



TOWN OF OSSINING
BUILDING & PLANNING DEPARTMENT

101 ROUTE 9A, P.O. Box 1166

OSSINING, N. Y. 10562

PHONE: (914) 762-8419 FAX: (914) 290-4656

Website www.townofossining.com & Email bldgdept@townofossining.com

APPLICATION TO THE ZONING BOARD OF APPEALS

Date 01-16-25

I, We Maria Barreto Of 244 Spring St
(Name of Applicant) (Street)

Ossining NY 10562 914-373-9131 barreto.mercy@gmail.com : HEREBY
(Municipality) (State) (Zip Code) (Phone No.) (Email)

(x) APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF
THE BUILDING INSPECTOR AND IN CONNECTION THEREWITH REQUEST

() an Interpretation of the Zoning Code or Zoning Map of the Town of Ossining

(x) a Variance from the terms of the Zoning Code of the Town of Ossining, or

() a Temporary Certificate of Occupancy.

() APPLY TO THE ZONING BOARD OF APPEALS FOR A SPECIAL PERMIT.

1. **LOCATION OF PROPERTY:** 29 Old Albany Post Road
(Street and Number)

SECTION 80.18 BLOCK 2 LOT 17 & 18 ZONE NC

A) Is the Property located within a distance of 500 feet of the boundary of any village,
town or county, or any boundary of a State park or parkway?

If yes, specify.

Yes _____ No x

B) Does the Property abut the boundary of any village or town, the boundary of any State
or County park or other recreation area, the right-of-way of any stream or drainage
channel owned by the county or for which the county has established channel
lines, or the boundary of any county or State owned land on which a public building
or institution is located? If yes, specify.

Yes _____ No x

C) If a Special Permit is being applied for, is the property shown on the Hudson
River Valley Commission Jurisdiction Map?

Yes _____ No x

2. **PROVISION (S) OF THE ZONING CODE INVOLVED:**

Section 200 subsection 17 paragraph _____

Section 200 subsection 29 paragraph (a) (8)(c) and (d)

Section _____ subsection _____ paragraph _____

3. **DESCRIPTION OF RELIEF REQUESTED** (Set forth the circumstances of the case, interpretation that is claimed and details of any variance applied for. Use extra sheet if necessary.)

Base on the Town Code sections listed above. We are seeking an "Area variance" for an additional two parking spaces for Commercial vehicle use.

The existing One Family property is located in a NC zone.

We will be complying with section 200-29.8c as only Commercial vehicles will be parked on site.

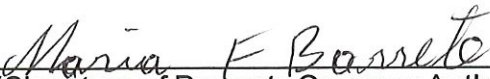
4. **REASON FOR APPEAL** (State precisely grounds on which it is claimed that relief should be granted. Use extra sheet if necessary.)

As stated previously this is a one family residence located in a NC zone. Base on a permitted uses section 200-17.a and section 200-29.8d only One commercial vehicle is allow, we are seeking a variance for two additional vehicles, for a total of three (3) commercial vehicles.

The Owner has a small landscaping businesses. All other equipment will be stored at a different location.

We will be adding additional landscape features to buffer existing neighborhood areas, as reflected in the drawings.

5. Enclose 10 paper copies and 1 pdf version of an accurate and intelligible plan, survey, location map, of the Property drawn to a suitable scale and a nonrefundable fee of \$350.00 payable to Town of Ossining. Email pdf to bldgdept@townofossining.com


(Signature of Property Owner or Authorized Agent)

Whether an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

- The proposed modification / change will not affect the character of the neighborhood, the proposed use is similar to the existing mixed uses along the road and in compliance with the NC zoning district intent and a landscaped buffer lawn area will remain where is adjacent to the nearest residential district
- Our client small landscaping trucks will only be parked overnight and it will be a landscaping buffer from neighboring properties

Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. Whether the requested area variance is substantial.

- This modification is minor, no changes are proposed to the existing structure, and it is mostly site work (landscaping and parking) that it is proposed. These changes will not impact the character of the neighborhood. The Area variance is not substantial, no addition to the existing structure or new structures are proposed.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

- Proposed parking area will not impact any physical or environmental areas. The proposed parking will be an improvement to the existing property, we are proposing to add more landscaping to buffer any potential visual impact to the adjacent properties.

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.

- This is due to existing condition and zoning restrictions. While part of a commercial oriented zoning district the existing residential structure predates the current zoning requirements (the house was built in 1930) and it is currently use as a residence and home business for our client.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Parking Spaces 3							
Project Location (describe, and attach a location map): 29 Old Albany Post road							
Brief Description of Proposed Action: Base on the Town Code sections listed above. We are seeking an "Area variance" for an additional two parking spaces for Commercial vehicle use. The existing One Family property is located in a NC zone. We will be complying with section 200-29.8c as only Commercial vehicles will be parked on site.							
Name of Applicant or Sponsor: Maria F Barreto		Telephone: 914) 373 9131					
Address: 244 Spring St		E-Mail: barreto.mercy@gmail.com					
City/PO: Ossining		State: N Y	Zip Code: 10562				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 2px;">NO</td> <td style="text-align: center; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 2px;">NO</td> <td style="text-align: center; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? <i>N/A</i>	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply? <i>N/A</i>	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Maria F Barreto</u> Date: <u>01-16-25</u> Signature: <u>Maria F Barreto</u> Title: <u>01-16-25</u>		