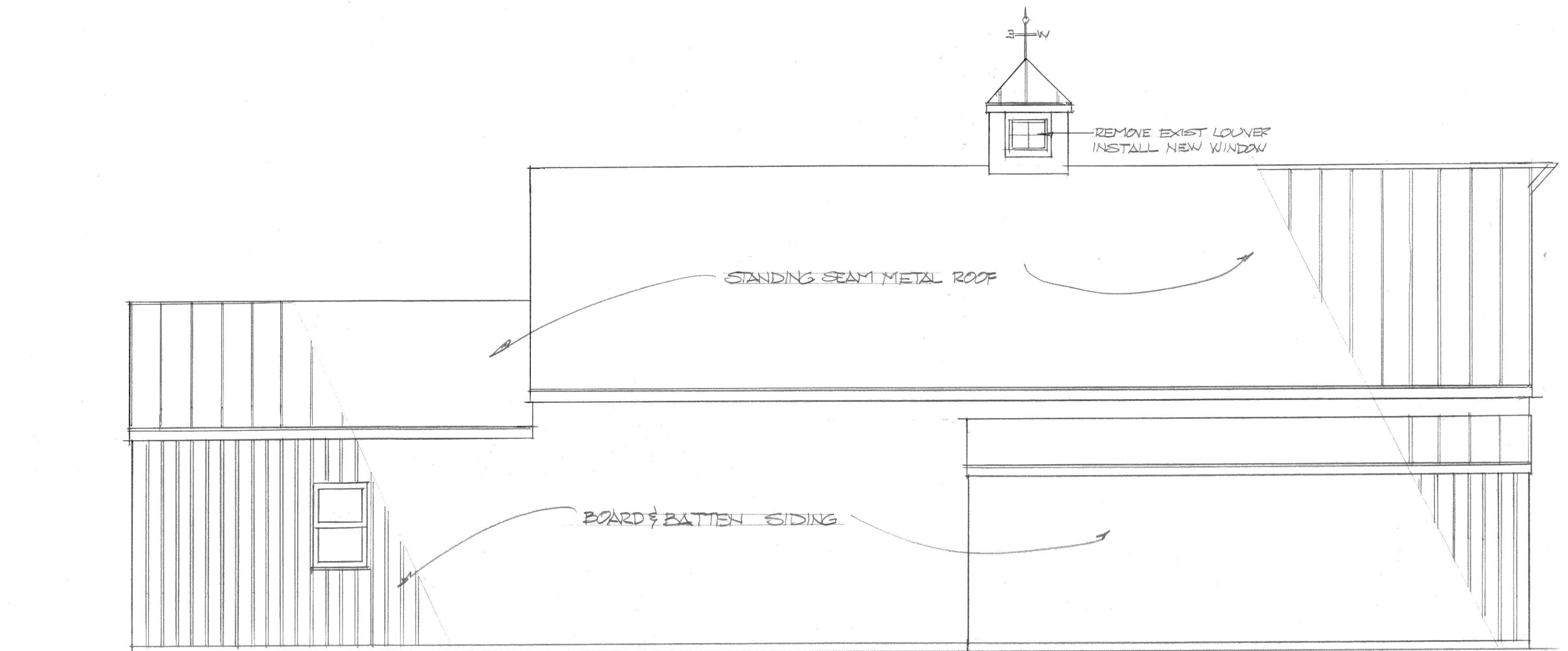


SEAL	Project PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST. MT. KISCO, N.Y.		Drawing Number A11
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing BARN FIRST FLOOR PLAN	

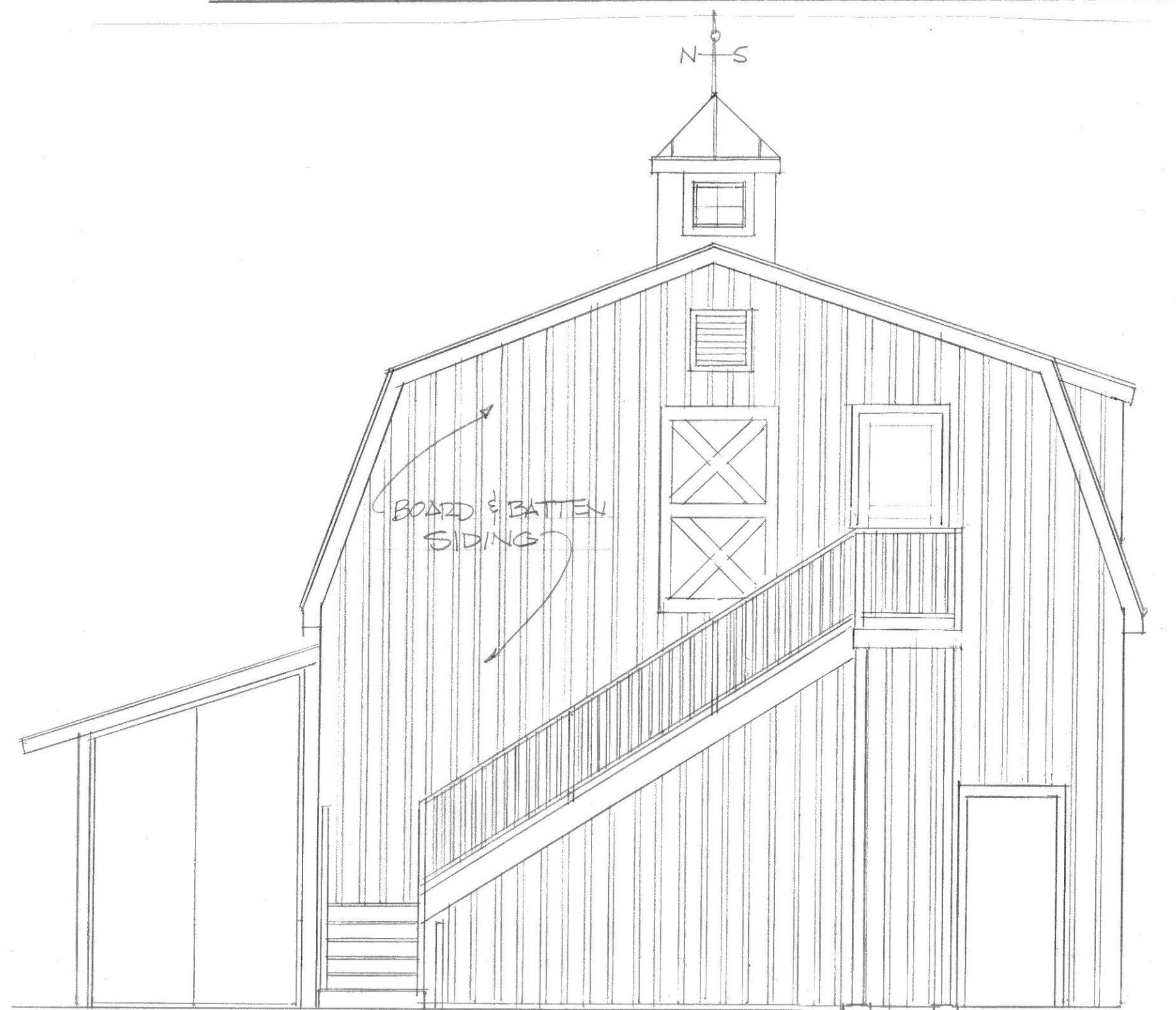
Date **9/28/22**
Scale **1/4" = 1'-0"**
Drawn By **SM**



SEAL	Project PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST MT. KISCO, NY	Drawing Number A12
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Date 9/28/22 Scale 1/4" = 1'-0" Drawn By SM
	Drawing BARN SECOND FLOOR PLAN	



REAR ELEVATION



LEFT SIDE ELEVATION

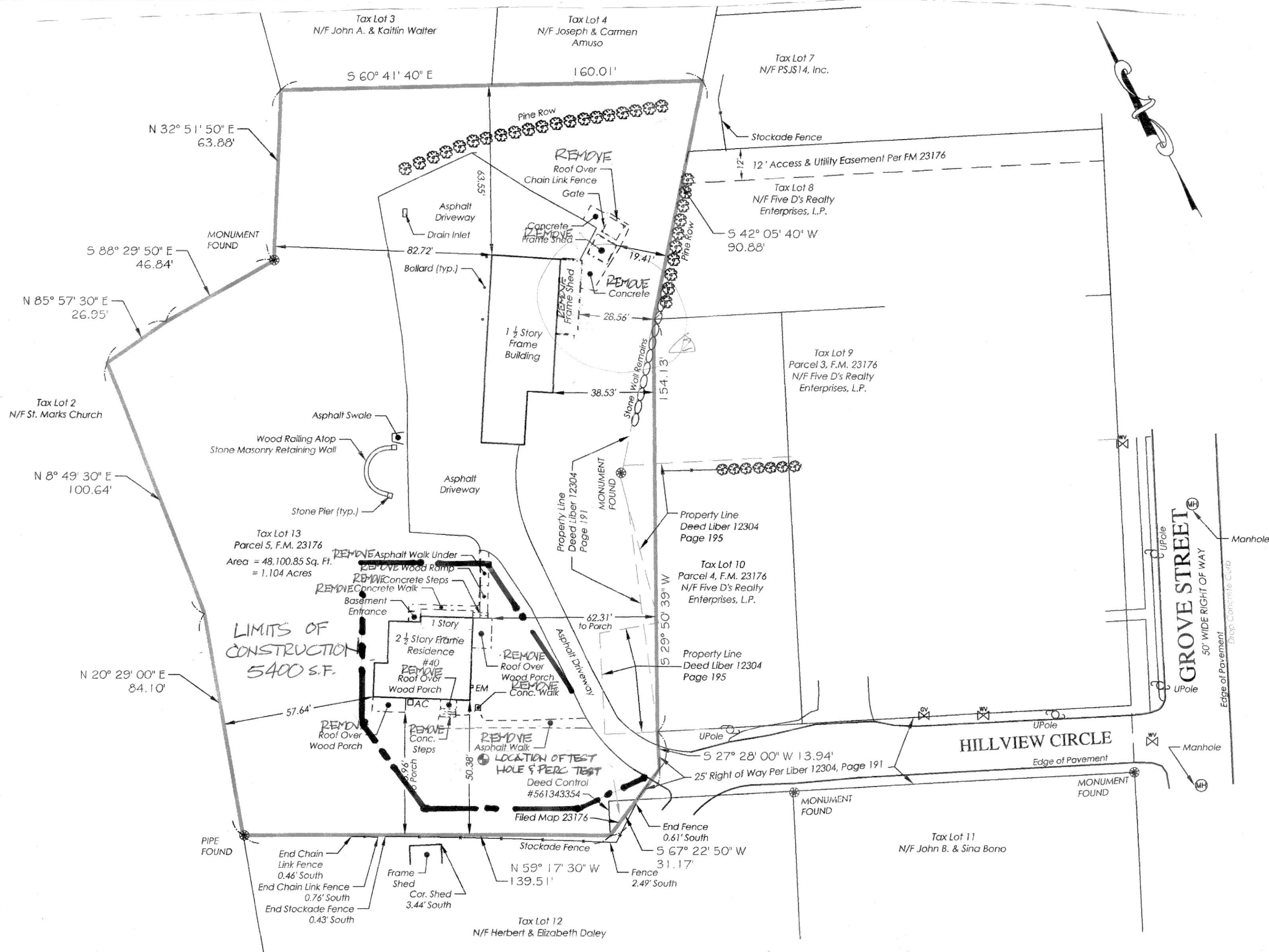
SEAL	Project PROPOSED ADDITION FOR 40 GROVE BARN LLC 40 GROVE ST MT. KISCO, N.Y.		Drawing Number A13 Date 9/28/22 Scale 1/4" = 1' 0" Drawn By SM
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing BARN ELEVATIONS	



LOCATION PLAN



ZONING DISTRICTS PLAN



SITE PLAN DEMOLITION

2 REVISED 10/27/23
 1 REVISED 8/15/23
 REVISED 4/15/23
 REVISED 2/1/23

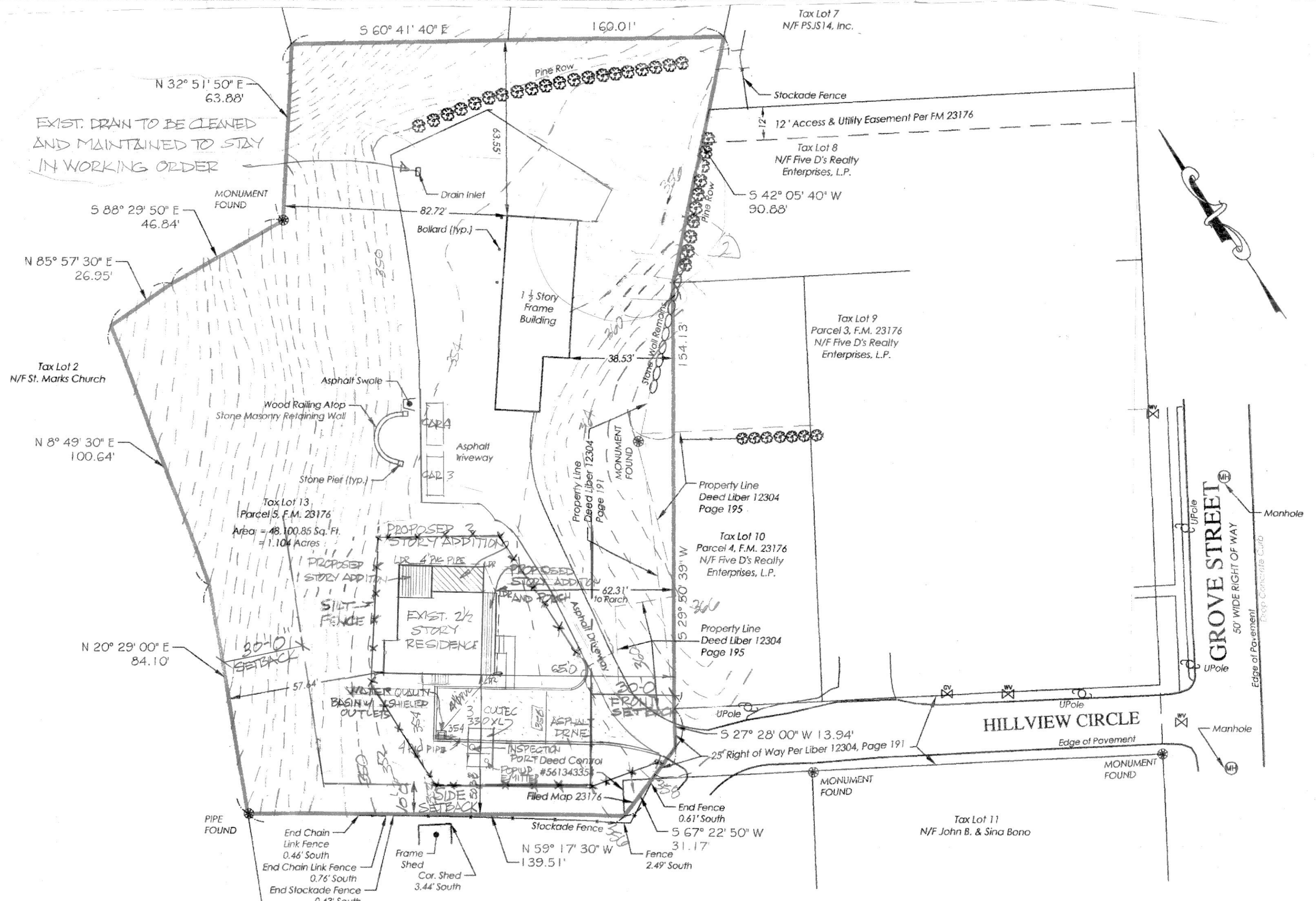
SEAL	Project PROPOSED ADDITION FOR 40 GROVE ECK LN 40 GROVE ST. MT. KISCO, N.Y.		Drawing Number C1 Date 9/28/22 Scale 1"=30'-0" Drawn By SM
	SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing SITE PLAN DEMO	

Sediment and Erosion Control Notes

- 1) Contractor shall be responsible for compliance with all sediment and erosion control practices. The sediment and erosion control practices are to be installed prior to any major soil disturbances and maintained until permanent protection is established.
- 2) Timely maintenance of sediment control structures is the responsibility of the contractor. All structures shall be maintained in good working order at all times. The sediment level in all sediment traps shall be closely monitored and sediment removed promptly when maximum levels are reached or as ordered by the engineer. All sediment control structures shall be inspected on a regular basis, and after each heavy rain to insure proper operation as designed. An inspection schedule shall be set forth prior to the start of construction.
- 3) The locations and the installation times of the sediment capturing standards shall be as ordered by the engineer, and in accordance with the standards set forth in the current edition of the Westchester County Best Management Practices manual for sediment and erosion control.
- 4) All topsoil not to be used for final grading shall be removed from the site immediately and placed in a stabilized stockpile or fill area. All topsoil required for final grading and stored on site shall be limed, fertilized, temporarily seeded and mulched within 14 days.
- 5) Ant disturbed areas that will be left exposed more than 21 days and not subject to construction traffic, shall immediately receive temporary seeding. Mulch shall be used if the season prevents the establishment of a temporary cover. Disturbed areas shall be limed and fertilized prior to temporary seeding.
- 6) All disturbed areas within 500 feet of an inhabited dwelling shall be wetted as necessary to provide dust control.
- 7) The contractor shall keep the roadways within the project clear of soil and debris and is responsible for any street cleaning necessary during the course of the project.
- 8) Sediment and erosion control structures shall be removed and this area stabilized when the drainage area has been properly stabilized by permanent measures.

NOTES

- 1) Surface grading must be restored to match existing conditions at the completion of construction.
- 2) All construction fuels and chemicals shall be transported in approved sealed containers and shall be removed from the site by the contractor daily.
- 3) All imported fill materials if required shall be free of construction and demolition debris and meet the NYSDEC DER-10 Soil Constituent Concentrations Identified for "Unrestricted Use".
- 4) All disturbed area shall receive temporary seed and mulch when no further work is to occur within 14 days.
- 5) Design professional to certify installation of sediment and erosion control measures prior to start of construction.
- 6) Provide a pretreatment basin with a minimum sump depth of 12" prior to discharge at proposed drywell chambers.
- 7) Provide test pit observation and percolation test to show feasibility for the proposed storm water infiltration practice.
- 8) Hydrologic Soil Group on site as identified by USDA web soil survey is UHb Urban land-Charlton complex, 3-8% slopes.



EROSION CONTROL SCHEDULE

General Notes

- 1) All leader drains to have overflow spouts at grade.
- 2) All piping from leaders to culverts to be schedule 40 pvc at minimum 1% pitch.
- 3) A percolation test to be performed in conformance with the New York State Storm Water Design Manual.
- 4) Test pits must be performed to determine ledge rock and ground water conditions (minimum 3'-0" below infiltration practices).
- 5) Stormwater detention must be provided to attenuate the 25 year storm event (6.48"/24hrs) to predevelopment conditions.

IMPERVIOUS SURFACES
NEW DRIVE 1300SF
NEW HOUSE ADDITIONS 502SF
REMOVED PORCHES & WALKS 548SF
TOTAL 1314SF

EROSION CONTROL MEASURES
1. INSTALL 40" SNOW FENCE, POSTS • 6'-0" O.C. (MAX.) WITH FILTER FABRIC PRIOR TO START OF CONSTRUCTION.
2. CALL FOR INSPECTION FROM TOWN AT LEAST 2 DAYS PRIOR TO FINISH.

MAINTENANCE

1. CONTRACTOR TO INSPECT SOIL SEDIMENT CONTROL METHOD AFTER ANY RAIN CAUSING RUN OFF AND REMOVE ANY EXCESSIVE SEDIMENT.
2. INSPECTION SHALL BE DOCUMENTED IN WRITING AND SUBMITTED TO TOWN ENGINEER.

EXCAVATION FOR WATER CONTROL DEVICES MAY BEGIN IF RE-CONSTRUCTION INSPECTION PASSED.

DRAINAGE

1. INSTALL DRYWELLS & PIPING. WRAP "YELLOW CAUTION TAPE" AROUND OPEN TRENCHES.
2. REMOVE EXCAVATED MATERIAL WITHIN 48 HRS.
3. CALL FOR TOWN INSPECTION AT LEAST 2 DAYS PRIOR TO FINISH.

MAINTENANCE

1. CONTRACTOR TO INSPECT SOIL SEDIMENT CONTROL METHOD AFTER ANY RAIN CAUSING RUN OFF AND REMOVE ANY EXCESSIVE SEDIMENT.
2. INSPECTION SHALL BE DOCUMENTED IN WRITING AND SUBMITTED TO TOWN ENGINEER.

BACKFILL AND ROUGH GRADE SOIL

MAINTENANCE

1. CONTRACTOR TO INSPECT SOIL SEDIMENT CONTROL METHOD AFTER ANY RAIN CAUSING RUN OFF AND REMOVE ANY EXCESSIVE SEDIMENT.
2. INSPECTION SHALL BE DOCUMENTED IN WRITING AND SUBMITTED TO TOWN ENGINEER.

FINAL GRADING AND GROUND COVER RESTORATION.

FINAL INSPECTION

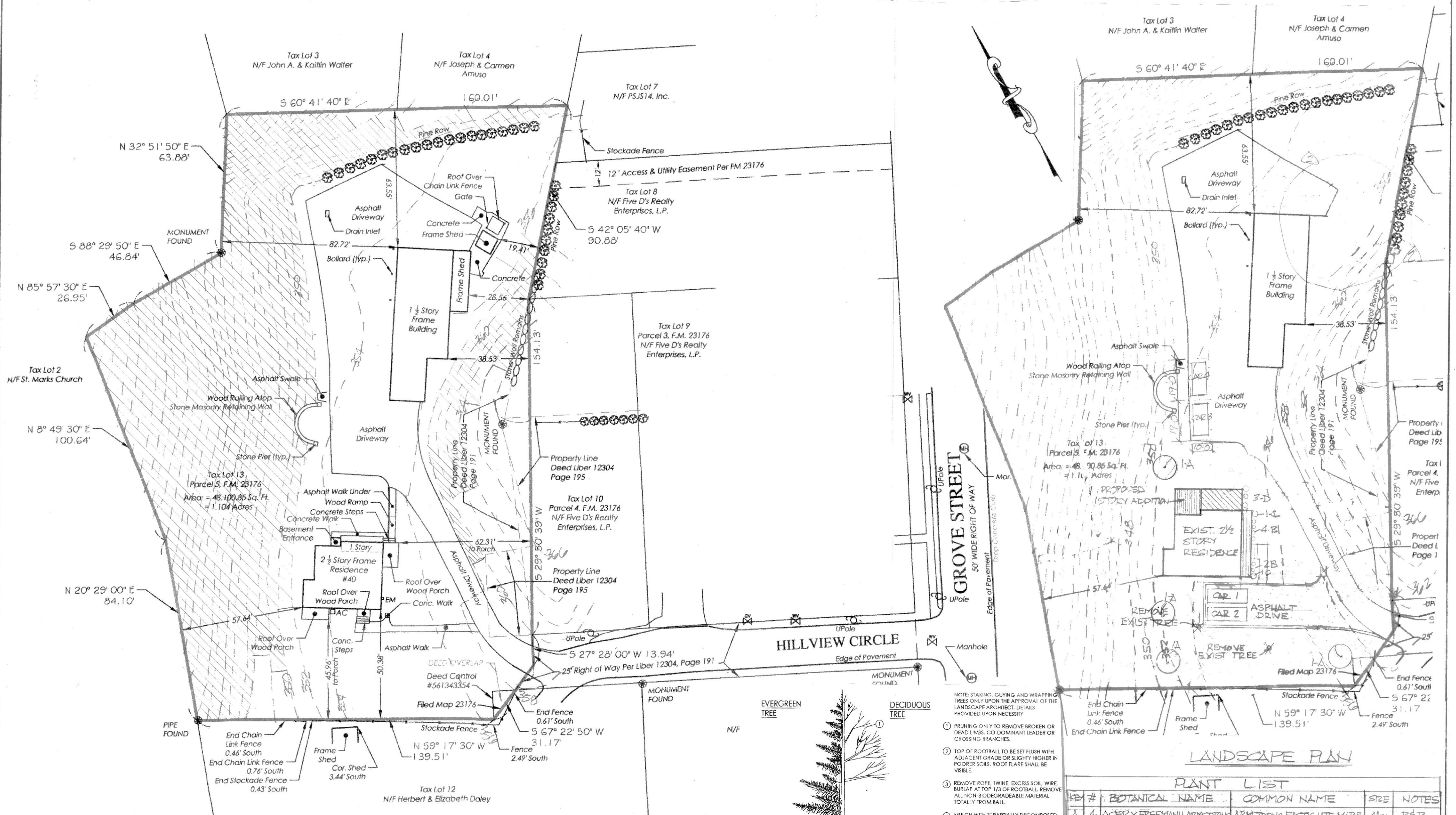
ALL EROSION CONTROL MEASURES REMOVED AND GRASS FULLY ESTABLISHED.

SITE PLAN
SCALE 1"=30'-0"

REVIS 10/27/23

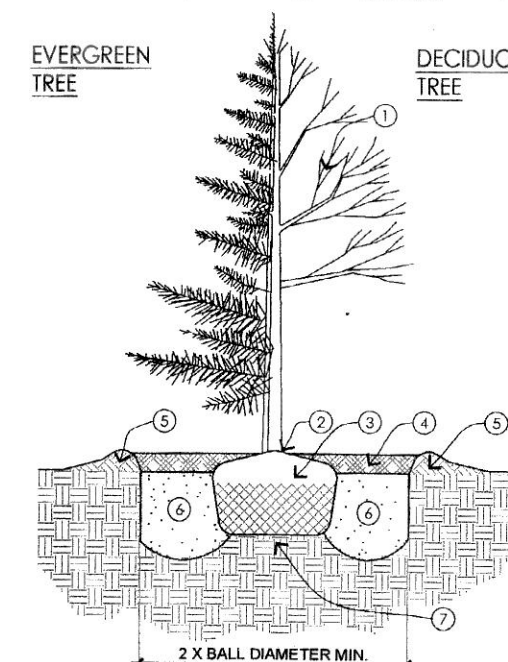
SEAL	Project PROPOSED ADDITION FOR 40 GROVE FARM LLC 40 GROVE ST MT. KISCO, N.Y.	Drawing Number C2
SMM Architect PLLC 5 Scott Circle Purchase, New York 10577	Drawing EROSION CONTR PLAN	Date 9/28/22 Scale 1"=30'-0" Drawn By SM

Drawn By SM



Landscape Notes

- 1) All plants shall meet or exceed standards set in The USA standard for nursery stock
- 2) All planting operations shall adhere to American Association of nurserymen standards
- 3) Confirm location of all utilities and subsurface drain lines prior to plant installation
- 4) Plant locations and beds shall be located by Contractor and approved by owner prior to installation
- 5) Seed all areas disturbed during construction
- 6) Install all plants in accordance with planting details
- 7) All planting beds and trees to be fertilized with appropriate fertilizers
- 8) See planting list for types and quantities of plants



TREE PLANTING DETAIL
SCALE = N.T.S.

- NOTE: STAKING, GUYING AND WRAPPING TREES ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT. DETAILS PROVIDED UPON NECESSITY.
- 1) PRUNING ONLY TO REMOVE BROKEN OR DEAD LIMBS. DO NOT REMOVE LEADER OR CROSSING BRANCHES.
 - 2) TOP OF ROOTBALL TO BE SET FLUSH WITH ADJACENT GRADE OR SLIGHTLY HIGHER IN POORER SOILS. ROOT FLARE SHALL BE VISIBLE.
 - 3) REMOVE ROPE, TWINE, EXCESS SOIL WIRE, BURLAP AT TOP 1/3 OF ROOTBALL. REMOVE ALL NON-BIODEGRADABLE MATERIAL TOTALLY FROM BALL.
 - 4) MULCH WITH 3" PARTIALLY DECOMPOSED SHREDDED HARDWOOD MULCH. DARK IN COLOR OR APPROVED SUBSTITUTE. DO NOT COVER ROOT FLARE.
 - 5) 4" HIGH X 6" DIAMETER MIN. COMPACTED SAUCER BEYOND EDGE OF ROOTBALL.
 - 6) PLANTING MIX - IN LOAMY SOILS BACKFILL WITH EXISTING SOIL. IN SANDY SOILS ADD 20% MAX. ORGANIC MATTER. (ALERT LANDSCAPE ARCHITECT IF POOR SOILS ARE PRESENT) TAMP WITH FOOT AND WATER IN 6" LIFTS.
 - 7) ROOTBALL TO REST ON UNDISTURBED OR COMPACTED SOIL TO PREVENT SETTLING.

LANDSCAPE PLAN

PLANT LIST

KEY #	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
A 4	ACER X FREEMANTII ARMSTRONG	ARMSTRONG FACTS GATE MAPLE	42" H	B & B
B 6	BUXUS X GREEN VELVET	GREEN VELVET BOXWOOD	24" H	B & B
C 2	RHODODENDRON RJM	RJM RHODODENDRON	36" H	B & B
D 3	IBEX CRENATA A SCHNOBEL	SCHNOBEL HOLLY	36" H	B & B

REUSED 10/27/23
REUSED 8/15/23

LEGEND

SLOPE > 15%
SLOPE < 15%

NO NEW WORK IS BEING PROPOSED IN ANY STEEP SLOPE AREAS
TOPOGRAPHICAL INFO TAKEN FROM WESTCHESTER COUNTY G.I.S.

SEAL

Project

PROPOSED ADDITION FOR 40 GROVE BARN LLC
40 GROVE ST
MT. KISCO, N.Y.

SMM Architect PLLC
5 Scott Circle
Purchase, New York 10577

Drawing
STEEP SLOPE PLAN
LANDSCAPE PLAN

Drawing Number

C4

Date 4/5/23
Scale 1" = 30'-0"
Drawn By SM

R301.5 Design Loads-Live Loads:

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- Outside of each sleeping area in the immediate vicinity of the bedrooms to have a smoke alarm
- All smoke detectors to be interconnected
- All smoke detectors shall be hardwired and have battery backup
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- Carbon monoxide alarm to be located on each level of the dwelling

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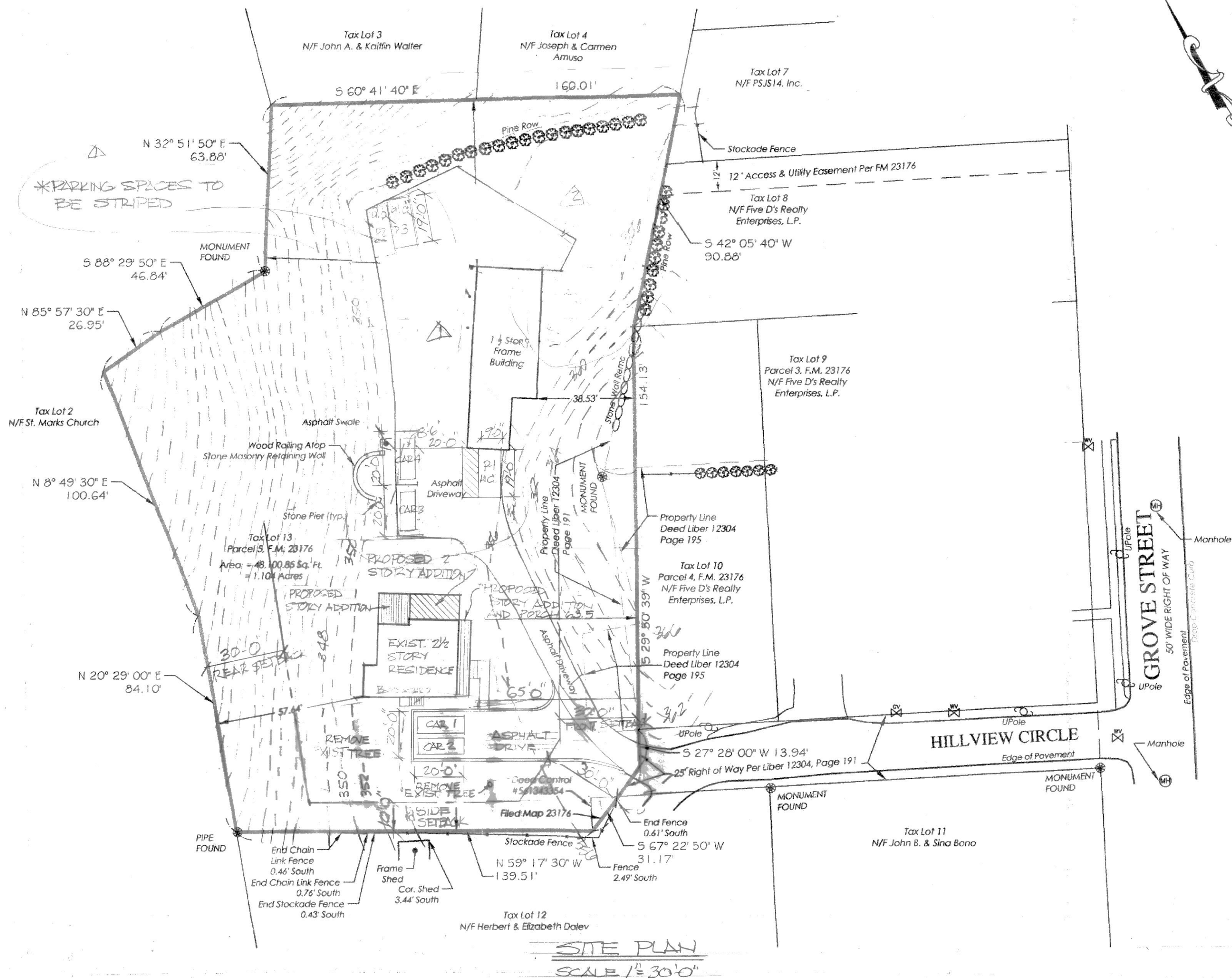
Electrical Work: all electrical work to conform to the requirements of the 2020 Residential Code of New York State

Mechanical Work: All mechanical systems to comply with the 2020 Residential Code of New York State

All work to conform to the 2020 Energy Conservation Construction Code of New York State

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- 1) All work to be done according to 2020 Building Code of New York State and local codes
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- 3) All electric work to be done by a licensed electrician
- 4) Provide a code 53 confirmation before starting any digging or excavation
- 5) File for a tree permit before removing any trees
- 6) File for a demolition permit for starting any demolition
- 7) Building setbacks and layouts to be done by a licensed surveyor
- 8) Workmanship to be first class in all respects
- 9) Soil bearing capacity to be minimum 2 tons p.s.f
- 10) Poured concrete to be minimum 3000psi
- 11) Poured concrete for exterior steps, porches, etc exposed to the weather and garage slabs to be minimum 3500p.s.i. strength
- 12) Stepped footings to be 1 vertical to 2 horizontal
- 13) Concrete block walls to have horizontal reinforcement 16" oc
- 14) Finish grades to be a minimum 8" below top of foundation wall and slope away from house
- 15) any steel beams etc. to be min A36 grade
- 16) Steel lally columns to have 6"x6" plates with 4-9/16 holes top and bottom
- 17) All lumber to minimum #2 doug/fir 900p.s.i fiber strength
- 18) All deck lumber to be pressure treated for header and joists
- 19) Double joists under parallel partitions
- 20) All posts for headers, beams, and girders to be taken down Solid to the foundation and bearing posts
- 21) Provide flashing at wall/roof, valleys, chimneys, windows, Doors and roof penetrations as required
- 22) All bath exhaust fans to vent to exterior
- 23) All walls to be tiled to receive cement board backing
- 24) Dryer vents to be vented directly to the exterior



Zoning District RT-6		
	Required	Proposed
Lot Area	6,250 s.f.	48,100.85s.f.
Building Coverage	9,970.17s.f.	3,500.75s.f.
Development Coverage	19,240.34s.f.	16,521.75s.f.
Lot Width	50'-0"	276.18'
Lot Depth	100'-0"	139.51'
Yards-Front	30'-0"	63.5'
Yards-Side	10'-0"	50.38'
Yards-Rear	30'-0"	57.64'
Height-Stories	2 1/2	2 1/2
Height-Feet	35'-0"	27.5'

SEAL

Project

PROPOSED ADDITION FOR 40 GROVE BARN LLC
40 GROVE ST.
MT. KISCO, N.Y.

SMM Architect PLLC
5 Scott Circle
Purchase, New York 10577

Drawing

SITE PLAN

Drawing Number

REVIS 10/27/23
REVIS 8/15/23
REVIS 4/15/23
REVIS 12/20/22

Date 9/28/22
Scale 1"=30'-0"
Drawn By SM



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

June 28, 2024

Michael & Lauren Torres
120 Spring Street
Mount Kisco, NY 10549

Re: Notice of Denial
120 Spring Street
Mount Kisco, NY 10549
(SBL) 80.56-3-5

To Whom It May Concern:

Your recent Building Permit application for the proposed vertical enlargement and alteration has been denied for the following reasons:

1. The property is located within the RT-6 (One- and Two- Family Residence) Zoning District where the required side yard setback is 10 feet and the existing building is located 7.1 feet from the north side yard property line. Therefore; the existing structure does not comply with the current RT-6 Zoning district. According to Chapter 110-35 (D) *Noncomplying buildings and structures may not be enlarged without a variance being obtained from the Zoning Board of Appeals pursuant to this chapter. No building or structure which is noncomplying with respect to applicable developmental regulations (by illustration, but not by limitation, height, setbacks, building and development coverage, lot area or lot width) shall be enlarged or altered in such a manner as to increase any such noncompliance or so as to enlarge or increase the area of such building or structure, including but not limited to the alteration of roof or floor levels or the addition of area above, below or adjacent to such noncomplying building or structure.* Therefore; a variance is required in accordance with §110-35 (D) of the Village/Town of Mount Kisco Code.
2. The required side yard setback is 10 feet and the proposed building addition is located 9.2 feet from the north side yard property line. Therefore; a 0.8 ft. side yard setback variance is required as per §110-11 C (1) (f) [3] [a] of the Village/Town of Mount Kisco Code.

You have the right to appeal this decision within 60 days.

Sincerely,

Bill Seegmuller,
Assistant Building Inspector

\mkr

Date: _____

Case No.: 24-12

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

**Zoning Board of Appeals
Application**

Appellant: Michael and Lauren Torres
Address: 120 Spring Street, Mt. Kisco, NY 10549
Address of subject property (if different): _____

Appellant's relationship to subject property: ☒ Owner _____ Lessee _____ Other _____

Property owner (if different): _____
Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken
from the decision of the Building Inspector, Bill Seegmuller
dated June 28, 2024. Application is hereby made for the following:

_____ Variation or _____ Interpretation of Section(s) 110-35(D) and
of the Code of the Village/Town of Mount Kisco, 110-11 C (1) (a) [3] (a)

to permit the: ☒ Erection; _____ Alteration; _____ Conversion; _____ Maintenance
of Additions for New Den, Porch and 2 Decks
in the rear of house.

_____ in accordance with plans filed on (date) 5-21-24
for Property ID # 80.56-3-5 located in the RT-6 Zoning District.
The subject premises is situated on the West side of (street) 120 Spring
Street in the Village/Town of Mount Kisco, County of Westchester, NY.
Does property face on two different public streets? Yes/No No
(If on two streets, give both street names) _____

Type of Variance sought: _____ Use ☒ Area _____

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? No

Is there an approved site plan for this property? Yes in connection with a
____ Proposed or ✓ Existing building; erected (yr.) 1964

Size of Lot: 79.48' feet wide 148.17' feet deep Area 12,053

Size of Building: at street level 46' feet wide 26' feet deep

Height of building: 21' Present use of building: Residential

Does this building contain a nonconforming use? No Please identify and explain: _____

Is this building classified as a non-complying use? No Please identify and explain: _____

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? No

Was a variance ever granted for this property? No If so, please identify and explain: _____

Are there any violations pending against this property? No If so, please identify and explain: _____

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
____ Yes or No No Date of Issue: _____

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? No

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items **MUST** be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on June 28, 2024 upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

[Signature]
(Appellant to sign here)

Sworn to before me this day of: 26th July, 2024

Notary Public, [Signature], County, NY

Westchester

DOROTHEA MCHUGH
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01MC6080737
Qualified in WESTCHESTER County
Commission Expires SEPTEMBER 23, 2026

[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at 120 Spring Street in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number 80.56-3-5 and that he hereby authorized Shahin Heshmat to make the annexed application in his behalf and that the statements contained in said application are true.

[Signature]
(sign here)

Subj: 120 Spring Street
Mt. Kisco, NY 10549
(SBL) 80.56-3-5

STATEMENT OF PRINCIPAL POINTS

1. The proposed rear additions for new den, porch and new decks will not produce an undesirable change in the character of the neighborhood, since the new addition will be in keeping with the existing architectural style of house. It will also be aligned with the right side of the existing house.
2. The existing house has a living room and dining room but is lacking space for the family's daily function and gathering, such as a den will provide. The only way to achieve this task, is by adding to the rear of house off the kitchen/dining room areas. Since the right-side setback back is existing non-conforming, we are requesting a variance.
3. The requested side yard variance for the new addition is 0.8 feet, which we believe is minimal.
4. The proposed additions will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or district, since it will be built on piers with minimal soil disturbance.
5. The alleged difficulty is self-created, due to inadequate living space in existing layout of the house.

AFFIDAVIT OF MAILING

RECEIVED

SEP 03 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

STATE OF NEW YORK

}
}SS.:

COUNTY OF WESTCHESTER

}

Francesco Parubi being duly sworn, deposes and says:

I reside at 3794 Etmanst Shrub Oak NY 10588

On August 23, 2024 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B.

