

TOWN OF MOUNT PLEASANT

MINUTES OF THE
MEETING OF THE ZONING BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD JANUARY 9, 2025

CONTINUING APPLICATIONS:

Jonathon Villani (Applicant) for Wilson Lu (Owner) of premises located at 68 ALLISON LN, THORNWOOD, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 107.13-1-14. The proposed application is for the legalization of an existing pergola in the rear yard of an existing single-family dwelling on a legal standard parcel (.93 Acres) in the R-40 Zone. **The following variance(s) are requested:**

Z-24-43 Wilson Lu/68 Allison Lane, Thornwood, NY – Continuing Application

Chairman Mr. Prezner: You're the applicant for, Wilson Lou. The owner of the premises located at 68 Allison Lane in Thornwood, New York. Correct. It's designated on a tax map as, 107.13-1-14, and the proposed application is for the legalization of an existing pergola, in the rear yard of an existing single-family dwelling on a standard parcel of .93-acres in the R 40 Zone. When we were here last time, it was brought to our attention when we did the inspection that the pergola was 6-feet off the pool. It was, determined at that time that you would find out if that could be reduced?

Mr. Villani: Correct. Okay. So in between last meeting and this meeting, I met with the manufacturers, and with the client, I presented the dilemma that 6.4 was impossible. We met on-site, spoke to manufacturer, they can reduce the size of it, by removing a section We can get it to 12-feet, without it compromising the actual purpose of the pergola. So, they take off that section, move the columns back, and reduce the size.

Chairman Mr. Prezner: is Mr. Lu aware that in the future that if you're going to do something, it needs a building permit? Mr. Villani responded; he's well aware of it. I hope he's well aware this was an expensive mistake.

Board Member Mr. DeCicco: Do you have any renderings of what the new proposed structure would look like? Mr. Villani responded; it's actually on the construction documents that I submitted. I didn't bring them to present tonight, but they're on the drawings. Not the new ones I gave you, but the full set that was previously there. The company is a manufacturing company, so I don't do renderings, but they did a rendering. Mr. DeCicco; So, you didn't go back to the drawing board? Mr. Villani responded; The way that the structure is made, they had to make modifications. So, they have to cut it, bring it back, it's not like they

bring a new structure there. They have to peel back the motors, the fins, make the fascia's again, and reface the whole thing. So, it's still going to be a square or rectangular structure just %. Six feet further back? Just 6-feet further back. 12-feet.

Motion was made by Herb Doerr, to approve the revised application per revised submitted plans, seconded by George Hlapatsos, carried 4-0 AYE.

Robert Meyer owner of premises located at 496 OLD CHAPPAQUA RD, BRIARCLIFF MANOR, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 98.7-1-13. The application is for a proposed detached carport on a legal standard parcel (51,684 Square Feet) in the R-40 Zone. **The following variance(s) are requested:**

Z-24-45 Robert Meyer /496 Old Chappaqua Road, Briarcliff Manor, NY. – Continuing Application

Chairman Mr. Prezner: the application was for a proposed detached carport on a, standard legal parcel 51,000. Side yard setback, 25 feet required, proposing 11, you're asking for 14-feet. And the rear yard setback, 50-feet required, proposing 30-feet or 20-foot bearings. When, we discussed at the last meeting, there were two things that we were asking you to do. One, take the carport, move it closer to Evans. The other, item that we asked of you to do was to reduce the height of the carport. Right. You had it at 35 feet. You brought it down to 15. Alright. I want to thank you for that.

Board Member Mr. DeCicco: Just to clarify, the current plan shows the 11-feet. You mentioned eight feet a few moments ago, but is that correct? Mr. Meyer replied; The second plan, the one that you had last was eight feet, which was too much for you, and you asked me to move it, which they did. Mr. DeCicco, so just to on that point, the chairman's indicated his current feelings on eight feet versus 11 feet. Some of us may have different feelings on the eight feet versus 11 feet, but we can only vote on the eight, that is here before us now.

Board Member Mr. Doerr: Just adding to what Mr. DeCicco pulled, the new revised plan also, by picking up that 11-feet to pull it in, it decreased the distance between the port the covered carport to the house from 10-feet to seven feet. Mr. Meyer replied; Yeah. Which that's why I was hoping to get the I mean, it's still not a small little section. I mean, it's a decent size. It's hard for me to know, because I'm not architecturally savvy.

Motion was made by Herb Doerr, to approve the revised application per revised submitted plans, seconded by Nick DeCicco, carried 4-0 AYE.

NEW APPLICATIONS:

William Foster owner of premises located at 170 MANHATTAN AVE, HAWTHORNE, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 112.14-5-38. The application is for a proposed 8-foot-high retaining wall on a legal parcel (10,000 Square Feet) in the R10 Zone. **The following variance(s) are requested:**

Z-24-48 William Foster / 170 Manhattan Avenue, Hawthorne NY.

Chairman Mr. Prezner: You're proposing a fence, where four feet is required and there is nothing there at this point, and you are proposing 8-feet and you want a four-foot variance? Peder replied. That is correct. I have some pictures of the site I was going to distribute to everyone. It's not all eight feet tall on its entire length, just in the one corner. It's, based upon the grading that's depicted on the plan before you. It's a stepped wall, and the property which is being affected, our neighbor, these two lots in the corner.

Peder Scott: the shed view from the street, is blocked by both a house and a garage. We're not really creating an impact visually from Manhattan Avenue. In the other direction, looking, in the, westerly direction, we basically don't see the wall at all because, again, it's pushed up against the hillside. Now to mitigate the extent of our variance, we need to bring the wall up to up to the property line. We have an 8.5-foot buffer between our wall and the property line itself, which we plan to put vegetation in as a planting, above the wall itself. The neighbors have fences on their properties already, which are depicted in the picture I gave you. Their fencing goes all along here and down the side. We don't need fencing because it's already been curtailed by the neighbor's fences himself.

