

TOWN OF MOUNT PLEASANT

MINUTES OF THE
MEETING OF THE ZONING BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, N.Y.
HELD MAY 9, 2024

CONTINUING APPLICATIONS:

BUSINESS SESSION ONLY

Julio C Rizo owner of premises located at o HOLLY LN, VALHALLA NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.10-2-21. The application is for the proposed area variance for the 25-foot required street frontage, set forth in Town Code Section 218-9(B)(6) on a legal parcel (10,895 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Applicant did not appear.

Motion to deny the application made by George Hlapatsos, seconded by Herb Doerr, all remaining members voted in favor to deny the application. Carried 4-0 DENIED

James W. Kane III owner of premises located at 2 ZEISS DR, THORNWOOD NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.8-1-74. The application is for the proposed Zoning Approval sought for the location of a monument sign located on the southeast corner of Columbus Avenue and Zeiss Drive on a legal parcel (10.45 Acres) in the OB-5 Zone. **The following variance(s) are requested:**

Z-24-11 Kane/ 2 Zeiss Drive, Thornwood, NY.

James Karis appeared on behalf of the application from JMC.

Chairman Mr. Prezner: We discussed at the last meeting the sign that you wanted to put up. I'll call it adjacent to the highway department building. The I spent a lot of time thinking about that. That's a big sign and it blocks my vision. That's what I'm afraid of. Even though I would prefer that we had one sign and have it on the other side of the street on the, Acme supermarket side, Rosehill side. So, in this way, you have adequate sight distance in both directions if you

have to make a left or a right. I think having 2 signs, together you know, one 2 big signs together it's like an overkill. Now I'm only speaking for myself. The other thing too is you have, there's a building there on Zeiss Drive at 2 sites, and that has an existing company work at that facility.

Mr. Caris replied; Mister Chairman, respectfully, we did, prepare a sight distance analysis. We did submit that for the record. It does demonstrate that for a conservative 50 mile an hour design speed, there is adequate stopping site and intersection site distance, looking left and right for a vehicle 14 and a half feet back from the edge of the traveled way, which is where the analysis is done per the AASHTO, design guidelines. So, you know, we did put that into the record. I've exited that driveway, as I'm sure you have many, many times.

Chairman Mr. Prezner: What this application request does by separating the 2 property owners and the signage requirements for each, it gives them the opportunity to do with what they want with that signage. That was the clarification that they sought and requested at the last meeting by submitting the letter, which we did with the town building inspector and with their counsel. So they have the discretion to do with a sign what they would like. They could leave it as is or they could propose a monument sign as we show on the site plan subject to architectural review board approval. Now the sign that you had now is approximately, what, 7 feet wide? Mr. Caris replied: Correct. 7 feet. Approximately 7 feet and 5 feet 7 inches high.

Mr. Prezner replied; Can you just go through again, when we went through last meeting? The basis for the applications that you are allowed one sign, you have 2, but you're asking for 3. Could you refresh my memory on that? There were 2 signs approved with the site plan. Okay. Mr. Caris replied; There are 2 signs originally approved with the site plan. For your reference, this is the Zeiss Drive, Columbus Avenue intersection. Drive up into the site. You have the existing, office building and then a new site driveway to serve the assisted living facility. The first sign, approved is located here. Yes. The second sign we're talking about, is the existing sign that could be replaced in the future in its existing location. The third sign we're speaking about this evening, the basis of the request, is on the opposite side of, the Zeiss and Columbus intersection located here. So, you need we never approved anything, nor did you need us to approve any variances for the signs that were part of the of the merger? That is correct. They just received architectural review board approval. And the underpinning of the application is that you want sole identifiers on each sign as opposed to having put the names of 2 businesses or 2 firms on one sign. That is correct. And actually, since the, property has changed owners, it has been subdivided internally.

So, there are non-multiple tenants instead of being only Zeiss. There are multiple tenants in that building. So, further, you know, indicates the need for an additional sign. Although not ideal, there are other examples including across the street, like, right out here to the left, the office complex, and various ones where, you know, multiple, tenants can be on a on a single sign. So that that would not be it's not ideal or desirable for you, but it is not implausible for that to happen.

