

VILLAGE OF PELHAM

Zoning Board of Appeals

HERESA MOHAN and PETER MOSKOWITZ
222 Corlies Avenue
Pelham, New York 10803
Parcel 163.60-1-23

December 14, 2016

PRESENT: Chairman Smith, Messrs. Shirreffs, Diffley & Ms. Clara Marshall, Deputy Clerk Deborah DelGrosso, Attorney Robert G. Wise and Building Inspector Leonard Russo. Mr. David Brown was not present.

The applicants sought a special permit to install an in-ground swimming pool, in accordance with the provisions of Section 98-106 and 98-133 D. of the Zoning Code. Their home is located at 222 Corlies Avenue and also designated as parcel 163.60-1 -23 on the Tax Map of the Village of Pelham. Mr. Smith started the meeting by introducing Ms. Marshall – Michael Hartmere’s replacement -- to the Board and to those present at the meeting. Mr. Smith also stated that an SEQRA environmental assessment was not required for this particular application.

Ms. Mohan and Mr. Moskowitz were present in support of the application. Their contractor, Jose Rama, of Rama Construction, was also present in support of the application. Ms. Mohan presented the Board with drawings of the proposed swimming pool and asked the Board if any member had comments or questions. Mr. Smith summarized the conditions set forth in section 98-106 of the Zoning Code relating to the issuance of a permit for a swimming pool. In particular, Mr. Smith stated, those conditions include, without limitation, a maximum number of bathers, hours of operation of the swimming pool, and location of the swimming pool with at least ten feet from the rear and side yard lotlines. The applicants acknowledged their intention to comply with

these conditions. Mr. Smith further noted that the pool must have a four foot fence surrounding it with a self-locking gate. Mr. Smith noted that the provisions of Section 98-106 B(5) restrict any lighting fixtures adjoining swimming pools to seven feet above ground level. The applicants responded that there would be no lighting fixtures installed. The applicants had additionally executed a hold harmless agreement in accordance with section 98-106(D)(1) of the Zoning Code. They further acknowledged that the section 98-106(D)(2) of Zoning Code requires they must maintain a service contract of the pool, which must have to be renewed annually. Mr. Smith finally advised the applicants that the Special Permit must be renewed every five years. There were no comments from the public either in support or in opposition to the application.

Mr. Diffley made a motion the Special Permit be granted for a period of five years on the condition the applicants comply with the conditions set forth in Section 96-106 of the Zoning Code. Mr. Shirreffs seconded the motion, which was unanimously approved.

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ZONING BOARD OF APPEALS**



Edward Smith, Chairman

Kenneth Shirreffs



Bryan Diffley

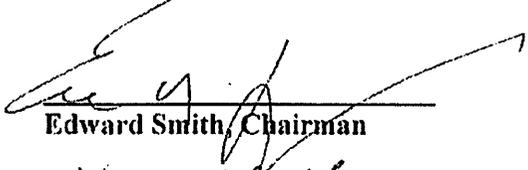


Clara Marshall

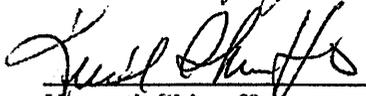
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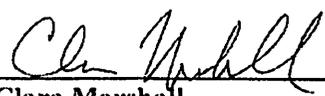
Edward Smith, Chairman



Kenneth Shirreffs



Bryan Diffley



Clara Marshall