

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE ZONING BOARD OF APPEALS TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD MAY 8, 2025

Present	Chairman	Ron Prezner
	Board Member	Nick DeCicco
	Board Member	George Hlapatsos
	Board Member	Herb Doerr
	Board Member	Adrienne Novak
	Building Inspector	Joe Bregante
	Zoning Secretary	Cathy Naclerio

CONTINUING APPLICATIONS:

****ADJOURNED****

Aldo Vitagliano (Applicant) for Saldi Lane Associates, LLC. (Owner) of premises located at 434 SHERMAN AVE, HAWTHORNE, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 112.6-4-28. Declaration that the vacant lot is a building lot, per Town Code §218.3 "Lot; a parcel of land not divided by streets... and having its principal frontage on a street or on such other means of access..."

Johnathon Villani (applicant) for Sal Pepaj (owner) of premises located at 174 ELWOOD AVE, HAWTHORNE, NY.

Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 112.17-1-58.

The application is for the legalization of an existing one-story addition to an existing single-family dwelling on a legal substandard parcel (5,000 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Chairman Mr. Prezner: The application is for the legalization of an existing one-story addition to a single-family dwelling

Jonathon Villani: So as you recall, we, spoke about the, increase in the nonconformity, which is, they already have a 9.4, setback from the street. They increased that by adding to the side of the of the house. We spoke about the conditions in the area, and, I did a site visit to all the houses along Elwood. Didn't really take a long time because I made a write off of Stevens to Elwood and literally just took this first six houses that I made the right, and every one of them was not

conforming to the front yard. So, act and, actually, I went to each site and, took a photo as well as took a, site off a GIS mapping.

135 Elwood, as you can see, is approximately plus or minus five feet off of the property line and needs 30 feet, as well as 138 Elwood Avenue, and 40 Elwood Avenue, and then I have three others. Roughly, 18 feet on one required thirty, seventeen feet on the other required thirty, ten feet. So I didn't even go further than getting to my actually subject property on 174, I would, before having six to eight houses that all had front variance Right. That required front variance if they were to be built today. So I did that just to took the photos and the maps and took approximate measurements without giving, you know, surveys for each one, but it's pretty much obvious.

Chairman Mr. Prezner: The point in question was, I think you put an addition on the side. Mr. Villani replied; Yes. They did. Did it increase the lot coverage? It did. Did increase the lot coverage. All the properties in that area were also probably sub standard lots, and plenty of them look larger than my subject property's house. I do believe that the separate car garage, which he didn't perform any proposed changes to, is what's making him go over that existing coverage is the subject, the, two car garages actually separated to his house. Which is something other properties don't really have.

Board Member Adrienne Novak: It's just a little hard just for me to see it from here. What is the total distance from the south, right angle? Mr. Villani replied; So this here is all this is his front of his structure, 9.4 feet away from the front property line. So this little outcropping here is what was the increased nonconformity. We were out there.

Board Member Mr. Doerr: I mean, the only part that I still have a problem is the fact that somebody built this without permits, etcetera, etcetera. I mean, technically, we can say take that whole thing off, which yeah. There's a big hardship on that person.

Jonathon Villani: No. I agree with you. I mentioned that in the previous meetings, it's a business that has become a sub subsidy you know. I've developed a separate business just for this in all different towns. I think the strictness of the rules and regulations and the zoning ordinances has become as helping the progress, but it's just not people are still doing things, you know, without I mean.

Board Member Mr. Doerr: I commend you for doing the research and pointing out from the record a lot of the houses that are similar from the front to the street. Mr. Villani replied; So I did speak to a couple of his neighbors, both two sides, and they're actually elated with the fact that he's improving the whole property.

Board member Mr. Hlapatsos: I do understand the circumstances that that you find yourself in making the application to correct, something that wasn't done properly, at the outset. I don't have any further questions.

Motion was made by Nick DeCicco to approve the application as submitted, seconded by Herb Doerr. All remaining members voted against the application. Application denied 3-2.

NEW APPLICATIONS:

****ADJOURNED****

Tarun Gursahani owner of premises located at 790 HARDSCRABBLE RD, CHAPPAQUA, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 99.6-1-4.

The application is for a proposed new single-family dwelling currently seeking Planning Board approval, on a legal standard parcel (49,022 Square Feet) in the R-40 Zone. **The following variance(s) are requested:**

Thomas Haynes (applicant) for Frank Cipollone (owner) of the premises located at 378 GRASSLANDS RD, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 117.17-1-34.

The application is for a proposed addition, a 3-car garage and a new covered front porch to an existing single-family dwelling on a legal parcel (43,995 SF.) in the R-20 Zone. **The following variance(s) are requested:**

Chairman Mr. Prezner: The application is for a proposed addition, three car garage and a new covered front porch with an existing single-family dwelling. I never realized what's back there. From what I can gather, the house seems to be a lot of land if I am facing the house to the left. Correct. Mr. Haynes replied; right, it's very tight to the right.