Board Member Mr. Hlapatsos: I just want, Mr. Caris, with respect to the

comment that you made earlier about the, traffic safety study that was done as part of your original site plan application, just wanted to be clear that although we did discuss that at the last meeting, that isn't the basis for the critique that we're making for your application. The real basis for the critique was I'll say, an insufficient showing on your part on part of the application to demonstrate a necessity, for the sign. Even the comment that you made earlier about, some of the residents perhaps being elderly, perhaps not being able to navigate the roadway effectively without having this third sign. It just appears to be entirely speculative. I mean, you're, you're making a comment that is really the crux of our concern without any support for it other than speculation. And to be honest with you, that's really the primary concern that we have in terms of your showing that there just doesn't seem to be a demonstrated need for this 3rd sign. Whether or not it might not be the wisest location due to the sight distance is not a primary part of our concern, but I think it leads to, again, what we found to be an insufficient showing on your part regarding the necessity for this third sign. There's a sign literally on the opposite side of the roadway, the Zeist Drive Roadway that's going to identify your property. Putting a second sign on the opposite side of the same roadway doesn't seem to me to be, necessary, based upon what what's been placed upon the record. Mr. Caris replied; Respectfully, the gentleman Bill Cook from Benchmark, on behalf of Benchmark, did enter into the record, their, need and their justification for the need for that signage. They operate, 65 facilities, I believe, in, the tri state area in the region. And, the need for adequate signage is a comment and a concern that they have encountered regularly at their existing facilities. So, the request is based on, what in their mind is a demonstrable, need, in their business experience, and that will help the success of this facility.

Board Member Mr. Doerr: I might differ with some of the board members. I don't know based on what I'm hearing with the idea of the sign. I'm not as seemingly opposed to that. But based upon the plans that I'm seeing before us, I'm uncomfortable with where I'm seeing this sign right now. So, you can take that for whatever you might be willing to. We can't approve something. We need to improve what we see. We can't improve something. We'll move it in the future, you know, if there's something Understood. It's not a sign that you can just stick a couple of pieces of wood in. You have a foundation. You got a stone a stone wall. It's going to be pretty elaborate. If you were to come back with the only concern I have.

I would ask that we, move to, adjourn this application for the next month. Alright. That's fair? I would appreciate that. Thank you.

Okay. We'll adjourn the application till next month. At that time, between now and next month, if they can put up like Mr. DeCicco said, let's put up a plywood sign. Like you have the zoning board sign, make the same size sign that you're looking for, so we get an idea of where you're exactly what it's going to look like in height and width, and exactly where you're going to put it. Something like that. It sounds like a plan. Yeah. Alright. Appreciate it.

NEW APPLICATIONS:

Cesar Padilla owner of premises located at 23 REQUA ST, BRIARCLIFF MANOR, NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/104.19-1-16. The application is for the proposed renovation of an existing residence, converting the existing third floor into habitable space on a legal sub-standard parcel (2,750 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Z-23-58 Padilla/ 23 Requa Street, Briarcliff Manor, NY.

Gabrielle (Architect) and Wayne Spector (Attorney) appeared on behalf of the application.

The applicant was here is actually the husband of the owner of the property, but there's a consent form that's present. It's the adjacent property. This this property was conveyed to, Mrs. Padilla in 2022. It's obviously a sub-standard property but the house is over a 100-years old. The existing house, is approximately 18 90, obviously built to a different standard than today's homes. And, the applicant was here, in the past and obtained side yard variances to put a small addition on the house, which expanded the 2nd floor. Currently, as existing, the house has 2 floors with approximately 1200 square feet of living space. The addition added some space to the upstairs level. The house, as it existed when purchased, had 3 bedrooms upstairs, it had 2 rooms, 2 finished rooms on the 3rd floor that preexisted. They were at some point, finished to a degree, original to the house. So, what we're essentially doing right now is asking to allow, the reconfiguration of the inside of the house to allow for the 3rd floor to be used as living space and then to consolidate the bedrooms. The bedrooms on the second floor were very small and, there were there were 3 of them. Originally, when the original applicant came in, they would have expanded the house with an additional bedroom and I know there were issues and questions about parking. But as it stands right now, the, the addition that's being requested will retain the house as a 3 bedroom. So, the bedrooms in the second floor are going to be reconfigured and the 3rd floor would have a bed the 3rd bedroom.

