

TOWN OF MOUNT PLEASANT

MINUTES OF THE MEETING OF THE ZONING BOARD OF APPEALS TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, N.Y. HELD JULY 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
	Zoning Secretary	Cathy Grohowski

CONTINUING APPLICATIONS:

NEW APPLICATIONS:

Richard Zottola (Owner) of premises located at 38 Eastview Drive, Valhalla, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 113.9-1-20.

The application is for a proposed new roof on a wraparound porch to an existing one-family dwelling, on a legal standard parcel (0.97 Acres) in the R-40 Zone.
The following variance(s) are requested:

Application No. 26-21 – Richard Zottola
Property: 38 Eastview Drive, Valhalla, NY
Tax Map: Section 113.9, Block 1, Lot 20
Zoning District: R-40

Description of the Application:

- Mr. Richard Zottola, accompanied by his wife, Carol Robinson, appeared before the Board and presented the application. Mr. Zottola explained that the proposal involves constructing a roof over an existing wrap-around porch as part of a larger renovation project that includes adding a second story to the home. He emphasized that the requested variance pertains only to the porch roof and that no variance is required for the proposed expansion of the occupied living space.
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- Mr. Zottola described the proposed design, noting that the existing porch begins at the front entrance, extends along the north side of the home, and wraps toward the rear.

Applicant Presentation:

- The proposed roof would improve the functionality of the existing porch by providing shelter over the grilling area during inclement weather.
- Alternative roof locations were considered but rejected. A roof over the front porch would be impractical due to its narrow width, while a rear porch roof would obstruct panoramic views of adjacent DEP watershed property.
- The property's narrow lot configuration, established when the subdivision was created in 1958, significantly limits expansion opportunities. The home was originally constructed close to the side yard setback, leaving little available space for improvements.
- The existing residence already includes roof eaves that extend approximately two feet into the required setback. Mr. Zottola stated that the proposed roof would extend only three additional feet beyond the existing eaves.
- The proposed roof would not intensify use of the existing porch or create adverse impacts on neighboring properties, as the porch is already used for outdoor dining, grilling, and recreation.

Board Member Comments:

- Board members questioned the application regarding the dimensions and existing conditions of the porch. Mr. Zottola explained that the existing deck extends approximately 30 feet along the north side of the house and is essentially at ground level.
- Proposed porch roof and the larger home addition. Mr. Zottola confirmed that construction of the second-story addition would proceed regardless of whether the requested porch roof variance is granted.
- Could the variance be reduced by decreasing the size of the proposed roof. Mr. Zottola responded that a six-foot-wide roof is necessary to provide meaningful weather protection and maintain the architectural design of the wrap-around porch.
- Have you considered installing a retractable motorized awning instead of constructing a permanent roof? Mr. Zottola acknowledged that a retractable awning had been considered but stated that he viewed it as a compromise.
- Clarification regarding the existing roof encroachment. Mr. Zottola explained that professional surveys measured the residence itself at approximately 26 feet from the property line, while the roof eaves extend approximately two feet farther into the setback. He stated that the proposed roof would extend to approximately 20 feet from the property line, representing an additional three-foot encroachment beyond

the existing roof eaves.

Public Comments:

Attorney Aldo Vitagliano, of 211 South Ridge Street, Rye Brook, appeared on behalf of adjoining property owners Mr. and Mrs. Rosenberg, who reside adjacent to the subject property. Mrs. Rosenberg was present at the meeting.

- The proposed roof would have limited visibility from Eastview Drive due to existing rock formations and topography but argued that granting the variance could establish an undesirable precedent for future redevelopment within the neighborhood, where larger homes and renovations are becoming more common.
- Proposed roof would adversely affect the neighboring property because the homes are situated relatively close together, with each residence located approximately 25 to 26 feet from the shared property line. He stated that his clients already experience smoke, noise, and visual impacts from grilling and outdoor activities on the applicants' existing deck. He expressed concern that covering the deck would encourage more frequent outdoor use and create an enhanced entertainment area, increasing those impacts.
- The variance was self-created and that reasonable alternatives existed. Specifically, he suggested that the applicants redesign the project to relocate the covered outdoor space toward the rear yard, where, in his opinion, it would be more appropriate and would avoid encroachment into the side yard setback. He stated that because the project constitutes a substantial renovation, the applicants had sufficient opportunity to redesign the layout rather than seek zoning relief. The Chairman asked whether vegetation existed between the two properties. Mr. Vitagliano responded that there was limited vegetation separating the properties and submitted photographs depicting existing site conditions. The photographs illustrated the existing deck, the proximity of the neighboring properties, and the side yard between them.
- That the additional landscaping could be considered but expressed uncertainty as to its effectiveness given existing site conditions. He suggested that the applicants could return with a landscaping proposal if appropriate. Board members discussed the relationship between the requested roof and the larger home renovation. It was noted that the proposed second-story addition could proceed under the Building Department's authority regardless of the outcome of the variance application and that the requested roof primarily represented an architectural enhancement rather than an expansion of the home's footprint.
- A Board member questioned Mr. Vitagliano regarding the specific impacts on his clients' use and enjoyment of their property. The Board observed that grilling and outdoor use already occur on the existing deck and that granting the variance would not fundamentally change that activity except by allowing its continued use during inclement weather. Mr. Vitagliano responded that the roof would create a more attractive and functional gathering space, potentially encouraging greater use for entertaining. Board members noted, however, that the applicants could continue using the existing deck for social gatherings regardless of whether the variance was granted.
- The Chairman asked the applicants whether they would consider installing additional landscaping or screening along the property line to lessen visual impacts.

