

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE ZONING BOARD OF APPEALS TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD DECEMBER 11, 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 Grohowski

CONTINUING APPLICATIONS:

NEW APPLICATIONS:

Marek Gazda(Applicant) for Michael Hunter (Owner) of premises located at 9 Byram Meadows Road, Chappaqua, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 107.6-1-7.

The application is for a proposed new 37' x 16' in-ground swimming pool and spa with an existing single-family dwelling on a legal standard parcel (0.92 Acres) in the R-40 Zone.
The following variance(s) are requested:

Z-25-43 Michael Hunter (Property Owner)

Address: 9 Byram Meadows Road, Chappaqua, NY

Tax Map: 107.6-1-7

Project: Proposed 37' x 16' in-ground pool

Zone: R-40

Discussion

- In-ground gunite pool approximately 16' x 37'.
 - Existing septic tank and septic fields.

Board Member Comments:

- No balconies or accessible roof areas above the portion of the house closest
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to the pool.

- The nearest area is a one-story living room addition with no access to the roof.
- The two-story portion is farther from the pool location.
- Concern raised regarding potential for access from the roof to the pool area.
- The applicant acknowledged shrinkage in size is possible due to customization.
- Property behind the site is owned by DEP. Applicant stated he is aware of restrictions; no blasting or drilling anticipated.
- Test holes will be conducted to confirm soil conditions.
- Chairman suggested reducing pool length to 35 ft and moving it 2 ft farther from the house, increasing the setback from 10 ft to 12 ft.
- This would reduce the requested variance from 10 ft to 8 ft.
- Applicant stated he and the homeowners would accept a 35-ft pool and an 8-ft variance.

Public Comment

No public comments were made.

Motion

- **Motion to approve** with the following conditions by Mr. George Hlapatsos.
- **Second** by Mr. Herb Doerr.
- All remaining members voted **in favor**.

Conditions:

1. Variance reduced from the originally requested 10 ft to 8 ft, resulting in a 12-ft setback from the main structure.
2. Final pool length to be reduced to approximately 35 ft.
3. All DEP requirements and Building Department conditions must be followed.

Application approved 5-0.

ADJOURNED

Phil Grimaldi (applicant) for Edward Mancuso (owner) of premises located at 9 Lakeview Avenue, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 117.7-1-23. This application previously appeared on the Zoning Board of Appeals 2021 agenda as Zoning Application 21-36, which included approvals for Lot Width for Lot #3 and Mean Lot Width for Lot #2. The application is for the proposed reconfiguration of two (2) lots into three (3) lots, keeping the existing home on a legal parcel (39,441.65 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Jon Keck (Owner) of premises located at 18 Mountain Trail, Pleasantville, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/99.15-4-22.

The application is for the proposed one-story addition to the east side of an existing single-family dwelling, legalization of an existing fence and pavilion on a legal parcel (7,500 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Z-25-54 John Keck (Property Owner)

Address: 18 Mountain Trail, Pleasantville

Tax Map: 99.15-4-22

Project: Proposed one-story addition (extension of first floor)

Zone: R-10

Discussion

- The Board confirmed that the proposal does **not include a second story**.
- Mr. Whalen and Mr. Keck explained that the house currently lacks any closets near the main entrance. The home's entry opens directly into a 20' x 20' open-concept space serving as the living room, kitchen, dining area, and office, with no storage. The proposed mudroom would provide minimal closet space and basement access.

Boards Member Comments:

1. The unique nature of the property and asked the applicant to elaborate on the family's need for a mudroom. Mr. Keck testified that the addition would help address the lack of storage and improve functionality.
 2. Whether the addition would cover an existing stone patio on the left side of the house when viewed from the street. The applicant confirmed that the addition would extend slightly beyond the patio footprint.
 3. **Demolition wall shown near the property line** on the submitted plans. Ms. Novak noted that no such wall was observed during the site walk. Mr. Whalen agreed to clarify and correct the plans to ensure the record
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accurately reflects existing conditions and does not affect future measurements.

Public Comment

No public comments were made.

Motion

- **Motion to approve** by Mr. Herb Doerr
- **Second** by Nick DeCicco.
- All remaining members voted **in favor**.

Application approved 5-0.

Maria Pedone (Owner) of premises located at 11 Clover Road, Valhalla, NY.

Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.20-3-8. The application is for the proposed one-story addition on a legal parcel (0.287 Acres) in the R-20 Zone. **The following variance(s) are requested:**

Z-25-55 Maria Pedone (Property Owner)

Address: 11 Clover Road, Valhalla

Tax Map: 89/112.2-3-8

Project: Proposed one-story addition

Zone: R-10

Discussion

- The proposed addition would extend approximately **eight (8) feet** from the existing structure to accommodate:
 1. A laundry room, and expanded the master bedroom and bathroom.
 2. The purpose of the addition is to make the home **ADA-compliant** for the elderly owners, allowing all living space to be located on one floor.
 3. No second-story addition is proposed.