So, it will go from a 3 bedroom to a 3 bedroom. There will be no increase in, density, so to speak, of the, of the property. The renovations downstairs have begun already. There's no change there's not going to be any change to square to the actual footprint of the house by allowing the 3rd floor to be used. The property will comply with all state building codes, which will which would include sprinklers and adequate, egress as well. It will otherwise so it will otherwise meet state code provisions. And as Mr. Padilla does live next door, obviously, he has a very strong interest in maintaining this property and making sure that the property is managed properly tenant wise. These are going to be his neighbors. He's going to be right next door. He's not going to be an absentee landlord. He's going to live next door

and he's going to make sure that, the house is properly maintained. As you, you know, you see from the pictures and what was submitted, this is a neighborhood of, very old houses and they're very it's a very tightly configured neighborhood of houses. We're not changing that's not going to change. It's just going to be, like I said, it's going to be a modernization of the house itself on the interior to create modern standard living quarters for a small, probably a small family at best, with 3 bedrooms. And, and the renovations in the exterior, everything is going to be improved.

Is this house are you familiar with any prior classifications from the building department regarding this house? Yes. I the building department had, their record showed it as a 3 bedroom with the 3 bedrooms on the 2nd floor, and it also indicated 2 rooms without designating what they were on the 3rd floor. That's what it would that does exist. And that appears to be the, the original structure based on what was found, the plaster walls on the 3rd floor that, you know, it was finished. Yeah. It was finished to a to a degree, but there was just no designated use for it.

Board Member Mr. Doerr: In those pictures around the plans you have there, is there showing footprint on access, egress to and from that third floor, proposed 3rd floor? Mr. Spector replied; Yeah. well, there was a window that you stepped out down the roof, and there was a egress window. So, in other words, there's going to be because the addition that was approved Did you have pictures showing me that? I'm looking from a safety standpoint. Well, we don't I see it. There's a blueprint there. Does the blueprint show anything? Yeah, it does, actually. That's what I'm asking. I mean, obviously the picture is So the way it's going to be is because the work hasn't been completed yet. The addition to the first the second floor does not extend up to the 3rd floor. So, there's going to be a deck off of that 3rd floor bedroom. And the whole stairwell? Whole stairwell. And then what about that central piece that's not ready to use? Yes. Okay. And to satisfy the safety issues, there are going to be sprinklers. Now, are those going to be active or passive sprinklers? Do you know? I believe it's active, right? It's active. So live water the whole time?

Board Member Mr. Hlapatsos: I just wanted to make comment, I guess, with respect to all 5 of the factors on the 267B because I find the application problematic with respect to every one of them. As I think came out during the comments, adding a 3rd floor, a legalized third floor to a 2- story house or, in this case, with the history of this property having had the benefit of getting an approval of the half story in excess of a 2 story. The application having been heard not even a year ago when there was an application similar to 1 present presented today to have the 3rd story and having it, again, based upon the tenor of the board's comments withdrawn at that time because in effect, it was it was not being favorably viewed. And the fact that within a year later, an application for that 3rd story comes back again. And the fact of the matter is nothing has substantially