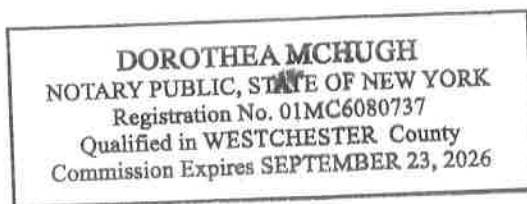
I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

[Signature]

Sworn to before me on this

23rd day of August 20 24

[Signature]
(Notary Public)



OWNERNAME	PROPADDRESS	PROPAPT	PROPCITY	PROPCITY	PROPCITY	PROPPRINTKEY	C/O	Mailing Address	City	State	Zip
Lepore Michele W	261 West St Unit 1	Unit 1	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.1				
Novotny Petr	261 West St Unit 3	Unit 3	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.3				
Olferiev, Mikhail	261 West St Unit 9	Unit 9	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.9				
Dilascio Angelo R	212 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-9				
215 Spring Street, LLC	219 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-19	Po Box 422	Saratoga Springs	NY	12866
Cambareri, Francesco	113 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-18				
Bambace, Peter J	119 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-17	660 White Plains Rd	Tarrytown	NY	10591
Claytor Enos	239 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-23				
Murphy, Morgan	261 West St Unit 2	Unit 2	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.2				
Falcone Joseph R	261 West St Unit 8	Unit 8	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.8	15 Robbins Rd	Pleasantville	NY	10570
Leal, Juan A	92 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-18.1	8380 Peninsula Dr	Kelseyville	CA	95451
Sulit, Catherine	217 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.49-1-18				
Pitrulle, Salvatore	209 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.49-1-16				
Bueti Carmelo	126 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-6				
Torres Michael	120 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-5	NA			
Batiste Ezzard C	207 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-21				
Lipsky, Robert W	201 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-1	36 Bretton Ridge Rd	Mt. Kisco	NY	10549
Didona Family Ltd Partners	36 Lawrence St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-2				
Brewster, Gregory	208 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-3.1				
Ramon, Eduardo	110 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-21	24 West Way	Mt. Kisco	NY	10549
106 Spring Street, LLC	106 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-20	779 Main St	Mt. Kisco	NY	10549
Cambareri Stacy	90 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-18.2				
Adaken, Dhowgar	218 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-1				
GPS Metro LLC	213 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.49-1-17				
Biancamano Family Trust	212 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-2	18 Foley Rd	Katonah	NY	10536
The Gardens At Mt. Kisco Cc	260 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-4-1	PO Box 729	Rye	NY	10580
280 West Street LLC	266 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-4-2	PO Box 189	Bedford Hills	NY	10507
Zayachuk, Linda C	261 West St Unit 12	Unit 12	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.12				
Lopez, Horacio	200 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-7				
Corsi, Michael	33 Lawrence St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-15				
Lopez Celedonio	116 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-4				
Gomez, Patricia	112 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-3	133 Stanwood Road	Mt. Kisco	NY	10549
Ruggiero Diego	126 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-4				
Rich, Dylan	261 West St Unit 5	Unit 5	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.5				
Reynoso, Pedro	261 West St Unit 4	Unit 4	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.4				
Artista of Briardiff Inc.	255 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-2	Select Properties LTD	Mt. Kisco	NY	10549
Paudyal Uttam	125 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-16				
Bergin, Matthew	233 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-22				
Estate Anthony&Louise Migi	27 Lawrence St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-14				
Boddie John M	202 St Marks Pl		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-1-3.2				
Fenty Christopher	261 West St Unit 10	Unit 10	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.10				
Neuhaus, Loretta J	261 West St Unit 11	Unit 11	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.11				
Seidman Joseph R Jr	206 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-8				
Mclvor Kevin	211 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-20				
244 West Street LLC	234 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-4-14	PO Box 189	Bedford Hills	NY	10507
D.I.M. 227, Inc.	227 West St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-24.2				
Gioffre Michelina	88 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.48-3-19	18 Foley Rd	Katonah	NY	10536
Story, Joel R	261 West St Unit 6	Unit 6	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.6				
Yantos, Jessica	261 West St Unit 7	Unit 7	MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-1.7				
Cohen Maria	218 Spring St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.56-3-10	37 Willetts Road	Mt. Kisco	NY	10549
Cambareri, Diego	32 Lawrence St		MOUNT KISCO	MOUNT KISCO	MOUNT KISCO	10549	80.57-6-3				

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals in the village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of **SEPTEMBER 2022** at the Municipal Building, Mount Kisco, New York, beginning at **7:00 PM** pursuant to the Zoning Ordinance on the Appeal of :

MICHAEL AND LAUREN TORRES

120 SPRING STREET, MT. KISCO, NY 10549

From decision of Peter J. Miley, Building Inspector, dates **JUNE 28, 2024** denying the application dated to permit the **ADDITIONS FOR NEW DEN, PORCH AND 2 DECKS**. The property involved is known as **120 SPRING STREET** and described on the Village Tax Map as Section **80.56** Block **3** Lot **5** and is located on the **WEST** side of **120 SPRING STREET** in a **RT-6** Zoning District. Said Appeal is being made to obtain a variance from Section(s) **110-35 (D) AND 110-11 C (1) (f) [3] [a]** of the Code of the Village/Town of Mount Kisco, which requires **VARIANCE FOR A NONCOMPLYING BUILDING AND THE SIDE YARD SETBACK IS 10 FEET AND THE PROPOSED BUILDING ADDITION IS LOCATED 9.2 FEET FROM THE NORTH SIDE YARD PROPERTY LINE. THEREFORE, A 0.8 FT. SIDE YARD SETBACK VARIANCE IS REQUIRED.**

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

Michelle Russo is inviting you to a scheduled Zoom meeting.

Topic: VTMK Zoning Board of Appeals

Time: Sep 17, 2024 07:00 PM Eastern Time (US and Canada)

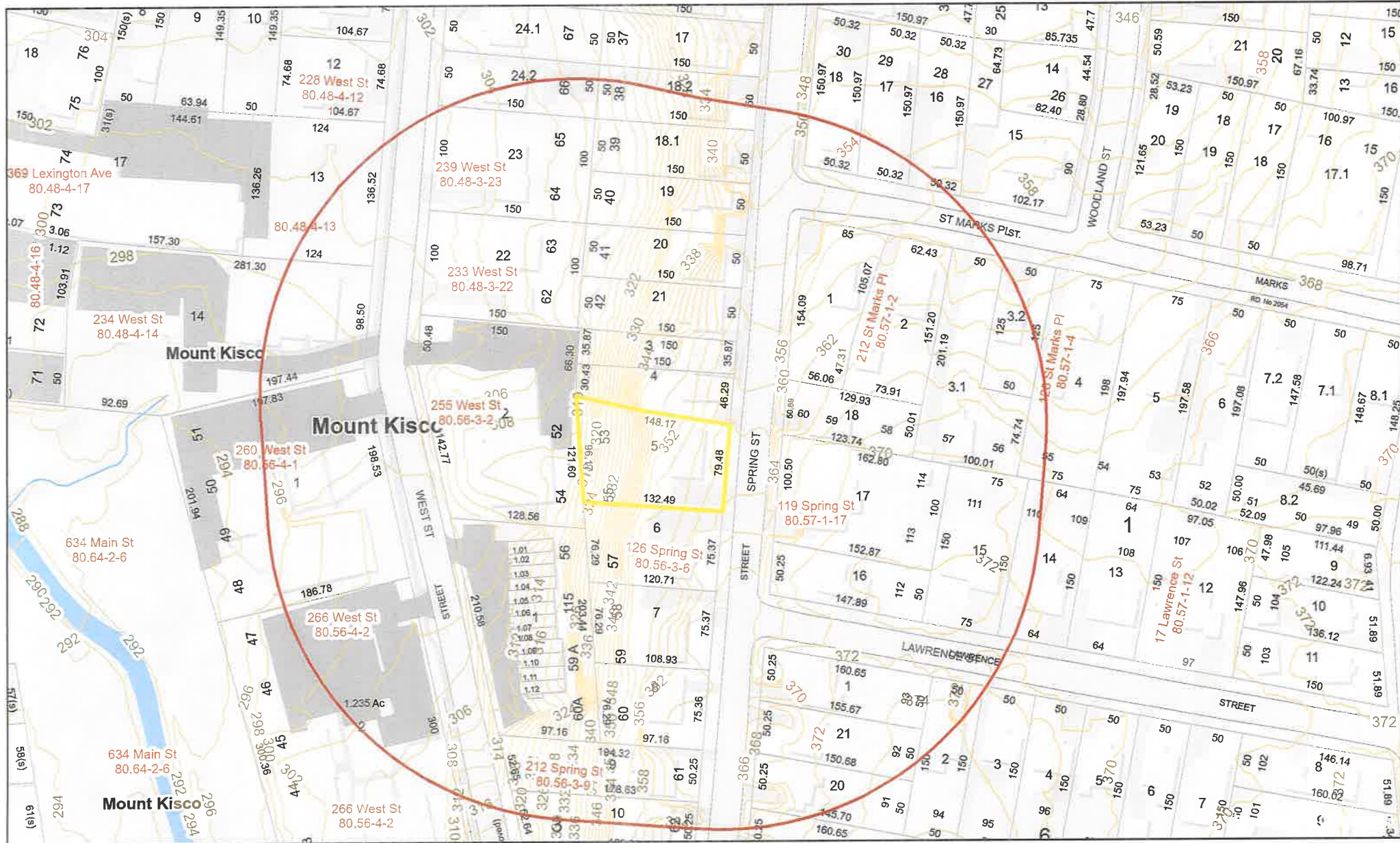
Join Zoom Meeting

<https://us02web.zoom.us/j/87519920690>

Meeting ID: 875 1992 0690

OWNERNAME	PROPADDRESS	PROPAPT	PROPCITY	PROPSZIP	PROPPRINTKEY	C/O	Mailing Address	City	State	Zip
Lepore Michele W	261 West St Unit 1	Unit 1	MOUNT KISCO	10549	80.56-3-1.1					
Novotny Petr	261 West St Unit 3	Unit 3	MOUNT KISCO	10549	80.56-3-1.3					
Olferiev, Mikhail	261 West St Unit 9	Unit 9	MOUNT KISCO	10549	80.56-3-1.9					
Dilascio Angelo R	212 Spring St		MOUNT KISCO	10549	80.56-3-9					
215 Spring Street, LLC	219 Spring St		MOUNT KISCO	10549	80.57-6-19		Po Box 422	Saratoga Springs	NY	12866
Cambareri, Francesco	113 Spring St		MOUNT KISCO	10549	80.57-1-18					
Bambace, Peter J	119 Spring St		MOUNT KISCO	10549	80.57-1-17		660 White Plains Rd	Tarrytown	NY	10591
Claytor Enos	239 West St		MOUNT KISCO	10549	80.48-3-23					
Murphy, Morgan	261 West St Unit 2	Unit 2	MOUNT KISCO	10549	80.56-3-1.2					
Falcone Joseph R	261 West St Unit 8	Unit 8	MOUNT KISCO	10549	80.56-3-1.8		15 Robbins Rd	Pleasantville	NY	10570
Leal, Juan A	92 Spring St		MOUNT KISCO	10549	80.48-3-18.1		8380 Peninsula Dr	Kelseyville	CA	95451
Sulit , Catherine	217 St Marks Pl		MOUNT KISCO	10549	80.49-1-18					
Pitrulle, Salvatore	209 St Marks Pl		MOUNT KISCO	10549	80.49-1-16					
Bueti Carmelo	126 Spring St		MOUNT KISCO	10549	80.56-3-6					
Torres Michael	120 Spring St		MOUNT KISCO	10549	80.56-3-5	NA				
Batiste Ezzard C	207 Spring St		MOUNT KISCO	10549	80.57-6-21					
Lipsky, Robert W	201 Spring St		MOUNT KISCO	10549	80.57-6-1		36 Bretton Ridge Rd	Mt. Kisco	NY	10549
Didona Family Ltd Partners	36 Lawrence St		MOUNT KISCO	10549	80.57-6-2					
Brewster, Gregory	208 St Marks Pl		MOUNT KISCO	10549	80.57-1-3.1					
Ramon, Eduardo	110 Spring St		MOUNT KISCO	10549	80.48-3-21		24 West Way	Mt. Kisco	NY	10549
106 Spring Street, LLC	106 Spring St		MOUNT KISCO	10549	80.48-3-20		779 Main St	Mt. Kisco	NY	10549
Cambareri Stacy	90 Spring St		MOUNT KISCO	10549	80.48-3-18.2					
Adaken, Dhowgar	218 St Marks Pl		MOUNT KISCO	10549	80.57-1-1					
GPS Metro LLC	213 St Marks Pl		MOUNT KISCO	10549	80.49-1-17					
Biancamano Family Trust	212 St Marks Pl		MOUNT KISCO	10549	80.57-1-2		18 Foley Rd	Katonah	NY	10536
The Gardens At Mt. Kisco Co	260 West St		MOUNT KISCO	10549	80.56-4-1	Jon Stark-Putnam Mgmt-Group	PO Box 729	Rye	NY	10580
280 West Street LLC	266 West St		MOUNT KISCO	10549	80.56-4-2		PO Box 189	Bedford Hills	NY	10507
Zayachuk, Linda C	261 West St Unit 12	Unit 12	MOUNT KISCO	10549	80.56-3-1.12					
Lopez, Horacio	200 Spring St		MOUNT KISCO	10549	80.56-3-7					
Corsi, Michael	33 Lawrence St		MOUNT KISCO	10549	80.57-1-15					
Lopez-Celedonio	116 Spring St		MOUNT KISCO	10549	80.56-3-4					
Gomez, Patricia	112 Spring St		MOUNT KISCO	10549	80.56-3-3		133 Stanwood Road	Mt. Kisco	NY	10549
Ruggiero Diego	126 St Marks Pl		MOUNT KISCO	10549	80.57-1-4					
Rich, Dylan	261 West St Unit 5	Unit 5	MOUNT KISCO	10549	80.56-3-1.5					
Reynoso, Pedro	261 West St Unit 4	Unit 4	MOUNT KISCO	10549	80.56-3-1.4					
Artista of Briarcliff Inc.	255 West St		MOUNT KISCO	10549	80.56-3-2	Select Properties LTD	344 Main Street	Mt. Kisco	NY	10549
Paudyal Uttam	125 Spring St		MOUNT KISCO	10549	80.57-1-16					
Bergin, Matthew	233 West St		MOUNT KISCO	10549	80.48-3-22					
Estate Anthony&Louise Mig	27 Lawrence St		MOUNT KISCO	10549	80.57-1-14					
Boddie John M	202 St Marks Pl		MOUNT KISCO	10549	80.57-1-3.2					
Fenty Christopher	261 West St Unit 10	Unit 10	MOUNT KISCO	10549	80.56-3-1.10					
Neuhaus, Loretta J	261 West St Unit 11	Unit 11	MOUNT KISCO	10549	80.56-3-1.11					
Seidman Joseph R Jr	206 Spring St		MOUNT KISCO	10549	80.56-3-8					
Mclvor Kevin	211 Spring St		MOUNT KISCO	10549	80.57-6-20					
244 West Street LLC	234 West St		MOUNT KISCO	10549	80.48-4-14		PO Box 189	Bedford Hills	NY	10507
D.I.M. 227, Inc.	227 West St		MOUNT KISCO	10549	80.48-3-24.2					
Gioffre Michelina	88 Spring St		MOUNT KISCO	10549	80.48-3-19		18 Foley Rd	Katonah	NY	10536
Story, Joel R	261 West St Unit 6	Unit 6	MOUNT KISCO	10549	80.56-3-1.6					
Yantos, Jessica	261 West St Unit 7	Unit 7	MOUNT KISCO	10549	80.56-3-1.7					
Cohen Maria	218 Spring St		MOUNT KISCO	10549	80.56-3-10		37 Willetts Road	Mt. Kisco	NY	10549
Cambareri, Diego	32 Lawrence St		MOUNT KISCO	10549	80.57-6-3					

120 Spring St. ID: 80.56-3-5 (Mount Kisco)



July 16, 2024

1:1,500

0 70 140 280
ft

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.



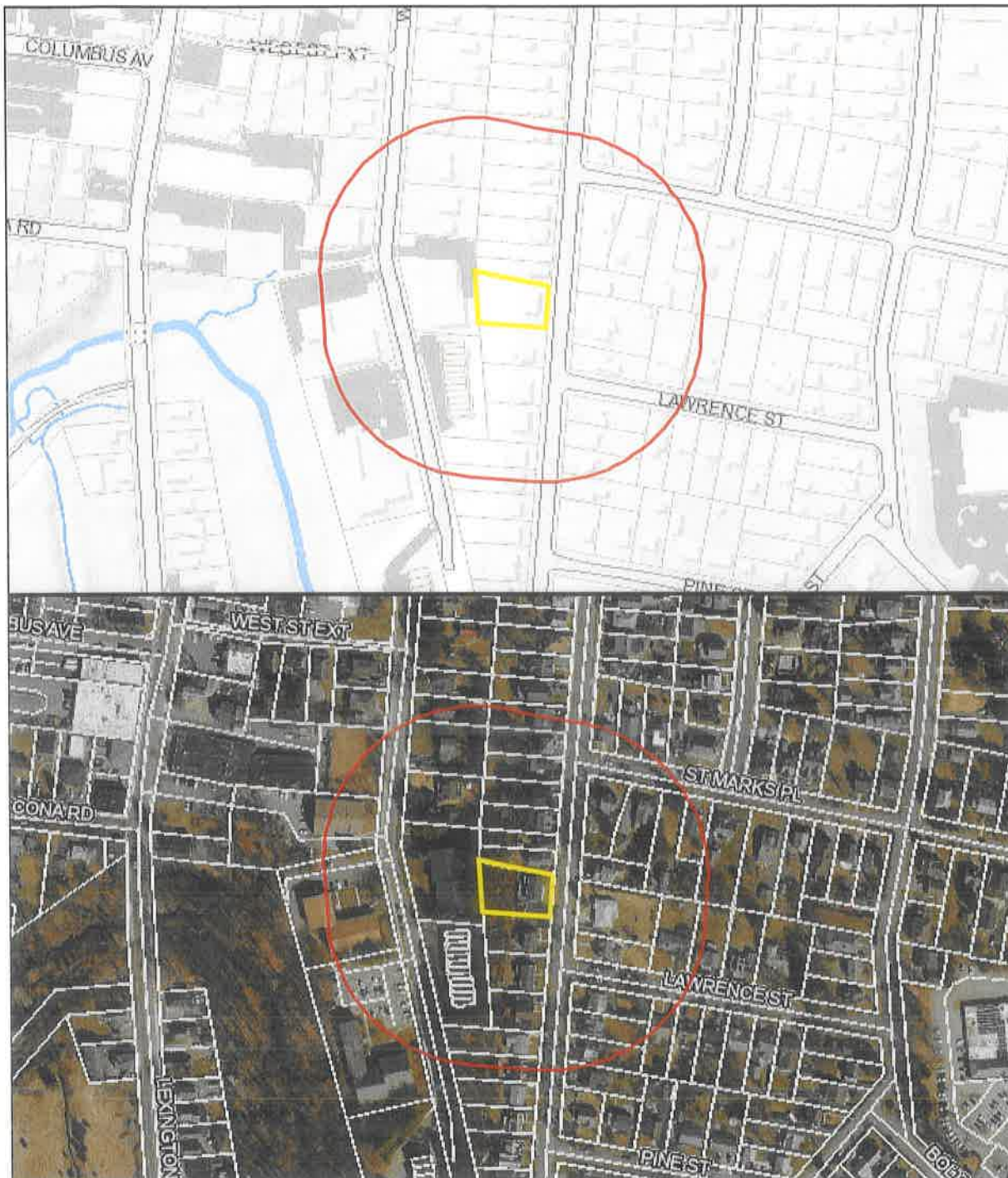
Westchester County GIS
<http://giswww.westchestergov.com>
 Michaelian Office Building
 148 Martine Avenue Rm 214
 White Plains, New York 10601

Tax Parcel Maps

Address: 120 Spring St

Print Key: 80.56-3-5

SBL: 08005600030050000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should **NOT** be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Tuttle being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

08/26/2024

Linda Tuttle

Subscribed and sworn to before me this 26 day of August, 2024

Kathleen Allen
E. 1-7-25

Notary Public
State of Wisconsin, County of Brown

KATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals in the village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of SEPTEMBER 2022 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of:

**MICHAEL AND LAUREN TORRES
120 SPRING STREET, MT. KISCO, NY 10549**

From decision of Peter J. Miley, Building Inspector, dates **JUNE 28, 2024** denying the application dated to permit the **ADDITIONS FOR NEW DEN, PORCH AND 2 DECKS**. The property involved is known as **120 SPRING STREET** and described on the Village Tax Map as Section 80.56 Block3 Lot 5 and is located on the **WEST** side of **120 SPRING STREET** in a **RT-6** Zoning District. Said Appeal is being made to obtain a variance from Section(s) **110-35 (D) AND 110-11 C (1) (f) [3] [a]** of the Code of the Village/Town of Mount Kisco, which requires **VARIANCE FORA NONCOMPLYING BUILDING AND THE SIDE YARD SETBACK IS 10 FEET AND THE PROPOSED BUILDING ADDITION IS LOCATED 9.2 FEET FROM THE NORTH SIDE YARD PROPERTY LINE. THEREFORE, A 0.8 FT. SIDE YARD SETBACK VARIANCE IS REQUIRED.**

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

Michelle Russo is inviting you to a scheduled Zoom meeting.

Topic: VTMK Zoning Board of Appeals

Time: sep 17, 2024 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87519920690>

Meeting ID: 875 1992 0690
10460168

State of New York)
) ss:
County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the 9th day of September 2024, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building --
104 Main Street

_____X_____

Public Library
100 Main Street

_____X_____

Fox Center

_____X_____

Justice Court – Green Street
40 Green Street

_____X_____

Mt. Kisco Ambulance Corp
310 Lexington Ave

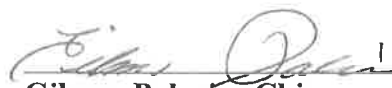
_____X_____

Carpenter Avenue Community House
200 Carpenter Avenue

_____X_____

Leonard Park Multi Purpose Bldg

_____X_____



Gilmar Palacios Chin

Sworn to before me this 9th day of September



Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

RECEIVED

SEP 09 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

The Office of the Westchester County Clerk. This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



561373522DED001Y

Westchester County Recording & Endorsement Page

Submitter Information

Name: Hudson United Title Services LLC
Address 1: 95 South Middletown Road
Address 2:
City/State/Zip: Nanuet NY 10954

Phone: (845) 638-2000
Fax: (845) 634-0895
Email: phyllis.dinuzzo@hudsonunited.com
Reference for Submitter: HAS-21742

Document Details

Control Number: 561373522

Document Type: Deed (DED)

Package ID: 2016051600264001001

Document Page Count: 3

Total Page Count: 4

Parties

☐ Additional Parties on Continuation page
2nd PARTY

1st PARTY

1: ENGEBRETSON MAUREEN E

- Individual

1: TORRES MICHAEL

- Individual

2:

2: TORRES LAUREN

- Individual

Property

☐ Additional Properties on Continuation page

Street Address: 120 SPRING STREET

Tax Designation: 80.66-3 -5

City/Town: MOUNT KISCO

Village:

Cross-References

☐ Additional Cross-Refs on Continuation page

1:

2:

3:

4:

Supporting Documents

1: RP-5217

2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$20.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$125.00
TP-584 Filing Fee: \$5.00
Total Recording Fees Paid: \$190.00

Transfer Taxes

Consideration: \$449,000.00
Transfer Tax: \$1,796.00
Mansion Tax: \$0.00
Transfer Tax Number: 13498

Mortgage Taxes

Document Date:
Mortgage Amount:

Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: \$0.00

Dwelling Type:
Serial #:

Exempt: ☐

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 06/01/2016 at 03:48 PM
Control Number: 561373522
Witness my hand and official seal

Timothy C Idoni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Hudson United Title Services
95 S. Middletown Road

Nanuet, NY 10954

Attn: Phyllis Dinuzzo

STATE OF NEW YORK, COUNTY OF WESTCHESTER, ss.
I, PHYLIS DINUZZO, COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS,
DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS COPY WITH THE ORIGINAL,
THEREOF RECORDED IN MY OFFICE ON 6/1/2016, AND THE SAME IS A CORRECT
TRANSLATION OF THE INSTRUMENT TO THE BEST OF MY KNOWLEDGE.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL
CERTIFIED ON 7/29/2024 4 TOTAL PGS

COUNTY CLERK AND CLERK OF THE SUPREME AND COUNTY COURTS, WESTCHESTER COUNTY
NEW YORK

THIS INDENTURE, made the ^{16th} ~~11th~~ day of May Two Thousand Sixteen

MAUREEN E. ENGBRETSSEN residing at 28 WING AVENUE, APARTMENT A,
DOVER PLAINS, NY 12522 party of the first part,

and

MICHAEL TORRES and LAUREN TORRES as husband and wife
having an address at 14 ELLIS PLACE, OSSINING, NY 10562.

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, situate, lying and being in

See Schedule "A" annexed hereto

BEING AND INTENDED TO BE THE SAME PREMISES AS CONVEYED to the Grantor(s) herein by deed dated September 1, 2005 and recorded on December 31, 2006 in Control # 463050235 and by deed dated October 24, 2005 and recorded December 31, 2006 in Control # 463050241 in the Westchester County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises: TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


MAUREEN E. ENGBRETSEN

STATE OF NEW YORK, COUNTY OF DUTCHESS SS:

On the 31 day of May, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared MAUREEN E. ENGBRETSEN personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

CHARLES E. STEWART III
Notary Public, State of New York
No. 4780125
Qualified in Dutchess County
Commission Expires Sept. 30, 2017

SECTION 80.56
BLOCK 3
LOT 5
TOWN Mt. Kisco
COUNTY Westchester

RETURN BY MAIL TO:

LEE WAGNER, ESQ.
237 Mamaroneck Avenue
Suite 402
White Plains, NY 10605

993917e1

Title Resources Guaranty Company

Title Number: HAS-21742

Page 1

SCHEDULE A DESCRIPTION

village and town
ALL that certain plot piece or parcel of land, situate, lying and being in the City of Mount Kisco, County of Westchester and State of New York, being a portion of Lot 55 and all of Lot 53 as shown on a certain map entitled "High View Park, Property of Spencer & Co., Inc., Village of Mount Kisco, Westchester Co., N.Y." October 5, 1925 amended April 14, 1926 to change lines of Lots 71, 72, 77, 78, 79, 18, 19, 25, 59 and 60 by F.H. Traband, P.E. & L.S. and filed in the Office of the Clerk of Westchester County, formerly Register's Office of Westchester County, New York, April 30, 1926 as Map No. 2980 and which part of lot and lots when taken together as one parcel is more particularly bounded and described as follows:

BEGINNING at a point on the Westerly side of Spring Street where the same is intersected by the division line between Lots 53 and 55 as shown on said map;

RUNNING THENCE along the Westerly side of Spring Street, North 7 degrees 24 minutes 30 seconds East, 54.35 feet to the Northerly line of Lot 53 as shown on the aforesaid map;

RUNNING THENCE along said last mentioned line of the following courses and distances;

North 77 degrees 24 minutes West 90.32 feet and North 75 degrees 17 minutes West 57.85 feet to the Westerly line of Lot 53 as shown on the aforesaid map;

RUNNING THENCE along the last mentioned line and continued along the Westerly line of Lot 55 as shown on the aforesaid map, South 1 degree 28 minutes 12 seconds East 96.17 feet to a point on the Westerly line of Lot 55;

RUNNING THENCE through Lot 55 as shown on said map South 82 degrees 35 minutes 30 seconds East 132.49 feet to the Westerly side of Spring Street, North 7 degrees 24 minutes 30 seconds East 25.13 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY:

Being and intended to be the same premises conveyed to the grantor by deed dated 9/1/2005 and recorded on 12/31/2006 in Control #463050235 and by deed dated 10/14/2005 and recorded 12/31/2006 in Control #463050241 in the Westchester County Clerk's Office.











GENERAL NOTES	
1- Work to conform to all applicable local, state, and national codes.	
2- Confirm all existing conditions and dimensions before start of work. Report discrepancies to Architect for resolution.	
3- Concrete 3000psi @ 23 days.	
4- CMU - STD shapes	
5- Steel - ASTM A-36	
6- Lumber #2 D-Fir Fb 875/1010psi PT YP-Fb 1200psi M-LAMS-Fb 2500psi	
7- All headers (2)2x10 unless noted otherwise.	
8- All HVAC - Paid by Home Owner. New Dimensions to oversee work.	

SMOKE DETECTORS (IF REQUIRED BY THE BUILD. DEPT. BY OWNER)	
- Each bedroom	
- Hall outside bedrooms	
- Each floor	
Interconnected , hard wired, w/ battery backup to comply with code R 517.1.1	

THE PROPOSED DESIGN COMPLIES
WITH 2020 NEW YORK STATE ENERGY
CODE PER SECTION R402 PRESCRIPTIVE
METHOD.

2020 RESIDENTIAL CODE OF NYS WAS
USED TO DESIGN THIS PROJECT.

THE PROPOSED DESIGN IS ALTERATION
LEVEL 2.

LEGENDS

- REMOVE WALL FINISH AND FRAMING
- REMOVE WALL FINISH ONLY FRAMING
TO STAY
- FRAME NEW WALL & FINISH
- REMOVE ITEM
- WALLS TO REMAIN
- SMOKE DETECTOR
HARDWIRED/BATTERY BACKUP
- CARBONE MONOXIDE DETECTOR
HARDWIRED/BATTERY BACKUP

PLAN SIGNING AGREEMENT:

The signature below certifies that the plans meet with their full approval as per specification and design. This plan sign set
supersedes our contract (as far as materials, construction, and design). You will receive all work as shown.

The homeowner further agrees that New Dimensions Remodeling may make changes for further clarification in order to give
additional information to its workers. Any changes which may occur will be subject to homeowner review and approval.

All changes made by homeowner after plan signing may be subject to additional costs.

All electrical wiring required to refeed outlets, switches, or lighting in areas other than where New Dimensions work is taking
place will be charged on a time and material basis.

All pipes and wires concealed in floors, walls, and ceilings will be done on a time and material basis.

All low voltage equipment supplied by homeowner will be installed on a time and material basis.

All smoke or carbon detectors shown on plan as required by Building Department will be on time and material basis.

Our price includes labor for basic ceramic tile only unless noted change is in contract.
Note: All wall tile will be set on wonder board.

Our price for plumbing on all showers unless noted is for 1 shower body and head. Any additional shower bodies and shower heads will be installed on
a time and material basis.

New Dimensions Remodeling can not guarantee reset items due to the inherent unknowns of the original installation, age of
materials and stress induced by removal and reinstallation. Reset will be at homeowner's request and their risk.
Any parts required to repair such items will be on a time and material basis.

All work required to repair or support hidden, abnormal or incongruous structural elements will be done on a time and material basis.

Homeowner _____ New Dimensions _____
Homeowner _____ Date _____

HEADER SCHEDULE

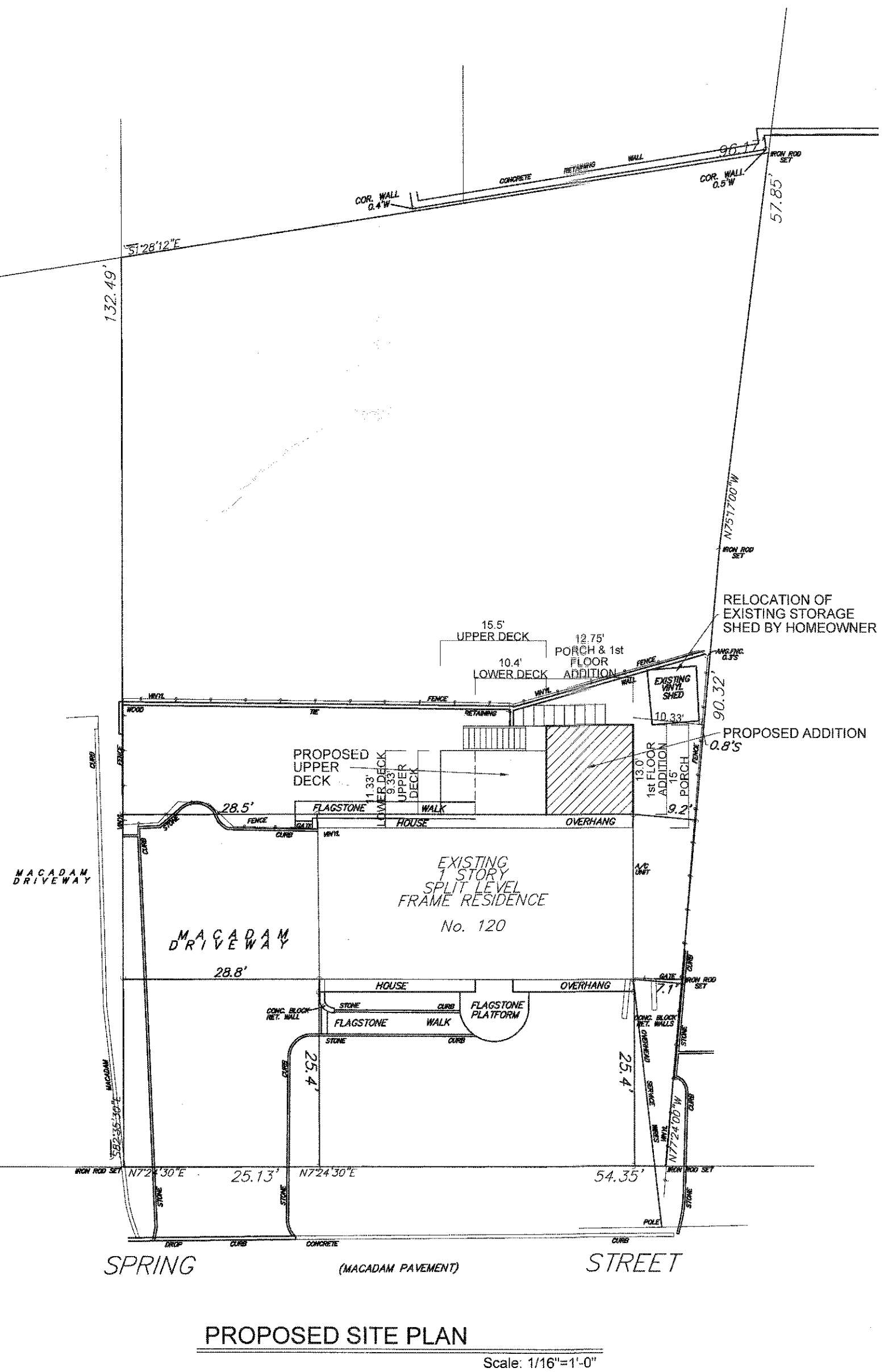
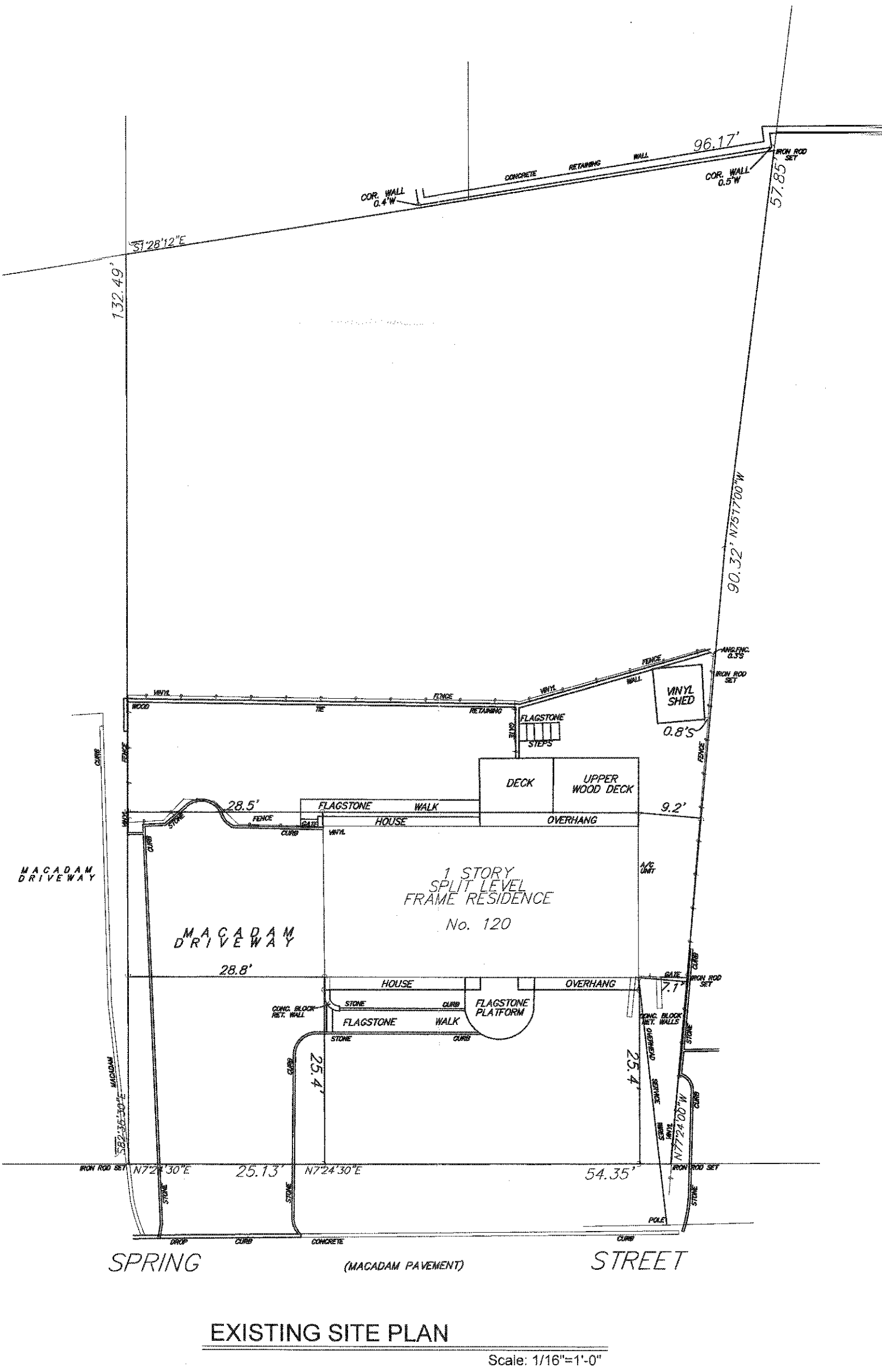
TYPICAL SPAN	SIZE OF HEADER	
0' - 4'	(2) 2 X 10	HEADER TO BE INSTALLED ABOVE ALL DOOR, WINDOW AND GENERAL OPENINGS IN BEARING WALLS. TECO JOIST HANGERS TO BE USED ON ALL FLUSH HEADERS/CONNECTIONS
4' - 8'	(2) 2 X 10	
8' - 12'	(2) 2 X 12	
ANY OPENING OVER 8 FT OR GREATER INSTALL DOUBLE JACK STUDS. ALL HEADERS ARE TYPICAL UNLESS NOTED OTHERWISE.		ENDS OF HEADERS TO REST FULLY ON (2) 2 X 4 JACK STUDS UNLESS OTHERWISE NOTED

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA														
GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY (RISKY ONLY)	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	CLIMATE ZONE	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (mph)	TOPO EFFECTS	SPECIAL WIND REGION	WIND-BORNE DEBRIS ZONE		WEATHERING	FROST LINE DEPTH	TERMITE						
30 PSF	115- SPECIAL WIND REGION	NO	YES	NO	B	SEVERE	42"	MODERATE TO HEAVY	7	YES	09/29/07	4A	1500 OR LESS	51.6

MANUAL J DESIGN CRITERIA							
ELEVATION	LATITUDE	WINTER HEATING	SUMMER COOLING	ALTITUDE CORRECTION FACTOR	INDOOR DESIGN TEMPERATURE	DESIGN TEMPERATURE COOLING	HEATING TEMPERATURE DIFFERENCE
345	41	87	1	89	73	61	
COOLING TEMPERATURE DIFFERENCE	WIND VELOCITY HEATING	WIND VELOCITY COOLING	COINCIDENT WET BULB	DAILY RANGE	WINTER HUMIDITY	SUMMER HUMIDITY	
12	20.4	7.5	72	M	30	55	

DESIGN LOADS		
	LIVE LOADS	DEAD LOADS
FLOOR	40 lbs/sq. ft.	20 lbs/sq. ft.
ROOF	50 lbs/sq. ft.	10 lbs/sq. ft.

ZONING ANALYSIS 120 SPRING STREET, MOUNT KISCO, NY			
ZONE: R-S6 LOT AREA = 12,053 sq.ft.			
	REQUIRED	EXISTING	PROPOSED
FRONT SET BACK	25.0'	25.4'	25.4'
SIDE YARD SET BACK (EACH)	10.0'	7.1'	9.2'
REAR YARD SET BACK	30.0'	84.33'	75.0'
PRINCIPAL BLDG. COVERAGE	2761	1112	1278
ACCESSORY BLDG. COVERAGE	0.0	0.0	0.0
DEVELOPMENT COVERAGE	40%=4821	2887	3208
MAX. HGHT. FEET	35.0'-21 1/2 STORY	21'-1 STORY- SPLIT LEVEL	21'-1 STORY SPLIT LEVEL



Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter
an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his
item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a
specific description of the alteration.