Applicants Response:

- Mr. Zottola responded on behalf of the applicants. He disputed several statements made by the objector, stating that substantial existing landscaping already separates the properties, including mature evergreen trees and additional shrubs that he had planted. He stated that the properties are generally at the same grade and that there is significant screening between the homes.
- Mr. Zottola further stated that grilling, dining, and socializing on the existing deck are lawful residential activities that have occurred for many years. He argued that the proposed roof would not materially increase those activities but would merely provide shelter during inclement weather.
- Mr. Zottola advised the Board that the renovation plans already include extending the deck toward the rear of the house within the allowable rear yard setback.
- Mr. Vittaliano referenced a plan included in the application depicting a "new paved terrace" and questioned whether the plans reflected an expansion of the outdoor area.

Business Session:

- The Board discussed the application and the absence of the customary group site visit, which had not been conducted due to the Fourth of July holiday.
- Mr. Hlapatsos advised that he had independently visited the property and observed substantial existing landscaping and screening between the applicants' property and the adjoining neighbor. He stated that, in his opinion, the existing vegetation significantly limited visibility between the properties and would also help mitigate any potential impacts associated with outdoor grilling or general use of the deck.
- Reviewed photos that were submitted during the hearing and discussed the existing screening. One member commented that the landscaping appeared substantial, although additional plantings could be required.
- Board determined such a condition was warranted. Other members noted that the neighboring property owner also retained the ability to install additional landscaping on his own property if desired.
- The Board discussed the statutory balancing factors under Town Law § 267-b, including neighborhood impact, feasible alternatives, and whether the requested variance was self-created. Members generally concluded that any potential impacts on the neighboring property were minimal and were substantially mitigated by the existing vegetation and screening. While acknowledging that the variance was self-created, the Board agreed that this factor alone did not warrant denial of the application.
- The possibility of conditioning approval upon the installation of additional screening or landscaping was discussed. After considering the extent of the existing vegetation, the consensus of the Board was that no additional landscaping condition was necessary.

Motion:

Mr. Hlapatsos made motion to approve the application as submitted, seconded by Mr. Doerr.

- **Vote: 5-0 AYE**

Jeffrey & Nicole Cohen (Owners) of premises located at 9 Cy Court, Pleasantville, NY. Designated on the Tax Assessment Maps of the Town of Mount Pleasant as 106.8-3-18.

The application is for a proposed 6-foot fence in the side/rear yard of an existing single-family dwelling on a legal standard parcel (0.47 Acres) in the R-20 Zone.
The following variance(s) are requested:

Application No. 26-22 – Jeffrey and Nicole Cohen
Property: 9 Sy Court, Pleasantville, NY
Tax Map: Section 106.8, Block 3, Lot 18
Zoning District: R-20

Description of the Application:

Mr. Jeffrey Cohen appeared on behalf of the application and confirmed the details of the request.

Applicant Presentation:

- The proposed fence would be a white vinyl fence with a decorative lattice top. He further explained that the design was intended to match an existing neighboring fence located along the adjoining property line, which is of substantially the same style and height.

Board Member Comments:

- The Chairman observed that vinyl fencing on the north side of a property can be susceptible to mildew and staining and advised the applicant that periodic maintenance and cleaning would likely be necessary. No additional questions were raised by the Chairman.
 - Board members indicated that they had no substantive questions regarding the application. One Board member commented favorably on the inclusion of the decorative lattice top.
 - In response to an inquiry regarding the need for a six-foot fence, Mr. Cohen stated that the additional height was sought to provide privacy and to discourage deer from entering the property, noting that he had been advised that six-foot fencing is
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generally more effective than four-foot fencing. He also reiterated that the proposed fence would maintain a consistent appearance with the existing adjacent fence.

Motion:

Mr. Doerr made motion to approve the application as submitted, seconded by Mrs. Novak.

- **Vote: 5-0 AYE**

INSPECTION MEETING WILL BE HELD ON