changed with respect to the problems that exist. It's entirely out of character with the community, not just that specific neighborhood, question of finding, you know, 1 or 2. We actually don't have any, you know, finding, you know, 1 or 2. We actually don't have any that have been presented before us. And my recollection in my years on the board is that we've never approved one. That said, even if we had in the past on one occasion or two occasions, it's definitely not consistent with the character of greater town, let alone the immediate surrounding neighborhood. 2nd, with respect to the benefits to the applicant, I read the letter that you submitted, and I saw you made a comment that you were looking to meet modern standards. I'm not really entirely sure what that means, except right now it's a 3-bedroom house. You're looking to keep it a 3- bedroom house. Whether the rooms could be made larger and maybe they could be enjoyed in some greater way, I could appreciate that, but in effect, there is no benefit that the applicant is seeking to achieve that is going to be enhanced by legalizing that 3rd floor. The 3rd floor is space that's being used now. It's not a legalized residential area of the house, and I don't see how the applicant can't make use of it as it exists now that in some way is going to be much different if it's legalized, with the exception of the fact that it creates all sorts of issues with respect to, again, the lack of consistency with the character of the community. We have a lot of houses that have attics. We have a lot of houses all throughout this town that people maintain them for storage. They maintain them perhaps for other uses, but they're not legalized residential floors of homes. And there's good reason for that. And, certainly, if this application were granted, I would imagine other applicants might think that it would be beneficial to them to perhaps have a third story on their home. And, again, the character of the community would start to change as a result. Right now, it's entirely out of out of character. The substantiality of it is significant because right now, the town only allows 2 story homes. In effect, because of the benefit of having had the half story recognized through a C of O letter, and now pushing that further to try to get a 3rd story legalized, it does make, in effect, a substantial variance over what otherwise is legal. 2 stories is legal. 3 stories would be in effect a 50% variance if you look at it that way. It's entirely self-created. The applicant certainly is able to use the house now as a 3-story home without this legalized third story. So, there's no question about whether or not it's self-created. I just don't see how, in any way, the proposal is going to do anything other than make, perhaps, the property more valuable as a as a a home that could be rented to an additional person in that third story, and that would be something that I understand is a problem in other communities. I know it's not a problem in our community because we don't allow 3rd stories. But in those communities that do, rentals, of 3rd stories in houses, can be problematic. And sometimes there's an over an overuse of the property. The density of the, occupancy of the house increases not just in respect to one additional person, but perhaps more. And for all those reasons, I don't think that this application satisfies any of the criteria under 267 b, and I'm opposed to it. Mister chairman, I think the other point was I believe it was actually a legal three family home that we approved from that standpoint, not a third story on the single side. The one in, was it? I don't know how Yeah. Yeah.

Mr. Spector replied; We're proposing to maintain it as a 3-bedroom house. I would just to respond, I mean, I have to, you know, respectfully disagree on the analysis of the factors. As far as you know an undesirable change to the character of the neighborhood, I mean, I don't believe that an additional an addition of a bedroom on the 3rd floor, where it's not changing the footprint or the appearance, is going to create, an undesirable change, to the character of the neighborhood. The actual the actual bedroom itself is not is not, a condition that's going to be impacting the character of the neighborhood. The house itself is remaining in its in its appearance as approved. I'm a lawyer. I'm a practicing lawyer. Well, look, I as far as Mount Pleasant goes, like I said, it's I don't see the bias against 3rd floor against the 3rd floor use as necessarily, supported in terms of purpose or benefits to a community if there is an appropriate if there's an appropriate property for it. We you know, that's I'm stating my opinion. It's my, you know, my opinion is based on my experiences and what I've seen over the years. I probably handled several 1,000 real estate transactions where I've seen COs for 3rd floors. Then, you know, whether it's I haven't checked off whether it's Mount Pleasant, Mount Kisco, or what whatever. I do know that they exist, and they exist throughout the county. So, there's no there's no harm to the community by having an occasional third bedroom in an appropriate property.

It doesn't it doesn't impact the community or the neighborhood in a negative way. It's not visually seen. It's just another bedroom within a house. Whether that's the thing. It's not visually seen.

Mr. Hlapatsos replied; I agree with you. From the outside, it doesn't change the character of the community at all because it looks just like it does now. That's correct. It looks like a 2-story house with a finished attic that somebody's using for storage. But it's not just a question of what you can see from the outside that has an impact on the community. It's the density of the use of the space. It's the fact that, again, we do it's not like when judges are guided by precedent case law, there's a there's a degree of binding authority depending on the level of the review, and we don't have that level of presidential value from prior applications. We do have to make a distinction if we grant an application today and we get a similar application down the road, previous treatment had been without having a substantial articulated basis for it. So, there is a degree of precedence, not legal precedence in the term of case law, but we do have, we are impacted by decisions that we make today on future applications. And the fact of the matter is, in the past, we have not granted such applications.

We have had them presented before us before. In fact, your applicant brought a very identical application not even a year ago. I realized. Yeah. Question about the fact that these types of applications are presented before us and consistently we have denied them for the reasons that I've indicated. It's not just what you could see from the outside that has an impact on the character of the community. It is the fact of granting such an application and the likelihood that that will lead to additional applications being made that have present the same changes in what right now exists as a community character.

