

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE ZONING BOARD OF APPEALS TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD APRIL 9, 2026

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

CONTINUING APPLICATIONS:

DECISION ONLY

Linda Whitehead, Esq. (Applicant) for the Jewish Child Care Association (Owner) of premises located at 1075 BROADWAY Pleasantville, NY 10570. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.11-1-21. This application is submitted for an appeal of the Building Inspector's determination that a Health Center is a prohibited use within the R-20 zoning district, pursuant to Town Code §218-45 "Parochial and private elementary schools, high schools, and colleges."

Application Z-25-28 – Jewish Child Care Association (JCCA)

Representative: Linda Whitehead, Esq., McCullough, Goldberger & Stout

Property Address: 1075 Broadway, Pleasantville NY

Tax Map Designation: 106.11-1-21

Zoning District: R-20

The matter was called for decision only, with no additional presentations scheduled or requested. Ms. Linda Whitehead, Esq., appeared as counsel for the applicant, confirming representation of the property owner, Jewish Child Care Association (JCCA). Counsel indicated that, based on prior understanding, the matter had been closed and no further argument or evidence would be presented.

Applicant Presentation:

- The application sought relief in the form of an appeal of the Building Inspector's determination that a proposed health center constituted a prohibited use within the R-20 zoning district, pursuant to Town Code § 218-45, which governs permitted uses including parochial and private elementary schools, high schools, and colleges.
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Findings of the Board:

Board member Mr. Hlapatsos placed the following findings on the record:

- The applicant was afforded full opportunity to present evidence during two prior hearing sessions.
- The applicant presented testimonial and documentary evidence, including participation by multiple representatives of JCCA.
- The Board noted that the first hearing session reflected limited preparation; however, a second hearing was conducted to allow supplementation of the record.
- During the second hearing, the Board conducted a detailed analysis of the proposed use of the new facility at the Pleasantville Cottage School property.
- Based on the evidence presented, the Board found that:
 - The proposed health center use is substantially consistent with the existing use of the property.
 - While the facility represents an expansion and enhancement of services, the nature of services does not materially deviate from those currently provided.
- The Board concluded that the Building Inspector's determination was erroneous, and that the proposed health center does not constitute a prohibited use in the R-20 zoning district.

Determination:

Based on the foregoing findings, the Board grants the appeal and reverses the determination of the Building Inspector

Motion:

- **Motion:** George Hlapatsos
- **Second:** Herb Doer

Result: Application approved 5-0.

NEW APPLICATIONS:

Pleasant Spa (Applicant) for Thornwood, LDT., LLC. (Owner) of premises located at 53 Kensico Road, Thornwood, NY. The parcel is designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.15-1-39.

The application is for a Special Use permit for a Massage Establishment in accordance with Town Code §218- 63.1 Massage Establishments; "no massage establishment may open,

operate of exist in the Town without first obtaining a Special Use permit with the Zoning Board of Appeals...." Premises is located at 53 Kensico Road, Thornwood, NY 10594, in the C-NR Zoning District.

Application Z-26-7 – Pleasant Spa

Property Address: 53 Kensico Road, Thornwood NY

Tax Map Designation: 106.15-1-39

Zoning District: CN-R

Applicant Presentation:

- The representative identified herself as the manager of Pleasant Spa.
- The property is located behind Walgreens and was previously used as a hair salon.
- The proposed business will primarily provide facial treatments and scalp hair care services.
- The representative clarified that the establishment will not provide full-body or foot massage services.
- The owner of the business was identified as an individual named Ryan (last name not provided on the record).

Board Comments:

- A Board member sought clarification regarding the applicant's role; it was confirmed that the speaker is the manager, not the owner.
- No further substantive questions were raised by Board members.

Public Comments:

- No public comments

Motion: A motion was made to approve the application based upon the materials submitted and the testimony provided on the record.

- **Motion by:** Nick DeCicco
- **Seconded by:** Adrienne Novak

Result: Application approved 5-0.

