

CHECKLIST FOR INITIAL ZONING BOARD OF APPEALS SUBMISSION

- ☐ Applicable fee & Escrow fee
- ☐ Electronic Copy of All documents submitted

Applicant must submit six (6) copies of the following:

- ☒ Completed Application
- ☐ All Certificates of Occupancy or Temporary Certificate of Occupancy for the property, or Letter from the Building Department in lieu thereof
- ☐ Violations on the property and proof that they have been corrected
- ☒ Photographs of the property (3" X 5" or larger) that depict the location and potential impacts of your application *(on Augs)*
- ☒ Accurate survey** of the current status of the property which has been prepared and certified by a licensed surveyor *within the past twelve (12) months* of the application date, shall be submitted with each application.

****ALL SURVEYS SUBMITTED FOR A VARIANCE REQUEST *MUST SHOW THE SETBACKS FOR ALL STRUCTURES ON THE LOT TO THE PROPERTY LINE***

Please Note: Where a survey certified within the past 12 months is not available and the application does not involve any change to the exterior of the property, the ZBA will accept a certification by the owner that to his/her knowledge the existing survey accurately depicts the current status of the property

- ☒ ~~Certified drawings, prepared by a registered architect or professional engineer,~~ and other supporting documents
- ☒ Written consent of the owner if you are not the owner of the property
- ☒ Certification, as required by NYS General Municipal Law
- ☒ State Environmental Quality Review (SEQRA) *Short or Long Environmental Assessment Form*
- ☒ Copy of the Determination being Appealed
- ☐ NOTE: See Instructions regarding Submittal of Supplemental Materials or New Plans (Item VII in the Rules of the Zoning Board of Appeals of the Village of Mamaroneck and Instructions for Bringing an Appeal

Applicant's Signature

1.17.23

Date

CERTIFICATION

(Required by New York State General Municipal Law)

Bryan Vasser

states as follows:

(Applicant's name)

1. I am interested in this application for a variance or special use permit now pending before the Village of Mamaroneck Board of Appeals,
2. I reside at 316 BOSTON POST RD MILFORD, CT 06460
3. The nature of my interest in the aforesaid application is as follows:
Rep for Tenant

4. If the Applicant or owner is a corporation, list the corporation's officers:

President: _____ Vice President: _____ Member Bryan Vasser
 Secretary: _____ Treasurer: _____ 100%

5. Do any of the following individuals have an interest, as defined below, in the owner or Applicant:

- a. Any New York State officers, or
- b. Any officer or employee of the Village of Mamaroneck, Town of Rye, Town of Mamaroneck, or Westchester County.

☐ Yes☒ No

For the purpose of this disclosure, an officer or employee shall be deemed to have an interest in the owner or Applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

- a. is the Applicant or owner, or
- b. is an officer, director, partner or employee of the Applicant or owner, or
- c. legally or beneficially owns or controls stock of corporate Applicant or owner; or
- d. is a party to an agreement with such an Applicant or owner, express or implied, whereby he may receive any payment or other benefit, whether or not for service rendered dependent or contingent upon the favorable approval of such application.

A PERSON WHO KNOWINGLY AND INTENTIONALLY FAILS TO MAKE SUCH DISCLOSURE SHALL BE GUILTY OF A MISDEMEANOR AS PROVIDED IN GENERAL MUNICIPAL LAW, SECTION 809

If "Yes," state the name and nature and extent of the interest of such individual:

 (Name & Residence)

 (Extent of interest)

Applicant's Signature

Sworn to before me this 19 day of January, 2023

[Signature]
 NOTARY PUBLIC



**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

It is my responsibility as the Applicant to complete this Application completely and carefully, and to provide sixteen (16) copies of this Application, together with all necessary papers, ⁶ plans, surveys, documents or other required information.

Failure to submit the required documents and information will delay my Application or result in its denial, since the ZBA cannot review or grant relief to incomplete Applications.

It is my responsibility to comply with all related requirements in presenting this Application, and the ZBA reserves the right to request additional documentation and/or drawing, and to condition any requested relief upon the filing of covenants and restrictions.