You're telling me that this occupant have been tends to use as a single family home and is going to have continued use only as a 3-bedroom, but here you are making the suggestion that it's going to provide enhanced housing. So, undermine your own argument. Well, I just I just Now that adds to my concern that this third story is actually going to be used for what I thought it might be used for, but I feared it could be used for, and that is for a renter. Well And that's going to be the problem that I see. And now that you I respectfully take issue with that, and I object to the implications that are being made as a result of that of that argument.

Motion to deny the application as submitted made by George Hlapatsos, seconded by Herb Doerr, all remaining members voted in favor. Carried 4-0 DENIED

Carol Puchalski owner of premises located at 23 LIVINGSTON ST, VALHALLA NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.15-2-55. The application is for the proposed addition of an attached 1 car garage, expansion of the existing house on a legal sub-standard parcel (7,500 SQ FT Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-6 Puchalski/ 23 Livingston Street, Valhalla, NY.

John Anastiou appeared on behalf of the application as the Architect.

The client is looking to build an attached one car garage and also add a second floor to the existing house. Based on how the current property is situated, the existing driveway is on the right-hand side. They have a mudroom on that side of the house, so it makes sense if a garage was to put be placed there, that it would be where they're suggesting it. We're also adding a second floor on the existing footprint of the existing house. There's an existing covered porch, which is not being affected. Currently, right now, there's an outdoor side entrance, and that's what the setback is at 10 foot 5 from the side property line that will be demolished. And with the garage being added, the proposed setback from that side is going to be 3 and a half feet. The existing front setback is 28.8 feet to the existing front house. We're continuing that nonconforming condition by adding a second floor on top. Therefore, requiring the 1.2-foot variance also because of adding the garage on the side there. These are the proposed layouts. Try to keep the garage as narrow as possible. The existing mudroom, the existing wall of the house is right there, and we're basically making the garage about 10 and a half or 11 foot wide, including the thickness of the exterior wall. So, the entrance to the garage would be right here, and a car would tightly fit in there. So, we're trying to keep it as tight as possible to maintain at least some kind of side yard on that side. On the 2nd floor, we're just matching the footprint of the existing house creating a 2-foot overhang towards the back. And these are the proposed elevations. This is the front of the house with the existing front porch adding a second floor and adding 1 story attached garage to the side. This would be the view from the right-hand side. This would be the view from the rear, and then this would be the view from the left side of the house. Question. I'll go back to the what the existing house. You have

when we were there, there's a deck and then there's a bump out. Yeah. There's you're talking about on the side. Right? Yeah. You walk in. It's a side entrance that then leads into their kitchen. And on the right, there's a little alcove here and that's where they have a stacked washer and dryer. One of the things that goes through my mind when we were out there, we just did it using our feet to measure. It's pretty close to the property line.

Chairman Mr. Prezner: If that mudroom or whatever that room is that was removed, Okay? That garage could be made a little narrower. Could it not? John replied; It can. We would have to find another location for the mudroom. I think my concern is that that having the garage too close to the property line. And we were there, there's no, the garage the driveways almost touch each other. Yeah. The adjoining neighbor has something that almost mirrors Exactly. Right. So, if you put the garage there, it does have it does impact the neighbor to some degree. Let me finish. Mr. Prezner replied; If you can now remove part of that mudroom area, and we can reduce the width the garage slightly. That could make a difference. I don't know. I'd have to take that back to the client and see if that's something that they would be interested in. When we were in the design phase, they had mentioned to me that they really didn't want to demolish that. I could just You could demolish the house anyway because you're going up to the That's true. They are demolishing to do the addition that they are doing. They just happened to mention to me that they wanted to keep that room down. There's also a stair there too. It's a little bit of a nod. It's a little quirky condition because it's you have to go a few steps up and a few steps down to get to their lower level, and then you have to take, like, another couple steps. It's a little bit of a something's happening there, with the levels of the house also.