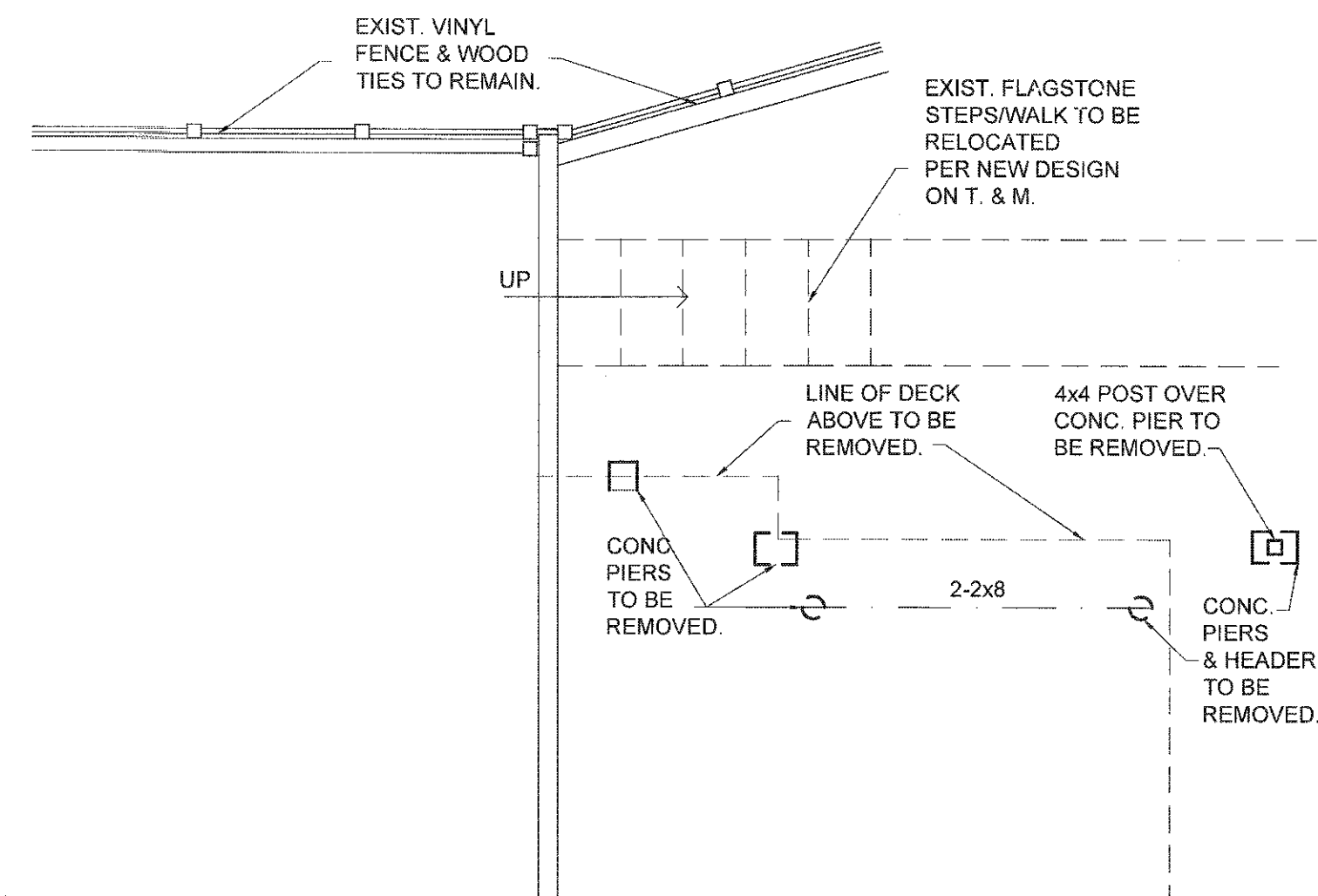
ISSUED 03.09.24
ISSUED 04.19.24
ISSUED 05.09.24

NEW DIMENSIONS REMODELING, INC.
466 LEXINGTON AVE
MOUNT KISCO, NY 10548
(914) 241-1773

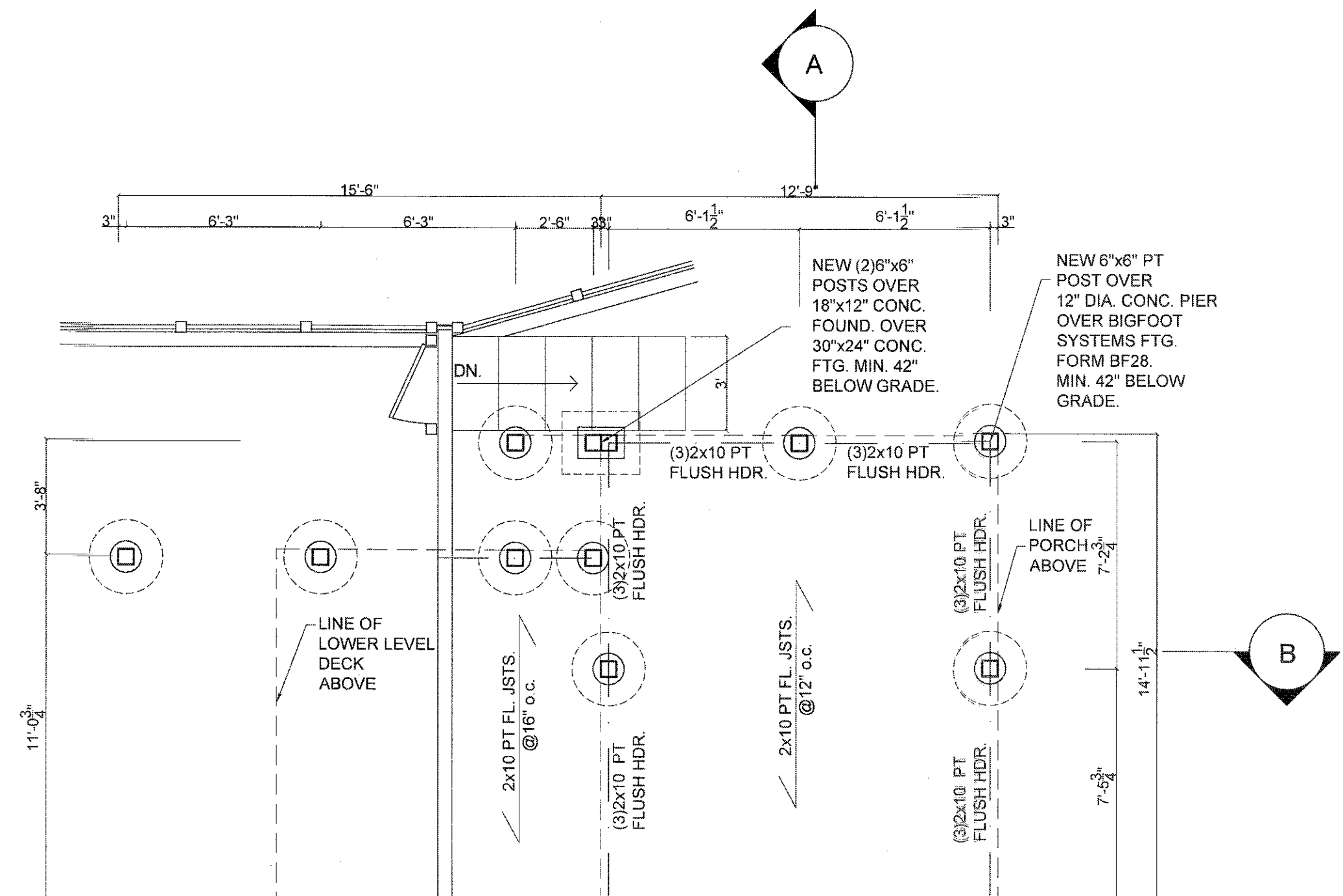
ROBERT OCCHIOGROSSI, RA
RJMO ARCHITECTURE, P.C.

SITE PLANS

TORRES RESIDENCE
120 SPRING STREET
Mt. KISCO, NEW YORK



EXIST./DEMO. FOUNDATION PLAN
Scale: 1/4"=1'-0"



PROPOSED FOUNDATION PLAN
Scale: 1/4"=1'-0"

Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

TORRES RESIDENCE
120 SPRING STREET
MT. KISCO, NEW YORK

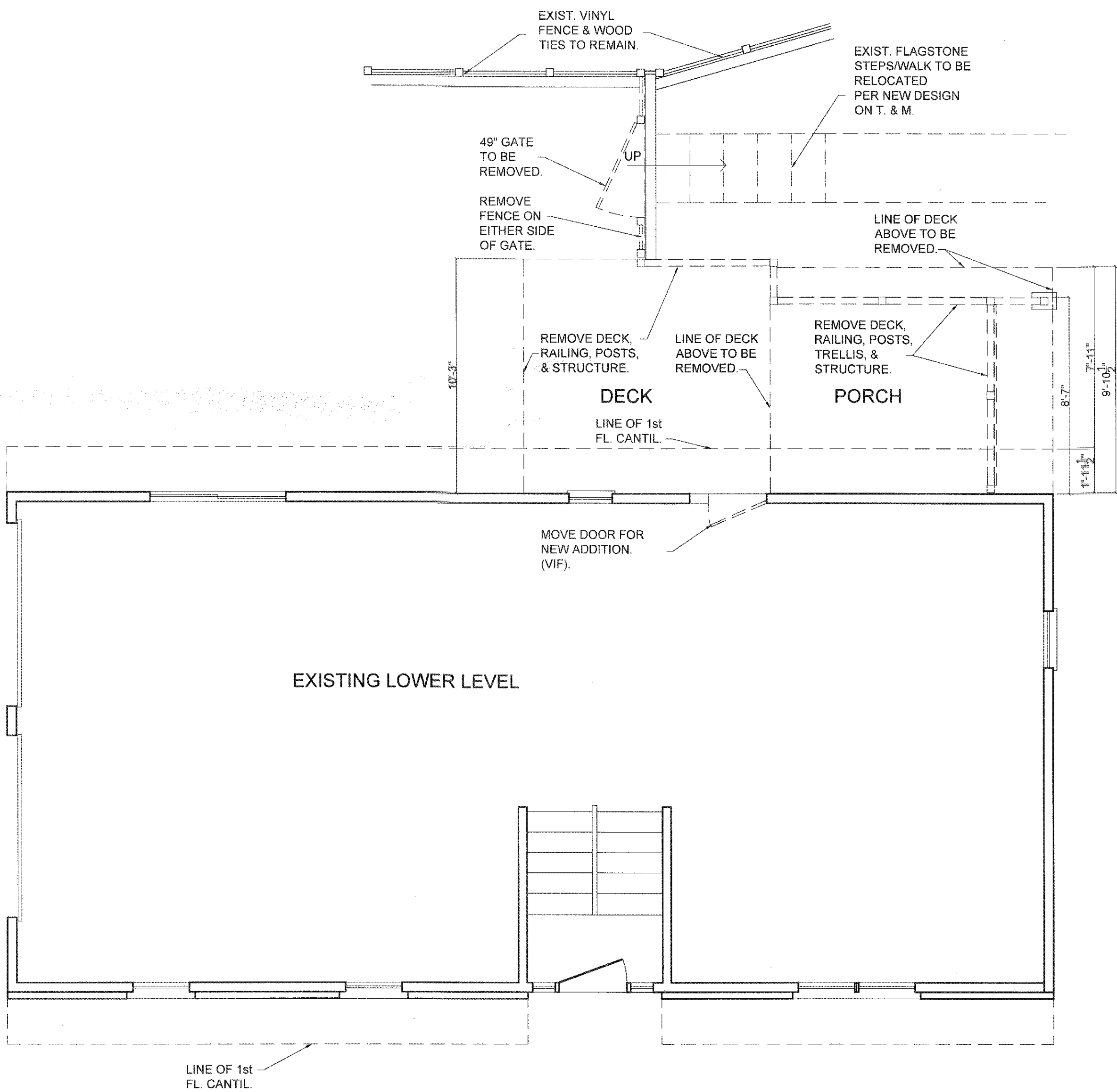
**EXIST. & PROPOSED
FOUNDATION PLANS**

ROBERT OCCHIOGROSSI, RA
RJMO ARCHITECTURE, P.C.

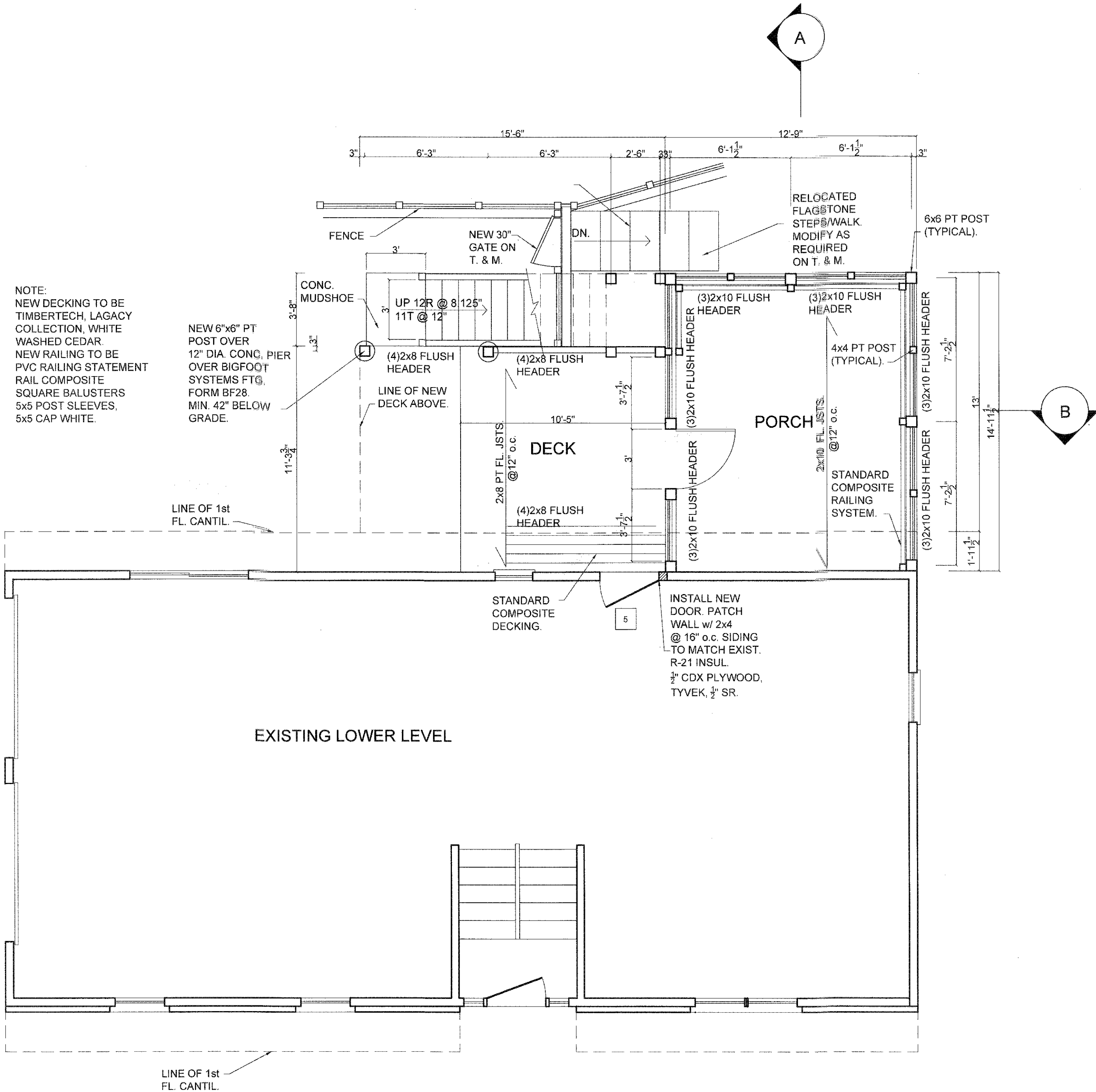
NEW DIMENSIONS REMODELING, INC.
466 LEXINGTON AVE.
MOUNT KISCO, NY 10549
(914) 241-1773

ISSUED: 03.28.24
ISSUED: 04.19.24
ISSUED: 05.09.24

LOWER LEVEL FINISH / WINDOW / DOOR SCHEDULES													
ROOM	FLOOR	WALLS	CEILING	TRIM	WINDOWS				DOORS				
					QTY.	No.		U-FACTOR		QTY.	No.		
SCREENED PORCH	STANDARD COMPOSITE PORCH FLOORING	STANDARD COMPOSITE RAILING & SCREEN	1/2" BEAD BOARD	2 3/4" COL. CASING 4 1/4" COL. BASE			STANDARD SCREENS					SCREENED	
DECK	STANDARD COMPOSITE DECK FLOORING	STANDARD COMPOSITE RAILING	N/A	N/A			N/A			1	5	3'-0"x6'-8" EXTERIOR DOOR	



EXIST./DEMO. LOWER LEVEL PLAN
Scale: 1/4"=1'-0"

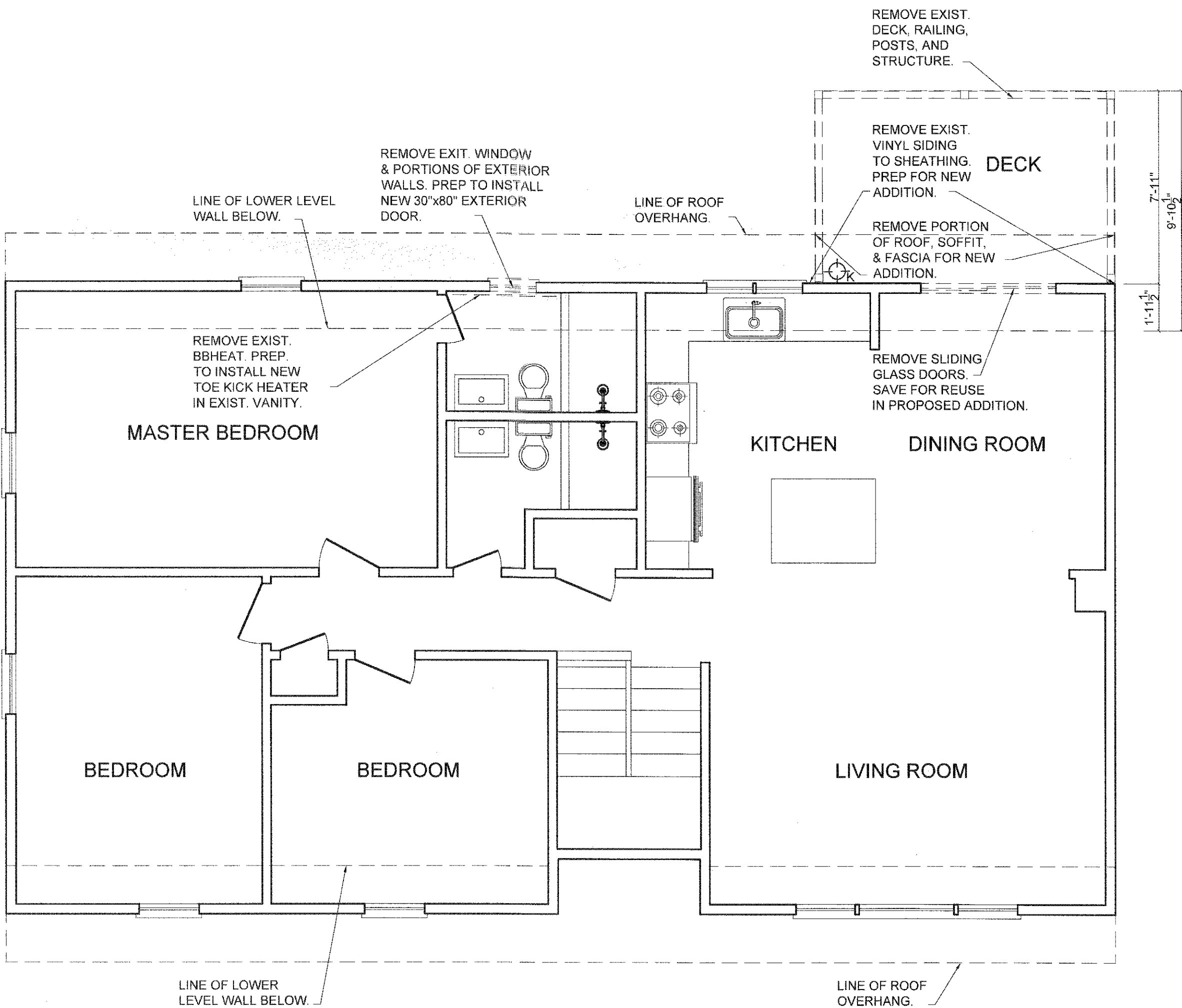


PROPOSED LOWER LEVEL PLAN
Scale: 1/4"=1'-0"

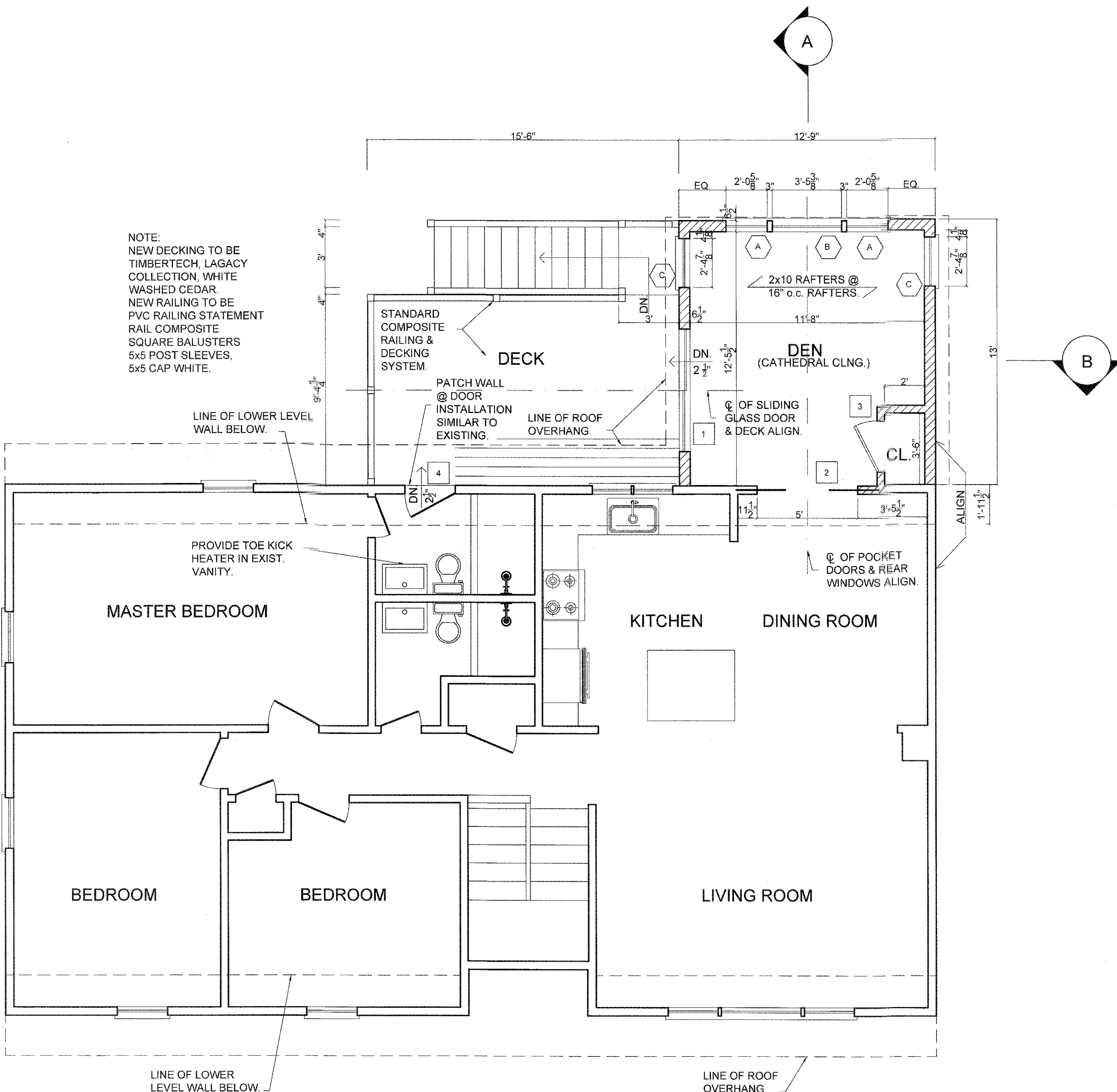
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1st. FLOOR FINISH / WINDOW / DOOR SCHEDULES														
ROOM	FLOOR	WALLS	CEILING	TRIM	WINDOWS					DOORS				
					QTY.	No.			U-FACTOR		QTY.	No.		
DEN	T & G WOOD FLOOR. MATCH EXIST.	½" SR	½" SR	2 ¾" COL. CASING 4 ¼" COL. BASE	2 1 2	A B C	2'-0 ½" x 4'-5 ½" - CASEMENT 3'-5 ½" x 4'-5 ½" - PICTURE 2'-4 ½" x 4'-5 ½" - CASEMENT			1 1	1 3	5'-9"x6'-8"-REINSTALL EXIST. SLIDING GL. DOOR 2'-6"x6'-8"- NEW 6 PANEL DOOR		
KITCHEN	PATCH EXIST.	PATCH ½" SR	PATCH ½" SR	2 ¾" COL. CASING 4 ¼" COL. BASE			EXISTING			1	2	5'-0"x6'-8"- NEW POCKET DOORS		
MASTER BATH	PATCH EXIST.	PATCH EXIST.	PATCH ½" SR	2 ¾" COL. CASING 4 ¼" COL. BASE						1	4	NEW 2'-6"x6'-8"- EXTERIOR DOOR		

NOTE:
ALL WINDOWS TO BE ANDERSEN 400 SERIES.



EXIST./DEMO. 1st FLOOR PLAN
Scale: 1/4"=1'-0"



PROPOSED 1st FLOOR PLAN
Scale: 1/4"=1'-0"

Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

ISSUED: 03.28.24
ISSUED: 04.19.24
ISSUED: 05.09.24

NEW DIMENSIONS REMODELING, INC.
466 LEXINGTON AVE.
MOUNT KISCO, NY 10549
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ROBERT OCCHIOGROSSI, RA
RJMO ARCHITECTURE, P.C.

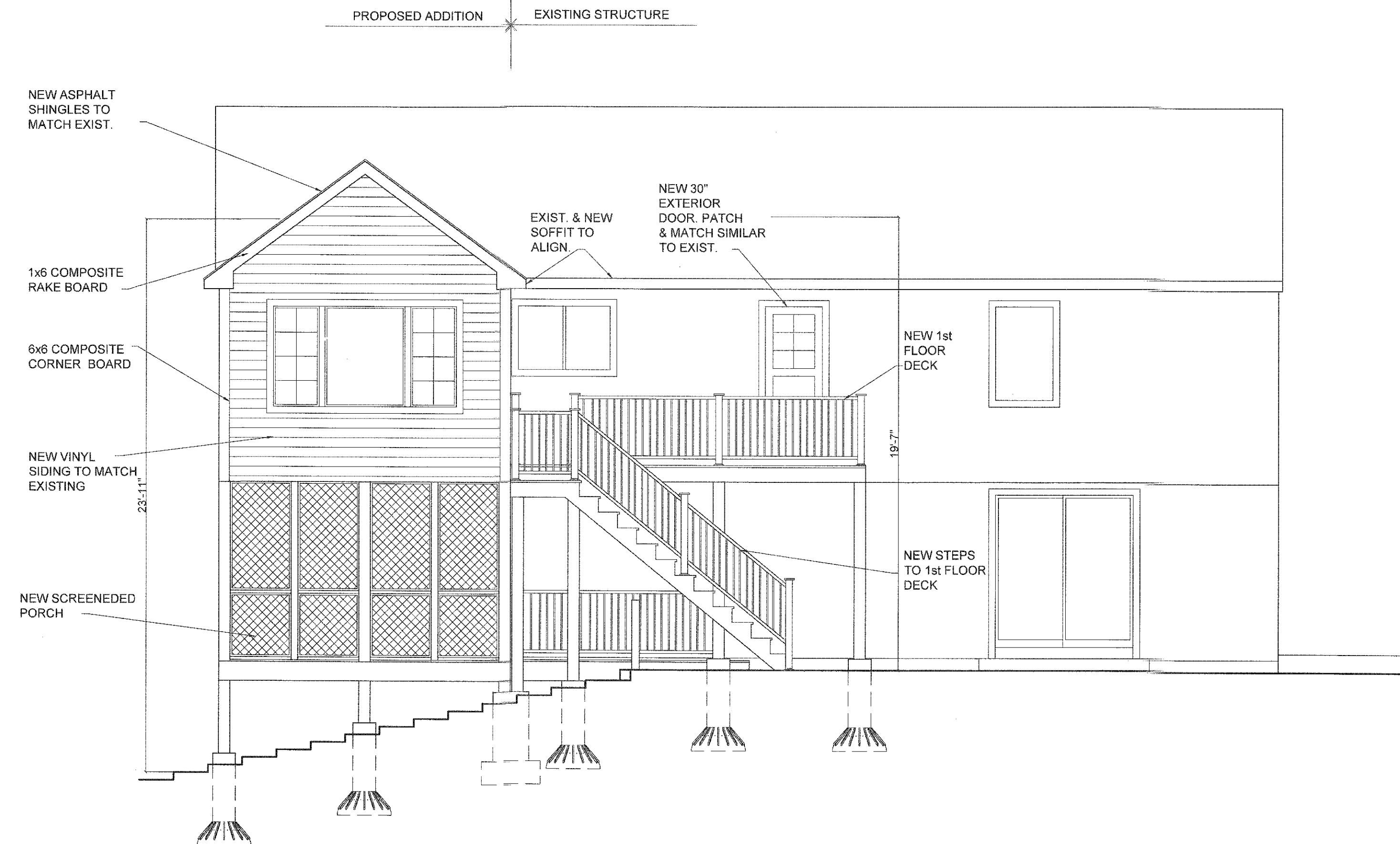
EXISTING & PROPOSED
1st FLOOR PLANS

TORRES RESIDENCE

120 SPRING STREET
Mt. KISCO, NEW YORK

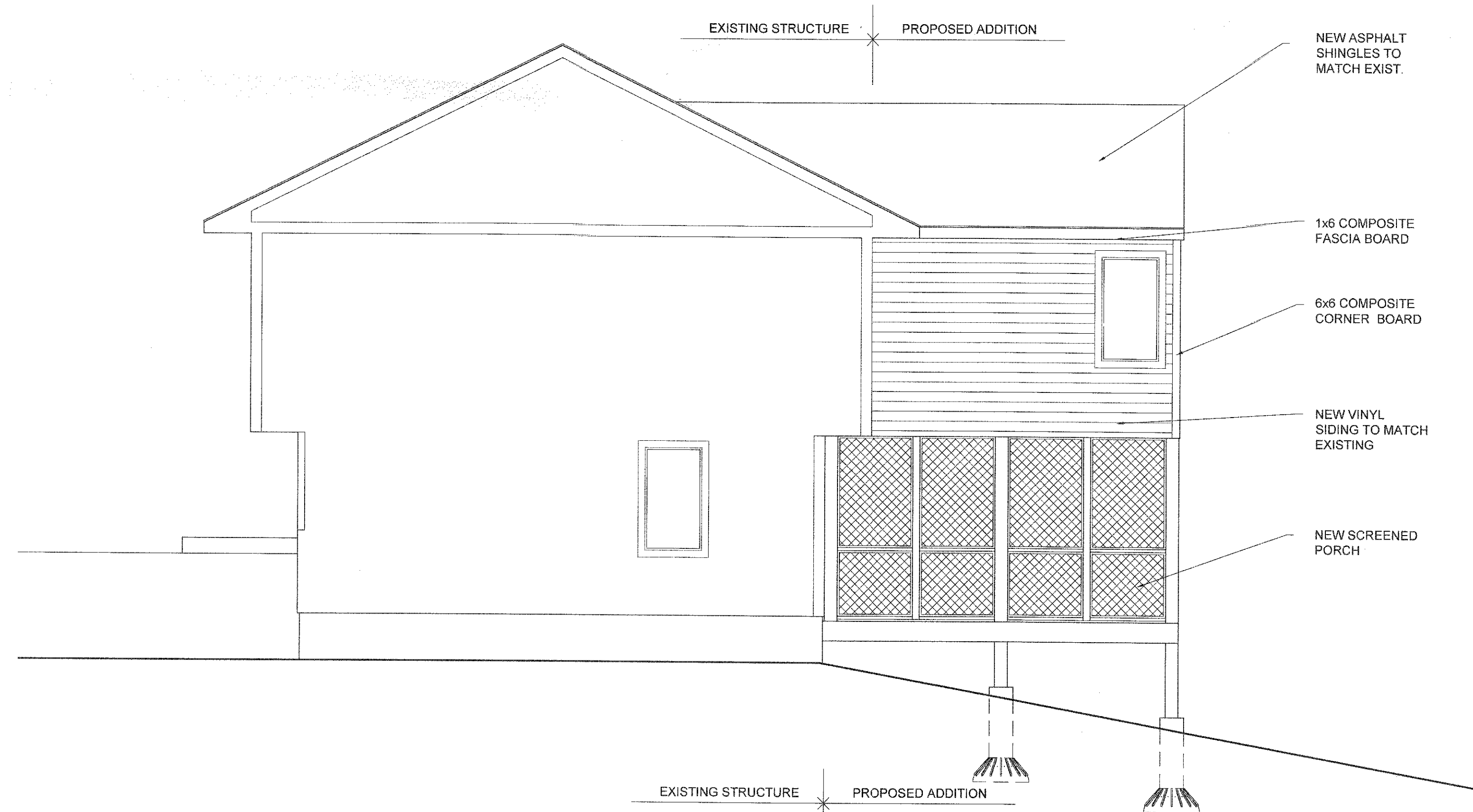
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OF 7

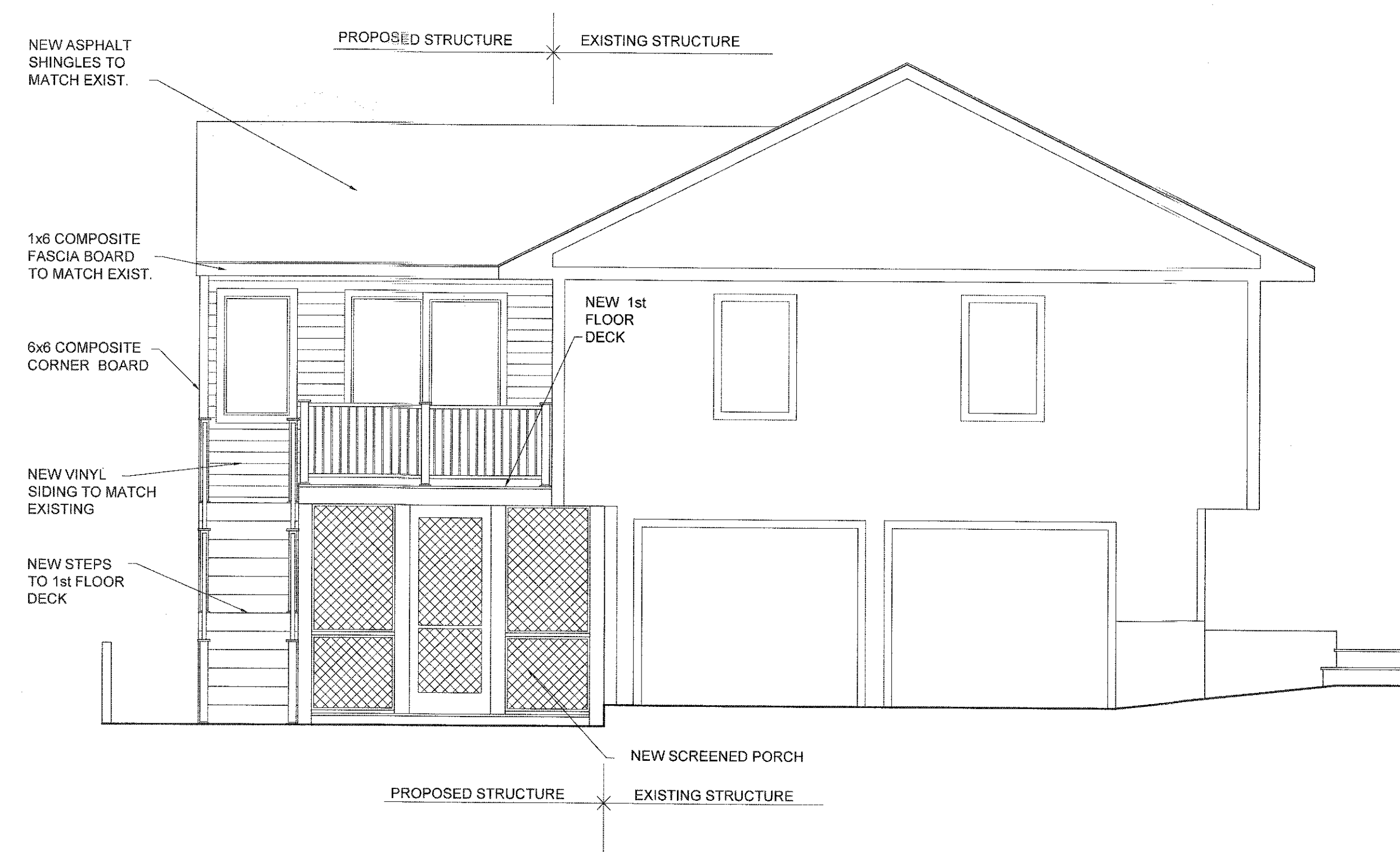


PROPOSED REAR ELEVATION

Scale: 1/4"=1'-0"



PROPOSED RIGHT SIDE ELEVATION



PROPOSED LEFT SIDE ELEVATION

Scale: 1/4"=1'-0"

Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

ISSUED: 03.28.24
ISSUED: 04.18.24
ISSUED: 06.08.24

NEW DIMENSIONS REMODELING, INC.
466 LEXINGTON AVE.
MOUNT KISCO NY 10649
(914) 241-1773

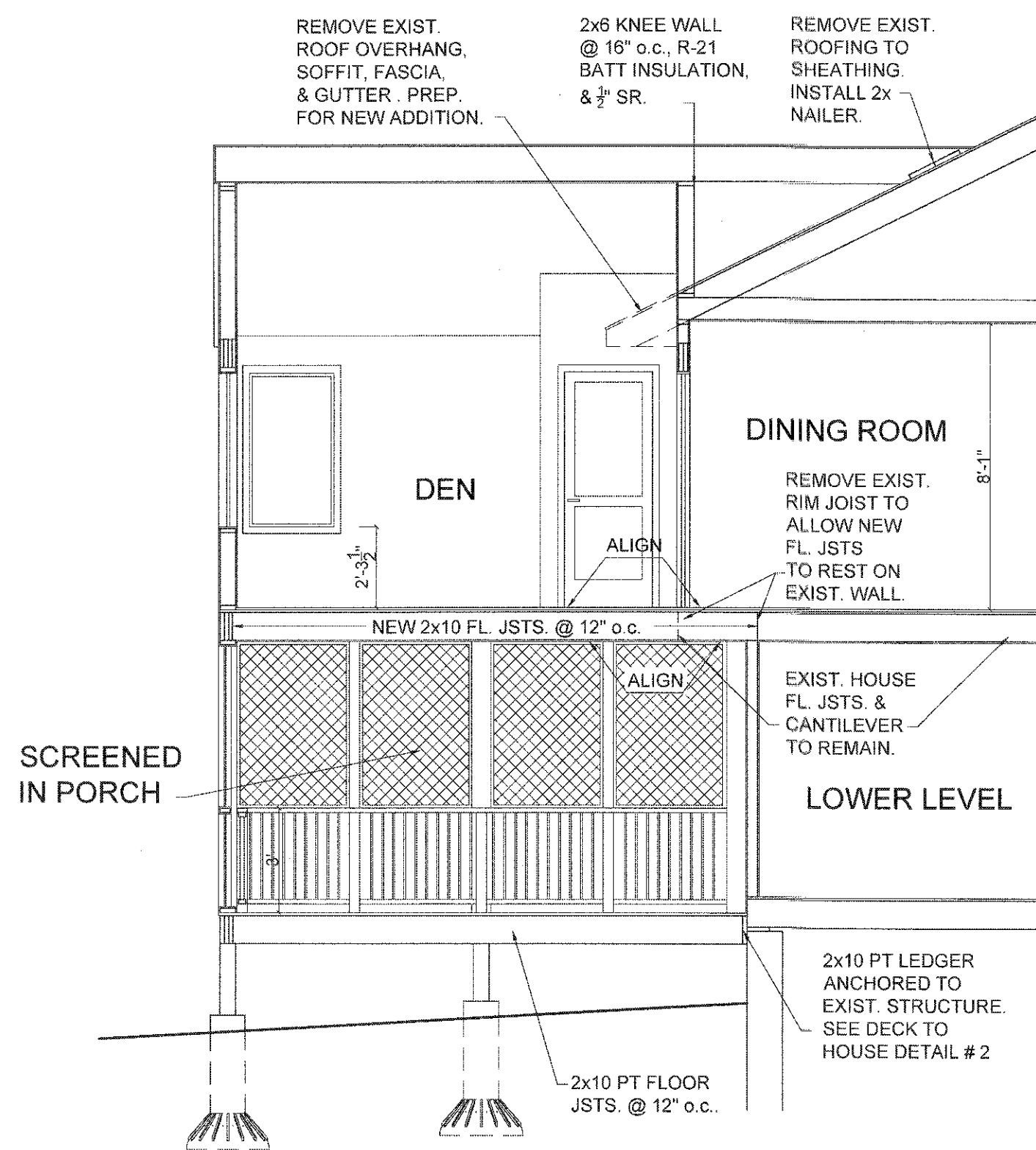
ROBERT OCCHIOGROSSI, RA
RJMO ARCHITECTURE, P.C.