Daniel Sanchez (Applicant) for Jorge Guiracocha (Owner) of premises located at 681 Sherman Avenue, Thornwood, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.18-2-69. The application is for a proposed 2-story addition to an existing single-family dwelling, on a legal standard parcel (10,000 SF.) in the R-10 Zone. **The following variance(s) are requested:**

Application No.: Z-26-8

Applicant: Daniel Sanchez

Location: 681 Sherman Avenue, Thornwood NY

Tax Map Designation: 106.18-2-69

Applicant Presentation:

- The applicant and his representative appeared. The applicant was duly sworn. The applicant's architect, David Mooney, also addressed the Board.
- The following testimony was provided:
- The application proposes the construction of a second-story addition to an existing single-family residence situated on a 10,000 square foot parcel.
- The requested variance pertains to the front yard setback, where 30 feet is required.
- The existing dwelling has a front yard setback of 9.78 feet, and the proposed construction will maintain the existing setback of 9.78 feet, resulting in a variance of 20.22 feet.
- The proposed project will not expand the existing building footprint; rather, it will add a second story vertically.
- A shed currently located on the property and in violation of zoning regulations will be removed.
- The applicant confirmed that no expansion is proposed toward adjacent side yards and that the structure will remain within its current footprint.

Board Questions:

- The Board confirmed that the existing front yard setback is 9.78 feet and that it will remain unchanged after construction.
- Clarification was provided regarding the layout of the property, including the driveway location and adjacent lots.
- It was confirmed that the lot to the right of the subject property is not owned by the applicant.
- The Board discussed the existing condition of the dwelling and noted that the improvements would enhance the property.
- The applicant's representative stated that the project would improve the dwelling from a small one-bedroom home to a structure more consistent with neighborhood standards.

Public Comments:

- No public comments

Motion:

A motion was made to approve Application Z-26-8 based upon the plans submitted and the testimony provided on the record.

- **Motion by:** Herb Doerr
- **Seconded by:** Nick DeCicco

Result: Application approved 5-0.

John Santoro & Marni Mayer (Owners) of premises located at 19 Pine Road, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/112.20-3-27. The application is for the proposed demolition of the existing single-family dwelling and the reconstruction of a new single-family dwelling, on a legal substandard parcel (13,799 SF.) in the R-20 Zone. **The following variance(s) are requested:**

Application No.: Z-26-9

Applicants: John Santoro and Marnie Mayer

Location: 19 Pine Road, Valhalla NY

Tax Map Designation: 89/112.20-3-27

Applicant Presentation:

- The subject property consists of an approximately 13,800 square foot parcel, where 20,000 square feet is required, rendering it a pre-existing nonconforming lot.
- The parcel is a corner lot, resulting in two front yard setback requirements.
- The application proposes demolition of the existing one-story dwelling and construction of a new two-story single-family residence.
- The architect explained that due to the undersized nature of the lot and its corner configuration, the buildable area is significantly constrained.
- It was represented that any reasonable residential development of the property would require one or more variances.
- The proposed dwelling was designed to be compact in footprint while accommodating modern residential needs.
- The applicants conducted outreach to neighboring property owners, and no objections were reported, with neighboring properties expressing support.

Board Comments:

- The increase in nonconformities, particularly with respect to setbacks and lot coverage;

- Whether feasible alternatives had been adequately explored, including building within the existing footprint;
- The scale of the proposed dwelling relative to the size of the lot.

In response to Board concerns, the applicant agreed to modify the proposal as follows:

- Removal of a covered rear terrace, which:
 - Reduced the rear yard setback variance significantly;
 - Reduced maximum lot coverage from 20.6% to 17.6%;
 - Increased the effective rear yard setback to approximately 40.2 feet, thereby reducing the variance to 9.8 feet.
- The Board acknowledged the hardship created by the undersized, nonconforming lot and its corner configuration.
- Certain variances, particularly along one frontage, were considered minimal in impact.
- The Board found the applicant's modification to remove the covered terrace to be a meaningful reduction in intensity and responsive to Board concerns.
- The proposed improvements were viewed by several members as an upgrade to the existing dwelling and consistent with neighborhood development trends.

Public Comments:

- No public comments

Motion:

A motion was made to approve Application Z-26-9, subject to the amended plans and testimony presented on the record.

- **Motion by:** Nick DeCicco
- **Seconded by:** Adrienne Novak

Approval included:

- Variances for front yard setbacks as requested;
- Rear yard setback variance as amended (reflecting removal of covered terrace);
- Maximum lot coverage variance as amended to 17.6%.

Result: Application approved 4-1.