Chairman Prezner: I'm going to ask you one last stupid question, because if the floor was elevated slightly on the garage If the garage floor was elevated? Exactly. Then the need for some steps now I don't know what the distance is, but if you could real it's possible to eliminate some of the steps? John replied; Which is another reason why we're keeping that because that's where the new steps would go. So, this is the part that's being kept. I don't know if you could see it from there, but there's 1, 2, 3, 4, 5 steps to get from the garage level to the essentially, let's call it the level of the house. There is still a couple internal steps here, just the way the house was originally designed.

Board Member Mr. DeCicco: Did you're so this house once have a garage? Are you familiar with that? That was I don't believe it ever had a garage. I didn't see any evidence of it. And they had, like, an older survey, so I don't think they had a garage there. The garage was sort of back. But even though it was attached to the house, I don't think I remember seeing an entrance from the garage into that neighbor's house. Don't read. I don't remember seeing that. But I don't think it goes into the house.

Board Member Mr. Hlapatsos: Mr. Anastiou, let me just get some particulars from you regarding the addition. How high is the new addition going to be at its highest point? John replied; I took a dimension from approximate grade on the right-hand side of the house, and I took it to the peak of the new addition. I note

Not the new addition, for the main structure. I'm talking about just the garage height. Oh, I would say plus or minus about 15 feet. 15 feet high. Instead of peak. I understand. But it's an A frame design. Right? Yes.

Neighbor Comments:

My name is Beth Nelson. I'm the owner of 27 East Livingston Street. Right. The adjoining the property that's right adjoining this property. And I've even if you're looking at this property that we're talking about, your house is immediately to the right. That's correct. That's correct. I very respectfully, oppose this, garage addition because of the impact it will have on my property, my property value, the sun that I get in the front yard, snow removal, everything. It's I would step out the front door and see this huge wall against my driveway. It's just too close. I respectfully, oppose this. And then and I would like to say too, I've lived there for 30, 31 years. And, the prior owner always told me that there was a garage, an unattached garage set back at the end of the driveway that they took down when they were, you know, they were waterproofing the house and they just didn't want to maintain the garage. Is that similar to what you have on your property? Excuse me? The garage that was originally on the property, is it similar to what you have on your property? No. It was not attached. It was a freestanding garage Okay. At the foot of the at the end of the driveway. I don't read well, I don't recall. I knew the garage, but I wasn't sure whether it was attached to the house or it was set back. It was set back. Yep. And it was, you know, even with my house, the back of my house, back end of my house.

Variance #2, and #3 were withdrawn per the applicant. Motion to approve variance #1 for the Front Yard Setback made by Nick DeCicco, seconded by Herb Doerr, all remaining members voted in favor. Carried 4-0 AYE

Maria & Roberto Molina owner of premises located at 41 ROSALIND AVE, PLEASANTVILLE NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/106.14-1-8. The application is for the proposed legalization of an existing 6-foot fence in the front yard of (Rosalind Ave) on a legal sub-standard parcel (0.11 Acres) in the R-10 Zone. **The following variance(s) are requested:**

Z-24-9 Molina/ 41 Rosalind Avenue, Pleasantville, NY.

Maria Molina owner of the property appeared for the application of a proposed 6-foot-high fence.

Chairman Mr. Prezner: So, you have a lot of cars parked in front of you. Mrs. Molina replied; Yes. I have the 12 kids. My 3 oldest are already driving. I mean, I yes. My husband, you know, and me, own an electrical company. **Mr. Prezner replied;** Yes. Okay. I have no objection for that 6-foot fence.

Board Member Mr. DeCicco: Ma'am, I just want clarify that the request is for the a 6-foot fence only in the area where there's currently 6-foot fence, which is kind of

in front of the driveway. Correct? Mrs. Molina replied; Yeah.

So, you're not looking to put up a 6-foot fence around the rest of the property? No.