William Foster: Basically, to keep it simple, for me to gain the full capacity of my backyard, and I can get all the area that I have, an eight-foot wall would be suitable for me. This way I can have the potential to do a lot more and make it, you know, really, for lack of a better term, awesome. My house is 1,600 square feet. It's small. Go to my parents out of the Bronx, bought the house with them. I don't have much room to have people over and stuff like that. I want to have a really nice backyard. I retired in 02/2023, so now I can really focus on working on the house.

Chairman Mr. Prezner: You don't have you have a liability, even though that it's your neighbor's fence, you're going have to put something up there. Somebody decides to somebody moves out, and somebody has some young kids. Kid jumps off an eight-foot wall. So, the possibility of either going to a five-foot wall or possibly or even a six-foot wall and tapering it. Because you can work at a 45-degree angle, going up on the slope. Yes. And it also will take away the look of the stone. No matter what you do, whether you use field stone or brick or whatever, you're going to see this.

Board Member Mr. DeCicco: Basically, when you when you stagger them, I still have to put almost a full wall in front. You know? But we have to put a full wall behind it and one in front of it. I think maybe if we could reach a compromise, there is a way of we could make this six-feet wall in a corner. Mr. Scott replied; If I could grade down to that, I could probably make that work. I think I could make it six-feet; I also think we could go with a six-foot-high all in that corner. We are using the Versa wall.

Chairman Mr. Prezner: On the wall, high variance on the wall. Mr. Scott replied; Yes. Is the practicality of when you use the backyard, kids running up and down and playing in the tier area. We have a personal experience in the town with, a neighbor of Manureza, a staggered four-foot wall. Alright. we want you to be able

to enjoy your backyard. We saw your neighbor, I think, to the to the left. It looks like they did some work similar to what you're looking to. They have a nice flat area, so we understand.

Board Member Mr. DeCicco: I would feel more comfortable if we're able to condition some type of barrier up there to make sure that that's just like a landscape area, not a play area. So, to your point we would propose box widths, which should be appropriate, it's dense. It basically is easy to grow. You can prune it so it's decorative, and it would be a good barrier. We use it for barriers. Do you find would be comfortable with something along those lines? Mr. Scott replied; I'd have to talk to him, because I don't know what box would ask. It's a bush. It's a big, it's a very dense bush, all I heard was maintenance.

Board Member Mr. DeCicco: I'll make the motion, mister chairman, then saying that there's nobody here to speak on that on the application. That we approved application Z-24-48, with the plans with the model based on the plan submitted and the oral modification of a maximum height fence wall height of six feet, with the one-foot tapering on either side as described on the record tonight with the condition that there will be a planted buffer along a tiered area above the wall to prevent it from general, play.

Motion was made by Nick DeCicco, to approve the application per the approved conditions, seconded by George Hlapatsos, carried 4-0 AYE.

Lauren Santucci (Owner) of premises located at 1 WALL AVE, VALHALLA, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 117.11-4-60. The application is seeking approval to remove an existing deck, construct a new deck to an existing single-family dwelling, on a legal sub-standard parcel (8,710 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-50 Lauren Santucci /1 Wall Avenue, Valhalla, NY.

Chairman Prezner: The application is seeking approval to remove an existing deck, construct a new deck to an existing single-family dwelling. You are looking for a side yard setback, 12-feet required, seven and a half is existing, proposing, 7.16. So, a 4.8-foot variance. Correct? Alright, it's a nonconforming lot, so that's why the variance is actually a little bit larger. If it was a conforming lot, it would actually only be about 2.13 feet instead of four. When we were out there on Saturday, it looks like you already started on the deck. Mr. Mastromarco replied; yes, the, owner, retained a contractor thinking that he was going to file, and apparently, he just started doing the work. Then I guess he got a stop work order, and, that's when I was called, came to look at the deck. I was going to do drawings on it, but, noticed the deck that he started building was not the code. So, he's got to knock that one down, actually. Mr. Prezner replied; What was not the code about it? Mr. Mastromarco; It had two by six floor joists. The sono-tubes were small. I don't want to bash the guy, but the LVLB, you know, the beams were not supported correctly. It was just Yeah. There was not thing that I noticed when we were there, there was an opening between the there's looks like part of the wall of the house was removed. I think he might have removed some.

Board Member Mr. DeCicco: there's a lower deck and an upper deck. There's a

section to the chairman's point where you were pointing that had a sloped roof on it. Mr. Mastromarco replied; That is not going to happen any longer, that's going to be removed, and the deck is going to continue to the existing door out from the, the living space. Mr. DeCicco; The main concern is that you have a walkway going from the deck in the back along from picture on the right side of the house, and it's something that existed prior. Mr. Mastromarco replied; Correct. Mr. DeCicco; Alright, so you're not increasing the No. Mr. Mastromarco replied; We're actually decreasing because the current deck or the former deck that the former contractor removed was actually about six feet more to the left side, if you will.

Board Member Mr. Doerr: that section off of the upper deck, will we go to that door that's going to nowhere? Is it there's a door on that, north side where the slanted roof is that was that's you said it's kept being taken away? Mr. Mastromarco replied; That roof is being taken off. That's where the deck is going to extend to that door. Mr. Doerr; Okay. right now, currently, there's a door that you're opening.

Motion was made by Herb Doerr, to approve the application as submitted, seconded by George Hlapatsos, carried 4-0 AYE.

INSPECTION MEETING WILL BE HELD ON

January 9, 2025