Thomas Haynes: Good evening, Mr. Chairman and members of the Board. Again, my name is Tom Haynes from Haynes Architecture, presenting an application for an addition and alterations at 378 Grasslands, Road. So on, the first sheet here, I'd just like to start with, I guess the aerial view might tell the better story here. So Grasslands, Road is down here located towards it's actually off the bottom of the sheet here. So this is an aerial view. Our subject property right now exists here, which is, towards the bottom section of the property, which is closest to grasslands. It's my understanding that I think many, many years ago, I think, you know, the question came into my mind initially when we started this project was is, how does the house exist where it does currently? I don't believe there was any variances granted on this, so I think maybe what was considered at that time, I think maybe with regards to the front yard setback, I don't know if they considered maybe Grasslands the front yard because that's technically where the property line goes to. I'm not exactly sure why, the house can exist where it does currently. Unfortunately for my client, his house does exist very close to what would be considered by today's zoning, the front yard setback. So as you can see here, there's there is a great amount of screening between our subject property, which is 378 Grasslands, and the neighboring property to the right when you're looking at the front entrance, which is Number 376 Grasslands Road. I would like to point out that, it's to my understanding that my client did speak to the neighbor here, which is his immediate neighbor. I don't believe he's affected whatsoever with our proposal, but even if you do consider that he has no objection to my understanding for our proposal today. So I think, essentially, if we're sort of looking at this in the unique scenario, the flag lot condition. I think the front yard setback intention is really for a true street front. I think with regard to our setup of what this existing house is now, it's almost should be treated like a side yard setback in my personal opinion. I don't know that, you know, the front yard setback requirement should necessarily apply to this flag, but I do understand that that's the town zoning requirements. So

with that said, the intention of the design here was my client needs a three-car garage.

They are they have a growing family, so they do need space, they do want to modernize the home. You can see pictures here up at the top of the existing dwelling. So our goal was to eliminate this garage because he does have a need for a three-car garage, turn this garage that's here, on grade now into living space, open up the whole front, do a second-floor addition with wrap around covered porch, and then, maximize the views through the house to the back pool. All of the living space would then be centered on this pool, utilizing the space back here for the three-car garage.

So if I flip this over to our proposed site plan, we can see here that this gray solid hatch area is the existing dwelling, existing pool and patio around it. We are proposing that 4.4-foot expansion, which at the ground level is actually a covered porch, but at the second floor, we needed that 4.4-foot to maximize and have feasible bedrooms located up for his children. I'll show you a rendering momentarily, which you have not seen as part of the package, but I'll show you what this house is going to look like and what the intention was. So, as we proceed down the driveway here to come into the where the property opens up in the flag, this here would be the three-car garage which is connected through, it's not a breezeway. It's actually connected mudroom in this area with pantry. Kitchen is being relocated to the back left corner, and we're proposing an outdoor living space which would have a covered roof and outdoor fireplace here. Again, maximizing the views towards the pool. The area that we're 29.1-feet from the existing front property line to the existing house at that line there, and we're proposing 24.7- feet to the edge of the first floor to the porch, but the second floor, exterior walls upstairs.

Board Member Mr. DeCicco: So even though the notice application states that the variances for a three -car garage and new covered front porch. In actuality, the garage is not really affecting the variance at all. It's just the extension around the lip of the house for the port. Mr. Haynes replied; Correct.

So everything is fully compliant with regards to, coverage, setbacks in all other locations. The only, relief we're requesting tonight is just a 4.4-foot extension from, again, if this is the front entrance to the right -hand side of the house. So I'll show you let me just Yeah. I know sure the answer would be yes, but there's no other variances that were needed or flagged for the for the garage for setback or anything like that. We're fully compliant. We need to hold 15-feet, to the side at the side wall of that attached garage. In fact, there's a 17-foot easement that runs through. So we're even 2-foot past the minimum requirement on this side. I believe the rear yard is a big 40-foot setback. We're at 16.9-feet to a deck that's upstairs. Then, again, this is the requested relief right here, which is only 4.4-feet, and then we have more than enough on this side.

So, at the first-floor level, we do have that covered porch. So, to our columns, that would be that relief that we're requesting. As you can see, the second floor bumps out because this width is just too narrow. Even by doing this, these bedrooms, in my opinion, are a little tight for this house that we're doing. The home that they wanted, the double height spaces, we're, eliminating a lot of usable floor area upstairs.

The objective was to maximize all views through the house to the back pool area. So, again, this is fully compliant. Here is the three-car garage and then that 17-foot width would be to this side. So, everything here is compliant from essentially, you know, the 50-foot requirement would be

somewhere over here. So everything there back, but the house exists where it exists.

Chairman Mr. Prezner: What is it at the top? Same dimension? Mr. Haynes replied; correct. Mr. Prezner; that is an architectural treatment or is that a functional treatment? Mr. Haynes replied; This is functional. I received a letter from Kathy Meladosi, of Thomas Place wrote: Unfortunately, we're out of the country. Otherwise, we would have attended the meeting. We know that the construction will visually impact our property. But our main concern is that it will not create any water issues on our property. That was the first thing. Another concern would be the height of the garage on that elevation. We only received notice of this a few days before we left. So sorry for the late response. Catherine and Franco, Meledosi.