Public Comments:

Antonio Capp. I live directly across the street of 45 Booth Street. Now hearing why they wanted the 6-foot fence, 15 years ago I put in an appeal to get the 6 foot fence on the side of my property. I was denied. They said I had 2 front yards. They said you cannot do it you have two front yards. I wanted the privacy. I couldn't get it. I did it prior to putting my fence in because I wasn't going to spend the extra money taking the fence out and changing it, figuring doing the proper way. So now I have a 42- inch fence around the front and 3 quarters away down the side because I'm allowed to do it from the backyard. I don't see why they can get away with putting up a 6-foot fence for privacy when we got to sit there and stare at their house with the cars, the dumpsters, and everything? Why do they get to have the nice little private area while we have to look at the mess? The dumpster, as she said, was from the construction. That's the 4th one that's been there. There is people coming in at 8, 9 o'clock at night dumping in it. It's a whole different story. You guys can do what you want with that. I'm not the only one in the neighborhood that sees it, but we're here for defense. I do not appreciate that I got denied and that they're going to be able to get it and get accepted and move on. So, I don't know how we go about doing whatever you do. You're going to vote on it. That's going to be your decision. I'm just stating my opinion and what I went through. The, the air the fence length is probably about 6 to 8 feet.

There's a lot of stuff there. That is every day. Yeah. And, I don't know whether they're using that dumpster to dump from their construction work. You know, they have electrical work, whatever business they have. That I don't know. That's a building department issue. I understand that. And we called the building department, and they said, oh, they have active permits. They've had active permits for the last 15 years. They do. I understand that. One day, it'd be nice to get the work done so we don't have a dumpster sitting in our front yard. I mean, have you guys been doing inspections? I've yet to see anybody come by and do an inspection. I mean, I'm not telling you didn't do your job. I didn't see it. Okay. But, I mean, she also neglected to say she has a contracting company too. So, I thought it was illegal to run your business out of your house in a residential area. That's true. It is. It's true. So, you cannot have a run a contract because you set up your house.

That's it. Okay. Just to add to the records that you understand, I I've been with the board now for 8 years. And in my time here, I can't think of a single application that we've had for a variance of 2 feet to increase a 4-foot fence to a 6-foot fence in that time. I understand your application was 15 years ago.

Chairman Mr. Prezner: I don't know the particulars of why your application was denied. Why either? But that being said, just so that you're aware, we very commonly grant applications like the one before us now for a 2-foot variance on a fence height. It it's surprising to me that that you had an application of similar nature that was that was denied, but, but consistent with past practice. This application is you know, consistent with those we've granted repeatedly.

William Rod, 25 Booth, Pleasantville. I am a neighbor, Molina there, and I'm here more to put an aesthetic kind of hint to that. My family moved to Booth Street neighborhood in 1906. Stade family, the Meyer family. Now the Rod family is still there. I'm at 25. We built 25 Booth, 33 Booth, 45 Booth, Tony's house, and 46 Booth. We built 1 on Francis Place, and we built 1 on Rosalind Avenue. That's the history. So, when I when I look at the fence is kind of ugly looking, but okay. Okay. And, everything like that. I object more going along with that dumpster has been there a long time. That I the pod has been there. Just earlier this week, it's I saw a large flatbed truck with Marvin contracting on it there, unloading a whole bunch of stuff. They had the street blocked for 15 minutes. They had the thing on Booth Street. Nobody could go up or down. I see 9 cars parked around the perimeter every morning. And I see pickup trucks and vans with this Marvin contracting. So again, that doesn't address what you're doing here tonight, But I just wanted to get you a little overview of how the neighborhood has changed, like everything else, I guess, over the years. That's about it.

Motion to approve application as submitted made by Nick DeCicco, seconded by George Hlapatsos all remaining members voted in favor. Carried 4-0 AYE.

ADJOURNED TILL JUNE 13TH MEETING

Joseph P. Soricelli owner of premises located at 17 CAMBRIDGE ST, VALHALLA NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/117.15-1-40. The application is for a proposed 6-foot high fence on a legal sub-standard parcel (7,500 Square Feet) in the Zone. **The following variance(s) are requested:**

Application Adjourned

ADJOURNED TILL JUNE 13TH MEETING

Brian Kantrowitz owner of premises located at 553 WARREN AVE, THORNWOOD NY, which appeal is from a decision of the Building Inspector of the Town of Mount Pleasant, and is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.6-2-45. The application is for the proposed attached garage and new covered entry on a legal parcel (11499.8 Square Feet) in the R-10 Zone. **The following variance(s) are requested:**

Application Adjourned

INSPECTION MEETING WILL BE HELD ON