PROPOSED ELEVATIONS

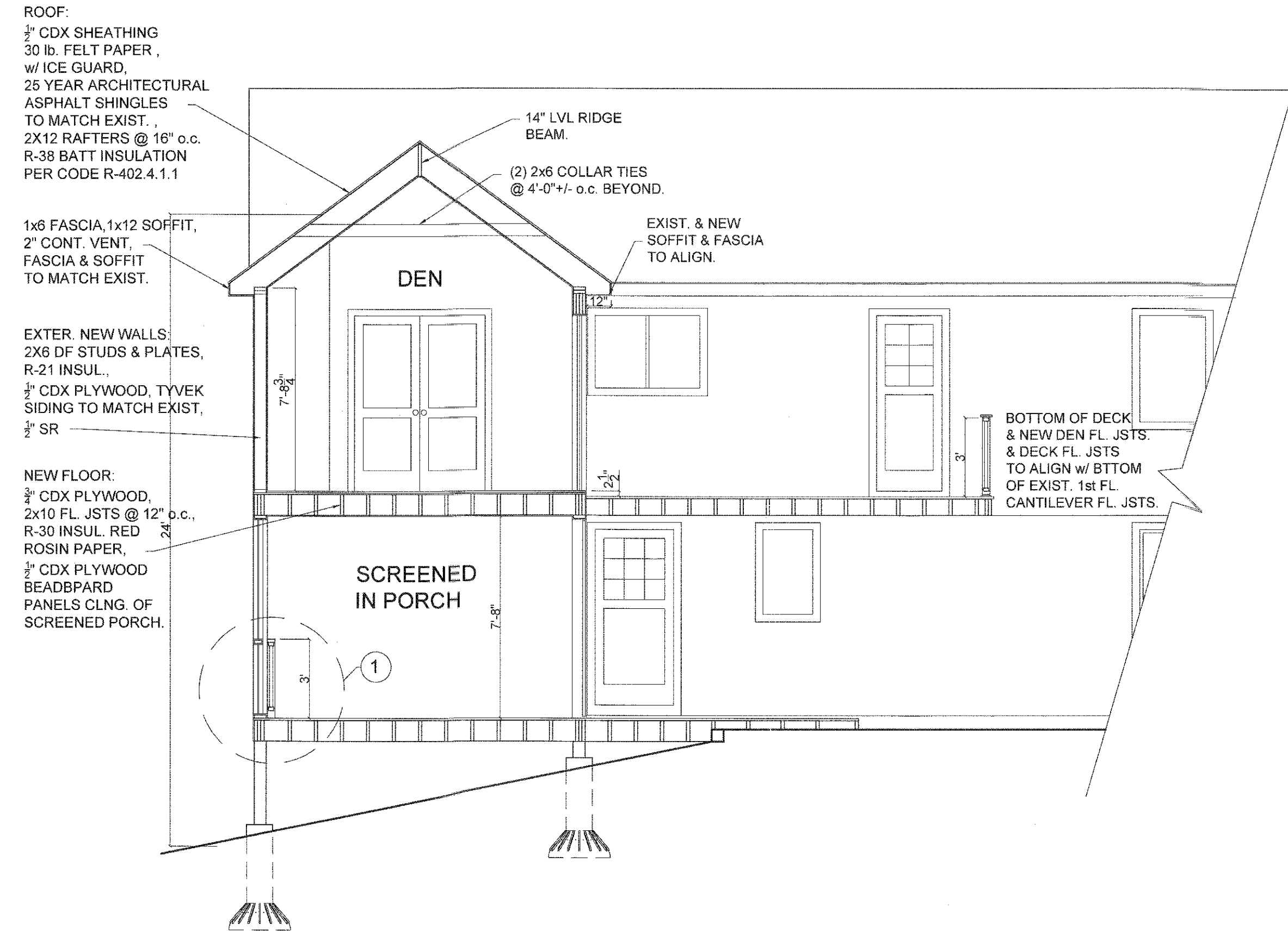
TORRES RESIDENCE
120 SPRING STREET
Mt. KISCO, NEW YORK

5

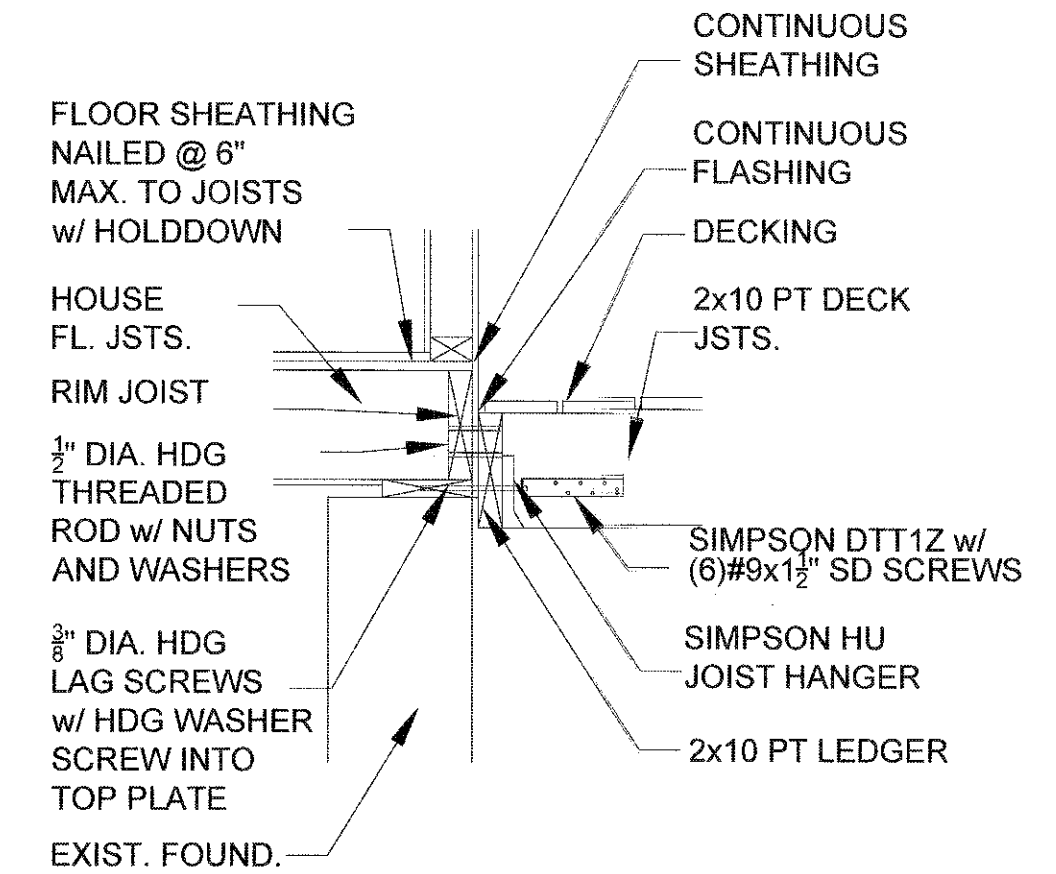
OF 7



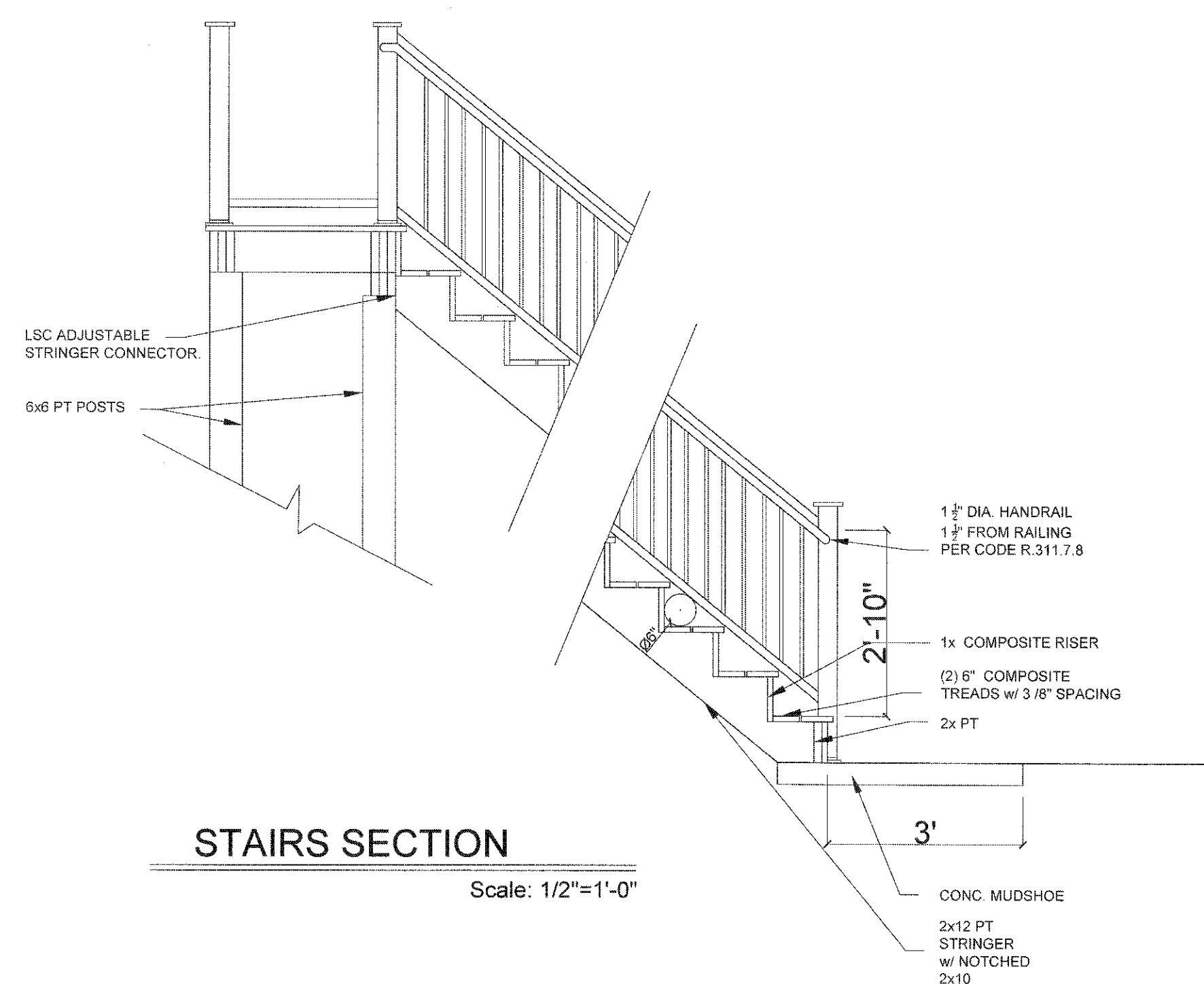
SECTION A
Scale: 1/4"=1'-0"



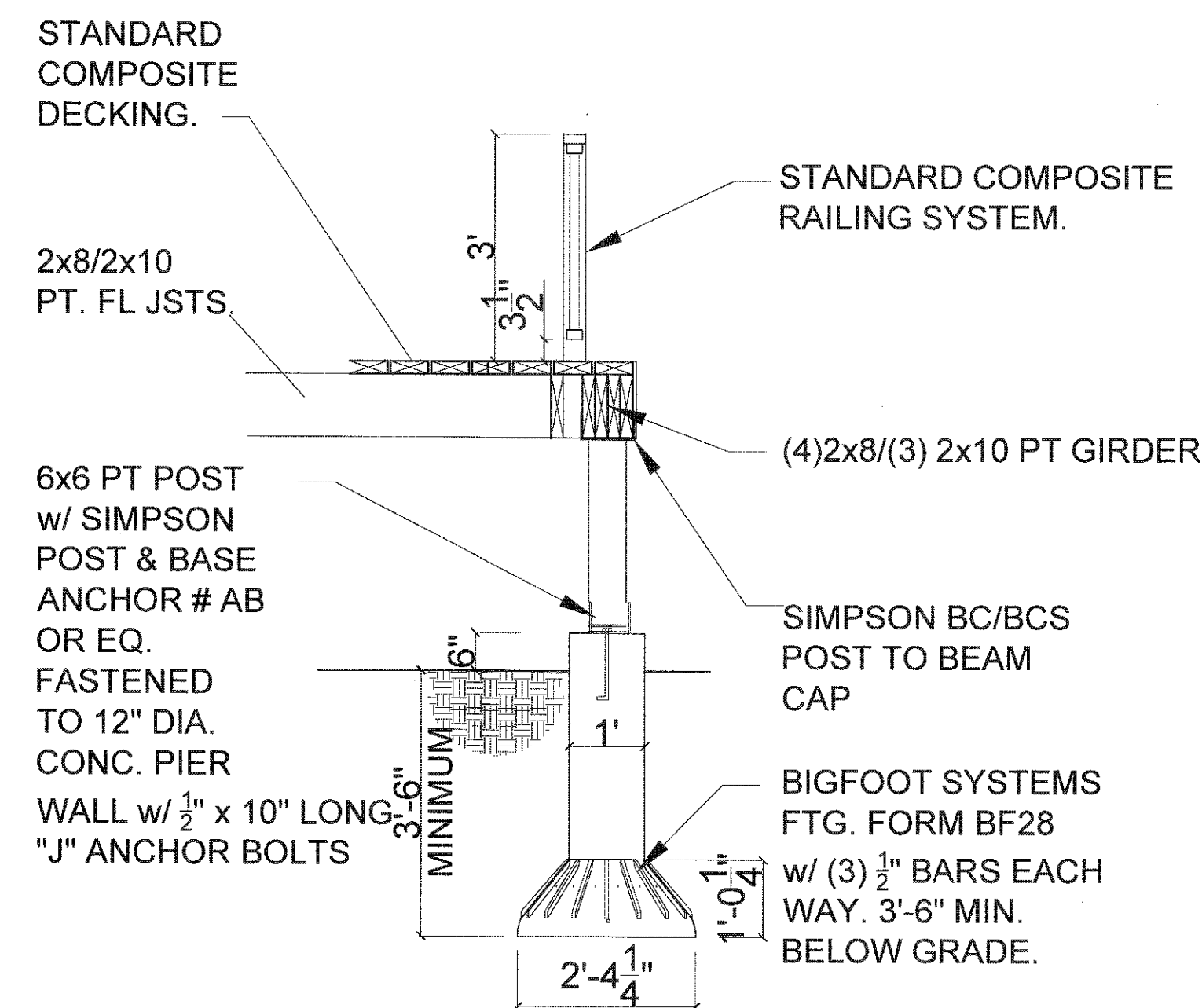
SECTION B
Scale: 1/4"=1'-0"



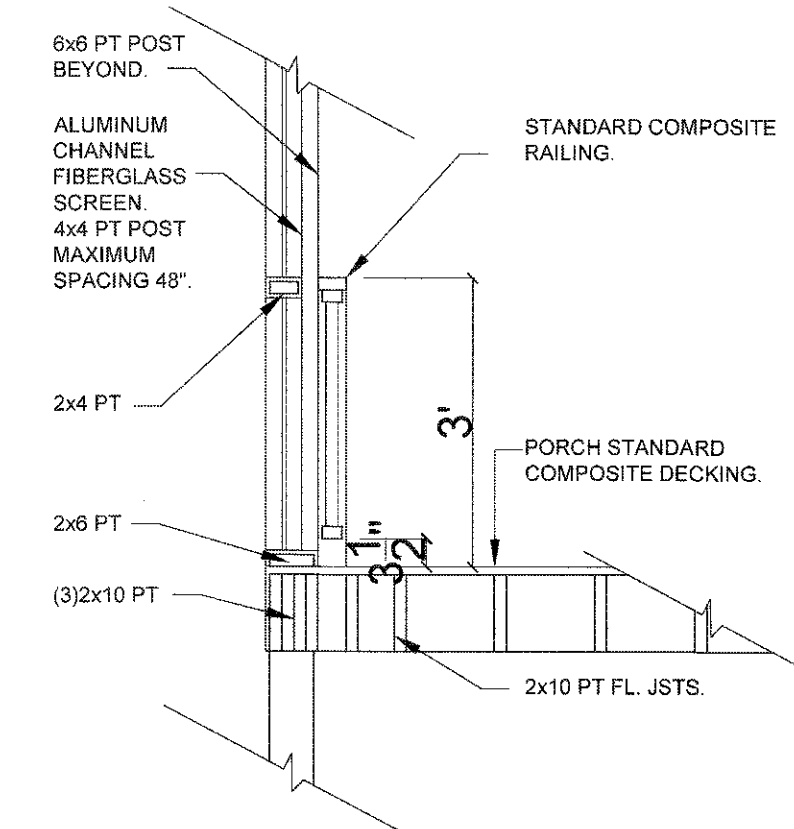
LOWER LEVEL DECK TO HOUSE DETAIL "2"
Scale: 3/4"=1'-0"



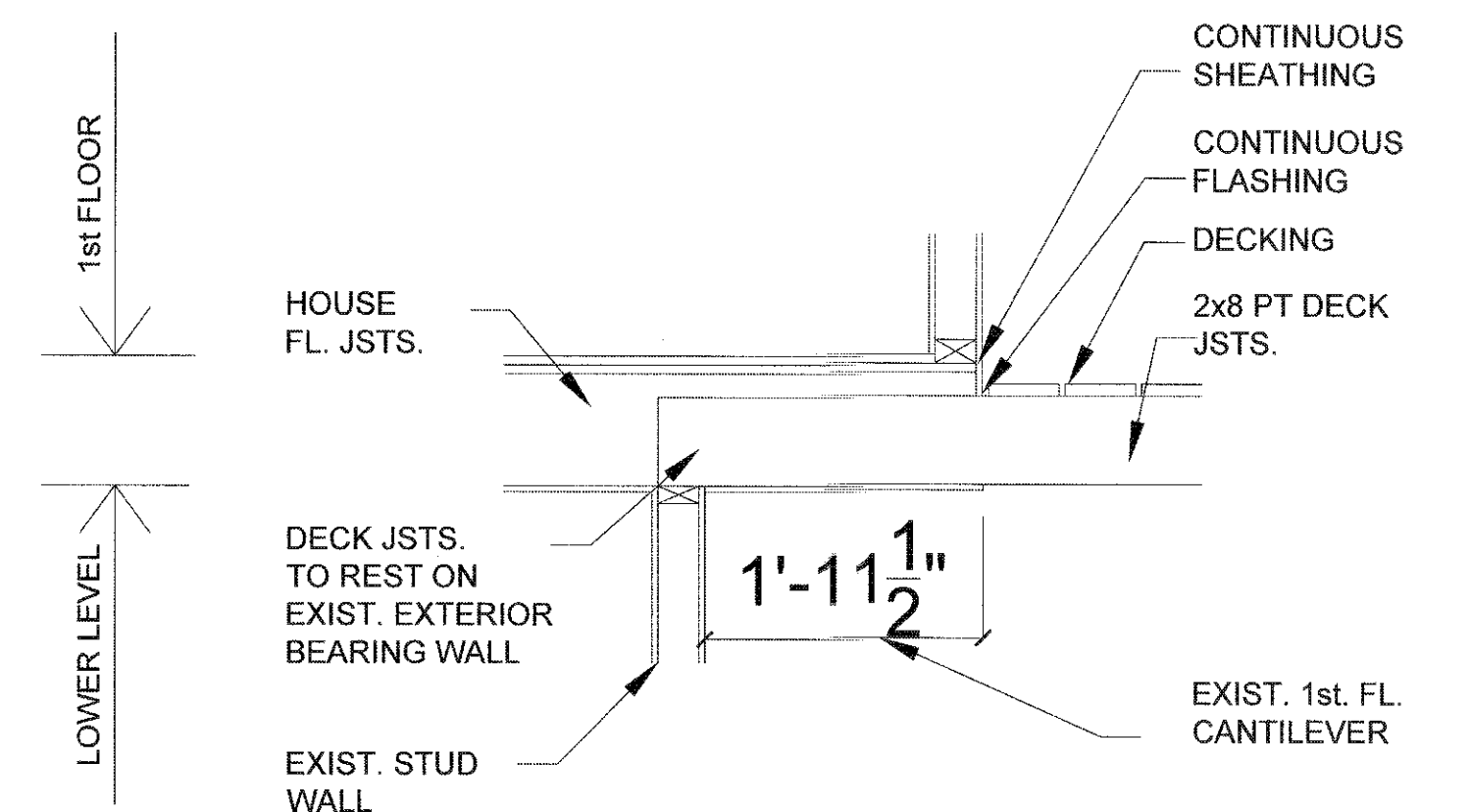
STAIRS SECTION
Scale: 1/2"=1'-0"



6x6 PT POST, BASE, CAP, & DECK DETAIL
Scale: 1/2"=1'-0"



PORCH DETAIL "1"
Scale: 1/2"=1'-0"



1st FLOOR DECK TO HOUSE DETAIL "3"
Scale: 3/4"=1'-0"

Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

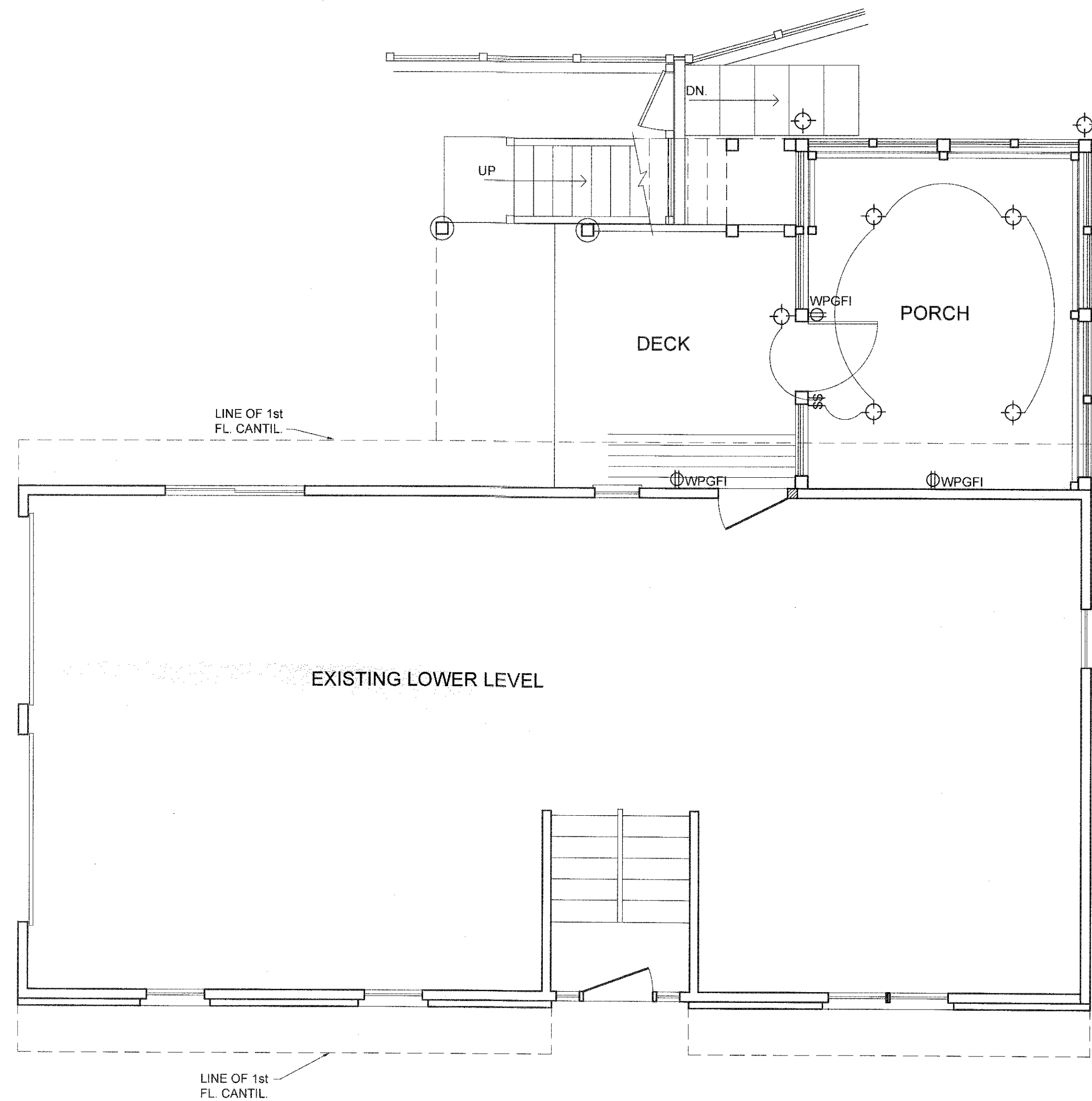
ISSUED: 03.29.22
ISSUED: 05.05.24

NEW DIMENSIONS REMODELING, INC.
466 LEXINGTON AVE.
MOUNT KISCO, NY 10549
(914) 241-1773

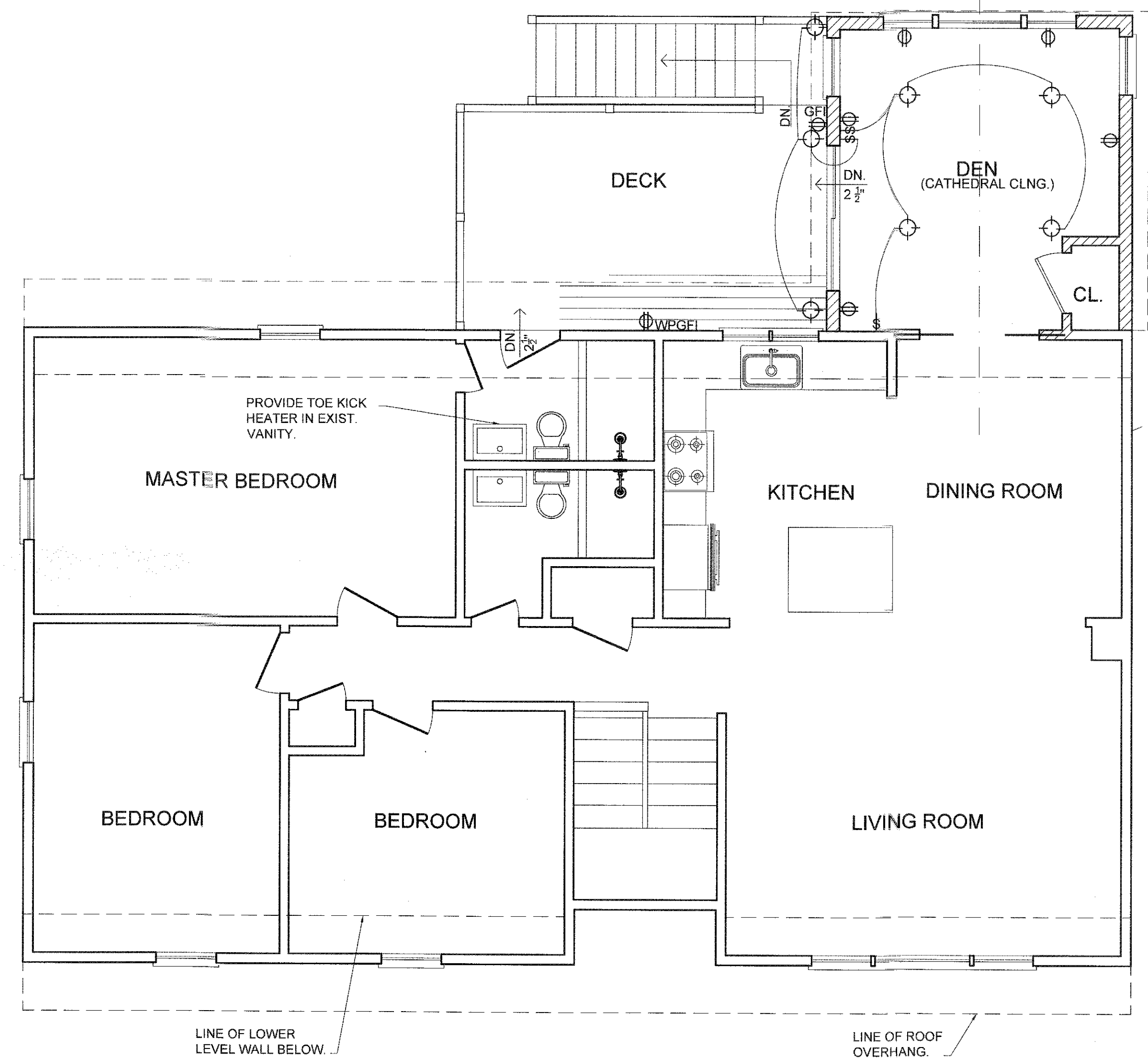
ROBERT OCCHIOGROSSI, RA
RJMO ARCHITECTURE, P.C.

**SECTIONS A-A & B-B
& DETAILS**

TORRES RESIDENCE
120 SPRING STREET
MT. KISCO, NEW YORK



LOWER LEVEL ELECTRICAL PLAN
Scale: 1/4"=1'-0"



1st FLOOR ELECTRICAL PLAN
Scale: 1/4"=1'-0"

Note: It is the violation of the law for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

GETTINGER WALDINGER MONTELEONE GUSHUE & HOLLIS, LLP



ATTORNEYS AT LAW
118 NORTH BEDFORD ROAD, SUITE 300
MOUNT KISCO, N.Y. 10549

JOHN H. GETTINGER ∇
STEVEN E. WALDINGER ○
GREGORY A. MONTELEONE ○
HEATHER R. GUSHUE △
P. DANIEL HOLLIS III

(914) 666-8033 FAX: (914) 666-4459
www.kiscolawfirm.com

MONA D. SHAPIRO
CHRISTOPHER DU P. ROOSEVELT
COUNSEL

SARA M. O'SHEA
CHRISTOPHER RIENZI
KAREN TOBIAS ○

∇ Also Admitted in California
○ Also Admitted in Connecticut
△ Also Admitted in Florida

August 19, 2024

Via: Overnight Delivery

Chair Wayne Spector and Members of
the Zoning Board of Appeals
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

**Re: Requested Variance for 60 Smith Ave., Village/Town of Mount Kisco
SBL 80.41-3-4 and 80.41-3-25**

Dear Chairman Spector and Members of the Zoning Board of Appeals,

Our firm represents Bet Torah Synagogue (the "Applicant"), the owner of the above-referenced tax parcels (hereinafter collectively referred to as the "Subject Property") with respect to its application (the "Application") to the Village/Town of Mount Kisco Zoning Board of Appeals for a variance to construct a six-foot tall fence in place of a four-foot-tall fence where only four-foot-tall fences are permitted, specifically along the front yard along/on Moore Avenue.

The Subject Property consists of 2.65 acres (114,081.9 sq. ft.) collectively. While the Applicant has an address of 60 Smith Avenue, the Subject Property is also accessible via the tax parcel located on Moore Avenue, identified as SBL 80.41-3-25, for which tax parcel (the "Moore Avenue Parcel") the variance is necessary. The tax parcel on Smith Avenue is located in the Cottage Office District while the tax parcel on Moore Avenue is located in the One- and Two-Family Residence District.

The Subject Property is currently developed with a synagogue, playground area, associated parking, landscaping, and other related structures including the aforementioned four-foot-tall fence.

Previously, by Resolution dated September 9, 2003, the Planning Board granted Site Plan Approval and a Special Use permit, later amended by Resolutions dated May 11, 2004 and May 10, 2005. The Planning Board last issued a Resolution granting Amended Site Plan approval on

October 28, 2014, permitting the construction of an awning over a portion of the playground area and landscaping.

The Applicant is now seeking to improve and enhance security through construction of a new six-foot-tall fence on the Moore Avenue Parcel in place of an existing four-foot-fence. Pursuant to Mount Kisco Zoning Code Section 110-31 Supplementary Development Regulations, fences may be erected anywhere on a lot except that any fence that is erected in any front yard shall not have a height in excess of four feet. Specifically, it provides that:

Fences, hedges or walls, other than retaining walls, that are not over 6 1/2 feet in height may be erected anywhere on the lot, except that any such fence, wall or hedge, other than a retaining wall, that is erected in any front yard shall not have a height in excess of four feet.

See Mount Kisco Zoning Code § 110-31(F)(2).

A copy of an aerial map of the Subject Property showing the location of the stone wall and views of the existing fence is attached for your convenience as **Exhibit A**. A copy of the plan and elevation of the proposed fence is attached as **Exhibit B**.

Sadly, there is an urgent need for the increased height of the existing fence as acts of Antisemitism have increased since the Hamas attack of October 7, 2023 along the Gaza border and there have been an increasing number of threats made in New York State against synagogues.

On July 23, 2024, the Applicant received a letter from the Village/Town of Mount Kisco Building Department denying its Building Permit Application to install a six-foot-tall fence in the front yard of the Subject Property along/on Moore Avenue. A copy of that letter is attached hereto as **Exhibit C**.

Resultingly, the Applicant is requesting a variance to install a six-foot-tall fence in the front yard of the Moore Avenue Parcel, SBL 80.41-3-25.

In addition to this obvious security need, I set forth hereinafter the legal bases for the Applicant's entitlement to the requested variance under New York State Town Law Sect. 267-b(3).¹

¹ Please note that New York State Village Law 7-712-b(3) mirrors Town Law 267-b in granting the zoning board of appeals the power to grant area variances and in requiring the zoning board of appeals to consider the same five factors in determining whether to grant an area variance.

This Board should find that the balance of factors weighs in favor of granting the variance requested.

In determining whether to grant an area variance, a zoning board must engage in a balancing test weighing the benefit to the applicant if the variance is granted against any detriments to the health, safety, and welfare of the neighborhood or community that may occur as a result. *Nowak v. Town of Southampton*, 174 A.D.3d 901, 904-05, 106 N.Y.S.3d 372,375 (2d Dep't 2019), citing Town Law§ 267-b(3)(b). Pursuant to Town Law, zoning boards must consider:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- (3) whether the requested area variance is substantial;
- (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) whether the alleged difficulty was self-created; which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

See Town Law § 276-b(3)(b).

The Mount Kisco Zoning Code further requires that the Zoning Board of Appeals take the following under consideration:

- (a) The granting of the variance under such conditions as said Board may deem necessary or desirable to apply thereto shall be in harmony with the general purpose and intent of this chapter and shall not represent a radical departure therefrom, shall not be injurious to the neighborhood and shall not change the character thereof and shall not be otherwise detrimental to the public welfare.

See Mount Kisco Zoning Code § 110-43(B)(2)(a).

As set forth below, when all of the above-referenced factors are considered, this Board should find that the requested variance, while the result only in part of self-imposed hardship given the above-referenced necessity from increased threats and the need for enhanced security measures, is not substantial and will not cause a substantial change or detriment to the character of the surrounding neighborhood as there already is a four-foot-tall fence in the same location.

The proposed variance will not result in an undesirable change in the character of the neighborhood or a detriment to nearby properties.

There will be no detriment or change to the character of the neighborhood or detriment to nearby properties because a four-foot-tall fence is already in the proposed location for the six-foot-tall fence, the existing fence has already blended into the Moore Avenue street-scape and the

increase of two feet in height will be undiscernible to those viewing the new fence from the street. For security reasons, the proposed fence will be solid so that the interior of the property will not be visible to passersby. It will also be suitably screened by attractive landscaping.

There is no other feasible method to obtain the benefit sought by the Applicant.

The fence is necessary to ensure the security of those in attendance at Bet Torah for any purpose and to prevent trespassing. There is no other feasible method to obtain the benefits sought by the Applicant for both privacy and, most importantly, security, other than to erect a taller, six-foot-tall fence.

This Board's decision to grant an area variance should be based on whether there are feasible alternatives that allow the Applicant to enjoy the benefit sought, rather than whether there is a different feasible method to develop the property that does not result in the benefit sought. For example, in *Nowak v. Town of Southampton*, the Appellate Division upheld the zoning board of appeals' decision to grant an area variance, finding that the board had "rationally concluded that the benefit sought, specifically a variance that would enable the construction of a single-family dwelling on a lot without road frontage, could not be achieved by a feasible alternative method which would not require an area variance." *Nowak v. Town of Southampton*, 174 A.D.3d 901,905, 106 N.Y.S.3d 372,376 (2d Dep't 2019). Similarly, in *Stengel v. Town of Poughkeepsie Zoning Bd. of Appeals*, the Appellate Division upheld the zoning board of appeals' determination that the benefit sought, to build a motor vehicle service facility, could not be achieved by any feasible alternative plan without an area variance. *Stengel v. Town of Poughkeepsie Zoning Bd. of Appeals*, 167 A.D.3d 754, 756, 90 N.Y.S.3d 205,208 (2d Dep't 2018). Finally, in *Borrok v. Town of Southampton*, the Appellate Division upheld the zoning board of appeals' determination that the applicant could not maximize their use of the proposed tennis court by placing it in any of the proposed alternative sites. *Borrok v. Town of Southampton*, 130 A.D.3d 1024, 1025, 14 N.Y.S.3d 471,473 (2d Dep't 2015); *see also Goodman v. City of Long Beach*, 128 A.D.3d 1064, 1065-66, 10 N.Y.S.3d 302, 304-05 (2d Dep't 2015) ("ZBA rationally concluded that the benefit sought by BK could not be achieved by a feasible alternative method which would not require an area variance"); *Rosasco v. Vill. of Head of Harbor*, 52 A.D.3d 611, 859 N. Y.S.2d 731, 732 (2d Dep't 2008) ("the record does not support the Zoning Board's conclusion that the alternative locations for the pool suggested by the Planning Board were feasible").

Accordingly, this Board should find that there is no alternative method that will provide the level of necessary security and privacy that the Applicant is seeking.

The requested area variance is not substantial.

The Applicant is only seeking to erect a fence of six feet where four feet is permitted and where a four-foot-tall fence is already in place. Thus, the new fence constitutes a simple replacement in kind. Further, the improved fencing will be suitably screened with appropriate landscaping (**Exhibit C**).

The proposed variance will not have an adverse impact on the physical or environmental conditions in the neighborhood or district.

The proposed variance will not have an adverse impact because fences are permitted pursuant to Mount Kisco Zoning Code § 110-31(F)(2) and there is already a four-foot-fence in the exact location on the Moore Avenue Parcel. The Applicant is only seeking to erect a taller fence than permitted because of the above referenced security concerns and necessity. The fencing will be located in a developed area, will run mostly along interior lot lines, and will be suitably screened by appropriate landscaping (**Exhibit C**).

The difficulty may be self-created but that is not sufficient reason to deny the variance.

While the Applicant is requesting approval to erect a taller fence than is currently permitted in a front yard, that alone is not sufficient reason to deny the application.

As stated in Town Law § 267-b(3)(b)(g), although the zoning board of appeals shall consider whether the alleged difficulty was self-created, that consideration, “shall not necessarily preclude the granting of the area variance. Accordingly, as discussed above, in *Mengisopolous v. Bd. of Zoning Appeals of City of Glen Cove* and *Sclafani v. Rodgers*, the Appellate Division has repeatedly held that the zoning board of appeals properly granted the proposed area variances even where the difficulty was self-created where there was no evidence that the granting of the variances would have an undesirable effect on the character of the neighborhood, adversely impact physical and environmental conditions, or otherwise result in a detriment to the health, safety, and welfare of the neighborhood or community. See *Mengisopolous v. Bd. of Zoning Appeals of City of Glen Cove*, 168 A.D.3d 943, 945, 92 N.Y.S.3d 348, 350 (2d Dep’t 2019), and *Sclafani v. Rodgers*, 161 A.D.3d 1084, 1086, 77 N.Y.S.3d 703, 705 (2d Dep’t 2018).

Accordingly, given the above referenced security concerns and necessity, this Board should find that although the difficulties are somewhat self-created, they do not preclude the Applicant from receiving the proposed variance.

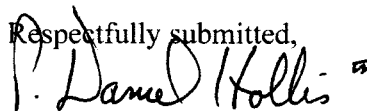
The Board should find that the requested variance is in harmony with the purpose and intent of the neighborhood and will not change the character thereof or be otherwise detrimental to public welfare.

Finally, pursuant to the Mount Kisco Zoning Code, this Board should find that, in light of the factors examined above, that the proposed increased height of the fencing will not change the character of the neighborhood or be detrimental to the public welfare.

On the basis of the foregoing, we respectfully request that this application be placed on your Board’s September 17, 2024 agenda for a Public Hearing and the consideration of a Resolution of Approval.

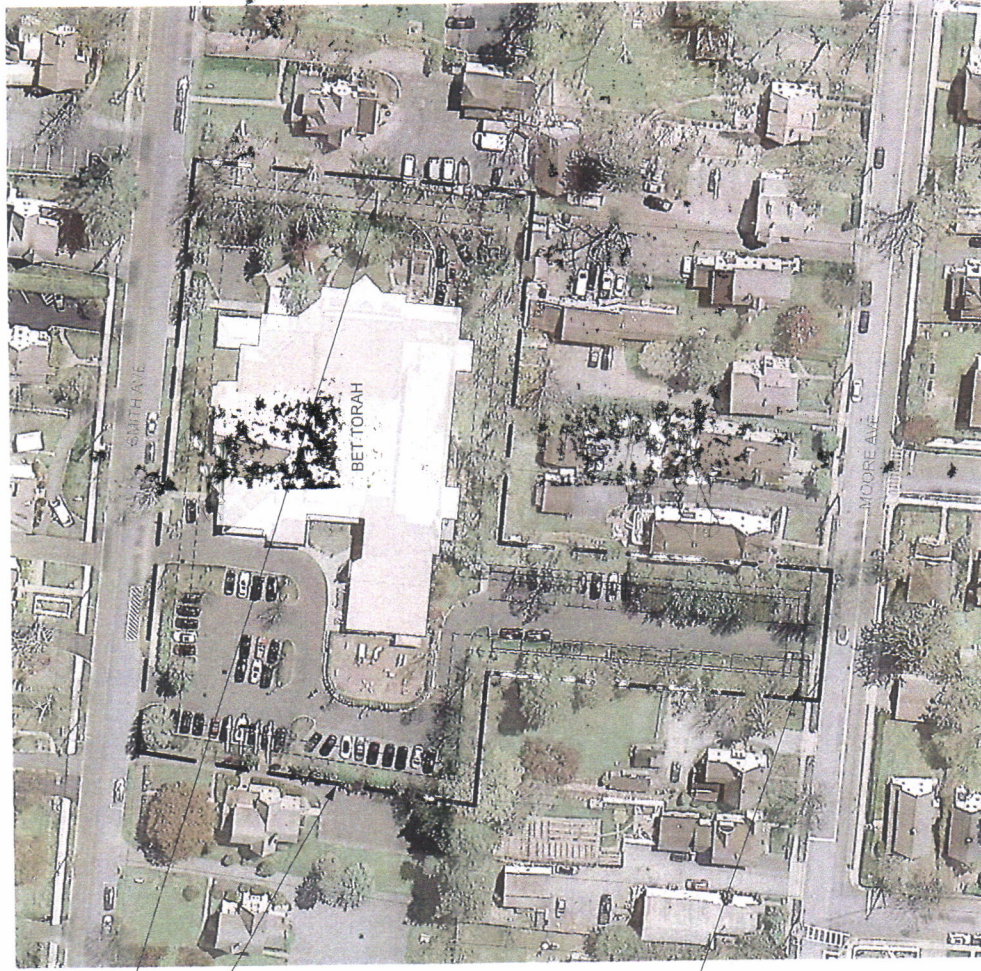
If you have any questions, please do not hesitate to contact me at 914-666-8033, ext. 225 or via email at pdanielhollis@kiscolaw.com.

Respectfully submitted,

A handwritten signature in black ink that reads "P. Daniel Hollis" followed by a small superscripted "III". The signature is written in a cursive, flowing style.

P. Daniel Hollis, III

Exhibit A



SITE PLAN

PROPOSED 6' HIGH
SECURITY GATE (TO BE
INSTALLED AS OF RIGHT)

PROPERTY LINES

PROPOSED 6' HIGH
SECURITY GATE AT MOORE
AVE TO BE LOCATED AT
EXISTING DECORATIVE GATE
LOCATION. CURRENT
SETBACK TO REMAIN.

NEW LANDSCAPING TO BE
PROVIDED.