Board Member Comments

1. The addition is straightforward and limited in scope.
 2. The proposed work does not involve a second floor.
 3. The addition is consistent with the existing footprint and character of the home.
 4. The plans were clearer upon inspection of the site than they appeared on
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paper.

5. Board members stated they had no concerns with the request.

Public Comments

A letter was received from **Joanna Lee**, requesting landscaping and screening along the side of the proposed construction.

The applicant stated that:

- Landscaping concessions had already been agreed to prior to receipt of the letter.
- Existing mature trees that were removed would be replaced with new plantings and hedges.
- **Philip Bellissimo**, 6 Greenwood Lane, (owner) of the property behind the subject site, appeared and expressed concern regarding:
 1. The proximity of the addition to his property.
 2. Potential aesthetic impact and reduction of open space.

The Board and applicant clarified that:

- The house is a pre-existing nonconforming structure and is not considered a violation.
- The proposed addition would be approximately **36–37 feet** from the rear property line, not 13 feet as originally perceived.
- After reviewing the plans and explanation, Mr. Bellissimo stated he was satisfied and had no further objections.

Motion

- **Motion to approve** by Mr. George Hlapatsos
- **Second** by Adriene Novak
- All remaining members voted **in favor**.

Application approved 5-0.

Enza Materia (Owner) of premises located at 385 Columbus Avenue, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.19-1-32. The application is for the proposed demolition of an existing deck, construct new deck to the rear of an existing single-family dwelling. on a legal parcel (20,437 SF.) in the R-20 Zone. **The following variance(s) are requested:**

Columbus Avenue, Valhalla

Tax Map: 89/112.19-1-32

Project: Proposed construction of a new deck to the rear yard

Zone: R-20

Discussion

- Demolition of an existing deck and construction of a new rear deck.
- Mr. Besharat explained that the homeowner demolished and rebuilt the deck without first obtaining a building permit, upon applying for a permit afterward, the Building Department advised that a variance was required regardless of minor dimensional discrepancies.
- The deck is used as the primary outdoor living and entertaining space for a large family.
- The deck is screened from neighboring properties and does not create aesthetic or functional impacts.
- He acknowledged the Board's concerns and agreed to meet with the owner to explore redesign options to reduce the variance.
- He requested a postponement to allow further investigation of Building Department records and to revise the deck design.

Board Member Comments

- The prior deck was legally approved and whether it predated zoning requirements. It was noted that:
- The house is relatively new and not a pre-existing, nonconforming structure.
- Older survey (1997) appears to show a deck
- The prior deck may have been smaller and located further from the rear property line.
- Site visits indicated that new footings were added beyond the footprint of the original deck.
- The Building Department required inspection digging to verify footing depth and compliance, which was completed.
- The size of the deck is substantial and results in a significant variance.
- The hardship cited (large family gatherings) is not, by itself, a zoning hardship.
- The deck includes an extension that creates the greatest setback encroachment, particularly at the top-right corner of the structure.
- Alternatives such as relocating stairs, reconfiguring the deck layout, cutting back portions, or angling the deck could potentially reduce the variance.

Application Adjourned till January Zoning meeting

Jessica & Conner Downey (Owners) of premises located at 753 Warren Avenue, Thornwood, NY. Designated on the Tax Assessment Maps of the Town of Mount

Pleasant as 89/106.18-3-31. The application is for the proposed two-story addition on a legal parcel (6,500 SF.) in the R1-10 Zone. **The following variance(s) are requested:**

Z-25-57 Jessica & Connor Downey (Property Owners)

Address: 753 Warren Avenue, Thornwood

Tax Map: 89/106.18-3-31

Project: Proposed two-story addition, construction of a rear deck

Zone: R-20

Discussion

- The existing home is a Cape-style residence with much of the second floor located toward the rear of the structure.
- The front yard variance results from a roof and wall projection of approximately two feet forward of the existing foundation, similar in nature to a porch projection.
- The rear yard variance relates to a proposed 12-foot deck
- The applicants stated that an existing patio and retaining wall in the rear yard are deteriorating and would likely be removed.
- The property was described as having a significant grade change, with the front driveway at basement level and the rear yard at a similar elevation, resulting in an elevation difference of approximately eight to nine feet across the lot.

Board Member Comments

- The Board reviewed elevation drawings and foundation plans showing the location and dimensions of the proposed deck and addition.
- It was confirmed that the property is a corner lot and that the Board considered Warren Avenue as the front yard for zoning purposes.
- The applicants confirmed that the deck corners were angled to soften the structure and avoid approaching property lines.
- The applicants stated that the rear yard neighbor had been informed of the project and expressed no objection, describing a positive relationship.
- Existing screening between the properties includes a chain-link fence, railroad ties, a significant grade drop of approximately 10 feet, and mature trees on the neighboring property providing visual screening.

Public Comment

No public comments were made.

Motion

- **Motion to approve** by Mr. Herb Doerr
- **Second** by Adriene Novak
- All remaining members voted **in favor**.

Application approved 5-0.

INSPECTION MEETING WILL BE HELD ON