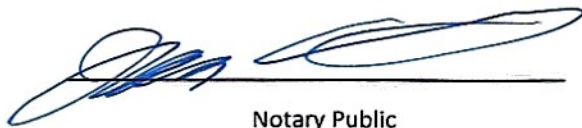
Although employees of the Village may provide me with assistance, I understand it is my responsibility to be familiar and comply with all applicable laws and to submit all necessary papers, plans, surveys, documents or other required information. I understand that copies of the Village Code are available for my review at the Village Clerks office as well as the Village Website and that I may be represented at the ZBA hearing.

I HEREBY CERTIFY THAT ALL STATEMENTS MADE ON THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE.


(Applicant's Signature)

Sworn to before me this 19

Day of January, 20 23


Notary Public



SOBERT REALTY CORP.

Corey R. Shanus

2500 Westchester Avenue, Suite 403
Purchase, NY 10577-2515
(914) 253-6500
Fax (914) 253-8058
cshanus@shanusmanagement.com

January 17, 2023

Village of Mamaroneck
Mamaroneck, NY

Re: 630 East Boston Post Road

Dear Sir or Madam:

Sobert Realty Corp is the owner of the Mamaroneck Plaza Shopping Center where 630 East Boston Post Road is located. That space is currently occupied by Architectural Building Components, doing business as Northeast Architectural (hereinafter "Northeast")

We hereby confirm that we approve the application of Northeast for the new signs it wishes to erect at 630 East Boston Post Road.

Very truly yours,
SOBERT REALTY CORP.

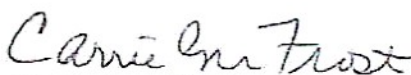
BY: 

Corey Shanus, President

NOTARIZATION

State of New York
County of Westchester

I hereby affirm that Corey Shanus, who is known to me, appeared before me and signed the above letter as President of Sobert Realty Corp.



Carrie Ann Frost

Notary Public

CARRIE ANN FROST
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01FR6286284
Qualified in Westchester County
Commission Expires July 22, 2025

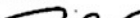
5 EAST BOSTON POST ROAD
MAMARONECK, N. Y.
TEL. 381-2357