Chairman Mr. Prezner: If you go if you go back to your overview view. It's the house to the back corner where the red arrow is pointing to the house on the right picture. It's in that corner where your red writing is to your left. Oh, you said that would be so if this is the subject property, this is a 700-foot driveway here, it would be then this house, I suppose. Yeah.

Cathy Grohowski: She said that they're the last house in the cul-de-sac on Thomas Place.

Mr. Haynes: It's compliant. It's compliant with zoning height. It would be 29-feet. The garage isn't a detached accessory structure. It's actually part of the home because it's attached. So it's the same as the second-floor addition, the garage would be all the same.

We have fully taken care of with Engineering Department. We have stormwater management in place if necessary. Also, I mean, it's a tremendous lot. There's not going to be any overflow. There will be nothing moving beyond that property line. Generally, we don't want to trench or install those chambers too far from the actual leaders of the home anyway, for cost reasons primarily. So we'll be right adjacent to it. Mr. Prezner replied; if I remember correctly from the site visit, the property does slope down. Mr. Haynes replied; not in the direction of this, resident's house, but actually away. It sorts of bowls around and slopes around the house towards the pool. So it's lower in this area.

Board Member Mr. Doerr: what is the intended use, just out of curiosity, of the what you're calling the bonus room on the second floor of the garage? Mr. Haynes replied; okay, so my client is a is an avid hunter and has, prize pieces that he will be putting in that area.

Mr. Doerr replied; it's not attached on the second floor at that level? Mr. Haynes replied; no. It's connected at the First Floor.

Neighbor Comments:

Fred Burke (376 Grasslands Road): So my house is the house that's adjacent to the property Right. That would be most affected by the variance. I understand completely the need for it, and I want you to know that I have no opposition. Mr. Prezner replied; I have to swear you in because we have to do this. The testimony you're about to give is the truth, the whole truth, and nothing but the truth. Help you guide. Yes. Okay. I have I have no opposition to the variance that's requested. You have none whatsoever? None whatsoever.

Motion to approve per plans submitted made by Herb Doerr, seconded by George Hlapatsos. All remaining members voted in favor. Carried 5-0 AYE.

****ADJOURNED****

Mark Perricelli owner of premises located at 24 PINE RD, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 112.20-3-29.

The application is for the proposed demo of an existing deck and constructing a new deck to the rear of an existing single-family dwelling on a legal parcel (16,495 Square Feet) in the R-20 Zone. **The following variance(s) are requested:**

Jennifer & Bruce Demaree (owners) of premises located at 83 PARK ST, Pleasantville, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.13-2-52.

The application is for the proposed installation of a 5-foot-high fence with an existing single-family dwelling on a legal parcel (11,774 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Chairman Mr. Prezner: Proposed installation of a five-foot-high fence to an existing single-family dwelling. You're proposing five-feet. I'm sorry I didn't have a chance to walk up your driveway. My cardiologist, advised me not to do it. I've seen from the street exactly what you want to do. So what you actually what you want to do is just replace the existing fence with the same type of fence, correct? Mr. Demaree replied; correct the existing fence is five-feet-high now.

Board Member Mr. DeCicco: We're not where we saw the fence on the property now is where the new fence would be. No additional length of the fence. Mr. Demaree replied; We have, completed a recent survey which indicates the far end of the fence was slightly out of compliance. We're going to pull it back a couple of feet just at the last two panels of that fence. Other than that, it will be entirely replaced in its current position. Mr. DeCicco replied; Oh, very good. Thank you, sir.

Board Member Mr. Doerr: So it's basically everything to the right of the house going back and then that tree line in the back that has the wire fencing that's going to the trees is not being replaced. Mr. Demaree replied; Yes, that's correct.

Motion to approve per plans submitted made by Nick DeCicco, seconded by Adrienne Novak. All remaining members voted in favor. Carried 5-0 AYE.

590 COMMERCE, LLC. (Owner) of premises located at 590 COMMERCE STREET THORNWOOD NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.18-4-20.

The application is for a Special Use Permit per Town Code §218-63.1, MASSAGE ESTABLISHMENT, on a legal standard parcel (0.26 Acres) in the TH Zone.

Chairman Mr. Prezner: you are here tonight for the Special Use permit. Nothing has been changed from the last time? Ci Ci replied; Yeah. Nothing changed. Everything stays the same?

Yeah. everything's the same.

Board Member Adrienne Novak: Can you just point it this way so I can see the layout as well? I just asked the Zoning Department and the Building Department if there's any issues that have come in, any work with the Police Department or Police Department checks after we make our approval? Mr. Bregante replied; they do the inspection, but there's nothing from the Building Department at this time.

Board Member Mr. Hlapatsos: Mr. Chairman, I don't find anything in the record that merits a question. I understand there will be an inspection done at the premises.

Motion to approve per plans submitted made by Herb Doerr, seconded by Adrienne Novak. All remaining members voted in favor. Carried 5-0 AYE.

INSPECTION MEETING WILL BE HELD ON

[MIN_SIGNATURES]