Google Earth

EXISTING CONDITIONS. NEW 6' HIGH SECURITY GATE PROPOSED TO BE INSTALLED
IN SAME LOCATION AS EXISTING GATE. EXISTING GATE AND PIERS TO BE REMOVED



Google Earth

PROJECT LOCATION
60 SMITH AVENUE



KG+D ARCHITECTS PC

200 West 17th Street, Suite 100
New York, NY 10011
212.254.1000

SECURITY GATES

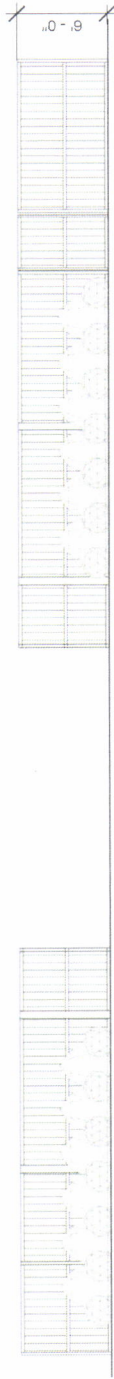
BET TORAH

OCTOBER 19, 2023

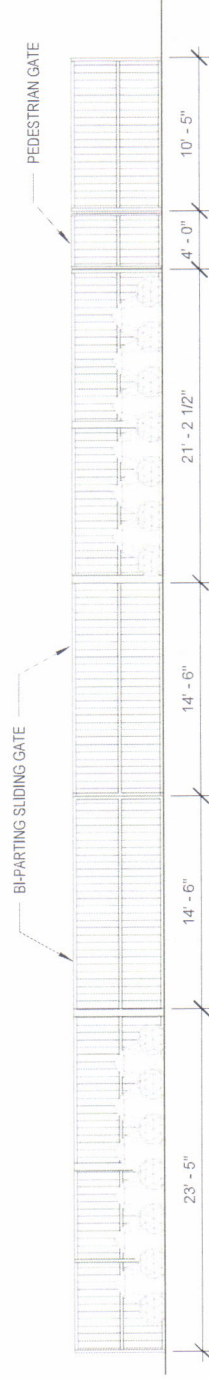
SITE PLAN

1" = 80'-0"

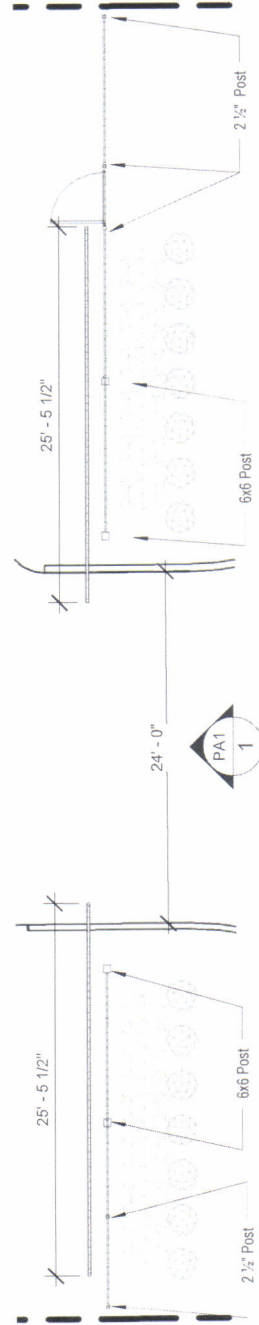
Exhibit B



SOUTH ELEVATION GATE OPEN
1/8" = 1'-0"



SOUTH ELEVATION GATE CLOSED
1/8" = 1'-0"



PLAN
1/8" = 1'-0"

Exhibit C



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019 – fax (914) 864-1085

July 23, 2024

KG & D Architects
Sarah Dirs, Architect
285 Main Street
Mount Kisco, New York 10549

Re: Building Permit Application to install a 6 ft. fence located in the front yard
60 Smith Avenue, Mount Kisco, NY 10549
Tax ID: 80.41-3-4; 80.41-3-25

Dear Ms. Dirs:

We received your building permit application for the proposed replacement of an existing 4 ft. fence with a new 6 ft. fence to be located in the front yard along/on Moore Avenue side of the Bet Torah property. Unfortunately, the building permit submission is "*hereby denied*" for the following reasons.

Pursuant to Chapter 110, Zoning, Article V, Supplementary Regulations § 110-31, Supplementary development regulations, F. Exceptions to yard requirements - (2) Fences, hedges or walls, other than retaining walls, that are not over 6 1/2 feet in height may be erected anywhere on the lot, except that any such fence, wall or hedge, other than a retaining wall, that is erected in any front yard shall not have a height in excess of four feet.

Proposed is a 6 ft. fence located in the front yard where a maximum of 4 ft. is permitted; therefore, a 2 ft. "fence height" variance is required.

Should you have any questions, please feel free to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Peter J. Miley".

Peter J. Miley
Building Inspector

Date: _____

Case No.: 24-13

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Village/Town of Mount Kisco
Planning Board

AUG 22 2024

**Zoning Board of Appeals
Application**

RECEIVED

Appellant: Bet Torah Synagogue

Address: 60 Smith Avenue, Mount Kisco, NY 10549

Address of subject property (if different): _____

Appellant's relationship to subject property: X Owner _____ Lessee _____ Other _____

Property owner (if different): _____

Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken from the decision of the Building Inspector, Peter J. Miley dated July 23, 2024. Application is hereby made for the following:

X Variation or _____ Interpretation of Section _____ of the Code of the Village/Town of Mount Kisco,

to permit the: X Erection; _____ Alteration; _____ Conversion; _____ Maintenance of of a six foot fence in the front yard along/on Moore Avenue, on the Moore Avenue side of the Subject Property (SBL: 80.41-3-25), replacing an existing four-foot tall fence, where only a four-foot-tall fence is permitted in accordance with plans filed on (date) _____ for Property ID # SBL: 80.41-3-25 located in the RT-6

Zoning District.

The subject premises is situated on the North side of (street) Moore Avenue in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No (If on two streets, give both street names) The Subject Property has an address of 60 Smith Avenue but it consists of two separate tax lots and is accessible via both Smith Avenue and Moore Avenue. SBL Nos. 80.41-3-4 and 80.41-3-25

Type of Variance sought: _____ Use X Area

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? No

Is there an approved site plan for this property? Yes in connection with a _____ Proposed or X Existing building: erected (yr.) _____

Size of Lot: 88 feet wide _____ feet deep Area _____

Size of Building: at street level N/A feet wide N/A feet deep

Height of building: N/A Present use of building: There are no buildings located on the tax parcel on Moore Avenue, SBL: 80.41-3-25, only the currently existing four foot fence which the Applicant is seeking to replace and paved driveway and parking area that provides parking for the connected tax parcel that is located at 60 Smith Avenue.

Does this building contain a nonconforming use? N/A Please identify and explain: N/A

Is this building classified as a non-complying use? N/A Please identify and explain: N/A

Has any previous application or appeal been filed with this Board for these premises? Yes/No? Yes

Was a variance ever granted for this property? N/A If so, please identify and explain: _____

Are there any violations pending against this property? NO If so, please identify and explain: _____

Has a Work Stop Order or Appearance Ticket been served relative to this matter? _____ Yes or X No Date of Issue: _____

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? NO.

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

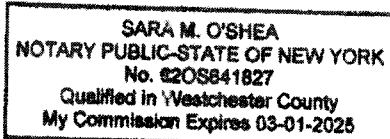
P. Daniel Holles
(Appellant to sign here)

Certorney for Appellant

Sworn to before me this day of: August 20th, 2024

Notary Public, Sara M. O'Shea, Westchester County, NY

Sara M. O'Shea



[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

SEP 06 2024

**Zoning Board of Appeals
Village/Town of Mount Kisco**

Mia Tagliafierro _____ being duly sworn, deposes and
says:

I reside at Brookfield, Connecticut

Mia Tagliapietra

Sworn to before me on this

4th day of September 2024


(Notary Public)



PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of September, 2024 at the Municipal Building, Mount Kisco, New York, beginning at ___ 7:00 ___ PM pursuant to the Zoning Ordinance on the Appeal of

Bet Torah Synagogue

(Name of Applicant)

60 Smith Avenue, Mount Kisco, NY 10549

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated July 23, 2024

(Date of Denial Letter)

denying the application dated to permit the replacement of an existing 4 ft. tall fence with a new 6 ft. fence in the front yard on/along the Moore Avenue side of the Bet Torah Synagogue Property. (Proposed Work)

The property involved is known as 60 Smith Avenue

(Address of Property)

and described on the Village Tax Map as Section 80.41 Block 3 Lot 25

and is located on the North side of Moore Avenue in a
east/west/n/s (Street Name)

One and Two Family Residence District Zoning District. Said Appeal is being made to

obtain a variance from Section(s) 110-31 F(2) of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires that any fence, wall, or hedge, other than a retaining wall, that is erected in any front yard not have a height in excess of four feet.

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

EXHIBIT A

EXHIBIT B

OWNERNAME	PROPADDRESS	PROPERTY	PROPIZIP	PROPPRINTKEY	C/O	Mailing Address	City	State	Zip
Bedford Mgmt Properties LLC	19 Spring St	MOUNT KISCO	10549	80.41-6-8		30 Dwight Lane	Bedford Hills	NY	10507
111 Moore Ave LLC	Moore Ave	MOUNT KISCO	10549	80.40-3-10		299 Jay Street	Katonah	NY	10536
Bet Torah Inc	Moore Ave	MOUNT KISCO	10549	80.41-3-25	NA				
Contreras, Fredy	16 Woodland St	MOUNT KISCO	10549	80.41-6-5		49 Kisco Park Dr	Mt. Kisco	NY	10549
Abreu-Camilo, Raul D	9 Woodland St	MOUNT KISCO	10549	80.41-5-7					
Bet Torah, Inc.	60 Smith Ave	MOUNT KISCO	10549	80.41-3-4	NA	38 Laurel Drive	Mt. Kisco	NY	10549
Kennedy James M	112 Moore Ave	MOUNT KISCO	10549	80.41-3-27					
Caizza Family Trust	95 Moore Ave	MOUNT KISCO	10549	80.41-3-2					
Cerbone, Elaine E	84 Smith Ave	MOUNT KISCO	10549	80.41-3-3	NA				
Bet Torah, Inc.	80 Smith Ave	MOUNT KISCO	10549	80.41-3-3					
DiMatteo Vito	12 Spring St	MOUNT KISCO	10549	80.40-4-5					
Buetti Vincenzo	6 Woodland St	MOUNT KISCO	10549	80.41-6-2		367 Birdsal Drive	Yorktown Heights	NY	10598
Valvano Nancy	79 Moore Ave	MOUNT KISCO	10549	80.41-3-24		37 Spencer Street	Mt. Kisco	NY	10549
Padovani, Albert	12 Boltis St	MOUNT KISCO	10549	80.41-5-3		75 Moore Avenue	Mt. Kisco	NY	10549
O'Connor Thomas	103 Moore Ave	MOUNT KISCO	10549	80.40-3-8		27 Orchard Hill Rd	Katonah	NY	10536
13 Stars Realty Inc.	13 Spring St	MOUNT KISCO	10549	80.41-6-9		108 Grove Street	Mt. Kisco	NY	10549
Valvano, Rosario	67 Moore Ave	MOUNT KISCO	10549	80.41-3-22		4 West Street	Mt. Kisco	NY	10549
Avellaneda-Mendez, Roxana A	2 Boltis St	MOUNT KISCO	10549	80.41-5-1		112 North Salem Rd	Cross River	NY	10518
Duchon Michael J	73 Smith Ave	MOUNT KISCO	10549	80.41-1-5					
Hamish & Trotwood LLC	55 Smith Ave	MOUNT KISCO	10549	80.41-1-8		19 West Street	Mt. Kisco	NY	10549
McNeVins, Francis R	14 Spring St	MOUNT KISCO	10549	80.40-4-6		6 Spring Street	Mt. Kisco	NY	10549
Woodward Christopher J	8 Spring St	MOUNT KISCO	10549	80.40-4-4		25 Birch Drive	Mt. Kisco	NY	10549
99 Moore Ave LLC	99 Moore Ave	MOUNT KISCO	10549	80.41-3-28					
McKenna, Rose	12 Woodland St	MOUNT KISCO	10549	80.41-6-3		25 Birch Drive	Mt. Kisco	NY	10549
Valvano Joseph	71 Moore Ave	MOUNT KISCO	10549	80.41-3-23					
Ververis Vasili	15 Woodland St	MOUNT KISCO	10549	80.41-5-6.2		81 Myersville Rd	Chatham	NJ	07928
EBS Inc	63 Moore Ave	MOUNT KISCO	10549	80.41-3-21					
Kimmel Daniel	7 Spring St	MOUNT KISCO	10549	80.41-6-10					
Sanguily, Susan E	5 Spring St	MOUNT KISCO	10549	80.41-6-11					
Carhuayo, Ruben	109 Moore Ave	MOUNT KISCO	10549	80.40-3-9		107 Moore Avenue	Mt. Kisco	NY	10549
Cerbone, Elaine	86 Smith Ave	MOUNT KISCO	10549	80.41-3-1	c/o Lisa Cerbone Abzun	145 Croton Avenue	Mt. Kisco	NY	10549
Sevillano, Fabian	14 Woodland St	MOUNT KISCO	10549	80.41-6-4		PO Box 532	Mt. Kisco	NY	10549
Zhang, Steven	5 Woodland St	MOUNT KISCO	10549	80.41-5-8.2		77 Prospect Avenue	Ossining	NY	10562
Dimatteo, Vito	59 Moore Ave	MOUNT KISCO	10549	80.41-3-20		367 Birdsal Road	Yorktown Heights	NY	10598
Pitta Michael	6 Boltis St	MOUNT KISCO	10549	80.41-5-2					
61 Smith Properties LLC	61 Smith Ave	MOUNT KISCO	10549	80.41-1-7					
Woodfield Prop. Mt Kisco LLC	94 Smith Ave	MOUNT KISCO	10549	80.40-3-7		115 Boltis Street	Mt. Kisco	NY	10549
Connie&Diego BuettiTrst 4-29-19	93 Moore Ave	MOUNT KISCO	10549	80.41-3-26	Attn: Mary Ann Johansen	620 Sleepy Hollow Rd	Briarcliff	NY	10510
Johannsen, Est of Margaret	2 Woodland St	MOUNT KISCO	10549	80.41-6-1	c/o David Wroclawski	75 Smith Ave	Mt. Kisco	NY	10549
Kisco Smith LLC	75 Smith Ave	MOUNT KISCO	10549	80.41-1-4					
Smith Ave Zapson, LLC	71 Smith Ave	MOUNT KISCO	10549	80.41-1-6					
Naranjo Flavio	2 Spring St	MOUNT KISCO	10549	80.40-4-3					
Patino Angel R	1 Spring St	MOUNT KISCO	10549	80.41-6-12					
Risley, Robert	17 Woodland St	MOUNT KISCO	10549	80.41-5-6.1					
DiFrancia James Jr	64 Moore Ave	MOUNT KISCO	10549	80.41-5-8.1	c/o JSL Realty Group Inc.	328-A Lexington Ave	Mt. Kisco	NY	10549
Cerbone, Lucy A	42 Smith Ave	MOUNT KISCO	10549	80.41-3-5	c/o Lucy Cerbone	27 Grandview Drive	Mt. Kisco	NY	10549

Bedford Mgmt Properties LLC

30 Dwight Lane
BEDFORD HILLS NY 10507

111 Moore Ave LLC

299 Jay Street
KATONAH NY 10536

Bet Torah Inc

Moore Ave
MOUNT KISCO, NY 10549

Contreras, Fredy

16 Woodland St
MOUNT KISCO, NY 10549

Abreu-Camilo, Raul D

49 Kisco Park Drive
MOUNT KISCO, NY 10549

Bet Torah, Inc.

60 Smith Ave
MOUNT KISCO, NY 10549

Kennedy James M

112 Moore Ave
MOUNT KISCO, NY 10549

Caizza Family Trust

38 Laurel Drive
MOUNT KISCO, NY 10549

Cerbone, Elaine E

84 Smith Ave
MOUNT KISCO, NY 10549

Bet Torah, Inc.

80 Smith Ave
MOUNT KISCO, NY 10549

DiMatteo Vito

367 Birdsall Drive
YORKTOWN HEIGHTS, NY 10598

Bueti Vincenzo

37 Spencer Street
MOUNT KISCO, NY 10549

Valvano Nancy

75 Moore Ave
MOUNT KISCO, NY 10549

Padovani, Albert

27 Orchard Hill Road
KATONAH NY 10536

O'Connor Thomas

103 Moore Ave
MOUNT KISCO, NY 10549

13 Stars Realty Inc.

108 Grove St
MOUNT KISCO, NY 10549

Valvano, Rosario

4 West Street
MOUNT KISCO, NY 10549

Avellaneda-Mendez, Roxana A

2 Boltis St
MOUNT KISCO, NY 10549

Duchon Michael J

112 North Salem Road
CROSS RIVER NY 10518

Hamish & Trotwood LLC

55 Smith Ave
MOUNT KISCO, NY 10549

McNevins, Francis R

19 West Street
MOUNT KISCO, NY 10549

Woodward Christopher J

6 Spring St
MOUNT KISCO, NY 10549

99 Moore Ave LLC

25 Birch Drive
MOUNT KISCO, NY 10549

Mckenna, Rose

12 Woodland St
MOUNT KISCO, NY 10549

Valvano Joseph

25 Birch Drive
MOUNT KISCO, NY 10549

Ververis Vasili

15 Woodland St
MOUNT KISCO, NY 10549

EBS Inc

81 Myersville Road
CHATHAM NJ 07928

Kimmel Daniel

7 Spring St
MOUNT KISCO, NY 10549

Sanguily, Susan E

5 Spring St
MOUNT KISCO, NY 10549

Carhuayo, Ruben

107 Moore Ave
MOUNT KISCO, NY 10549

Cerbone, Elaine
c/o Lisa Cerbone Abzun
145 Croton Avenue
MOUNT KISCO, NY 10549

Sevillano, Fabian
P.O. Box 532
MOUNT KISCO, NY 10549

Zhang, Steven
77 Prospect Avenue
OSSINING NY 10562

Dimatteo, Vito
367 Birdsall Drive
YORKTOWN HEIGHTS NY 10598

Pitta Michael
6 Boltis St
MOUNT KISCO, NY 10549

61 Smith Properties LLC
61 Smith Ave
MOUNT KISCO, NY 10549

Woodfield Prop. Mt Kisco LLC
94 Smith Ave
MOUNT KISCO, NY 10549

Connie & Diego Bueti Trst 4-29-19
115 Boltis St
MOUNT KISCO, NY 10549

Johannsen, Est of Margaret
Attn: MaryAnn Johannsen
620 Sleepy Hollow Rd
BRIARCLIFF NY 10510

Kisco Smith LLC
c/o David Wroclaawski
75 Smith Ave
MOUNT KISCO, NY 10549

Smith Ave Zapson, LLC
71 Smith Ave
MOUNT KISCO, NY 10549

Naranjo Flavio
2 Spring St
MOUNT KISCO, NY 10549

Patino Angel R
1 Spring St
MOUNT KISCO, NY 10549

Risley, Robert
17 Woodland St
MOUNT KISCO, NY 10549

DiFrancia James Jr
c/o JLS Realty Group Inc.
328-A Lexington Ave
MOUNT KISCO, NY 10549

Cerbone, Lucy A
27 Grandview Drive
MOUNT KISCO, NY 10549

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 06 2024

State of Wisconsin
County of Brown

Linda Tuttle being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

08/30/2024

Linda Tuttle

Subscribed and sworn to before me this 30 day of August, 2024

Kathleen Allen
Exp 1-7-25

Notary Public
State of Wisconsin, County of Brown

KATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of September, 2024 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of Bet Torah Synagogue 60 Smith Avenue, Mount Kisco, NY 10549 from the decision of Peter J. Miley, Building Inspector, dated July 23, 2024 denying the application dated to permit the replacement of an existing 4 ft. tall fence with a new 6 ft. fence in the front yard on/along the Moore Avenue side of the Bet Torah Synagogue Property.

The property involved is known as 60 Smith Avenue and described on the Village Tax Map as Section 80.41 Block 3 Lot 25 and is located on the North side of Moore Avenue in a One and Two Family Residence District Zoning District.

Said Appeal is being made to obtain a variance from Section(s) 110-31 F(2) of the Code of the Village/Town of Mount Kisco, which requires that any fence, wall, or hedge, other than a retaining wall, that is erected in any front yard not have a height in excess of four feet.

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

ZBA Application

10514693

***LocaliQ**
New York/New Jersey
GANNETT

Agency:

Sara O'Shea
Shapiro Gettinger Waldinger &
118 N Bedford Rd
Ste 300
Mount Kisco NY 10549-2553
Acct: 1182729

Client:

Sara O'Shea
Shapiro
Shapiro Gettinger Waldinger &
118 N Bedford Rd
Ste 300
Mount Kisco NY 10549-2553
Acct: 1182729

This is not an invoice

Ad #	Advertisement / Description	Items	Columns x Lines x Insertions	Cost
10514693	PUBLIC NOTICE			
	PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount K	Legal Notices	2 x 30.00 x 1	\$141.00
Order Total Due:				\$141.00

Costs above include daily ad cost and any associated affidavit charges,
where applicable

of Copies :

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The Journal News

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Gilmar Palacios
Gilmar Palacios Chin

Michelle K. Kim
Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

RECEIVED

SEP 09 2024

**Zoning Board of Appeals
Village/Town of Mount Kisco**



A02799139



DED2

22



*** DO NOT REMOVE ***

WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT DED-DEED FEE PAGE 3 TOTAL PAGES 3
(SEE CODES FOR DEFINITIONS)

STAT'Y CHARGE 5.25
REC'ING CHARGE 9.00
RECMT FUND 4.75
EA 5217 25.00
TP-584 5.00
CROSS-REF. 0.00
MISC. _____

TOTAL PAID
49.00

MORTGE. DATE _____
MORTGE. AMT _____
EXEMPT YES NO

LIBER: 12298
PAGE: 101

REC'D TAX ON ABOVE MTGE:
YONKERS \$ _____
BASIC \$ _____
ADDITIONAL \$ _____
SUBTOTAL \$ _____
MTA \$ _____
SPECIAL \$ _____
TOTAL PAID \$ _____

THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY,
NEW YORK IN THE:
TOWN OF NEW CASTLE

\$ 325000.00
CONSIDERATION

SERIAL NO. _____
DWELLING 1-6 NOT 1-6
DUAL TOWN _____
DUAL COUNTY/STATE _____

RECEIVED:

TAX AMOUNT \$ 1300.00
TRANSFER TAX# 0015221

HELD _____
NOT HELD _____

TITLE COMPANY NUMBER: 01

EXAMINED BY LR03 RECORDING DATE 05/19/99

TERMINAL CTRL# 99139A027 TIME 09:28
DATE RETURNED _____

WITNESS MY HAND AND OFFICIAL
SEAL

LEONARD N. SPANO
WESTCHESTER COUNTY CLERK

KPW-9372

11300⁶⁰
Bargain and Sale Deed with Covenant against Grantor's Acts

THIS INDENTURE, made the 26th day of FEBRUARY, nineteen hundred and ninety-nine

BETWEEN MYRTLE SEVERAL residing at 137 North Croton Avenue, Mount Kisco, New York 10547,

party of the first part, and

BET TORAH, INC., with offices at 60 Smith Avenue, Mount Kisco, New York 10549

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of New Castle, County of Westchester and State of New York, known and designated as a portion of Lot No. 37, and all of Lots Nos. 38, 39 and 40 as shown on a certain map entitled, "Subdivision of the property situate the Village of Mount Kisco, Westchester Co., New York, belonging to Boltis Moore" dated 1895 made by Bryne and Darling, C.E. and filed in the Office of the Westchester County Clerk, Division of Land Records on October 30, 1896 in Volume 11 of Maps at page 74.

Said lots and portion of lot when taken together are more particularly bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Moore Avenue and the division line between Lots 40 and 41 as shown on the aforesaid filed map;

RUNNING thence along said northerly line of Moore Avenue, North 72 degrees 27'00" West 90.00 feet to a point on the southerly line of Lot 37 as shown on the aforesaid filed map;

RUNNING thence through same North 17 degrees 33'00" East 224.42 feet to a point on the line of lands now or formerly Jewish Community Center;

RUNNING thence along same South 72 degrees 04'20" East 66.74 feet and South 72 degrees 16'00" East 23.26 feet to a point on the division line between Lots 40 and 41 as shown on the aforesaid filed map;

RUNNING thence along same South 17 degrees 33'00" West 223.90 feet to the point or place of BEGINNING.

Being and intended to be the same premises as conveyed to the party of the first part by deed dated May 29, 1953, and recorded in the Westchester County Clerk's Office, Division of Land Records on September 5, 1953 in Liber 5251 of deeds at page 255.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Myrtle Several
MYRTLE SEVERAL

STATE OF NEW YORK,
COUNTY OF

SS:

On the day of , 1999, before me personally came , to me known to be the individual described in, and who executed the foregoing instrument, and to me known to be the Attorney-in-Fact of the individual described in and who by her attorney-in-fact executed the same, and acknowledged that she executed said instrument as the act and deed of said by virtue of a Power of Attorney dated , 1998, and to be recorded simultaneously herewith.

Notary Public

STATE OF FLORIDA
COUNTY OF *Holm Beach*

SS:

On the *26* day of February 1999, before me personally came MYRTLE SEVERAL, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Produced As Directed
Ilene H. Jurist
Notary Public



STATE OF NEW YORK,
COUNTY OF

SS:

STATE OF NEW YORK,
COUNTY OF

SS:

On the day of , 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No. that he is the of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

On the day of , 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No. that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Notary Public

Notary Public

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S
ACTS

TITLE NO. KPW-9372

SHEET 41
for SECTION 80.41 *(12)*
BLOCK 3
LOT 25
COUNTY of Westchester
TOWN of Mount Kisco

MYRTLE SEVERAL

TO

BET TORAH, INC.

RECORD AND RETURN BY MAIL TO:

KENNETH PREGNO AGENCY LTD.
Park Circle Building
At Jan Peek Square
Peekskill, New York 10566
(914) 739-8293

KENNETH PREGNO AGENCY LTD.
Park Circle Building
At Jan Peek Square
Peekskill, New York 10566
(914) 739-8293



VILLAGE/TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

104 Main Street
Mount Kisco, New York 10549-0150

Telephone
(914) 241-0500

July 24, 2024

Mr. Jim Polinsky – Signs Ink Ltd.
3255 Crompond Road
Yorktown, NY 10598

Re: Notice of Denial – Sign Permit Application
53 S Moger Avenue, Property ID#: 69.81-6-7

Dear Mr. Polinsky:

Please be notified that your sign permit application to install new and various signage at the above captioned property is hereby denied. This denial is based on the following facts:

- The subject property is located in the CB1 Zoning District, and is therefore subject to the regulations of the Village Signage District.
- Section 89-11A(4) of the Code of the Village/Town of Mount Kisco states that “The types of signs permitted and the regulation of the number, placement, and use of signs is hereby established. No sign shall be erected unless it conforms to the specifications for signs in that sign district, nor shall any sign be used for any purpose or in any manner except as permitted by the regulations for the district in which such sign is to be located or maintained.”
- Section 89-11 General Provisions A states: “Each business establishment shall be limited to one (1) principal sign of any type permitted within such district at the primary public entrance. In the even that a business has a secondary public entrance on a separate street frontage or parking lot, an additional sign may be permitted at the secondary public entrance. One sign consisting of halo lit channel letters and a logo is proposed to be installed on the west (S Moger Ave) elevation of the building, on the second floor. **This sign will require a variance as it is not proposed to be located at the entrance for this business.**
- Section 89.5 Prohibited Signs I states: Prohibited signs include but are not limited to second floor exterior signage. One sign consisting of halo lit channel letters is proposed to be installed on the west (S Moger Ave) elevation of the building on the second floor. **This sign will require a variance for second floor exterior signage.**
- A second sign to be located on the east (Shoppers Park) elevation of the building does not require these two variances. The proposed letter heights and lengths of both signs

are dimensionally compliant with the Village Sign District and will not require additional variances. The proposed logos are larger than the allowable maximum letter height but as noted in Table 1, Note 1, "accompanying artwork (logos/graphics) may be proposed to be larger than the maximum letter height and shall be subject to review and approval for appropriateness by the Architectural Review Board"

- Section 89-9 Comprehensive Signage Program A states: "A comprehensive signage program is required of two or more businesses that share a common zoning lot or parcel. As there is no existing or proposed exterior building signage for the first floor tenant of this building, whatever signage that is approved by the Architectural Review Board for this application will become the established Comprehensive Signage Program for this building and any future proposed signage for the first floor tenant will be handled if/when the need arises.

A sign permit cannot be issued for any sign application that does not comply with the Village Sign Code. You have a right to appeal this decision to the Zoning Board of Appeals within 60 days.

Sincerely,

Peter J. Miley
Building Inspector

/pat



08/14/2024

Dear Mr. Wayne Spector
Chairman Board of Appeals

Please consider this letter as a formal request to appeal the Notice of Denial for Sign Permit Application for 53 S Moger Ave., Property ID#: 69.81-6-7, issued by Mr. Peter J. Miley/Building Inspector. Additionally we would like to request a public hearing on the matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Timothy Beachak", written over a horizontal line.

Timothy Beachak

President

Date: 8/14/2024

Case No.: ZBA 24-14

Fee: 130

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

**Zoning Board of Appeals
Application**

Appellant: Signs Ink Ltd. --- James Polinsky

Address: 3255 Crompond Road, Yorktown NY 10598

Address of subject property (if different): 53 S. Moger Street Mt. Kisco NY 10549

Appellant's relationship to subject property: Owner Lessee ☒ Other

Property owner (if different): SSND Reality LLC --- Neha Desai - Jimenez

Address: 65 Route 116, Purdys NY 10578

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken
from the decision of the Building Inspector, Peter J. Miley's denial
dated July 24, 2024. Application is hereby made for the following:

☒ Variation or Interpretation of Section 89-11A(4), 89-11, 89.5, 89-9
of the Code of the Village/Town of Mount Kisco,

to permit the: ☒ Erection; Alteration; Conversion; Maintenance
of two wall mounted CANVAS NED SPA New York Signs on a building that they own.

 in accordance with plans filed on (date)
for Property ID # 69.81 - 6 - 7 located in the CB1 Zoning District.
The subject premises is situated on the East side of (street) South Moger
 in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? ☒ Yes No

(If on two streets, give both street names)

South Moger and municipal parking lot

Type of Variance sought: Use ☒ Area

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? NO

Is there an approved site plan for this property? No in connection with a
Proposed or Existing building; erected (yr.)

Size of Lot: feet wide feet deep Area

Size of Building: at street level 21 feet wide 121 feet deep

Height of building: Present use of building: Med Spa

Does this building contain a nonconforming use? No Please identify and explain:

Is this building classified as a non-complying use? NO Please identify and explain:

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? NO

Was a variance ever granted for this property? NO If so, please identify and explain:

Are there any violations pending against this property? NO If so, please identify and explain:

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
 Yes or ☒ No Date of Issue:

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? NO

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items MUST be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on July 24, 2024 upon which this application is based.**
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.**
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.**
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).**
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.**
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.**
- g) A copy of the Public Notice for the public hearing of this application.**
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.**

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.**
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.**
- *k) A floor plan of the subject building with all the necessary measurements.**
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.**

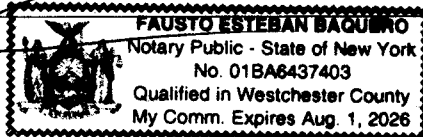
*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

James Polinsky
(Appellant to sign here)

Sworn to before me this day of: August 8, 2024

Notary Public, Westchester, County, NY



[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at 65 Route 116 Rdys NY 10578 in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number 53 S. Mogen and that he hereby authorized James Polinsky to make the annexed application in his behalf and that the statements contained in said application are true.

James Polinsky
(sign here)



3255 CROMPOND RD YORKTOWN NY 10590
914 739-9059 WWW.SIGNSINK.COM

PROPERTY OWNERS LETTER OF CONSENT

I hereby consent to the sign/awning project that is to happen on the property referenced below.

Property Owner: SSND Reality LLC

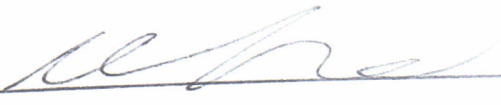
Property Owner Name / Agent Neha Desai-Jimenez

Email neha@canvasmedicalspa.com

Phone # 203-962-4559

Address: 65 Route 116 Purdys NY 10578

Location of Property: 53 S Moger Ave Mount Kisco NY 10549

Signature: 

Print Name Neha Desai-Jimenez

Date: 7/10/24



08/14/2024

Dear Mr. Wayne Spector
Chairman Board of Appeals

Statement of Principal Points

- 1.- Proposed signage will not make undesirable changes nor cause detriment to the neighborhood or nearby properties if the variance is granted.
- 2.- The proposed signage is the only feasible way of identifying the business to potential customers.
- 3.- The change requested is not substantial.
- 4.- The proposed variance will not have any adverse effect on the current environmental of the neighborhood or district, it will enhance the aesthetics of the building.
- 5.- This difficulty was not self-created, it is originated by the uniqueness of the building structure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy Beachak', with a long horizontal flourish extending to the right.

Timothy Beachak

President

RECEIVED

SEP 11 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

AFFIDAVIT OF MAILING

STATE OF NEW YORK

}
}SS.:
}

COUNTY OF WESTCHESTER

James Pollinsky being duly sworn, deposes and
says:

I reside at 3255 Crompond Road, Yorktown NY 10598

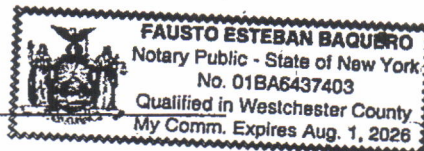
On August 28 2024 I served a notice of hearing, a copy of which is
attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule
of property owners within 300 feet of the subject property identified in this notice. A
copy of this schedule of property owners' names is attached hereto and labeled Exhibit B.
I placed a true copy of such notice in a postage paid property addressed wrapper
addressed to the addresses set forth in Exhibit B, in a post office or official depository
under the exclusive care and custody of the United States Post Office, within the County
of Westchester.

James Pollinsky

Sworn to before me on this

28 day of August 2024

Fausto Esteban Baquero
(Notary Public)



PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of
Mount Kisco, New York will hold a Public Hearing on the _____ day of
_____ 20____ at the Municipal Building, Mount Kisco, New York,
beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Signs Ink Ltd. --- James Polinsky

(Name of Applicant)

3255 Crompond Road, Yorktown NY 10598

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated July 24, 2024
(Date of Denial Letter)
denying the application dated to permit the New Signage
(Proposed Work)

The property involved is known as 53 S Moger Ave Mount Kisco NY 10549
(Address of Property)

and described on the Village Tax Map as Section 69.81 Block 6 Lot 7

and is located on the East side of S. Moger in a
east/west/n/s (Street Name)

CB1 Zoning District. Said Appeal is being made to obtain a

variance from Section(s) 89-11A(4), 89-11, 89.5, 89-9 of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires _____

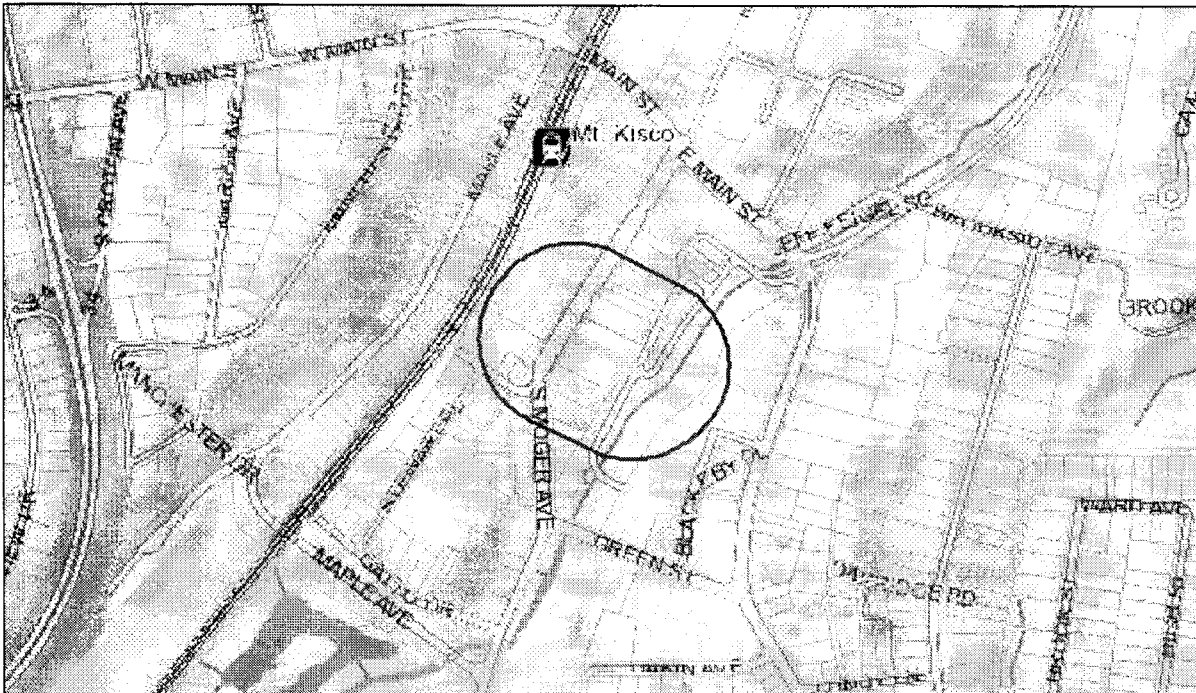
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

Tax Parcel Maps

Address: 53 S Moger Ave

Print Key: 69.81-6-7

SBL: 06908100060070000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should **NOT** be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

Gencon Management Group Inc.
69 S Moger Ave
MOUNT KISCO, NY 10549

Path Land Holdings, LLC
64 S Moger Ave
MOUNT KISCO, NY 10549

SG Queens LLC
77 S Moger Ave
MOUNT KISCO, NY 10549

41 So. Moger Ave. Realty LLC
41 S Moger Ave
MOUNT KISCO, NY 10549

Village of Mount Kisco
118 Main St
MOUNT KISCO, NY 10549

4601 North Market LLC
27 S Moger Ave
MOUNT KISCO, NY 10549

BDM Properties, LLC
74 S Moger Ave
MOUNT KISCO, NY 10549

BDM Properties, LLC
78 S Moger Ave
MOUNT KISCO, NY 10549

65 South Moger Assoc L P
65 S Moger Ave
MOUNT KISCO, NY 10549

55 South Moger LLC
57 S Moger Ave
MOUNT KISCO, NY 10549

Online Custom Kitchens LLC
53 S Moger Ave
MOUNT KISCO, NY 10549

Village of Mount Kisco
S Moger Ave
MOUNT KISCO, NY 10549

Current Occupant
MOUNT KISCO, NY 10549

Village Of Mount Kisco
104 Main St
MOUNT KISCO, NY 10549

Mary Buonomo Irrev Lftm Trust
68 S Moger Ave
MOUNT KISCO, NY 10549

49 South Moger LLC
S Moger Ave
MOUNT KISCO, NY 10549

Village of Mount Kisco
Brook--S Moger
MOUNT KISCO, NY 10549

The Seven League Group LLC
39 S Moger Ave
MOUNT KISCO, NY 10549

South Moger LLC
S Moger Ave
MOUNT KISCO, NY 10549

BDM Properties, LLC
28 Britton Ln
MOUNT KISCO, NY 10549

Village Of Mount Kisco
S Moger Ave
MOUNT KISCO, NY 10549

Village Of Mount Kisco
17 Britton Ln
MOUNT KISCO, NY 10549

27 britton lane LLC
27 Britton Ln
MOUNT KISCO, NY 10549

South Moger LLC
29 S Moger Ave
MOUNT KISCO, NY 10549

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Tuttle being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

08/30/2024

Linda Tuttle

Subscribed and sworn to before me this 30 day of August, 2024

Kathleen Allen
E481-705

Notary Public
State of Wisconsin, County of Brown

KATHLEEN ALLEN
Notary Public
State of Wisconsin

RECEIVED

SEP 11 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

PUBLIC NOTICE

PLEASE TAKE NOTICE that the zoning Board of Appeals of the Village/town of Mount Kisco, New York will hold a Public Hearing on the 17th day of september 2024 at the Municipal Building, Mount Kisco, New York, Beginning at 7:00pm pursuant to the Zoning Ordinance on the Appeal of SIGNS INK LTD-- James Polinsky 3255 crompond rd, Yorktown MY 10598 from the decision of Peter J. Miley, Building Inspector, dated July 24, 2024 (Date of Denial Letter) denying the application dated to permit the New Signage (proposed work) The property involved is known as 53S Moger Ave, Mount Kisco NY 10549 and described on the Village Tax Map as Section 69.81 Block 6 Lot 7 and is located on the East side of S. Moger in a CB1 Zoning District. Said Appeal is being made to obtain a variance from Section (s) 89-11A(4), 89-11, 89.5, 89-9 of the Code of the Village/Town of Mount Kisco, which requires a Variance

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco
August 30 2024
LNYS0150725

State of New York)
) ss:
County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the 9th day of September 2024, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building – _____X_____
104 Main Street

Public Library _____X_____
100 Main Street

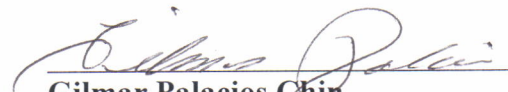
Fox Center _____X_____

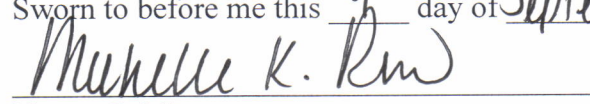
Justice Court – Green Street _____X_____
40 Green Street