Dimovski Architecture (Applicant) for David Cebel (Owner) of premises located at 423 & 429 Commerce Street, Hawthorne, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 112.5-1-28 & 112.5-1-27. The application is for a proposed new mixed-use building with 12 proposed dwelling units, one office space, and two commercial/retail spaces, along with a rear parking lot . The application is currently seeking Planning Board approval on legal standard parcels (16,469.7 SF.) in the HH Zone. **The following variance(s) are requested:**

Application: ZBA #26-13

Applicant: Dimovski Architecture (Steve Dimovski)

Property Owner: David Seville

Property Address: 423–429 Commerce Street, Hawthorne, New York

Tax Map Designation: Town of Mount Pleasant – Section 112.5, Block 1, Lots 28 and 27

Applicant Presentation:

- Twelve (12) residential dwelling units
 - One (1) office space
 - Two (2) retail commercial spaces
 - Associated rear parking area
 - The subject parcel consists of approximately 16,400 square feet and is located within the Hawthorne Hamlet District. The application is before the Zoning Board of Appeals due to a request for relief related to the **height of the elevator bulkhead**, which exceeds the permitted building height.
 - The applicant previously appeared before the Board with a proposal to construct a smaller infill building between existing structures. That proposal did not proceed due to concerns regarding insufficient green space under prior zoning regulations.
 - The zoning designation has changed to the Hawthorne Hamlet District.
 - The updated code permits rooftop green space.
 - The applicant revised the proposal to demolish two existing buildings and construct a larger unified structure with improved layout, access, and compliance with current form-based code requirements.
 - The site slopes downward toward the rear, requiring parking at a lower grade.
 - The building effectively functions with additional vertical levels due to:
 - A lower-level parking area
 - Required ADA accessibility
 - Rooftop green space access
 - The elevator must:
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- Extend to the lower parking level
- Provide access to all floors and the rooftop green space
- Include additional overhead clearance required for safety mechanisms
- The proposed elevator bulkhead exceeds the maximum permitted building height of 50 feet by approximately four (4) feet (total height approximately 54 feet, a 7.5% increase).
- The applicant stated:
 - The additional height is required for life safety and code compliance.
 - Alternative designs were explored but were not feasible due to structural, mechanical, and site constraints.
 - The bulkhead is located approximately 25 feet from the front façade and is largely screened by the stair tower, minimizing visibility from the street.

Public Comment

- No public comments

Motion:

A motion was made to approve Application Z-26-13 based on the submitted plans, documentation, and testimony.

Motion: Herb Doerr

Second: George Hlapatsos

Result: Application approved 5-0.

Sid Schlomann (Applicant) for Carla Calvin (Owner) of premises located at 18 Hardscrabble Hill Road, Chappaqua, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 89/99.6-2-59. The application is for a proposed two-story addition to an existing single-family dwelling, on a legal substandard parcel (34,958 SF.) in the R-40 Zone. **The following variance(s) are requested:**

Application: ZBA #26-6

Applicant: SI Design Architects (Claire Harris, Representative)

Property Owner: Clara Calvin

Property Address: 18 Hardscrabble Road, Chappaqua, New York

Tax Map Designation: Town of Mount Pleasant – Section 89, Block 99.6, Lot 2-59

Applicant Presentation

Ms. Claire Harris of SI Design Architects, located in Rye, New York, appeared on behalf of the property owner.

The applicant stated:

- The project consists of a second-story addition only.
- There will be no expansion of the building footprint.
- The addition will align with the existing first-floor walls.
- The overall roof height will remain consistent with the current structure, eliminating the existing gabled form and replacing it with a more continuous roofline.

Board Comments:

Board members reviewed the application and determined that:

- The proposal is straightforward in nature.
- No additional encroachment into the required front yard setback is proposed.
- The existing nonconformity will remain unchanged and will not be exacerbated.

Public Comments:

One neighboring property owner, Mr. Charles Coars of 17 Hardscrabble Hill Road, appeared to provide informational comments.

- The resulting roofline and overall building height compared to the existing structure.
- The number of additional bedrooms and bathrooms proposed.
- Potential impacts related to water supply and septic capacity.

In response, the applicant stated:

- The roof height will remain substantially the same as the existing structure.
- The project will add one (1) bedroom and one (1) bathroom.

The Board noted for the record that:

- Questions related to septic capacity and water infrastructure fall under the jurisdiction of the Board of Health and are outside the scope of the Zoning Board of Appeals.
- Any required approvals related to such matters must be obtained through the appropriate agencies.

Motion:

A motion was made to approve Application Z-26-6 based on the submitted plans,

documentation, and testimony.

Motion: Herb Doerr

Second: George Hlapatsos

Result: Application approved 5-0.

INSPECTION MEETING WILL BE HELD ON