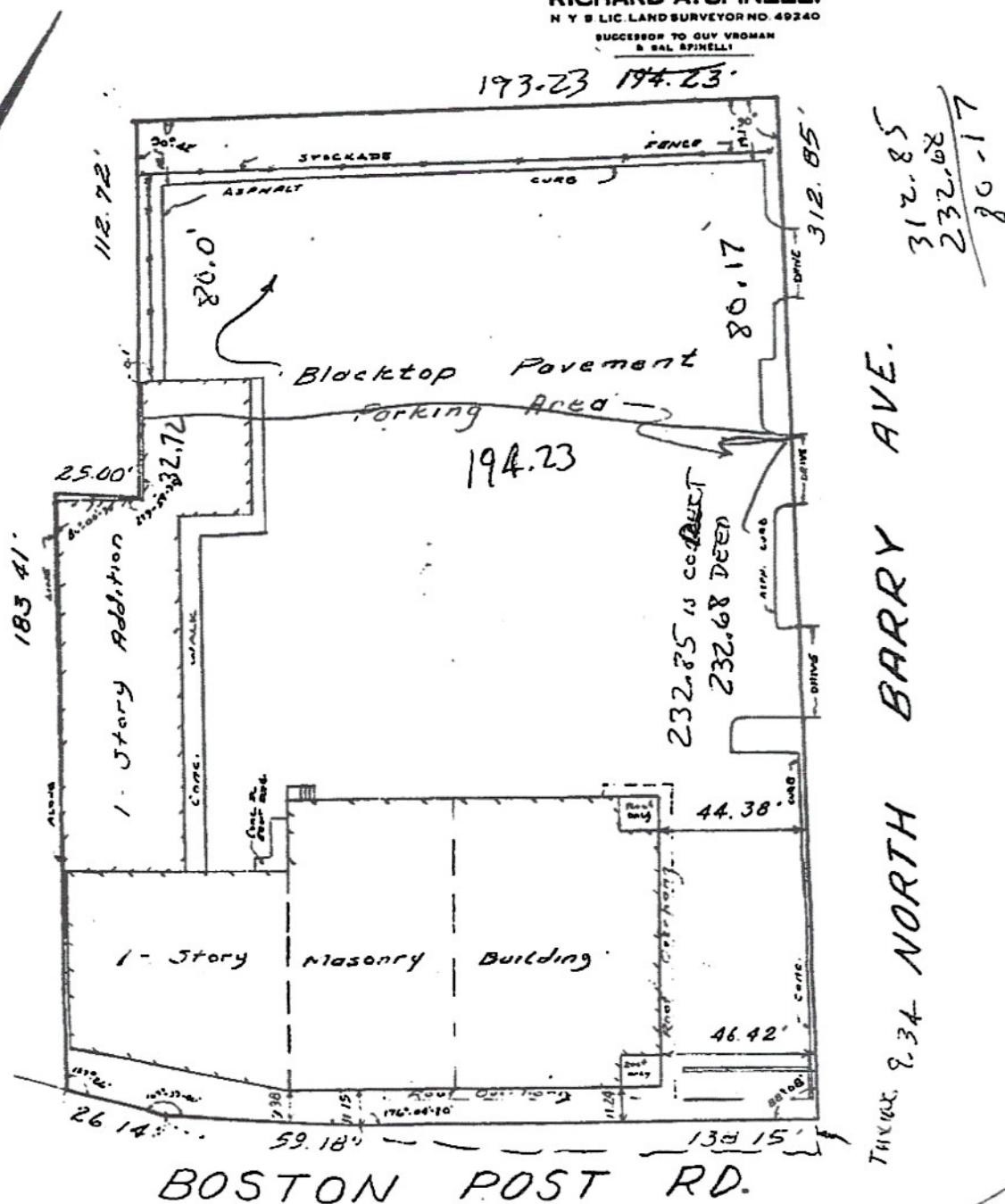
AS MAP

TO WHOM

SURVEY AND MAP COMPLETED *APRIL 2, 1986* SCALE ONE INCH TO *40* FEET.

GUARANTEED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR TITLE SURVEYS OF THE NEW YORK STATE LAND TITLE ASSOCIATION

OF THE NEW YORK STATE LAND OFFICE AS

RICHARD A. SPINELLI
 N Y S LIC. LAND SURVEYOR NO. 49240
 SUCCESSION TO GUY WROMAN
 & SAL SPINELLI





Village of Mamaroneck
169 Mount Pleasant Avenue – Third Floor
Mamaroneck, New York 10543
(914) 777-7731

Thomas Murphy and Board of Trustees
Mayor

Property Address: 620-626 E. Boston Post Road, Mamaroneck, NY 10543

Section: 4

Block: 53

Lot: 2B

Zoning: C-1

Applicant (name/address/email/phone): Northeast Architectural, 620 E. Boston Post Road, NY 10543

Bryan Vasser: Telephone #: 203-882-8484 Email: bryan@archer-signs.com

Owner(name/address/email/phone): Soberct Realty Corp

Jerry Barberio

Village Manager

Date: 12/27/2022

☐ Flash drive Submitted

Description of work: Three signs for Northeast Architectural—front wall, rear wall, pylon.

After reviewing the Village Code, it appears the following Land Use Boards and approvals are required:

☐ Planning Board

☐ Board of Architectural Review

☐ Other:

☒ Zoning Board

☐ Harbor/Coastal Zone Management

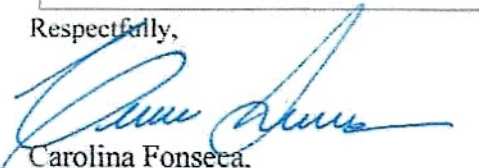
Chapter	Article	Section	Part	Description	Approval Required
286		10	B	Front sign – Proposed letter height of 20 inches where a maximum of 18 inches is permitted.	ZBA – Area Variance for excess letter height of 2 inches
286		10	B	Rear sign – Proposed letter height of 23.5 inches where a maximum of 18 inches is permitted.	ZBA – Area Variance for excess letter height of 5.5 inches
286		12	B	Rear sign – Proposed accessory sign is 300 inches in length where a maximum of approximately 125 inches is permitted. (Accessory sign cannot exceed 50% of the size of the façade sign. The proposed front façade sign is 250 inches.)	ZBA – Area Variance for exceeding maximum size of accessory sign, relative to façade sign
286		10	A	Rear sign – Proposed sign length is 300 inches where a maximum of 115 1/3 inches is permitted. (Sign length cannot exceed 75% of the storefront width. The storefront width is measured as 153 3/4 inches.)	ZBA – Area Variance for exceeded maximum length of sign, relative to storefront width
286		5	B	Sign Review	BAR

*Please review Tree Law, Chapter 318 and submit accordingly.