Mt. Kisco Ambulance Corp _____X_____
310 Lexington Ave

Carpenter Avenue Community House _____X_____
200 Carpenter Avenue

Leonard Park Multi Purpose Bldg _____X_____


Gilmar Palacios Chin

Sworn to before me this 9th day of September 2024

Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

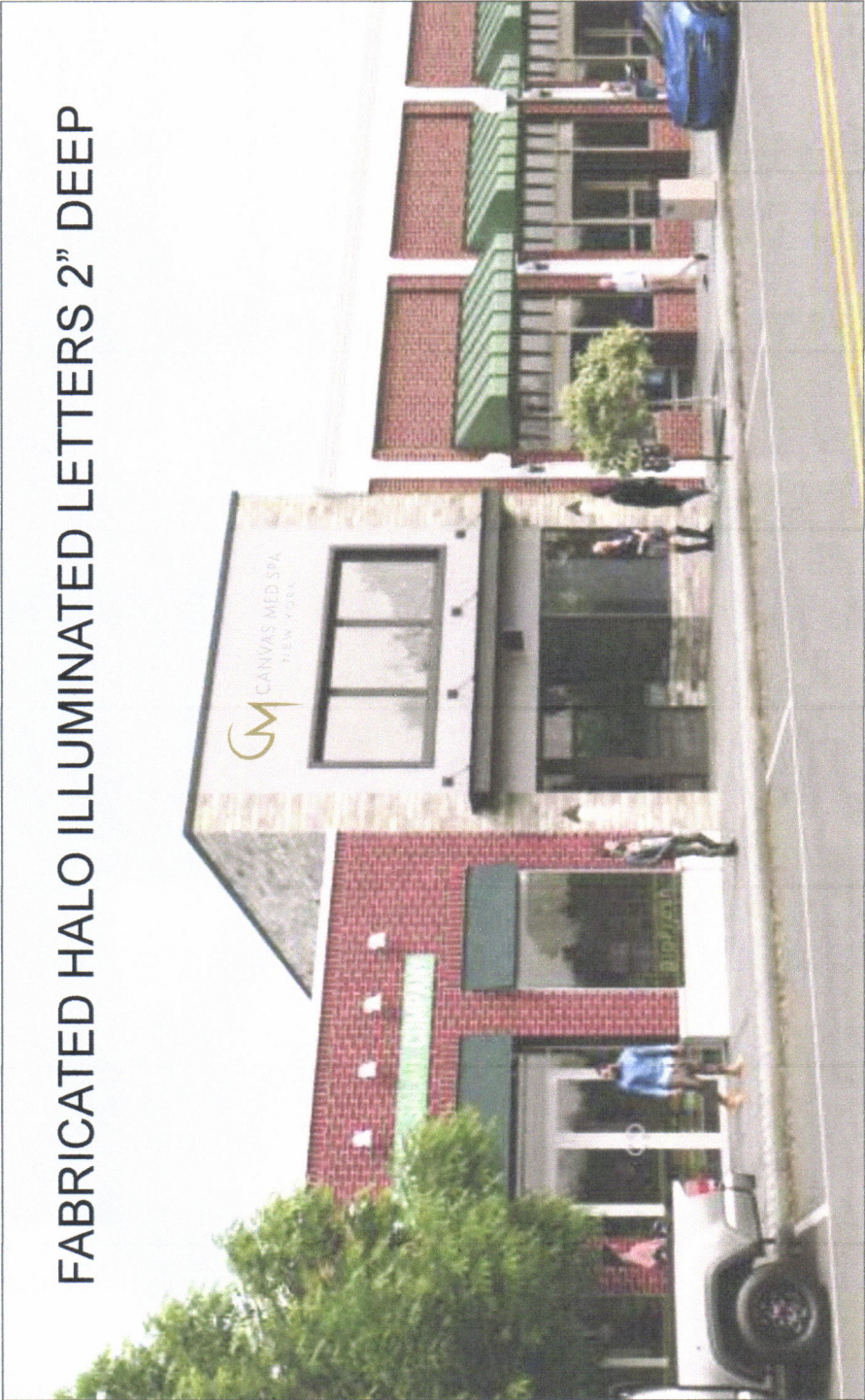
RECEIVED

SEP 09 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

53 S Moger Ave

FABRICATED HALO ILLUMINATED LETTERS 2" DEEP



CANVAS MED SPA
NEW YORK



3255 CROMBOND RD YORKTOWN NY 10598
914 739-9055 WWW.SIGNINK.COM

FABRICATED HALO ILLUMINATED LETTERS 2" DEEP



32.22 sq ft

53 S Moger Ave

FABRICATED HALO ILLUMINATED LETTERS 2" DEEP



3255 CROMPOUD RD YORKTOWN NY 10598
914-739-9059 WWW.SIGNSINK.COM

53 S Moger Ave

FABRICATED HALO ILLUMINATED LETTERS 2" DEEP

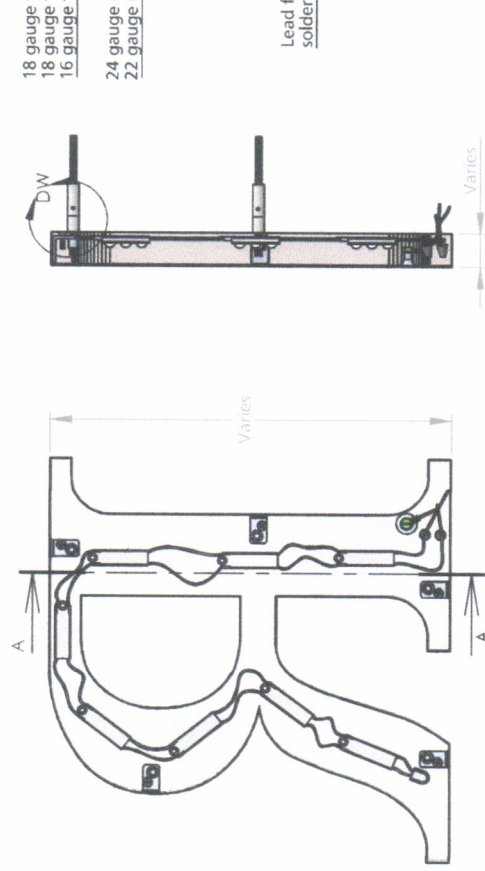


28.52 sq ft

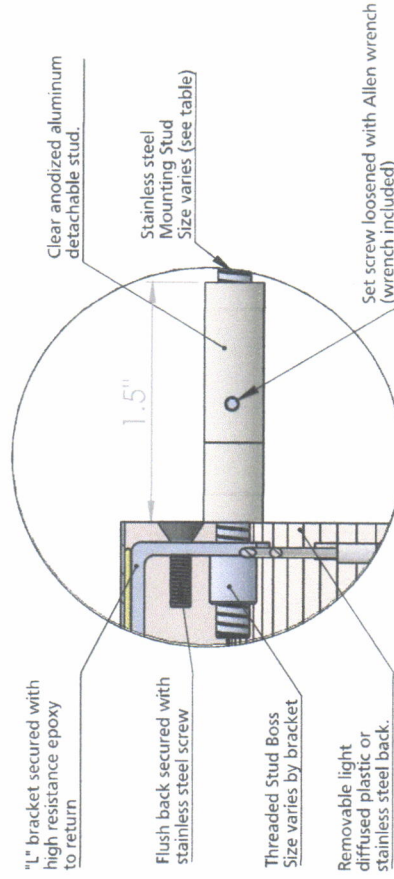
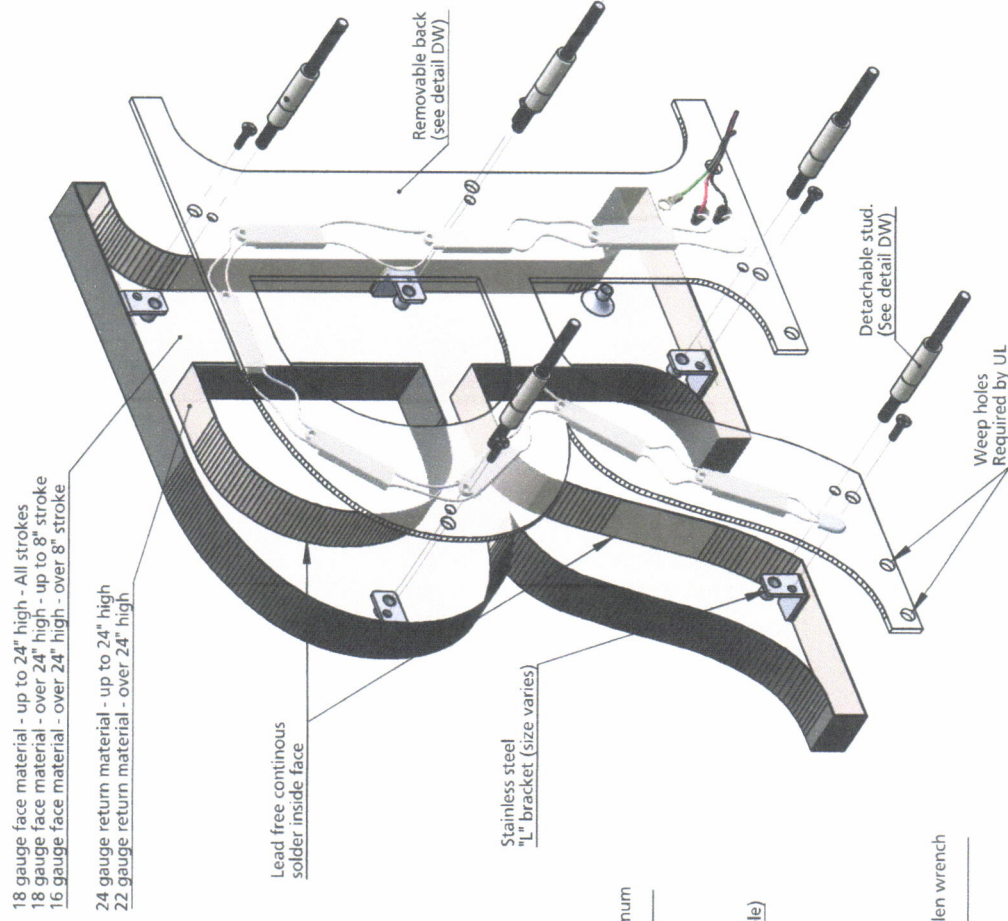


3255 CROMPOND RD YORKTOWN NY 0598
914-738-6058 WWW.SIGNINK.COM

METAL FACE WITH BACK - LED - DETACHABLE STUD



SECTION A-A II SCALE 1:5

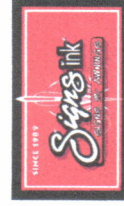


BACK OPTIONS

- Light diffused plastic: 0.187" thick

MATERIAL OPTIONS

- Standard - 304 prefinished stainless steel (more corrosion resistant)
- Optional - 316 prefinished stainless steel (more corrosion resistant)
- 304 prefinished stainless with titanium coating





Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

August 2, 2024

Moira O'Reilly
21 Brook Street
Mount Kisco, NY 10549

Re: Notice of Denial
21 Brook Street
Mount Kisco, NY 10549
(SBL) 80.26-4-21

To Whom It May Concern:

Your recent Building Permit application for the proposed vertical enlargement and alteration has been denied for the following reasons:

1. The property is located within the RS-6 (Medium-Density One-Family Residence) Zoning District where the required side yard setback is 6 feet and the existing building is located 1.8 feet from the north side yard property line. Therefore; the existing structure does not comply with the current RS-6 Zoning district. According to Chapter 110-35 (D) *Noncomplying buildings and structures may not be enlarged without a variance being obtained from the Zoning Board of Appeals pursuant to this chapter. No building or structure which is noncomplying with respect to applicable developmental regulations (by illustration, but not by limitation, height, setbacks, building and development coverage, lot area or lot width) shall be enlarged or altered in such a manner as to increase any such noncompliance or so as to enlarge or increase the area of such building or structure, including but not limited to the alteration of roof or floor levels or the addition of area above, below or adjacent to such noncomplying building or structure.* Therefore; a variance is required in accordance with §110-35 (D) of the Village/Town of Mount Kisco Code.
2. The maximum allowable building coverage for this property is 1,830 square feet and the proposed total building coverage is 2,528 square feet. Therefore, a 698 square foot building coverage variance is required as per §110-10 C (1) (b) of the Village/Town of Mount Kisco Code.
3. The maximum allowable development coverage for this property is 3,000 square feet and the proposed total development coverage is 4,103 square feet. Therefore, a 1,103 square foot development coverage variance is required as per §110-10 C (1) (c) of the Village/Town of Mount Kisco Code.

You have the right to appeal this decision within 60 days.

Sincerely,

Bill Seegmuller,
Assistant Building Inspector

\mkr

Date: _____

Case No.: _____

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Zoning Board of Appeals
Application

Appellant: Moira O'Reilly

Address: 21 Brook Street, Mount Kisco, NY 10549

Address of subject property (if different): _____

Appellant's relationship to subject property: X Owner _____ Lessee _____ Other _____

Property owner (if different): _____

Address: _____

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken from the decision of the Building Inspector, Bill Seegmuller Assistant Building Inspector dated 08-02-2024. Application is hereby made for the following:

X Variation **or** _____ Interpretation of Section 110-35 (D) and 110-10C (1) of the Code of the Village/Town of Mount Kisco,

to permit the: _____ Erection; X Alteration; _____ Conversion; _____ Maintenance of Proposed addition and alteration to an existing non-conforming single Family Residence.

_____ in accordance with plans filed on (date) July 23, 2024

for Property ID # SBL 80.26-4-21 located in the RS-6 Zoning District.

The subject premises is situated on the East side of (street) Brook Street

_____ in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No NO

(If on two streets, give both street names) _____

Type of Variance sought: _____ Use X Area _____

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? NO

Is there an approved site plan for this property? YES in connection with a
 Proposed or X Existing building; erected (yr.) 1956

Size of Lot: 50 feet wide 150 feet deep Area 7,500 SF

Size of Building: at street level 26 feet wide 44 feet deep (Existing)

Height of building: 23' +/- (Ex. to remain) Present use of building: Single Family Residence

Does this building contain a nonconforming use? NO Please identify and explain:

Is this building classified as a non-complying use? NO Please identify and explain:

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? NO

Was a variance ever granted for this property? NA If so, please identify and explain:

Are there any violations pending against this property? NO If so, please identify and explain:

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
 Yes or X No Date of Issue:

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? NO

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

Maia O'Reilly
(Appellant to sign here)

Sworn to before me this day of: August 23rd, 20 24

Notary Public, Westchester, County, NY

Patricia V. Siguenza
PATRICIA V. SIGUENZA

NOTARY PUBLIC-STATE OF NEW YORK

No. 01SI6186218

Qualified in Westchester County

My Commission Expires April 28, 2025

[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

Rec. 33563
dk + 227

Village/Town of Mount Kisco
Building Department

AUG 27 2024

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

RECEIVED

The following items MUST be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on August 2, 2024 upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

* Optional - As Needed

VILLAGE/TOWN OF MOUNT KISCO
Building Department
104 Main Street
Mount Kisco, NY 10549
(914) 864-0019

Application Name or Identifying Title: O'Reilly Residence - 21 Brook St.
Tax Map Designation (Section/Block/Lot) or Proposed Lot No. 80.26 - 4 - 21

COVERAGE CALCULATIONS WORKSHEET

(See next page for pertinent definitions and other related provisions)

- A. **BUILDING COVERAGE** [Enter "0" below if category is not applicable]
- | | |
|---|-------------------|
| 1. Total lot area (sq. ft) = | <u>7,500 SF</u> |
| 2. Maximum permitted building coverage (sq. ft) = | <u>1,830</u> |
| 3. Amount of lot area covered by principal building: | |
| <u>831</u> existing (sq. ft) + <u>1,144</u> proposed (sq. ft) = | <u>1,975</u> |
| 4. Amount of lot area covered by accessory buildings: | |
| <u>461</u> existing (sq. ft) + <u>0</u> proposed (sq. ft) = | <u>461</u> |
| 5. Amount of lot area covered by porches: | |
| <u>327</u> existing (sq. ft) + <u>-235</u> proposed (sq. ft) = | <u>92</u> |
| 6. Total building coverage: Lines 3 + 4 + 5 (sq. ft) = | <u>2,528 SF *</u> |

If line 6 is less than or equal to Line 2, your proposal complies with the Village's regulations; if Line 6 is greater than Line 2, your proposal does not comply with the Village's regulations.

- B. **DEVELOPMENT COVERAGE** [Enter "0" below if category is not applicable]
- | | |
|---|-------------------|
| 1. Total lot area (sq. ft.) = | <u>7,500</u> |
| 2. Maximum permitted development coverage (sq. ft.) | <u>3,000</u> |
| 3. Amount of building coverage from Line 6 in Section A above (sq. ft.) | <u>2,528</u> |
| 4. Amount of lot area covered by driveway, parking areas, walkway and areas covered with gravel | |
| <u>1,983</u> existing (sq. ft) + <u>- 408</u> proposed (sq. ft) = | <u>1,575</u> |
| 5. Amount of lot area covered by terraces, patio, decks: | |
| <u>0</u> existing (sq. ft) + <u>0</u> proposed (sq. ft) = | <u>0</u> |
| 6. Amount of lot area covered by tennis court, platform tennis court, And related mechanical equipment: | |
| <u>0</u> existing (sq. ft) + <u>0</u> proposed (sq. ft) = | <u>0</u> |
| 7. Amount of lot area covered by all other structures, not including pre-existing stone walls: | |
| <u>0</u> existing (sq. ft) + <u>0</u> proposed (sq. ft) = | <u>0</u> |
| 8. Total development covered: Lines 3 + 4 + 5 + 6 + 7 (sq. ft) = | <u>4,103 SF *</u> |

If line 8 is less than or equal to Line 2, your proposal complies with the Village's regulations. If Line 8 is greater than Line 2, your proposal does not comply with the Village's regulations.

* AREA VARIANCE REQUESTED

Chairman Wayne Spector, and
Members of the ZBA,
Village of Mt. Kisco
104 Main Street
Mt. Kisco, New York 10549

**Re: 22 Brook St. Additions and Alterations to a Non-Conforming
Residence *The O'Reilly Residence***

Dear Chairman Spector and Zoning Board Members,

Mrs. Moira O'Reilly and her family are looking to expand their residence to create more comfortable living spaces and heal the present tight conditions in their home. They have lived there for the last 30 years and would like to stay there for the rest of their lives.

We are proposing a kitchen and a family room expansion on the first floor and a relocated parent's suite on the second floor, by expanding to the rear of the property, maintaining the current building height.

On behalf of my clients, we submit this request to allow them to expand their home. We are seeking the below variances:

A side yard variance to validate the existing side yard of the residence that pre-dates the zoning ordinance. Per chapter 110-35 (D) of the village/Town of Mount Kisco Code (*Noncomplying buildings and structures*). Where required side yard setback is 6ft, and existing is 1.8 ft. (*New work will comply with the required yards*).

A coverage variance of 698 SF (*Where allowable is 1,830 SF and proposed is 2,528 SF.*)

A development coverage variance of 1,103 SF (*Where allowable is 3,000SF and proposed is 4,103 SF.*)

The granting of these variances will not be detrimental to the public welfare nor will create an undesirable impact to the neighborhood or adjacent properties, nor will create a negative improvement in the zoning district in which the subject property is located.

Granting of these variances will improve the quality of life of a family tied and rooted to the community. This cannot be achieved by any other feasible method.

Respectfully,

Teo Siguenza, AIA

AFFIDAVIT OF MAILING

STATE OF NEW YORK

COUNTY OF WESTCHESTER

}
}SS.:
}

Swati Patel / Teo Siguenza Architect PLLC being duly sworn, deposes and says:

I reside at 460 Old Post Road, Bedford NY 10506

On September 6th 20 24 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B. I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

Swati Patel

Sworn to before me on this

9th day of September 20 24

Patricia V. Siguenza
PATRICIA V. SIGUENZA

NOTARY PUBLIC-STATE OF NEW YORK

No. 0756186218
(Notary Public)
Qualified in Westchester County
My Commission Expires April 28, 2028

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of September 20 24 at the Municipal Building, Mount Kisco, New York,

beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Moirra O'Reilly

(Name of Applicant)

21 Brook Street, Mount Kisco NY 10549

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated August 2, 2024
(Date of Denial Letter)

denying the application dated to permit the Proposed addition and alteration - Kitchen, family room and enclosed existing front porch .Add principal suite on (Proposed Work)
second floor

The property involved is known as 21 Brook Street, Mount Kisco NY 10549
(Address of Property)

and described on the Village Tax Map as Section 80.26 Block 4 Lot 21

and is located on the East side of Brook Street in a
east/west/n/s (Street Name)

RS-6 Zoning District. Said Appeal is being made to obtain a

variance from Section(s) 110-35 (D) AND 110-10C (1) (b) and (c) of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires:

- (1) A side yard variance is requested for the Existing Non-conforming Residence (Where required is 6 ft. and existing is 1.8 Ft.)
- (2) A building coverage variance of 698 SF is requested. (Where allowable is 1,830 SF and the proposed is 2,528 SF.)
- (3) A development coverage variance of 1,103 SF is requested. (Where the allowable is 3,000SF and the proposed is 4,103 SF.)

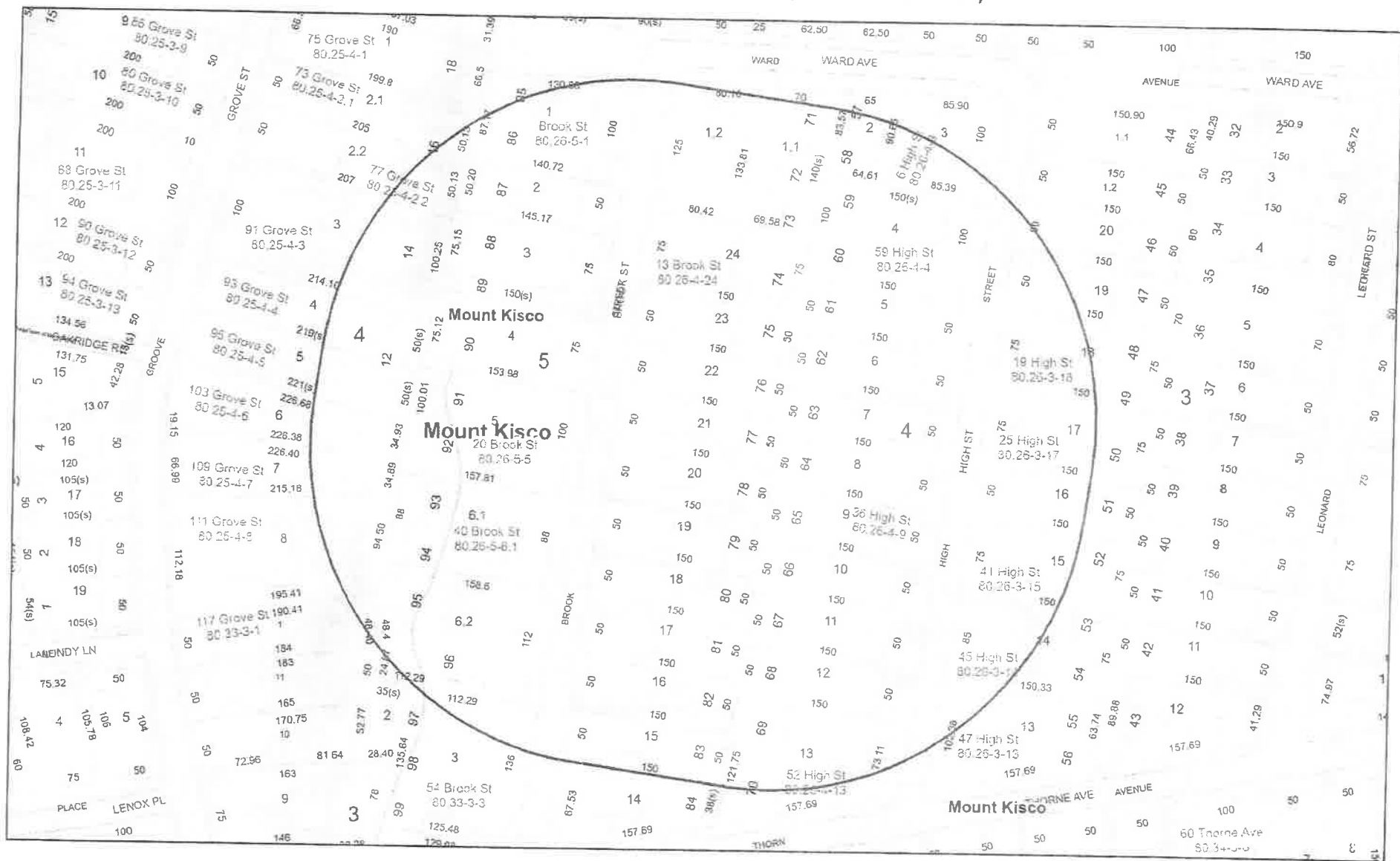
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

OWNERNAME	PROPADDRESS	PROPCITY	PROPJF	PROPRINTKEY	C/O	Mailing Address	City	State	Zip
Oliveri, Antonio	121 Grove St	MOUNT KISCO	10549	80.33-3-11		54 Brook Street	Mt. Kisco	NY	10549
Albanese Carmelo	109 Grove St	MOUNT KISCO	10549	80.25-4-7		122 McLain St	Mt. Kisco	NY	10549
Oliveri, Antonio	54 Brook St	MOUNT KISCO	10549	80.33-3-3					
Mann, Matthew	12 Brook St	MOUNT KISCO	10549	80.26-5-2		10 Brook Street	Mt. Kisco	NY	10549
O'reilly Moira A	21 Brook St	MOUNT KISCO	10549	80.26-4-21					
Giaimo, Daniel V	13 Brook St	MOUNT KISCO	10549	80.26-4-24					
Rizzo Carmelo	42 Ward Ave	MOUNT KISCO	10549	80.26-4-1.1					
Wassem, Heath B	22 High St	MOUNT KISCO	10549	80.26-4-6					
Burgler Brigitte	45 High St	MOUNT KISCO	10549	80.26-3-14					
Winter, Warren R	3 High St	MOUNT KISCO	10549	80.26-3-20		PO Box 556	Mt. Kisco	NY	10549
Buxton, Ronald	44 High St	MOUNT KISCO	10549	80.26-4-11		42 High Street	Mt. Kisco	NY	10549
Todeasa, Cornel T	28 High St	MOUNT KISCO	10549	80.26-4-7		28A High Street	Mt. Kisco	NY	10549
Johnston, Richard	61 High St	MOUNT KISCO	10549	80.26-4-5					
Holzer Thomas Charles	19 High St	MOUNT KISCO	10549	80.26-3-18					
Lasner Michael E	20 Brook St	MOUNT KISCO	10549	80.26-5-5					
Kerrigan, Harry J III	35 Brook St	MOUNT KISCO	10549	80.26-4-18					
Newman Allison S	52 High St	MOUNT KISCO	10549	80.26-4-13					
Zaccagnino, Anthony J	40 High St	MOUNT KISCO	10549	80.26-4-10					
Campos, Margarita	32 High St	MOUNT KISCO	10549	80.26-4-8					
Boylan Bridget	15 High St	MOUNT KISCO	10549	80.26-3-19					
Swanson, Benjamin	40 Brook St	MOUNT KISCO	10549	80.26-5-6.1					
Freedman Janet E	22 Brook St	MOUNT KISCO	10549	80.26-5-4					
Fermann Lois G	45 Brook St	MOUNT KISCO	10549	80.26-4-15					
Sinapi, Anthony Jr	36 High St	MOUNT KISCO	10549	80.26-4-9					
Roach, Mary F	59 High St	MOUNT KISCO	10549	80.26-4-4	c/o Kerry Almondell	8 High Street	Mt. Kisco	NY	10549
Charpentier, Erica H	103 Grove St	MOUNT KISCO	10549	80.25-4-6					
Grimes, Eugene P	95 Grove St	MOUNT KISCO	10549	80.25-4-5					
John A O'Reilly Irrev. Trust	25 Brook St	MOUNT KISCO	10549	80.26-4-20					
Ciliberto, Francis	111 Grove St	MOUNT KISCO	10549	80.25-4-8		55 St. Marks Place	Mt. Kisco	NY	10549
Loffa Pierina	77 Grove St	MOUNT KISCO	10549	80.25-4-2.2					
Tesone Iris	16 Brook St	MOUNT KISCO	10549	80.26-5-3					
Ford, Donald G	Brook St	MOUNT KISCO	10549	80.26-5-1		4 Brook Street	Mt. Kisco	NY	10549
Sharpe Oliver C	73 Grove St	MOUNT KISCO	10549	80.25-4-2.1					
Markus Anthony C	29 Brook St	MOUNT KISCO	10549	80.26-4-19					
Beck Nancy J	15 Brook St	MOUNT KISCO	10549	80.26-4-23					
Reilly Gary	41 High St	MOUNT KISCO	10549	80.26-3-15					
Nelson, Arthur J	25 High St	MOUNT KISCO	10549	80.26-3-17					
Kuusisto Patricia	93 Grove St	MOUNT KISCO	10549	80.25-4-4					
Patino, Angel R	91 Grove St	MOUNT KISCO	10549	80.25-4-3					
Sacchetti, Rocco	41 Brook St	MOUNT KISCO	10549	80.26-4-16					
Reilly Gary	31 High St	MOUNT KISCO	10549	80.26-3-16		41 Brook Street	Mt. Kisco	NY	10549
Oliveri, Antonio	117 Grove St	MOUNT KISCO	10549	80.33-3-1		54 Brook Street	Mt. Kisco	NY	10549
Oliveri, Giuseppe	50 Brook St	MOUNT KISCO	10549	80.26-5-6.2					
Kearin Madeline B	37 Brook St	MOUNT KISCO	10549	80.26-4-17	Andrew Schaferan	3 Mt. Holly Rd. E.	Katonah	NY	10536
Fierro, Anthony	3 Brook St	MOUNT KISCO	10549	80.26-4-1.2	Anthony Eli or John Fierro	3 Brook Street	Mt. Kisco	NY	10549

Torchia, Daniella	19 Brook St	MOUNT KISCO	10549	80.26-4-22
Clough Kathryn M	46 Ward Ave	MOUNT KISCO	10549	80.26-4-2
Handler, Ira	46 High St	MOUNT KISCO	10549	80.26-4-12
Lieberman, Michael	6 High St	MOUNT KISCO	10549	80.26-4-3
Weidmann Andrew C	47 High St	MOUNT KISCO	10549	80.26-3-13

781 Sleepy Hallow Rd	Briarcliff Manor	NY	10510
----------------------	------------------	----	-------

21 Brook St. ID: 80.26-4-21 (Mount Kisco)



August 12, 2024

Tax parcel data was provided by local municipality. This map is generated as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact local municipality assessor's office.

1:1,500



0 70 140 280 ft

Westchester County GIS

GIS

<http://giswww.westchestergov.com>

Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Linda Tett being duly sworn, deposes and says she is the Principal Clerk of The Journal News, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

08/30/2024

Linda Tett

Subscribed and sworn to before me this 30 day of August, 2024

Kathleen Allen
Ekg 1-7-25

Notary Public
State of Wisconsin, County of Brown

KATHLEEN ALLEN
Notary Public
State of Wisconsin

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of September 2024 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of Moira O'Reilly 21 Brook Street, Mount Kisco NY 10549 from the decision of Peter J. Milley, Building Inspector, dated August 2, 2024. Proposed addition and alteration - Kitchen, family room and enclosed existing front porch. Add principal suite on second floor.

The property involved is known as 21 Brook Street, Mount Kisco NY 10549 and described on the Village Tax Map as Section 80.26 Block 4 Lot 21 and is located on the East side of Brook Street in a RS-6 Zoning District. Said Appeal is being made to obtain a variance from Section(s) 110-35 (D) AND 110-10C (1) (b) and (c) of the Code of the Village/Town of Mount Kisco, which requires:

(1) A side yard variance is requested for the Existing Non-conforming Residence (Where required is 6 ft. and existing is 1.8 Ft.)

(2) A building coverage variance of 698 SF is requested. (Where allowable is 1,830 SF and the proposed is 2,528 SF.)

(3) A development coverage variance of 1,103 SF is requested. (Where the allowable is 3,000SF and the proposed is 4,103 SF.)

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

10510815

AFFIDAVIT OF POSTING

X

X

X

X

 Σ

X

X

day of September 2024

**Zoning Board of Appeals
Village/Town of Mount Kisco**



421630538DEDL

Control Number
421630538

WIID Number
2002163-000285

Instrument Type
DED



WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)
***** DO NOT REMOVE *****

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT **DED - DEED**

FEE PAGES **4**

TOTAL PAGES **4**

RECORDING FEES

STATUTORY CHARGE	\$5.25
RECORDING CHARGE	\$12.00
RECORD MGT. FUND	\$4.75
RP 5217	\$25.00
TP-584	\$5.00
CROSS REFERENCE	\$0.00
MISCELLANEOUS	\$0.00
TOTAL FEES PAID	\$52.00

TRANSFER TAXES

CONSIDERATION	\$130,000.00
TAX PAID	\$520.00
TRANSFER TAX #	18275

RECORDING DATE **06/20/2002**
TIME **13:30:00**

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
YONKERS	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
SUBTOTAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

SERIAL NUMBER
DWELLING

THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, NEW YORK IN THE:
TOWN OF MT. KISCO

WITNESS MY HAND AND OFFICIAL SEAL

LEONARD N. SPANO
WESTCHESTER COUNTY CLERK

Record & Return to:
THOMAS P. CASPER, ESQ
126 BARKER STREET

MT KISCO, NY 10549

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

DED
3P
mtic

THIS INDENTURE, made the 27th day of February, 2002
BETWEEN

VIRGINIA McNULLA, EXECUTRIX
36 West Street, Mount Kisco, New York 10549

as executor of THE ESTATE OF HARRY McNULLA
HARRY McNULLA
VILLAGE/TOWN OF MOUNT KISCO
party of the first part, and

the last will and testament of
, late of
, deceased,

MOIRA A. O'REILLY
South Salem, New York 10590

residing at 1 Orchard Drive,

party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of ONE HUNDRED THIRTY THOUSAND & 00/100

(\$130,000.00) dollars,

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE ATTACHED SCHEDULE A

Section 80.26 Block 4 Lot 21
Commonly known as 21 Brook Street

In the ~~State of New York~~ ^{mt. Kisco} of Mount Kisco, Town of ~~Brook~~

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Virginia McNulla
VIRGINIA McNULLA, Executrix of the Estate of
HARRY McNULLA

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Westchester

ss:

State of New York, County of

ss:

On the 27th day of February In the year 2002
before me, the undersigned, personally appeared
VIRGINIA McNULLA

personally known to me or proved to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their
capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of which
the individual(s) acted, executed the instrument.

On the day of in the year
before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is
(are) subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their
capacity(ies), and that by his/her/their signature(s) on the
instrument, the individual(s), or the person upon behalf of which
the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

(signature and office of individual taking acknowledgment)

JOSEPH J. CERBONE
NOTARY PUBLIC, State of New York
No. 60-569151
Qualified in Westchester County
Commission Expires May 31, 2002

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the day of In the year before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are)
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and
that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,
executed the instrument, and that such individual made such appearance before the undersigned in the

(Insert the City or other political subdivision)

In (and Insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

EXECUTOR'S DEED

Title No. CSA02-00727-W

ESTATE OF HARRY McNULLA

TO

MOIRA A. O'REILLY

SECTION 60.25

BLOCK 4

LOT 21

COUNTY OR TOWN Westchester/Mount Kisco

STREET ADDRESS 21 Brook Street

Recorded at Request of
JUDICIAL TITLE INSURANCE AGENCY LLC

RETURN BY MAIL TO:

THOMAS P. CASPER, ESQ.
126 Barker Street
Mount Kisco, New York 10549

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by
JUDICIAL TITLE INSURANCE AGENCY LLC
550 MAMARONECK AVENUE
HARRISON, NY 10528
914-381-6700

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Schedule A Description

Title Number CSA02-00727-W

Policy Number: G32-0434575

Page 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village of Mount Kisco, Town of Bedford, County of Westchester and State of New York, known and designated as Lot Number 77 on a map entitled, "Map of property of the heirs of Moses W. Fish, deceased at Mt. Kisco, in the Town of Bedford, Westchester County, New York", made by Walter A. Miles, C. E., dated October 1907 and filed in the Office of the Westchester County Clerk's, Division of Land Records, on November 21, 1907 as Map No. 1762, which said lot is bounded according to said map as follows:

BEGINNING at a point on the easterly side of Brook Street where the same is intersected by the division line between lots 77 and 78, said point of beginning being 387.53 feet northerly from the corner formed by the intersection of said easterly side of Brook Street and the northerly side of Thorn Avenue;

RUNNING THENCE South 70 degrees 00 minutes east 150 feet along said last mentioned division line to the westerly side of lot 64;

THENCE North 20 degrees 00 minutes East 50 feet along the westerly side of lots 64 and 63 to the division line between lots 76 and 77;

THENCE North 70 degrees 00 West 150 feet along said last mentioned division line to the easterly side of Brook Street, to the point or place of BEGINNING.





FRONT VIEW FROM BROOK STREET



EXISTING FRONT ELEVATION



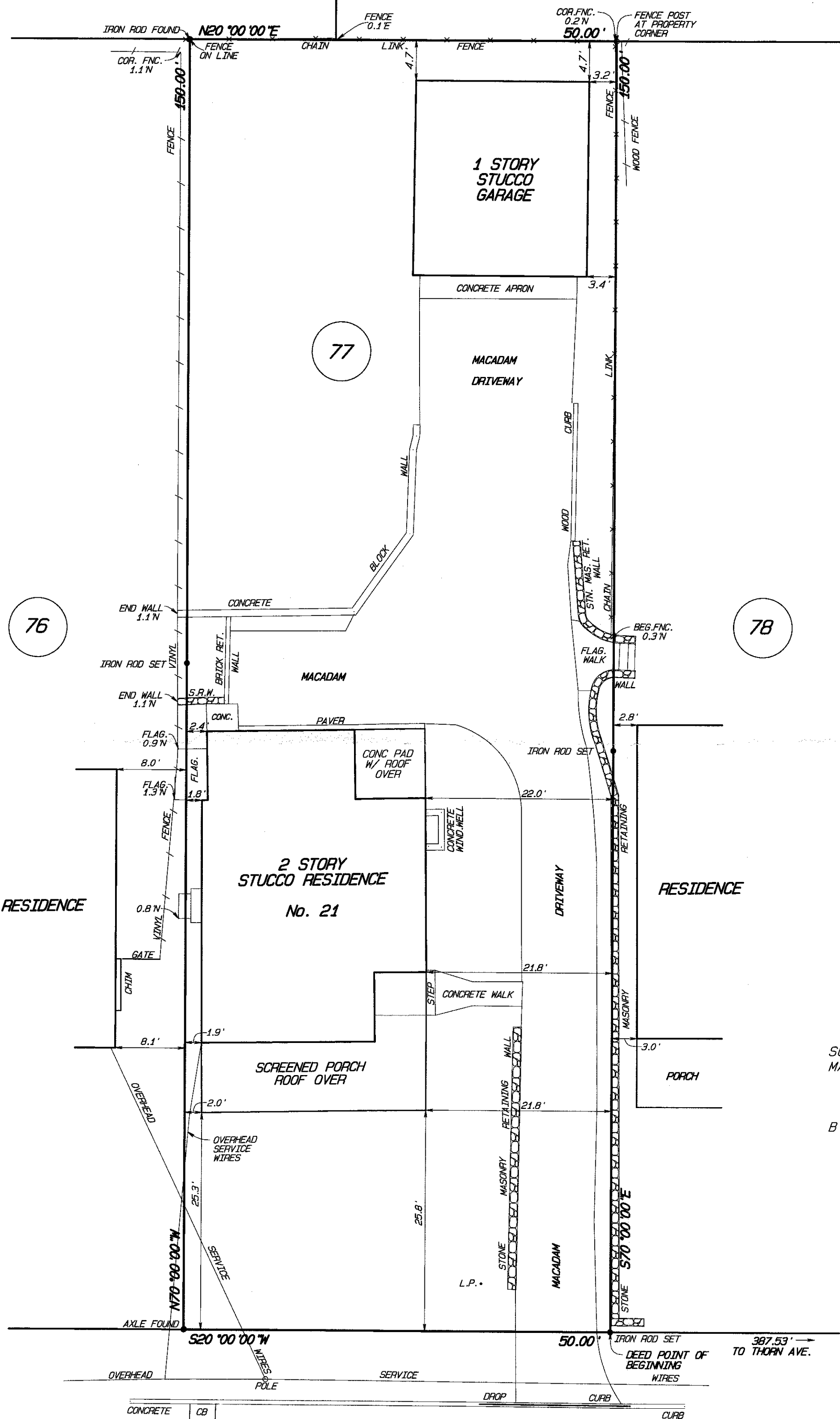
EXISTING BACK ELEVATION



EXISTING RIGHT SIDE ELEVATION

63

64



Area = 7,500 S.F. or 0.172 Acres

Deed Reference: Control No. 421630538

Tax Identification: Section 80.26 Block 4 Lot 21

In accordance with the existing Code of Practice for Land Surveys as adopted by The New York State Association of Professional Land Surveyors, Inc.

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

All certifications are valid for this map and copies thereof only if said map or copies bear the impressed seal of the surveyor whose signature appears hereon.

The location of underground improvements or encroachments hereon, if any exist, are not certified or shown.



SURVEYED: MAY 23, 2024
MAP PREPARED: MAY 24, 2024

BY:
NEW YORK STATE LICENSED LAND SURVEYOR NO. 49749
STEPHEN T. JOHNSON, P.L.S.

SURVEY OF PROPERTY
PREPARED FOR

MOIRA A. O'REILLY

Being Lot No. 77 as shown on a certain map entitled "Map of Property of The Heirs of Moses W. Fish, etc" said map filed in the Westchester County Clerk's Office, Division of Land Records: November 21, 1907 as Map No. 1762.

