



ZONING BOARD OF APPEALS MINUTES

Meeting on Wednesday, April 16, 2025 at 7:00 pm

The meeting was called to order at 7:03 pm by Chairman Tom Smith. Also present were board members AnnMarie Fusco, Joe Gunset, Hilary Kao, Lisa Smith, Counsel John Loveless, Conservation Board Liaison Marilyn Shapiro, and Administrator Nicole Engel.

Mr. Smith explained that the applicant first presents his/her case before the Board. Board members, as well as members of the public, may ask questions. The hearing is then normally closed, and the members discuss the application. After the hearing is closed, neither the public nor the applicants are normally allowed to comment.

Mr. Smith stated that the Board usually votes at the meeting, but if there is an issue to be resolved, a decision could be held off until the following meeting.

Gregory P. Brooks, 15 Bishop Park Road, Pound Ridge, NY 10576, also known as Block 10269, Lot 5, Zone R-3A. An application for approval to construct a 15' by 17' one-story addition to the existing single-family residence, located 40' from the front property line, 35' from the side property line, and 26' from the rear property line. Additionally, there is a proposed 12' by 16' one-story, non-inhabitable shed to be located 3' from the rear property line and 10' from the side property line. This application is disapproved on the following grounds: Section 113-37 of the Code of the Town of Pound Ridge requires a front yard setback of 60', a side yard setback of 50', and a 75' rear yard setback. In order for this application to move forward, the addition will require a 20' front yard, a 15' side yard, and a 49' rear yard variance.

Present: Gregory P. Brooks

Mr. Brooks presented his application. He proposed constructing a 15 by 17-foot one-story addition to an existing single-family residence and a 12 by 16-foot one-story non-inhabitable shed. The application required variances due to setback requirements in the town code and because the site and entire community on this road consists of pre-existing non-conforming residences in existence before the Zoning Code was codified.

Mr. Brooks showed drawings and photographs of the existing house, which is approximately 800 square feet. He explained that the current enclosed porch serves as the bedroom but is not comfortable. The proposed addition would include a bathroom and a modest-sized bedroom. He also wanted to add a front door to make the house more attractive to neighbors.

Mr. Brooks discussed alternative locations for the addition, explaining that the proposed location would require the least variance. He showed elevation drawings and a sketch of the proposed addition, emphasizing that it would maintain the character of the small lake house.

Regarding the shed, Mr. Brooks explained that an existing unpermitted garage would be torn down, and the new shed would be used to store lawn equipment. He showed plans for a 12 by 16 foot shed with a peak height of 12 feet 9 inches.

Mr. Brooks addressed the five criteria for granting a variance. Whether an undesirable change will occur in the character of the neighborhood or a detriment to nearby properties will be created, he said that his proposal would enhance the neighborhood. On whether the benefit sought can be achieved by a feasible alternative other than a variance, Mr. Brooks said, "No, because the property is only on .22 acres." Mr. Brooks agreed the requested variance is substantial, but necessary. On whether there would be any feasible alternatives, the applicant said that there would be none. Also, Mr. Brooks said there would be no adverse effects on the physical or environmental conditions of the neighborhood. He said that they would not be taking down any trees, but may be removing bamboo since it's an invasive. Finally, on whether the alleged difficulty is self-created, Mr. Brooks said, "Yes, because we bought the house." The applicant noted that his home is the smallest in the neighborhood and even with the addition, it would still be the smallest home.

There were letters of support from 5 neighbors: Benjamin & Leslie Arnow at 21 Bishop Park Rd, Stacy Brunner at 27 Bishop Park Rd, Greg Wark at 29 Bishop Park Rd, Anne Marce at 9 Bishop Park Rd, and Kevin Eckhardt & Mandy Wise at 6 Bishop Park Rd.

Ms. Smith made a motion to close the public hearing; Ms. Fusco seconded. All in favor. The public hearing was closed.

Deliberation:

The board members deliberated on the application, discussing both the house addition and the shed separately.

For the house addition, members agreed that it would be an improvement to the property and not meaningfully impact the site coverage. They discussed the lighting requirements and agreed that exterior lighting should comply with the code.

Ms. Smith made a motion to approve the variance for the proposed one-story addition to the residence. Ms. Fusco seconded the motion. All members voted in favor. Approved.

Regarding the shed, board members discussed its orientation, foundation, and appearance. They agreed that the variance for the shed was substantial but necessary given the property constraints. The board decided not to stipulate specific colors but emphasized that the shed should be in keeping with the neighborhood's character.

The board reviewed the five criteria for granting a variance for the shed, concluding that it would not cause an undesirable change in the neighborhood character, there were no feasible alternatives, and it would not have an adverse effect on environmental conditions.

Ms. Fusco made a motion to approve the shed as indicated in the application, with the stipulation that it comply with the drawings submitted and that any exterior lighting be code-compliant for safety purposes. Ms. Smith seconded the motion. All members voted in favor. Approved.

Ms. Fusco made a motion to approve the minutes from March 19, 2025. Mr. Smith seconded. All in favor.

Ms. Smith made a motion to adjourn the meeting; Ms. Fusco seconded. Meeting adjourned.