Escrow Determination(s):

New Variance - \$ 1,500

Respectfully,


Carolina Fonseca,
Building Inspector

**Application determination is written in accordance with the attached memorandum. As per AKRF determination interpretation of the Village of Mamaroneck Local Code of Ordinances.

**Village of Mamaroneck, New York
Zoning Board of Appeals
(Effective 2007)**

- ☐ 6 Copies
- ☐ Completed Application
- ☐ COs/CCs or Letter
- ☐ Violations, if any
- ☐ Photographs
- ☐ Google Aerial Photo
- ☐ Survey
- ☐ Certified Drawings
- ☐ Consent
- ☐ Certification/Affidavit
- ☐ EAF
- ☐ Copy of Determination being appealed

Application # _____

Agenda DATE: _____

SP: _____

AV: _____

UV: _____

Fence: _____

Sign: _____

Interpretation: _____

- ☐ Riders if Application is Corp./Business Entity
For Official Use Only

**Village of Mamaroneck, New York
Zoning Board of Appeals
APPLICATION**

Date. 1.17 2023

TO: ZONING BOARD OF APPEALS- VILLAGE OF MAMARONECK
123 Mamaroneck Avenue
Mamaroneck., New York 10543

I(We) Bryan Vasser

(Name of Applicant)

Of Archer Signs 316 Boston Post Rd Zip: 06460
MILFORD, CT
(Insert Complete Mailing Address)

²⁰³ Daytime Phone # 882-8484 Daytime Fax # — EMAIL: bryan@archer-signs.com

Apply to the Board of Appeals regarding property located at 620 E. Boston Post Road

(Insert Location of Premises)

Bearing Village of Mamaroneck Tax Map Number. 4, 53, 2B

(Section) (Block) (Lot)

Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)

1. This is an Application for the following: check one (1) or more as applicable

- ☐ Area Variance - This is to use land in a manner not allowed because of dimensional or topographical requirements in the Zoning Code
- ☐ Use Variance- This is to allow land to be used in a manner or for a purpose which is prohibited or not allowed by the Zoning code.
- ☐ Special permit
- ☒ Sign Variance
- ☐ Fence Variance
- ☐ Appeal or Interpretation (Specify Code Section)
- ☐ Other: Specify: _____

2. The Date and Description of the determination that is being appealed (a copy of the determination must be attached)

12-27-22 CHAPTER 286 sections 10, 12 & 5

3. What is the present zoning of the property? C-1

4. This Application must be made in the name of the person or entity that has a *possessory interest in the property such as a tenant, purchaser or owner*. If you are the owner, on *what date did you acquire title?* _____ If you are not the owner, list the name and address of the owner and describe your relationship to the property and the date said relationship commenced: _____

SOBERT REALTY CORP. 2500 WESTCHESTER AVE. SUITE 403
Purchase, NY 10577. WE ARE Rep's OF THE TENANT NE

IF you have acquired title to the property within the past two years, provide the name of the prior owner: Architectural

NOTE:

If the Applicant or Property Owner is a:

Corporation: Attach a separate Rider listing all the corporation's officers, shareholders and their percentage of share ownership.

Partnership: attach a separate Rider listing the type of partnership and identify the partners and their partnership interests.