SITUATE IN THE
VILLAGE AND TOWN OF MOUNT KISCO
WESTCHESTER COUNTY, NEW YORK

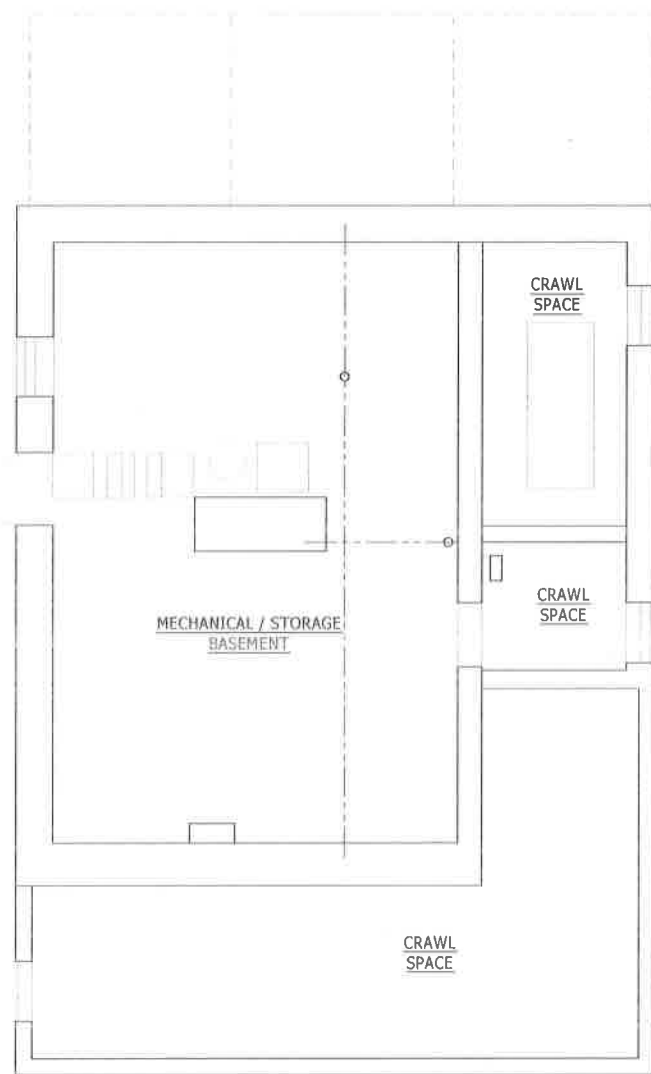
SCALE: 1" = 10'

H. STANLEY JOHNSON AND COMPANY
LAND SURVEYORS, P.C.
42 SMITH AVENUE P.O. BOX 93
MT. KISCO, N.Y. 10549
TEL. 914-241-3872
FAX. 914-241-0438

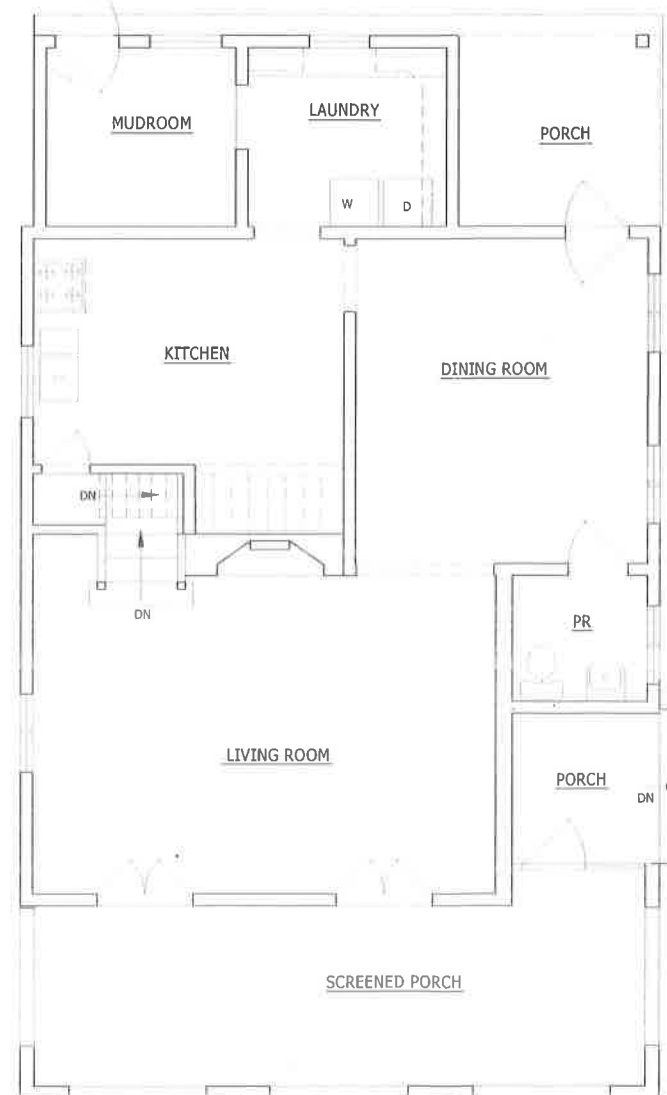
PREPARED BY: SMS CHECKED BY: STJ

JOB No. F24-039

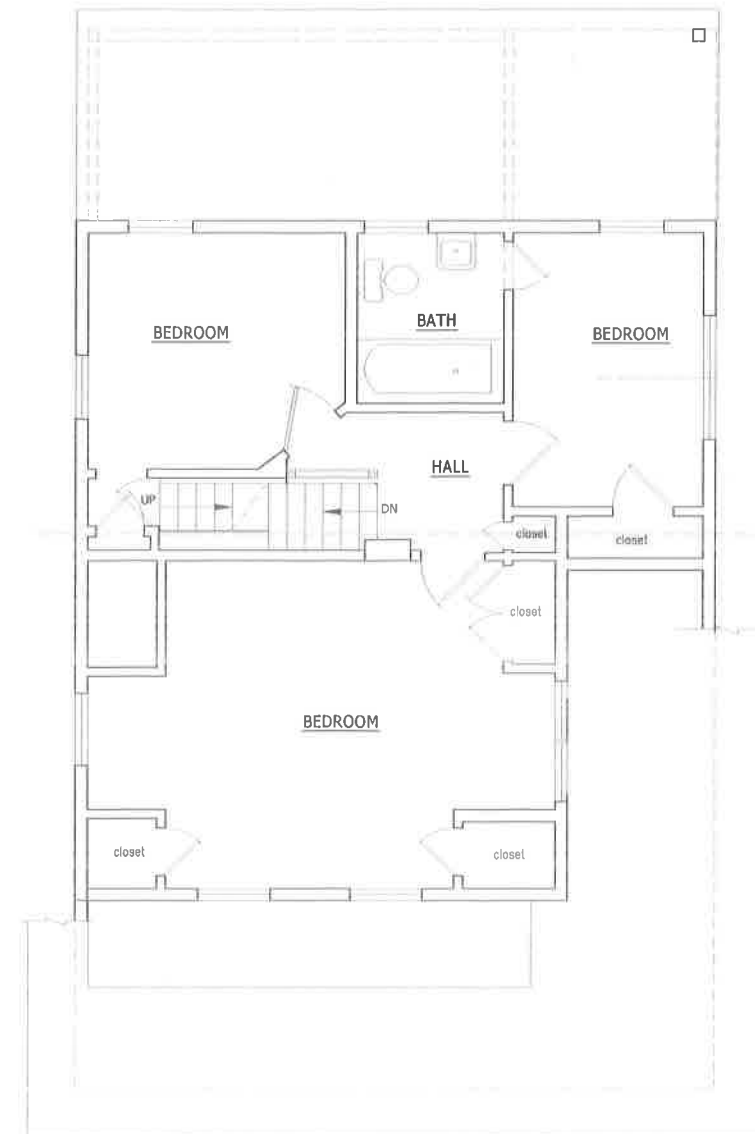
GENERAL NOTES:
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES
2. ALL DIMENSIONS TO BE CHECKED
3. CONTRACTOR IS ADVISED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT



1 EXISTING BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



3 EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



3 EXISTING SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

DATE	REVISION

PROJECT
OREILY RESIDENCE
EXISTING CONDITION

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
EXISTING FLOOR PLANS

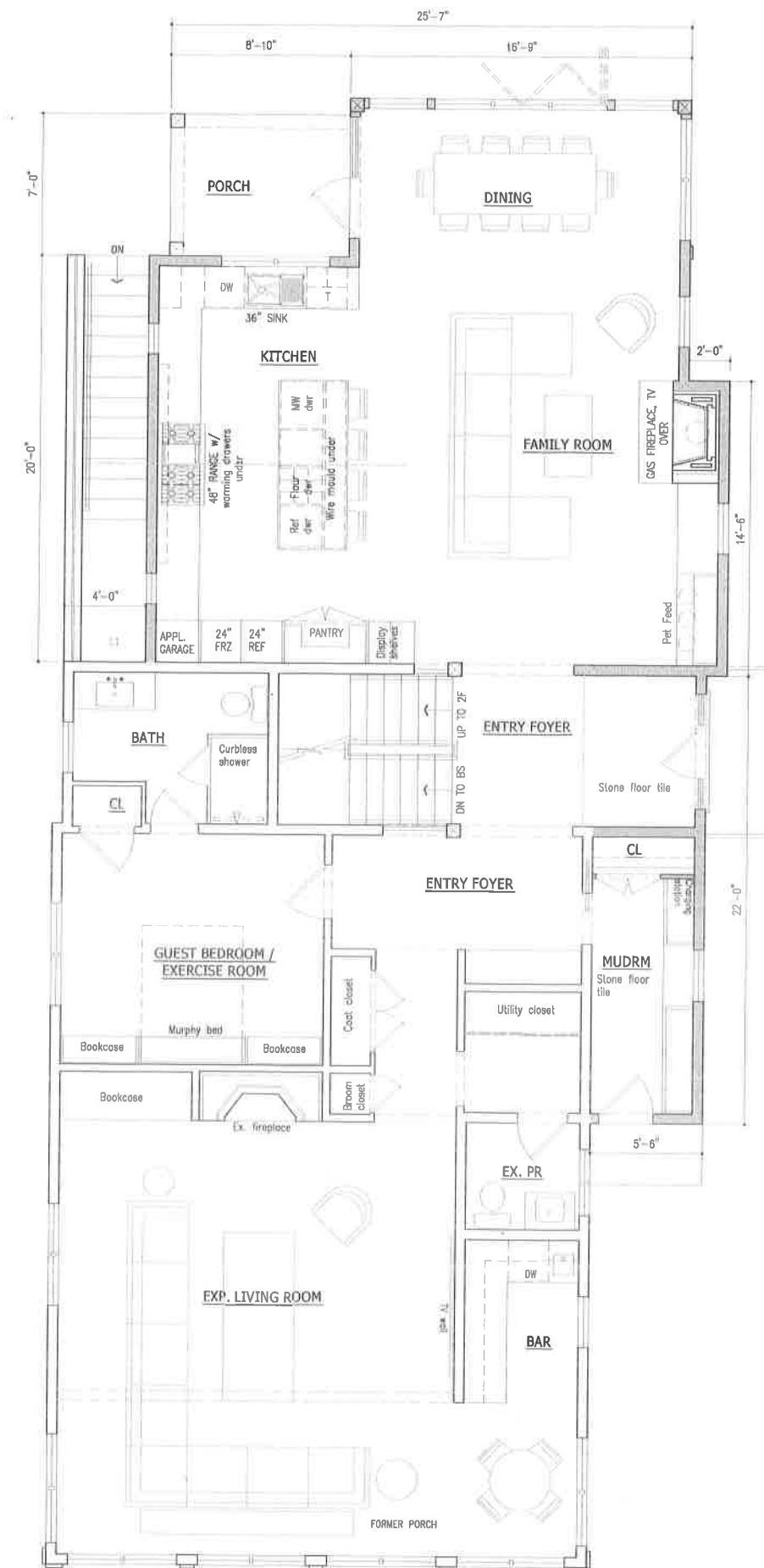
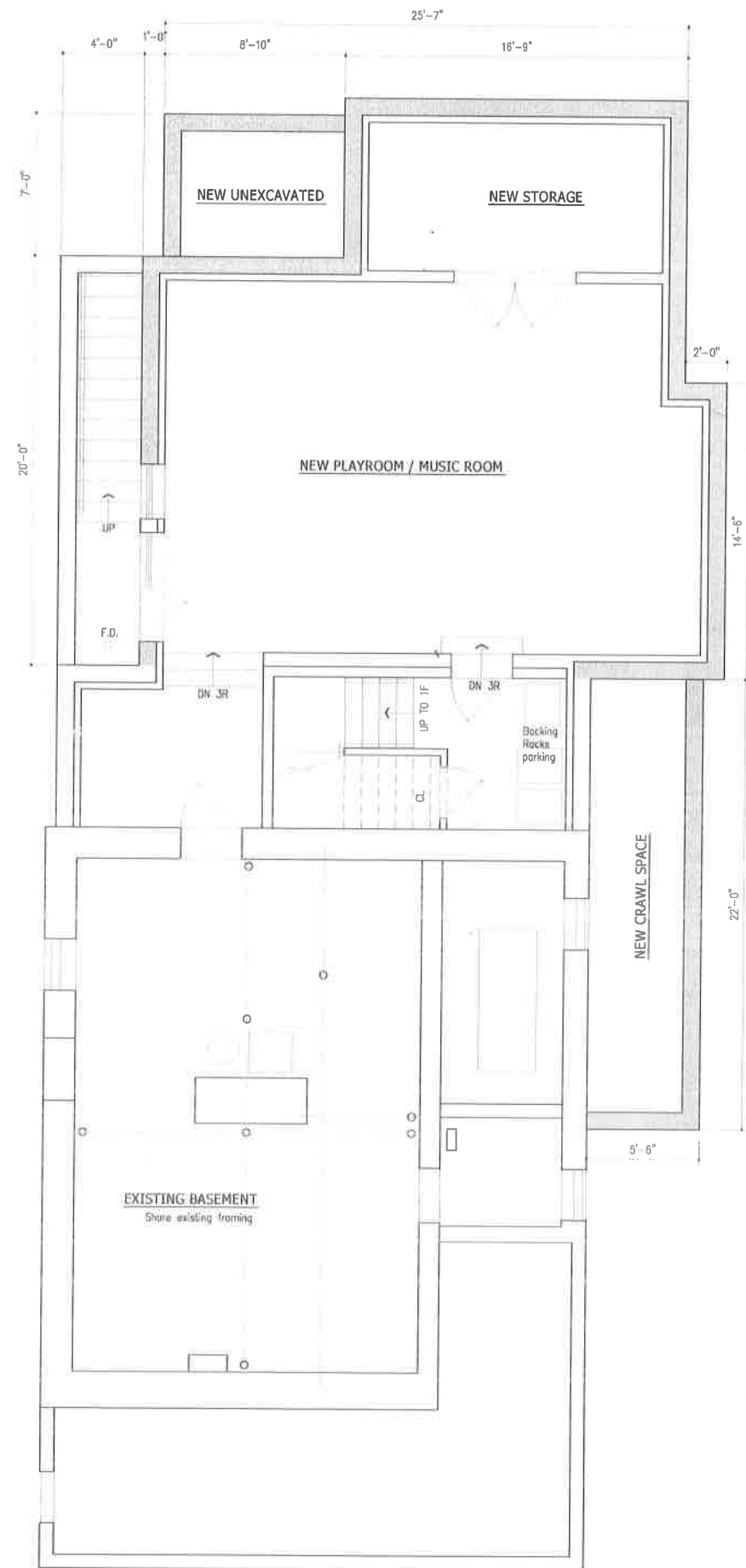


DATE
08-23-24

SCALE
1/4" = 1'-0"

DRAWING NO.

EX101.0



GENERAL NOTES:
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES.
2. ALL DIMENSIONS TO BE CHECKED.
3. CONTRACTOR IS OBLIGED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT.

PROJECT
O'REILLY RESIDENCE
ADDITIONS AND ALTERATIONS

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
PROPOSED FLOOR PLANS

SEAL

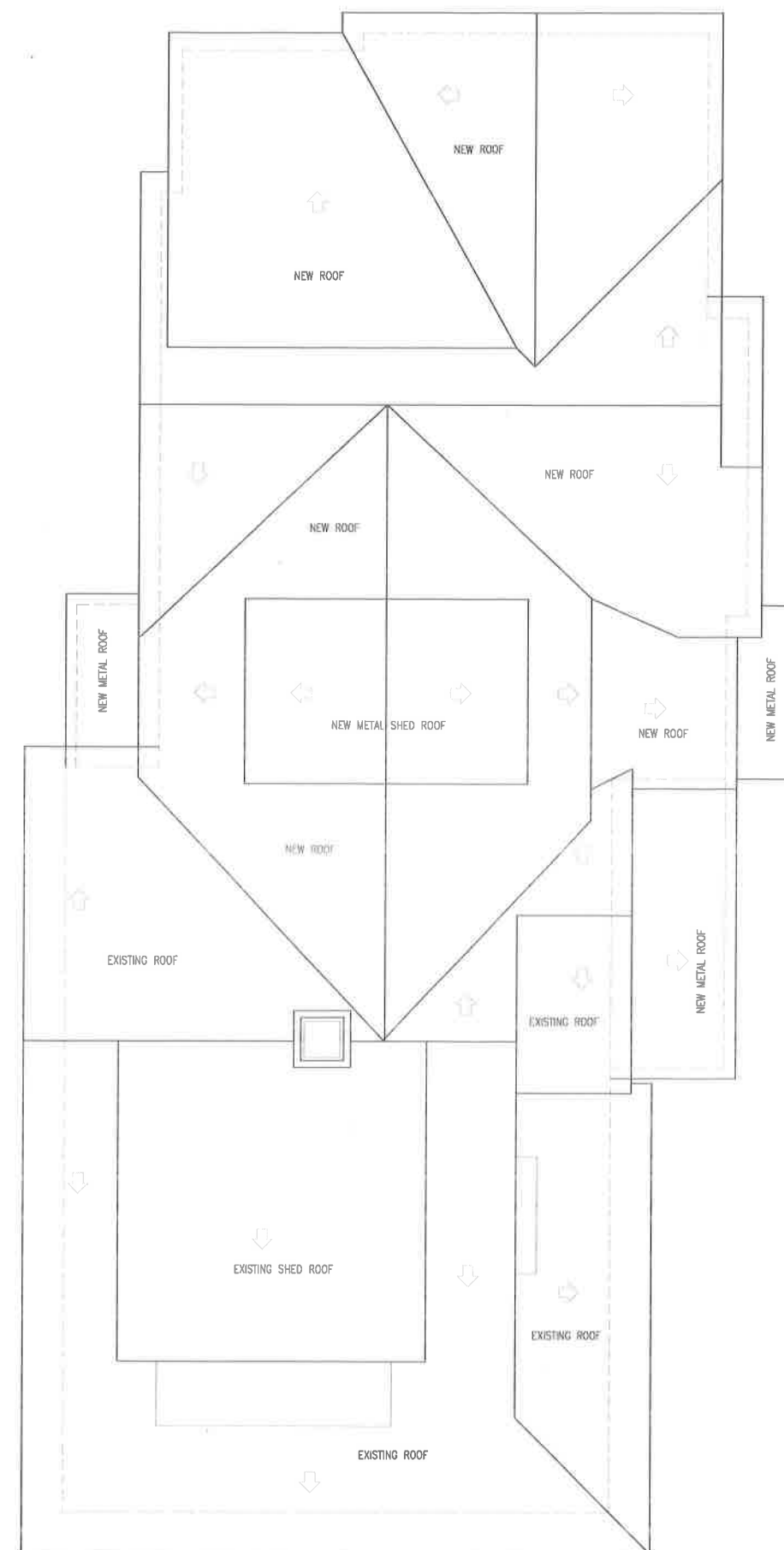
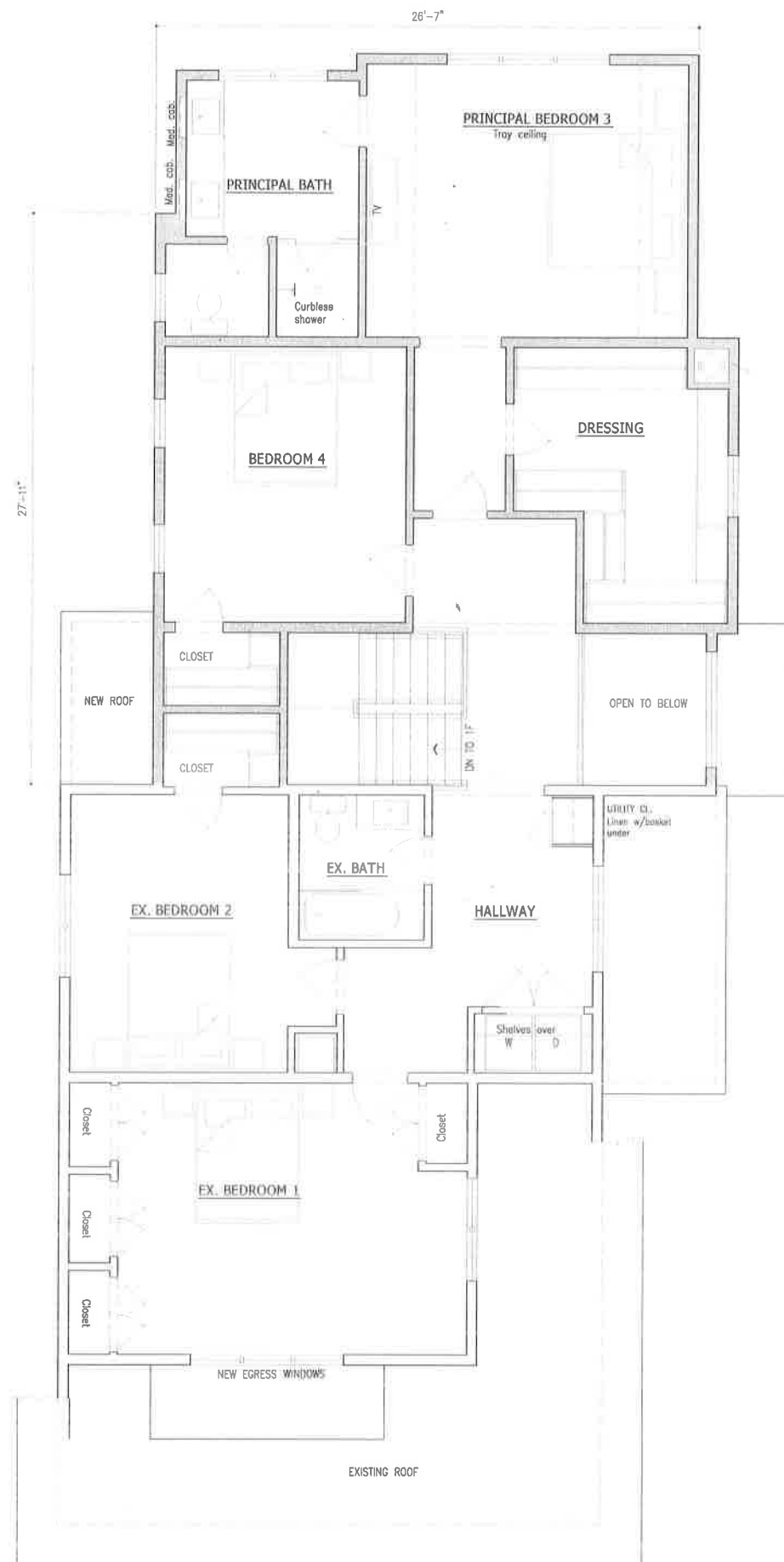


DATE
08-23-24

SCALE
1/4" = 1'-0"

DRAWING NO.

A100.00



GENERAL NOTES:
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES.
2. ALL DIMENSIONS TO BE CHECKED.
3. CONTRACTOR IS OBLIGED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT.

DATE	REVISION

PROJECT
O'REILLY RESIDENCE
ADDITIONS AND ALTERATIONS

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
PROPOSED FLOOR PLANS

SEAL



DATE
08-23-24

SCALE
1/4" = 1'-0"

DRAWING NO

A101.00

GENERAL NOTES
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES.
2. ALL DIMENSIONS TO BE CHECKED
3. CONTRACTOR IS OBLIGED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT.



1 PROPOSED FRONT ELEVATION
(FACING STREET)

SCALE: 1/4"=1'-0"



PROJECT
OREILY RESIDENCE
ADDITIONS AND ALTERATIONS

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
PROPOSED EXTERIOR ELEVATION

SEAL



DATE
08-23-24

SCALE
1/4" = 1'-0"

DRAWING NO

A200.00

GENERAL NOTES:
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES
2. ALL DIMENSIONS TO BE CHECKED
3. CONTRACTOR IS OBLIGED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT



1 PROPOSED REAR ELEVATION

SCALE: 1/4"=1'-0"



PROJECT
OREILY RESIDENCE
ADDITIONS AND ALTERATIONS

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
PROPOSED EXTERIOR ELEVATIONS

SEAL



DATE
08-23-24

SCALE
1/4" = 1'-0"

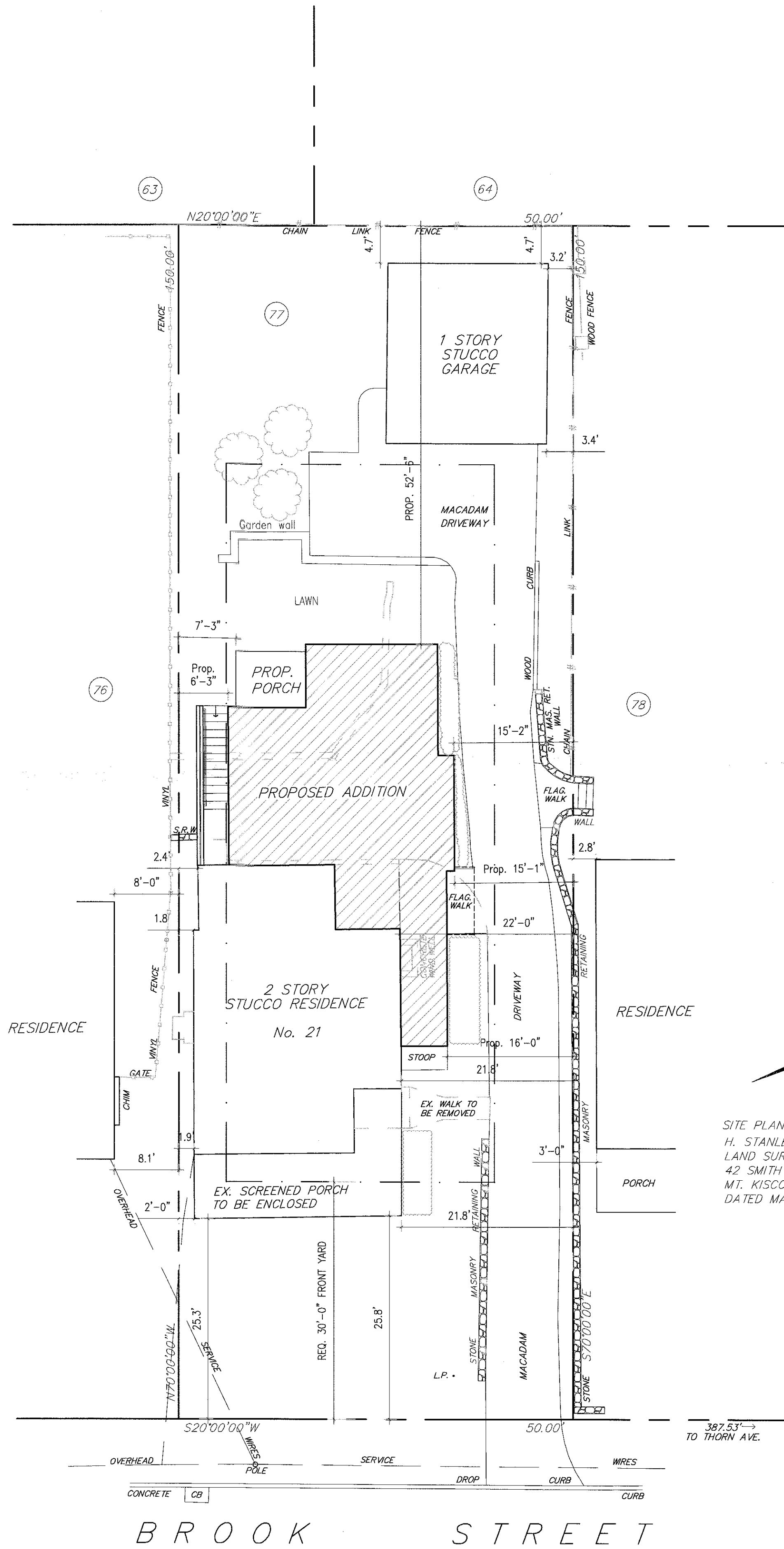
DRAWING NO.

A201.00

GENERAL NOTES:
1. DO NOT SCALE DRAWINGS FOR CONSTRUCTION PURPOSES
2. ALL DIMENSIONS TO BE CHECKED
3. CONTRACTOR IS OBLIGED TO REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT

ZONING TABULATION			
Owner: OREILEY RESIDENCE		Municipality: Village of Mount Kisco	
Address: 21 Brook St. Bedford, NY		Section : 80.26 Block: 4 Lot: 22	
		Total Land Area: 0.172 Acres/7,500 SF	
		Zoning District: RS-6	
Topic	Required	Existing	Proposed
Minimum Lot Area	7,500 SF	7,500 SF	7,500 SF
Minimum Front Yard	30 FT	25.8' *	25.8'
Minimum Side Yard	6/16 FT	1.8'/23.6' *	6'-3"/21'-4"
Minimum Rear Yard	30 FT	79'-10"	52'-4"

* EXISTING NON-CONFIRMING RESIDENCE



SITE PLAN INFORMATION BASED ON THE SURVEY PREPARED BY
H. STANLEY JOHNSON AND COMPANY
LAND SURVEYORS, P.C.
42 SMITH AVENUE P.O. BOX 93
MT. KISCO, N.Y. 10549
DATED MAY 23, 2024

DATE:	REVISION

PROJECT
OREILEY RESIDENCE
ADDITIONS AND ALTERATIONS

21 BROOK ST
MOUNT KISCO, NY

DRAWING TITLE
SITE PLAN



DATE
08-23-24

SCALE
1" = 10'-0"

DRAWING NO.
SP-1.00

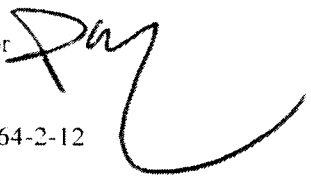
PAGE NO.



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

MEMORANDUM

TO: Honorable Co-Chairs and
Members of the Mount Kisco Planning Board

FROM: Peter J. Miley, Building Inspector 

SUBJECT: Mount Kisco Smokehouse
487 Lexington Avenue. SBL 80.64-2-12

DATE: August 13, 2024

INTRODUCTION

The Village Planner has provided a detailed memo to the Planning Board which includes the project description, SEQRA, the required approvals, and other comments related to the site and the proposed improvements. Therefore, the focus of my memo will be specific to zoning compliance which may include recommendations that will improve zoning compliance.

ZONING

The property is located in the CL-1 Zoning District. The proposed application includes a change of use from the existing retail and warehouse facility to a sales/retail/service area and a food processing/production area that is accessory and supportive to the sales. Proposed also includes refrigerated storage. Other improvements on site include a newly designed parking area, an ADA parking space with an access aisle, new curbing, protection of the Village parkland, and fencing. An existing 3-bedroom residence is also located on the second floor accessible from the rear of the property and this will remain.

The CL-1 District is intended to provide for a mix of commercial, Village service, and residential uses with low to moderate traffic generation characteristics.

NOTE* The existing lot is nonconforming and the building is noncomplying; refer to comments below for details.

Chapter 110. Zoning Article VI. Nonconforming Uses and Noncomplying Buildings § 110-35.
Noncomplying buildings and structures.

D. Noncomplying buildings and structures may not be enlarged without a variance being obtained from the Zoning Board of Appeals pursuant to this chapter. No building or structure which is noncomplying with respect to applicable developmental regulations (by illustration, but not by limitation, height, setbacks, building and development coverage, lot area or lot width) shall be enlarged or altered in such a manner as to increase any such noncompliance or so as to enlarge or increase the area of such building or structure, including but not limited to the alteration of roof or floor levels or the addition of area above, below or adjacent to such noncomplying building or structure. A variance from this section will be required.

COMMENTS

- We were unable to locate an existing approved site plan of record.
- The zoning table needs to be revised to indicate correct setbacks. The rear property line abuts a residential zoning district (PD). Indicated is 0 or 6 ft. if provided – this is for a nonresidential district. 30 ft. is required; however, the building complies with this requirement.
- The existing building is noncomplying.
 - The required front yard setback is 20 ft., existing is 10 ft.
 - The required side yard setback is 6 ft. (if provided), existing is 3 ft.
 - Buffer(s): the building is 2 ft. shy of the required 5 ft. buffer (south side).
 - The southeast (rear, right corner) parking area is almost right up to the property line, no (or very little) buffer is provided at all.
 - The rear parking area buffer provided is 2.5 ft., the PD is considered a residential district and it doesn't permit any residential homes to be constructed. The rear buffer complies however, development coverage can be further improved – refer to bullet No. 8.
 - The north side buffer complies.
 - Development coverage – maximum allowed is 80% and 93.46% is being proposed. The existing development coverage is 95.56%, proposed demonstrates a reduction in impervious surface. Table needs to be revised to indicate existing nonconforming, it is indicated is that it complies and it does not.
 - The proposed parking spaces in the southeast corner of the property can be reduced to 9 ft. in width for residential parking spaces, this will add an additional 1 ft. to the rear buffer/landscaping area and reduce development coverage.
 - The turning radius/pattern should be amended demonstrating that no parking spaces are required or be used for the ability of a vehicle to turn around before exiting, otherwise a variance will be required.
 - A truck delivery loading area is required however, the Planning Board may modify any of the loading requirements if it determines that adequate provisions for loading are provided. The concern is trucks backing out onto Lexington Avenue.
- The lot is nonconforming.
 - District requires a minimum of 10,000 sf., 8,710 +/- sf. is provided – this is an existing nonconforming condition.

PARKING

Parking is deficient by three (3) spaces. A three-parking space variance issued by the Zoning Board is required. Parking calculations were based on a retail calculation given that retail is supported by the food-processing and prep area(s); we agree that the retail calculation (other than the office) should be used.

VARIANCES REQUIRED

1. A three-parking space variance pursuant to 110 Attachment 2 Village/Town of Mount Kisco Minimum Off-Street Parking Regulations. Ten (10) parking spaces are required and seven (7) are provided.
2. A variance (determination) pursuant to Chapter 110. Zoning Article VI. Nonconforming Uses and Noncomplying Buildings § 110-35. Permitting the alteration of a noncomplying building and structure.
3. Buffer waiver by the Planning Board or Variance in the alternative. See the comments above for the list of encroachments.

DEAR MR. MILEY,

THE PROJECT AT 487 LEXINGTON AVENUE, IS REQUESTING AN APPEARANCE IN FRONT OF THE ZONING BOARD OF APPEALS FOR THE FOLLOWING VARIANCES.

1. A three-parking space variance pursuant to 110 Attachment 2 Village/Town of Mount Kisco - Minimum Of-Street Parking Regulations. Ten (10) parking spaces are required and seven (7) are provided.

2. A variance (determination) pursuant to Chapter 110. Zoning Article VI. Nonconforming uses, and Noncomplying buildings Section 110-35. Permitting the alteration of a noncomplying building and structure.

3. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6, a.

Buffer for side yard - required 5 ft where 1'-4" exists and is proposed to remain.

4. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6, b.

Buffer for rear yard abutting a residence - required 10 ft where 2.5 ft is proposed.

PLEASE ALLOW THIS APPLICATION TO BE SCHEDULE FOR A PUBLIC HEARING TO APPEAL THESE POINTS.

THANKYOU,

A handwritten signature in black ink, appearing to read "Hernon Hurtado", written in a cursive style.

HERNON HURTADO

Date: _____

Case No.: 24-15

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Zoning Board of Appeals
Application

Appellant: BETMER LLC (H. HURTADO)

Address: 520 LEXINGTON AVENUE - MT. KISCO, NY

Address of subject property (if different): 487 LEXINGTON AVENUE

Appellant's relationship to subject property: ☒ Owner ☐ Lessee ☐ Other

Property owner (if different): HERNAN HURTADO

Address: 520 LEXINGTON AVE, MTKISCO NY 10549

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken from the decision of the Building Inspector, PETER MILEY dated 8/13/24. Application is hereby made for the following:

1. A three-parking space variance pursuant to 110 Attachment 2 Village/Town of Mount Kisco - Minimum Of-Street Parking Regulations. Ten (10) parking spaces are required and seven (7) are provided.

2. A variance (determination) pursuant to Chapter 110. Zoning Article VI. Nonconforming uses, and Noncomplying buildings Section 110-35. Permitting the alteration of a noncomplying building and structure.

3. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6,b.

Buffer for rear yard abutting a residence - required 10 ft where 2.5 ft is proposed.

of the Code of the Village/Town of Mount Kisco,

to permit the: ☐ Erection; ☒ Alteration; ☐ Conversion; ☐ Maintenance of INTERIOR ~~AND~~ FIRST FLOOR AND EXTERIOR PARKING AREA TO HOUSE THE FACILITY OF MOUNT KISCO SMOKEHOUSE in accordance with plans filed on (date) _____

for Property ID # _____ located in the CL-1 Zoning District.

The subject premises is situated on the NORTH-EAST side of (street) LEXINGTON AVENUE in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No NO

(If on two streets, give both street names) _____

Type of Variance sought: ☐ Use ☒ Area

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? YES

Is there an approved site plan for this property? _____ in connection with a
_____ Proposed or _____ Existing building; erected (yr.) _____

Size of Lot: 75.0' feet wide 123.65' feet deep Area 8710.875 SF

Size of Building: at street level 41' feet wide 60' feet deep

Height of building: 24' Present use of building: _____
RETAIL/WAREHOUSE - 1 ST LEVEL - RESIDENCE - 2 ND LEVEL

Does this building contain a nonconforming use? NO Please identify and explain:

Is this building classified as a non-complying use? NO Please identify and explain: _____

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? NO RECORDS

Was a variance ever granted for this property? NO RECORDS If so, please identify
and explain: _____

Are there any violations pending against this property? NO If so, please identify and
explain: _____

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
Yes or X No Date of Issue: _____

Have you inquired of the Village Clerk whether there is a petition pending to change the
subject zoning district or regulations? NO

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items **MUST** be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued on ____8/13/24____ upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.
NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.
- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

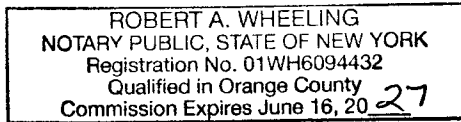
*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

Herman Hurtado
(Appellant to sign here)

Sworn to before me this day of: 30th August, 2024

Notary Public, Robert A. Wheeling, County, NY



[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

State of New York }
County of Westchester } ss

Being duly sworn, deposes and say that he resides at _____ in the County of Westchester, in the State of New York, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number _____ and that he hereby authorized _____ to make the annexed application in his behalf and that the statements contained in said application are true.

(sign here)

STATEMENT OF PRINCIPAL POINTS

THE PROPOSED PROJECT AT 487 LEXINGTON AVENUE, CONSISTS OF LANDSCAPING AND PARKING ON THE SITE FOR THE NEW HOME OF THE MT. KISCO SMOKEHOUSE. THE EXISTING FIRST FLOOR IS PROPOSED TO BE RENOVATED TO PROVIDE RETAIL AND PREPERATION FOR THE SMOKHOUSE TO OPERATE THEIR BUSINESS. THE EXISTING RESIDENTIAL UNIT ABOVE WILL REMAIN AND NO WORK WILL BE PERFORMED IN THAT SPACE.

WE ARE BEFORE THE BOARD SEEKING THE FOLLOWING VARIANCES;

1. A three-parking space variance pursuant to 110 Attachment 2 Village/Town of Mount Kisco - Minimum Of-Street Parking Regulations. Ten (10) parking spaces are required and seven (7) are provided.

2. A variance (determination) pursuant to Chapter 110. Zoning Article VI. Nonconforming uses, and Noncomplying buildings Section 110-35. Permitting the alteration of a noncomplying building and structure.

3. 4. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6, b.

Buffer for rear yard abutting a residence - required 10 ft where 2.5 ft is proposed.

THE EXISTING BUILDING LOCATED AT 487 LEXINGTON AVENUE, EXISTS AS A NON-CONFORMING PROPERTY. THE LOT AREA, SIDE AND FRONT SETBACKS AND LOT AND DEVELOPMENT COVERAGE ARE ALL NON-CONFORMING.

THESE CONDITIONS ARE EXISTING AND WERE NOT CREATED BY THE PROPOSAL OF THIS PROJECT, IN FACT WE ARE TRYING TO IMPROVE THE SITE WITH LANDSCAPING AND DEDUCTIONS OF IMPERVIOUS SURFACES. UNFORTUNATELY, PARKING ON THE SITE IS DIFFICULT TO FIT THE REQUIRED SPACE AMOUNTS IN THE SMALL AREA WE ARE LEFT WITH.

WE HAVE MAXIMIZED THE POTENTIAL FOR PARKING BUT COME UP SHORT 3 SPACES.

THE BUFFERS AS IT EXISTS DOES NOT COMPLY TO ZONING, SO WE PROVIDED THE PROPER BUFFER ON EACH SIDE OF THE PROPERTY, BUT IN THE REAR, WE ARE UNABLE TO DO SO AND PROVIDE ADEQUATE PARKING AND BACK-UP SPACE.

THE REAR OF THE LOT HAD NO BARRIER PREVENTING ANYTHING FROM GOING ONTO THE TOWN PROPERTY. WE ARE PROPOSING A FENCE AND A SMALL LANDSCAPE AREA TO PREVENT ANYTHING LIKE THAT HAPPENING IN THE FUTURE.

WE APPRECIATE YOUR REVIEW OF OUR PROPOSAL AND ASK THAT YOU CONSIDER OUR REQUESTS FOR VARIANCES.

STATE OF NEW YORK }
 }SS.:
COUNTY OF WESTCHESTER }

I reside at 520 Lexington Ave, Mount Kisco, NY 10549

I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

Human Heritage

27th day of August 2001

Reis

LIZETTE A DAVIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DA6442037
Qualified in Dutchess County
Commission Expires OCTOBER 11, 2016

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17 day of SEPTEMBER 2024 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of H. HURTADO

520 LEXINGTON AVENUE - MT. KISCO, NY

from the decision Peter J. Miley, Building Inspector, dated AUG. 13, 2024 denying the application dated to permit the ALTERATION TO THE FIRST FLOOR & PARKING OF THE EXISTING BUILDING TO HOUSE THE FACILITIES FOR MT. KISCO SMOKEHOUSE.

The property involved is known as 487 LEXINGTON AVENUE and described on the Village Tax Map as Section 80.64 Block 2 Lot 12

and is located on the EAST side of LEXINGTON AVENUE in a CL-1 Zoning District.

Said Appeal is being made to obtain a variance from Section(s) ;

1. Section 110 , Attachment 2 - Minimum Off Street Parking Regulations
2. Section 110, Article VI , Section 110 -35 - Nonconforming uses, and Noncomplying buildings, Permitting the alteration of a noncomplying building and structure.
3. Section 110-19.1-c-6,a. - Buffer for side yard
4. Section 110-19.1-c-6,b. - Buffer for rear yard abutting a residence district of the Code of the Village of Mt. Kisco, which requires;

1. A three-parking space variance pursuant to 110 Attachment 2 Village/Town of Mount Kisco - Minimum Off-Street Parking Regulations. Ten (10) parking spaces are required and seven (7) are provided.

2. A variance (determination) pursuant to Chapter 110. Zoning Article VI. Nonconforming uses, and Noncomplying buildings Section 110-35. Permitting the alteration of a noncomplying building and structure.

3. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6,a. Buffer for side yard - required 5 ft where 1'-4" exists and is proposed to remain.

4. A variance (determination) pursuant to Chapter 110. Section 110 - 19.1 - c -6,b. Buffer for rear yard abutting a residence - required 10 ft where 2.5 ft is proposed.

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

500 Lexington Ave Realty Corp.
500 Lexington Ave
MOUNT KISCO, NY 10549

Bueti-Pollard, Jodie L
513 Lexington Ave
MOUNT KISCO, NY 10549

474 Lex, LLC
474 Lexington Ave
MOUNT KISCO, NY 10549

**F &
M Mardino Property LLC**
473 Lexington Ave
MOUNT KISCO, NY 10549

CJ Developers LLC
461 Lexington Ave
MOUNT KISCO, NY 10549

486 Lexington Avenue Corp.
Lexington
MOUNT KISCO, NY 10549

Arco Cottage LP
2 Cottage Pl
MOUNT KISCO, NY 10549

Unknown Owner
Cottage St
MOUNT KISCO, NY 10549

Bueti Family Trust
40 New Castle Dr
MOUNT KISCO, NY 10549

Cerbone Lucy A
Lexington
MOUNT KISCO, NY 10549

Petersville Land Company LLC
495 Lexington Ave
MOUNT KISCO, NY 10549

**B &
B Of Mt Kisco Inc**
503 Lexington Ave
MOUNT KISCO, NY 10549

486 Lexington Avenue Corp.
Lexington Ave
MOUNT KISCO, NY 10549

Village of Mount Kisco
634 Main St
MOUNT KISCO, NY 10549

Oliveri, Francesco
56 New Castle Dr
MOUNT KISCO, NY 10549

486 Lexington Avenue Corp.
Cottage Pl
MOUNT KISCO, NY 10549

497 Lexington Ave MTK LLC
497 Lexington Ave
MOUNT KISCO, NY 10549

Winkler's Nurseries Inc.
458 Lexington Ave
MOUNT KISCO, NY 10549

27 Radio Circle LLC
27 Radio Circle Dr
MOUNT KISCO, NY 10549

1261 Baldwin Road Realty
Lexington
MOUNT KISCO, NY 10549

Frances Kuritzky Testamentary
487 Lexington Ave
MOUNT KISCO, NY 10549

HCC Acquisition Sub Inc
37 Radio Circle Dr
MOUNT KISCO, NY 10549

The Solano Italian Amer. Soc.
3 Cottage Pl
MOUNT KISCO, NY 10549

486 Lexington Avenue Corp
Lexington Ave
MOUNT KISCO, NY 10549

Unknown Owner
Lindy St
MOUNT KISCO, NY 10549

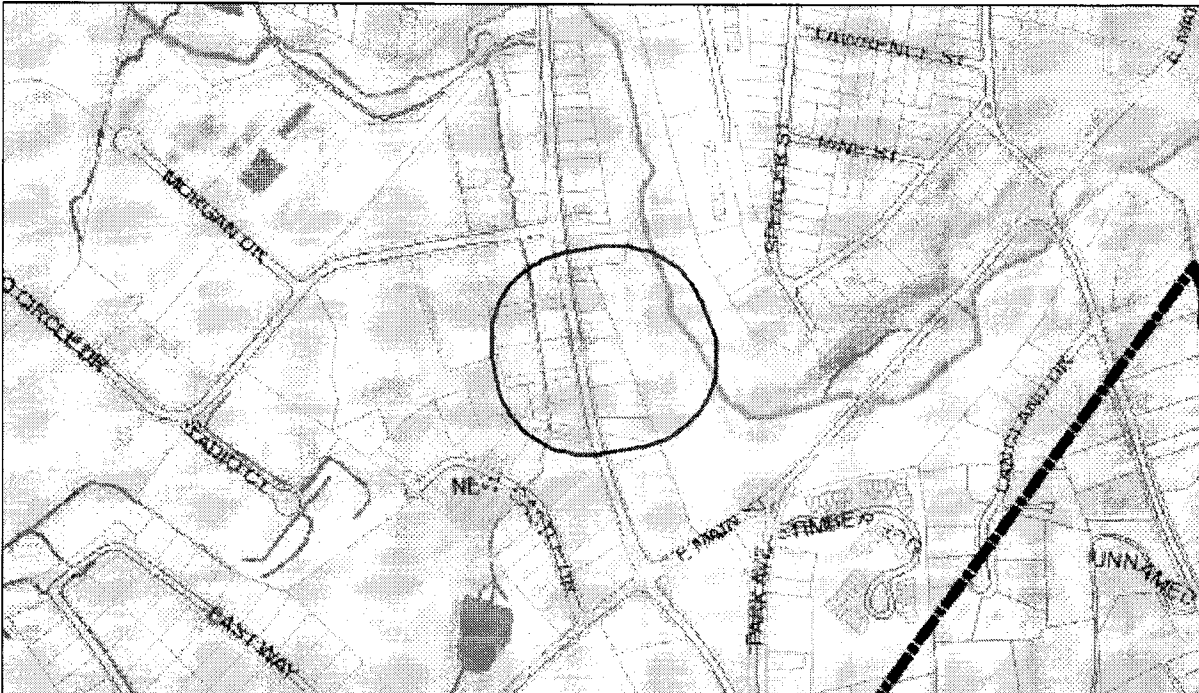
Reilly, Patricia M
481 Lexington Ave
MOUNT KISCO, NY 10549

Tax Parcel Maps

Address: 487 Lexington Ave

Print Key: 80.64-2-12

SBL: 08006400020120000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should **NOT** be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

AFFIDAVIT OF PUBLICATION

State of Wisconsin
County of Brown

Shelly Hora being duly sworn, deposes and says she is the Principal Clerk of **The Journal News**, Division of Gannett Newspaper Subsidiary, publishers of following newspaper published in Westchester and Rockland Counties, State of New York, of which annexed is a printed copy, out from said newspaper has been published in said newspaper editions dated:

08/30/2024

Shelly Hora

Subscribed and sworn to before me this 30 day of August, 2024

Nicole Jacobs
exp: 8-21-26

Notary Public
State of Wisconsin, County of Brown

NICOLE JACOBS
Notary Public
State of Wisconsin

RECEIVED

SEP 11 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

State of New York)
) ss:
County of Westchester)

AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the 9th day of September 2024, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

Municipal Building –
104 Main Street

_____X_____

Public Library
100 Main Street

_____X_____

Fox Center

_____X_____

Justice Court – Green Street
40 Green Street

_____X_____

Mt. Kisco Ambulance Corp
310 Lexington Ave

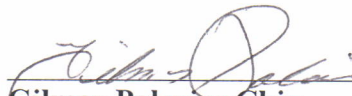
_____X_____

Carpenter Avenue Community House
200 Carpenter Avenue

_____X_____

Leonard Park Multi Purpose Bldg

_____X_____



Gilmar Palacios Chin

Sworn to before me this 9th day of September 2024



Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

RECEIVED

SEP 09 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



633253266DED0010

Westchester County Recording & Endorsement Page

Submitter Information

Name: Attorney's Title Insurance Agency, Inc. Phone: 914-244-3738
Address 1: 118 North Bedford Road Fax: 914-244-3814
Address 2: Suite 200B Email: patrick@attorneytitle.biz
City/State/Zip: Mount Kisco NY 10549 Reference for Submitter: AT23-16215W / 16-24W

Document Details

Control Number: **633253266** Document Type: **Deed (DED)**
Package ID: 2023112100172001001 Document Page Count: **4** Total Page Count: **6**

Parties

☒ Additional Parties on Continuation page

1st PARTY
1: FRANCES KURITZKY TESTAMENTARY TRUST - Other
2: KURITZKY JACQUELINE - Individual
2nd PARTY
1: BETMER LLC - Other
2:

Property

☐ Additional Properties on Continuation page

Street Address: 487 LEXINGTON AVENUE Tax Designation: 80.64-2-12
City/Town: MOUNT KISCO Village:

Cross-References

☐ Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: RP-5217 2: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
Page Fee: \$25.00
Cross-Reference Fee: \$0.00
Mortgage Affidavit Filing Fee: \$0.00
RP-5217 Filing Fee: \$250.00
TP-584 Filing Fee: \$5.00
RPL 291 Notice Fee: \$0.00
Total Recording Fees Paid: **\$320.00**

Transfer Taxes

Consideration: \$1,125,000.00
Transfer Tax: \$4,500.00
Mansion Tax: \$0.00
Transfer Tax Number: 7078

Mortgage Taxes

Document Date:
Mortgage Amount:
Basic: \$0.00
Westchester: \$0.00
Additional: \$0.00
MTA: \$0.00
Special: \$0.00
Yonkers: \$0.00
Total Mortgage Tax: **\$0.00**

Dwelling Type: Exempt: ☐
Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 01/23/2024 at 12:35 PM
Control Number: **633253266**
Witness my hand and official seal

Timothy C. Ideni
Westchester County Clerk

Record and Return To

☐ Pick-up at County Clerk's office

Attorney's Title Insurance Agency, Inc.
118 North Bedford Road
Suite 200B
Mount Kisco, NY 10549
Attn: Attorney's Title Insurance Agency, Inc.

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

633253266DED0010

Westchester County Recording & Endorsement Page

Document Details

Control Number: 633253266 Document Type: Deed (DED)
Package ID: 2023112100172001001 Document Page Count: 4 Total Page Count: 6

1st PARTY Addendum

2nd PARTY Addendum

KURITZKY DAVID
CLUB 487 LEXINGTON AVE LLC

Individual
Other

THIS INDENTURE, made as of the 18TH day of January, 2024

BETWEEN **Jacqueline Kuritzky and David Kuritzky**, having an address of 487 Lexington Avenue, Mount Kisco, New York 10549 as **Trustees of the Frances Kuritzky Testamentary Trust, as to 1/2% interest in the Premises; and**

Club 487 Lexington Ave LLC, having an address of 487 Lexington Avenue, Mount Kisco, New York 10549 as to a **1/2% interest in the Premises.**

party of the first part,

Betmer, LLC, having an address of 520 Lexington Avenue, Mount Kisco, New York 10549

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village/Town of Mount Kisco, County of Westchester, State of New York

SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING AND INTENDED to be the same premises conveyed to the party of the first part by deed dated December 19, 2023 and recorded on December 21, 2023 in the Westchester County Clerk's Office, Division of Land Records under Control No. 633403504.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Frances Kuritzky Testamentary Trust

By: _____

David Kuritzky, Trustee

By: _____

Jacqueline Kuritzky, Trustee

Club 487 Lexington Ave LLC

By: _____

David Kuritzky, Member

STATE OF NEW YORK, COUNTY OF WESTCHESTER s.s.:

On the 18TH day of January, 2024, before me the undersigned, personally appeared

David Kuritzky

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed same in his own capacity and that by his signature on the instrument, the individual or the person on behalf of which the individual acted, executed this instrument.



Notary Public

Patrick E. Clowry
Notary Public State of New York
No. 01016037849
Qualified in Dutchess County
Commission Expires 2-28-2026

STATE OF NEW YORK, COUNTY OF WESTCHESTER s.s.:

On the 18TH day of January, 2024, before me the undersigned, personally appeared

Jacqueline Kuritzky

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed same in his own capacity and that by his signature on the instrument, the individual or the person on behalf of which the individual acted, executed this instrument.



Notary Public

Patrick E. Clowry
Notary Public State of New York
No. 01016037849
Qualified in Dutchess County
Commission Expires 2-28-2026

Section: 80.64
Block: 2
Lot: 12
County: Westchester
Village/Town: Mount Kisco
Address: 487 Lexington Avenue
Mount Kisco, New York 10549

Record and Return To:

Attorney's Title Insurance
118 North Bedford Rd Ste 100B
Mt. Kisco, NY 10549

Title # AT23-16215W

**SCHEDULE "A"
(DESCRIPTION)**

ALL that certain plot, piece or parcel of land situate, lying and being in the Village & Town of Mount Kisco, County of Westchester, and State of New York.

BEGINNING at a point on the easterly side of Lexington Avenue, 225.00 feet North from the northerly portion of property formerly of Hoffman, now of Samuel Hustes; thence from the said point or place of beginning, North 88° 42' 32" East 123.61 feet to lands now of the City of New York; thence along lands of the City of New York, North 12° 33' 00" West 76.47 feet; thence along lands now or formerly of Eleanor and Albert Tarracciano, South 88° 42' 32" West 108.68 feet; thence along the easterly side of Lexington Avenue, South 1° 17' 28" East 75.00 feet to the point or place of BEGINNING.

BEING AND INTENDING TO BE the same premises as conveyed to the grantor by virtue of a deed recorded in **Control No. 491620139**

For Informational Purposes Only:

Address: 487 Lexington Avenue, Mount Kisco

Village & Town: Mount Kisco

County: Westchester

TAX DESIGNATION: Section: 80.64, Block: 2, Lot: 12



MT. KISCO VETERINARY HOSPITAL - 474 LEXINGTON AVENUE



LEXINGTON AUTO SALES – 486 – 488 LEXINGTON AVENUE



COTTAGE PLACE



MT. KISCO SEAFOOD – 477 LEXINGTON AVENUE



MEDICAL OFFICES – 491 LEXINGTON AVENUE



NEW DIMENSIONS REMODELING DESIGN CENTER – 466 LEXINGTON AVENUE



NORTH VIEW DOWN LEXINGTON AVENUE AT MT. KISCO SEAFOOD



NORTH VIEW DOWN LEXINGTON AVENUE



SOUTH VIEW DOWN LEXINGTON AVENUE



OVERHEAD VIEW OF SITE – 487 LEXINGTON AVENUE



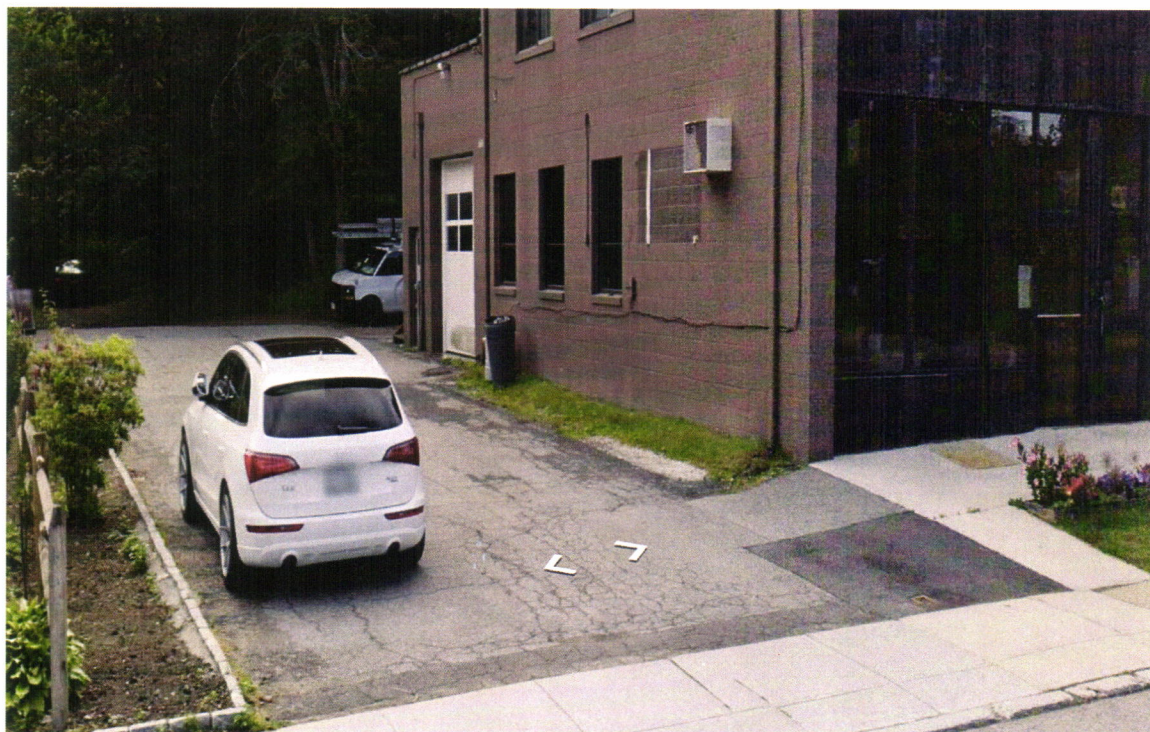
REAR OF SUBJECT BUILDING – 487 LEXINGTON AVENUE



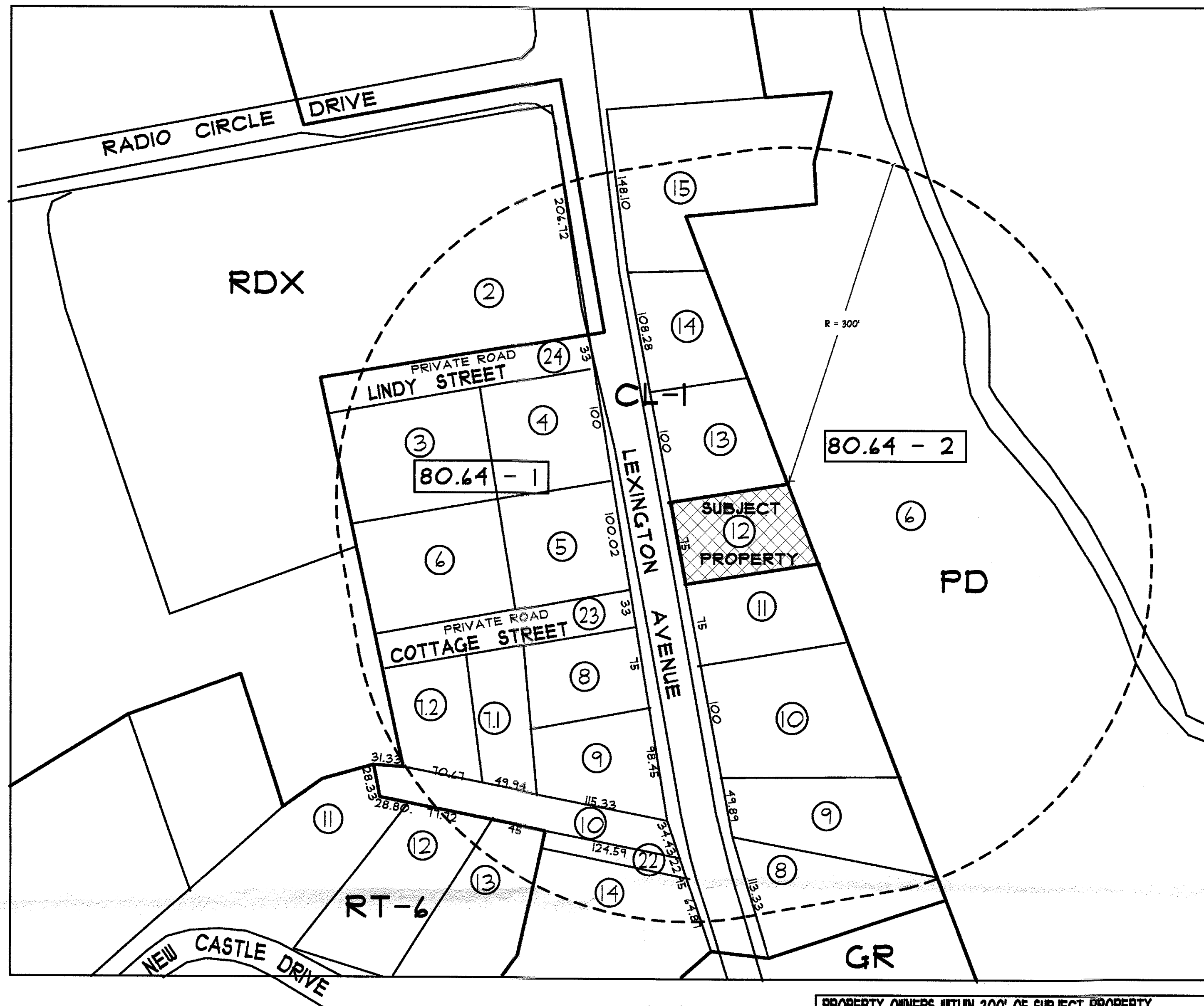
FRONT AND LEFT SIDE VIEW OF SUBJECT BUILDING - 487 LEXINGTON AVENUE



RIGHT SIDE OF SUBJECT BUILDING – 487 LEXINGTON AVENUE



VIEW OF DRIVEWAY OF SUBJECT BUILDING – 487 LEXINGTON AVENUE



LOCATION / ZONING MAP

LEGEND

- RT-6 INDICATES ZONE DISTRICT
- INDICATES ZONE DISTRICT BOUNDARY
- 80.64 - 2 INDICATES SECTION & BLOCK
- ⑥ INDICATES LOT NUMBER
- INDICATES 300' DISTANCE FOR MAILING

PROPERTY OWNERS WITHIN 300' OF SUBJECT PROPERTY				
PROPERTY OWNER	ADDRESS	CITY/TOWN	ZIP	SECTION/BLOCK/LOT
500 Lexington Ave Realty Corp.	500 Lexington Ave	MOUNT KISCO	10541	80.64-1-14
Busti-Pellard, Jodie L.	515 Lexington Ave	MOUNT KISCO	10541	80.64-2-8
FTH Lvs, LLC	414 Lexington Ave	MOUNT KISCO	10541	80.64-1-15
F I H Harding Property LLC	413 Lexington Ave	MOUNT KISCO	10541	80.64-2-14
CJ Developers LLC	441 Lexington Ave	MOUNT KISCO	10541	80.64-2-15
486 Lexington Avenue Corp.	Lexington Ave.	MOUNT KISCO	10541	80.64-1-1
Arco Cottage LP	2 Cottage Pl	MOUNT KISCO	10541	80.64-1-1
Unknown Owner	Cottage St	MOUNT KISCO	10541	80.64-1-73
Busti Family Trust	40 New Castle Dr	MOUNT KISCO	10541	80.64-1-18
Corbier Lisa A	Lexington Ave.	MOUNT KISCO	10541	80.64-1-8
Petersville Land Company LLC	415 Lexington Ave	MOUNT KISCO	10541	80.64-2-11
B I B Of Mt Kisco Inc	503 Lexington Ave	MOUNT KISCO	10541	80.64-2-10
486 Lexington Avenue Corp.	Lexington Ave	MOUNT KISCO	10541	80.64-1-10
Village of Mount Kisco	1341 Main St	MOUNT KISCO	10541	80.64-2-1
Oliver, Francesco	64 New Castle Dr	MOUNT KISCO	10541	80.64-1-18
486 Lexington Avenue Corp.	Cottage Pl	MOUNT KISCO	10541	80.64-1-11
441 Lexington Ave HTK LLC	441 Lexington Ave	MOUNT KISCO	10541	80.64-2-1
Winkler's Nurseries Inc.	456 Lexington Ave	MOUNT KISCO	10541	80.64-1-8
21 Redo Circle LLC	21 Redo Circle Dr	MOUNT KISCO	10541	80.64-1-2
21 Redo Circle Realty	Lexington Ave.	MOUNT KISCO	10541	80.64-1-1
Frances Kottis Testametary	181 Lexington Ave	MOUNT KISCO	10541	80.64-2-10
HCC Acquisition Sub Inc	37 Redo Circle Dr	MOUNT KISCO	10541	80.64-1-1
The Bolano Italian Amer. Soc.	3 Cottage Pl	MOUNT KISCO	10541	80.64-1-12
486 Lexington Avenue Corp	Lexington Ave	MOUNT KISCO	10541	80.64-1-12
Unknown Owner	Lindy St	MOUNT KISCO	10541	80.64-1-14
Reilly, Patricia H	48 Lexington Ave	MOUNT KISCO	10541	80.64-2-18

TWX1 LED
LED Wall Luminaire

Specifications

Height: 14" 1/2"
Width: 12" 1/2"
Weight: 7.0 lb
Without options: 9.0 lb

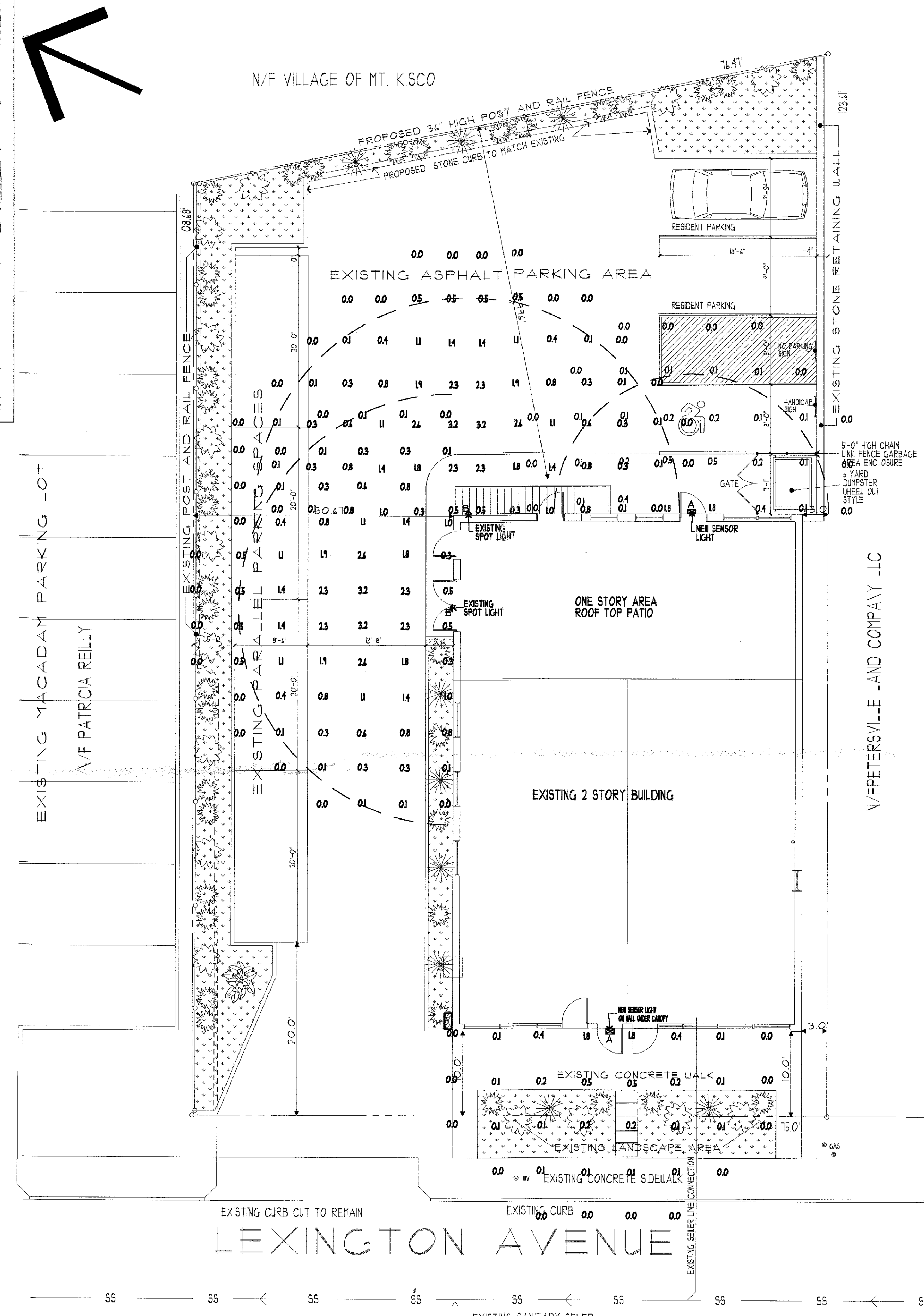
Introduction

TWX1 LED wall pack family is a ground-up design that has the low-voltage LED technology and a traditional form. The TWX1 LED is energy efficient, saving up to 80% in energy costs when replacing a traditional halide luminaire. Lifetime is expected to be more than 50 years. The TWX1 LED eliminates frequent lamp and ballast replacements associated with traditional technologies.

The Adjustable Light Output (ALCO) feature allows the contractor to use the light output during construction, but later, if needed, to replace anything from a CFL to MHV metal halide luminaire.

Example: TWX1 LED P3 40K MHV/P3 PE DODD

ITEM	QTY	UNIT	PRICE	TOTAL
1. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
2. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
3. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
4. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
5. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
6. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
7. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
8. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
9. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
10. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
11. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
12. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
13. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
14. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
15. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
16. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
17. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
18. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
19. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
20. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
21. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
22. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
23. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
24. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
25. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
26. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
27. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
28. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
29. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
30. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
31. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
32. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
33. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
34. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
35. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
36. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
37. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
38. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
39. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
40. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
41. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
42. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
43. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
44. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
45. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
46. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
47. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
48. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
49. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
50. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
51. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
52. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
53. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
54. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
55. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
56. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
57. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
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67. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
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71. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
72. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
73. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
74. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
75. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
76. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
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80. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
81. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
82. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
83. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
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99. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00
100. TWX1 LED P3 40K MHV/P3 PE DODD	1	EA	1,200.00	1,200.00



PROPOSED EXTERIOR LIGHTING PLAN
SCALE: 1/8" = 1'-0"

LUMINAIRE SCHEDULE

A	LITHONIA LIGHTING	WALL MOUNTED	TWX1 LED	1600 LUMENS	SHALL BE ON A MOTION DETECTOR
B	EXISTING INCANDESCENT SPOT LIGHTING	WALL MOUNTED	VERIFY TO BE OPERATIONAL	150 WATT BULBS	

REVISIONS

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P.C.D. ASSOCIATES
DESIGN CONSULTANTS

STEVEN A. COSTA, P.E.
CONSULTING ENGINEER
154 PALISADE AVENUE • YONKERS, NEW YORK 10703

STATE OF NEW YORK
JEREMY ANTHONY COSTA
PROFESSIONAL ENGINEER

PROPOSED DEMOLITION TO BUILDING INTERIOR
481 LEXINGTON AVENUE
MT. KISCO, NEW YORK

DRAWING TITLE
LOCATION/ZONING MAP/PROPERTY OWNERS LIST/EXTERIOR LIGHTING PLAN

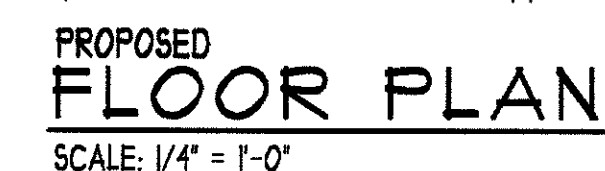
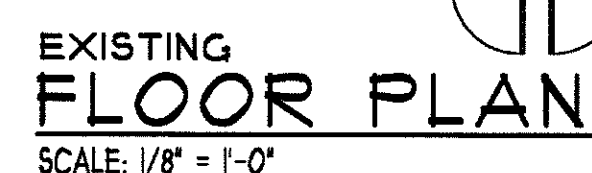
DATE
2/8/24

SCALE
AS NOTED

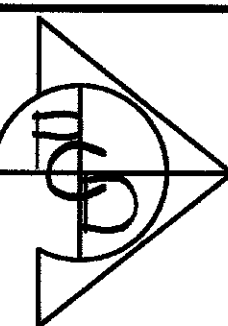
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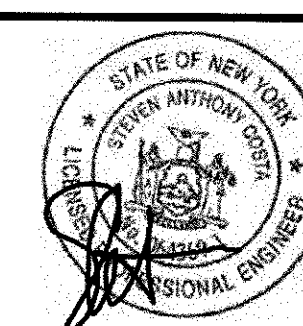
DRAWING NUMBER
52

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P.C.D. ASSOCIATES
DESIGN CONSULTANTS
2506 KINGS WAY * CARMEL, NY 10512



STEVEN A. COSTA, P.E.
CONSULTING ENGINEER
756 PALISADE AVENUE • YONKERS, NEW YORK 10703



JOB TITLE
PROPOSED INTERIOR ALTERATIONS TO EXISTING COMMERCIAL BUILDING
487 LEXINGTON AVENUE
MT. KISCO, NEW YORK

DRAWING TITLE
PLAN / ELEVATIONS

DATE	2/8/24
SCALE	AS NOTED
DRAIN BY	PC
CHECKED BY	SAC

Michelle Russo

RECEIVED

From: JUDITH SAGE <judithellensage@gmail.com>
Sent: Friday, July 19, 2024 10:51 AM
To: Planning
Subject: Email comment for Zoning Board of Appeals

JUL 19 2024

Zoning Board of Appeals
Village/Town of Mount Kisco

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the members of the Zoning Board of Appeals

I am unclear if a Public Hearing has been scheduled regarding the proposed Lithium Battery Storage facility proposed for 333 North Bedford Road, Mount Kisco. If there is a public hearing I am requesting that this email be included as public comment. Thank you for your consideration.

I have been watching ZBA meetings on Facebook with respect to lithium battery storage facilities. I do not have the background or information to comment on zoning law, much less the science and safety of Lithium battery storage. I am, however, very familiar with the location. I live, according to Google, .4 miles (or 2112 feet) distance from the proposed location

I am not sure that this business has any real understanding of this location. Much less the community of the surrounding towns. The presenter seems to be reading from documents indicating somehow that this location has been deemed essential. So I want to offer my heartfelt thanks to the ZBA Board members who have decided to conduct a site visit.

Here, for example, is a property for rent in a light industrial zone not very close to any residential developments 2.4 miles away in Bedford Hills. I admit I don't know if this property meets the size requirements. However, there is no question that more non residential industrial locations are available, in contradiction to the information provided.

<https://www.commercialsearch.com/commercial-property/us/ny/bedford-hills/332-adams-street/>

Please also include in my statement, a letter I previously wrote to the Examiner newspaper, linked below. The congestion and traffic issues, and safety issues, must include the ability for emergency vehicles to reach this property if they should ever be needed.

<https://www.theexaminernews.com/too-many-impediments-for-mt-kisco-to-house-battery-storage-system/>

Thank you again for your consideration, and for planning a site visit.

Respectfully

Judith Sage
18 Foxwood Circle
Mount Kisco, New York 10549
(914) 417-5734
Judithellensage@gmail.com

LAW OFFICES OF
SNYDER & SNYDER, LLP

94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

rgaudioso@snyderlaw.net

July 29, 2024

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

LESLIE J. SNYDER
ROBERT D. GAUDIOSO (NY/NJ)
DOUGLAS W. WARDEN
JORDAN M. FRY
MICHAEL SHERIDAN (NY/NJ)
DAVID KENNY (NY/NJ)

DAVID L. SNYDER
(1956-2012)

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

REPLY TO:

TARRYTOWN OFFICE

Honorable Chairman Wayne Spector
and Members of the Zoning Board of Appeals
Village of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

Re: 333 North Bedford Road ("Property")
Public Utility Battery Energy Storage Facility
New Leaf Energy

Honorable Chairman Spector and
Members of the Zoning Board of Appeals:

We are the attorneys for New Leaf Energy ("New Leaf") in connection with its application to develop a public utility battery energy storage facility ("Facility") at the above captioned site.

On July 16, 2024, the ZBA passed a resolution in connection with New Leaf's interpretation request and resolved to conduct a site visit with respect to New Leaf's use variance application. We respectfully request a copy of the Zoning Board resolution as filed with the Village Clerk and the date and time that the Zoning Board wishes to conduct the site visit. We also respectfully request that the Zoning Board refer the application to the County Planning Department as required under Section 239-m of General Municipal Law.

In addition, enclosed please find ten (10) copies of Corina Solis' fire safety overview presentation that she was prepared to make on July 16th, including reference to nearby battery energy storage systems in the area such as facilities permitted by the New Leaf's predecessor at 3901 Gomer Court, Yorktown; 65 Broadway, Hawthorne; and 381 North Highland Avenue, Ossining.

We thank you for your consideration and look forward to discussing this matter with the Zoning Board of Appeals at the September 17, 2024 continued public hearing.

If you have any questions or require any additional documents, please do not hesitate to contact me at 914-333-0700.

Snyder & Snyder, LLP

By: 
Robert D. Gaudioso

Enclosures

RDG/cae

cc: New Leaf Energy
Peter Miley, Building Inspector (by email)

The background image shows several large, white, rectangular energy storage containers (ESS) arranged in a row. The containers are situated outdoors on a paved surface. In the background, there are tall evergreen trees and a clear blue sky with some light clouds. A solar panel array is visible in the distance behind the containers. The overall scene is well-lit, suggesting a sunny day.

Fire Safety Overview - 333 N Bedford Energy Storage Project

Corina Solis

New Leaf Energy

Installing safe energy storage systems is inherent to our mission.

Energy storage systems are an essential component of a modern, resilient, and decarbonized grid. And as we pursue our mission to accelerate the transition to a world powered by renewable energy, developing safe, reliable, and effective energy storage systems is an absolute priority.

New Leaf Energy also takes the safety of residents near our projects very seriously, which is why our multi-layered approach to designing and developing energy storage systems puts safety at the center of every decision.



Tesla MegaPack 2 XL: Technical details of the product proposed

Approx. 29' X 5.5' X 9' dimensions

Lithium Iron Phosphate chemistry

- no nickel, cadmium

No free-flowing electrolyte

- 3 levels of containment: cell, module, container

Granular monitoring and controls (cell level)

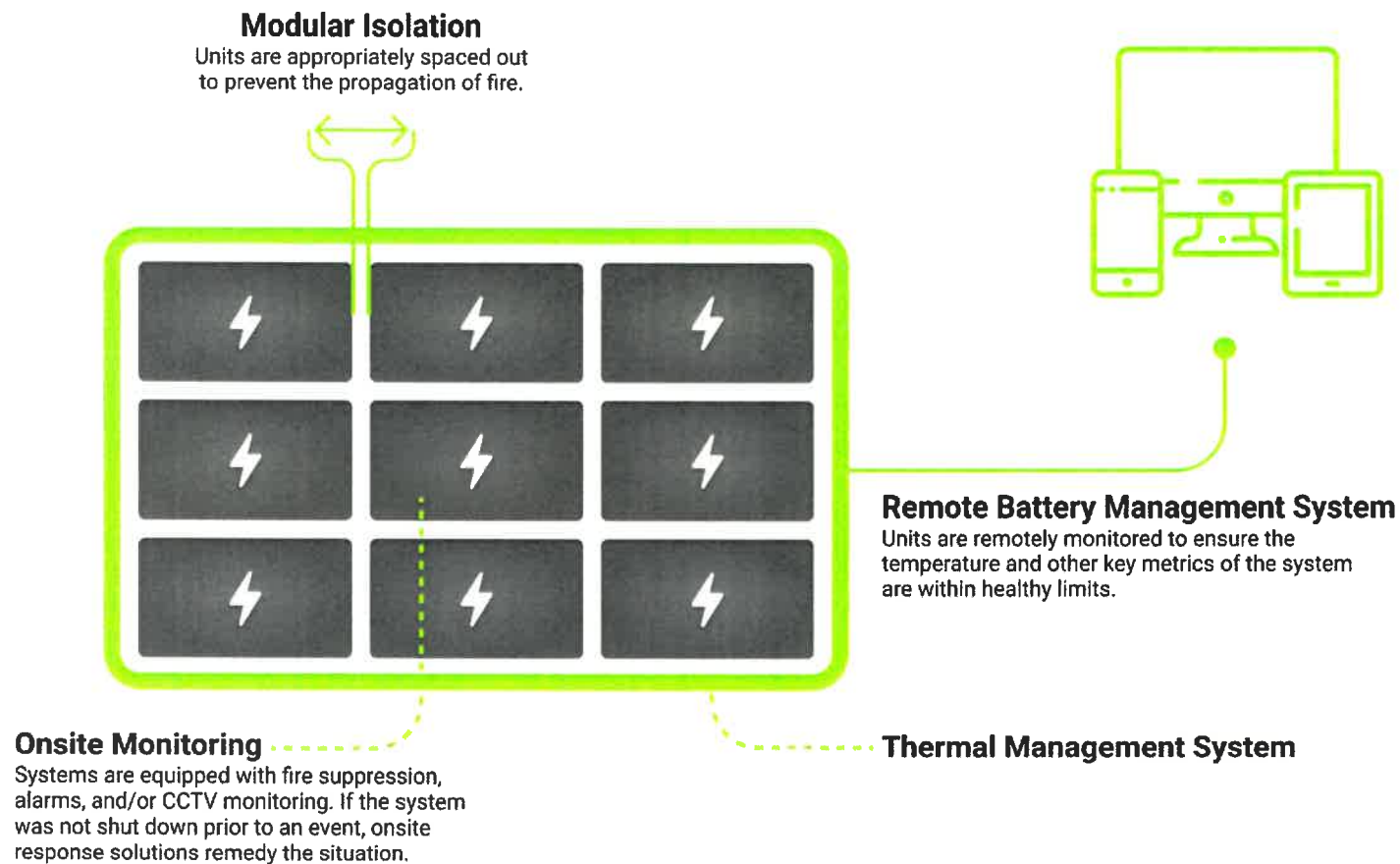
Overpressure protection



Image courtesy of
www.tesmanian.com



Battery safety architecture includes granular, multi-level monitoring and control.



Energy Storage Systems are required and tested to fail safety.

Multiple levels of safety testing is required through a Nationally-Recognized Testing Lab

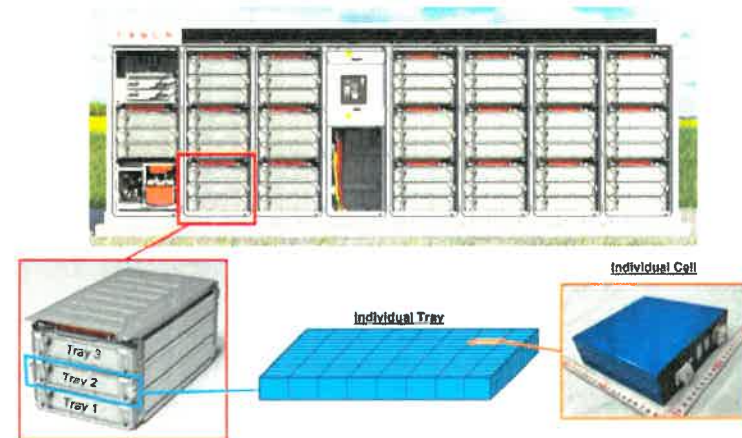


System will not explode or create explosion hazards.

Fire does not spread to adjacent units.

Does not emit gases during normal operation. Does not release exotic toxic gases.

- UL 1642: **Cell Listing**
- UL 1973: **Module Listing**
- UL 9540: **System Listing**
- UL 9540A: **Large-Scale Fire Testing (Safety Validation)**
- UL 1741: **Inverter Listing**



Energy storage systems follow stringent safety measures.

The system will comply with the requirements in development by NYS Interagency Fire Safety Working Group

Measures include:

- Fire alarm and detection
- Remote monitoring and communication
- Overpressure protection
- Emergency response team
- Regular emergency response trainings for local FD
- Third-party UL testing and certification



Existing NYC Energy Storage Projects (5+ years of operation)

Barclay Center



(image credit: Ben Fractenberg/The City)

TWA Hotel



Gateway Center



(image credit: Enel X)



Existing NYC Energy Storage Projects (5+ years of operation)

Con Edison Ozone Park Facility



REV Demonstration Facility



(image credit: google.com/maps)



Existing NYC Energy Storage Projects (near residential uses)

Staten Island Facility



Brooklyn Facility (5+ years of operation)



(image credit: theguardian.com)



Westchester Sites Under Construction

New Leaf Energy (while formerly Borrego) developed 3 Westchester projects in Mount Pleasant, Ossining, and Yorktown, which are expected to come online in 2024.