LLC: attach a separate Rider listing the LLCs members sole LLC member is
Bryan Vasser

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

5. If someone else is authorized to act as your representative or to appeal with you on your behalf before the Board, his or her name, address and telephone number must be provided:

Name: _____
 Address: _____
 Telephone: _____
 Email: _____

6. Has a prior variance, special permit, or interpretation Application ever been submitted for this property?

☐

Yes

☐

No

If YES, you must attach copies of the prior variance or resolution and describe them:

7. List **all permits** you must obtain in order to complete the subject project of this Application (include all permits or approvals necessary from any federal, state, county, or local agency or department):

Village of MAMARONECK Planning/Zoning & Building
Departments

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

8. Is the property subject to any covenants, easement, or other restrictions or encumbrances? If so, list and describe these. (You may be required to provide copies of these documents establishing same to the Board.) Please be advised that nothing herein or within board purview will alter or modify any existing contractual rights with respect to the subject property.

9. ☐ Check here if there has been any illegal use or violations issued with respect to the property, regardless of whether it has been removed or adjudicated.

If so, describe and provide the date(s) and details, including if the violation continues:

10. The following are the provisions of the Village Code from which either a variance is sought, or a permit is requested (you must itemize each variance you seek, since a variance cannot be obtained unless it is expressly requested and is the subject of public notice:

Article	<u>286</u>	Section	<u>10</u>	Subsection
Article	<u>286</u>	Section	<u>12</u>	Subsection
Article	<u>286</u>	Section	<u>5</u>	Subsection
Article	_____	Section	_____	Subsection

NOTE:

IF this is an application for A *USE VARIANCE*,
COMPLETE QUESTION 11 on page 10.

- IF this is an application for an *AREA VARIANCE*,
COMPLETE QUESTION 12 on page 11

IF this is an application for ALL OTHER APPLICATIONS-
INCLUDING A SPECIAL PERMIT
COMPLETE QUESTION 13 on page 12.

**Village of Mamaroneck,
New York Zoning Board of Appeals (Effective 2007)**

11. A use variance may only be granted if it is determined that zonings regulations and restrictions cause the property owner unnecessary hardship. New York law provides that: "In order to prove such unnecessary hardship, the property owner shall demonstrate to the Board of Appeals that:

- 1) Under the applicable zoning regulations, the owner is deprived of a reasonable return for each and every permitted use under the zoning regulations for the particular district where the property is located This deprivation must be established by competent financial evidence.
- 2) the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
- 3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- 4) the alleged hardship has not been self-created

You must set forth the facts which support your Application request. (Attach additional sheets, schedules, or other information that you want the Board to consider):

Village of Mamaroneck,

New York Zoning Board of Appeals (Effective 2007)

12. Under State law, the Board of Appeals must consider the following factors in making a decision on your request for an area variance:

- 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.

THE signs proposed are IN CHARACTER WITH THE
Neighborhood.

- 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.

THE CAN NOT.

- 3) whether the requested area variance is substantial.

IT IS NOT

- 4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

IT WILL NOT

- 5) whether the alleged difficulty was self-created...

IT WAS NOT

13. If this Application is not for an area or use variance, provide information that supports your Application. You must refer to the appropriate sections of the Village Code and to other legal requirements necessary for the board to consider your application

(Article X Special Permit) § 342-71 Action on referral.

A. That the location and size of the use, the nature and intensity of the operations and traffic involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to the type, arrangement and capacity of streets giving access to it and the hours of operation are such that the proposed use will be in harmony with the appropriate and orderly development of the district in which it is located.

B. That the location, nature and height of buildings, walls and fences and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

C. That operations in connection with the proposed use will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity or flashing of lights.

D. That the parking areas to be provided will be of adequate capacity for the particular use, properly located and suitably screened from adjoining residential uses and that the entrance and exit drives shall be laid out so as to achieve maximum safety.

E. That, where they are applicable, the standards and requirements established or approved by the Village Engineer have been satisfactorily met as evidenced by his certification and that all necessary approvals of any other governmental agency or board have been or will be obtained by the applicant.

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: 620 E. Boston Post Rd			
Project Location (describe, and attach a location map): Section: 4 Block: 53 LOT: 2B			
Brief Description of Proposed Action: SIGNAGE AREA VARIANCE			
Name of Applicant or Sponsor: Bryan Vasser		Telephone: 203-882-8484	
		E-Mail: bryan@archer-signs.com	
Address: 316 Boston Post Rd			
City/PO: MILFORD, CT 06460		State: CT	Zip Code: 06460
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	<input type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input type="checkbox"/>	<input type="checkbox"/>	
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?	<input type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

