



## **ZONING BOARD OF APPEALS MINUTES**

**Meeting on Wednesday, June 18, 2025 at 7:00 pm**

The meeting was called to order at 7:02 pm, by Chairman Tom Smith. Also present from the Board were 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 their 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.

The meeting was called to order and the minutes from the previous meeting on May 21, 2025 were approved. A motion was made to approve the minutes as presented.

Mr. Kao made a motion to approve the May 21, 2025 minutes. Ms. Fusco seconded. All in favor.

**Montgomery Bancroft**, 46 Doe View Lane, Pound Ridge, NY 10576, also known as Block 9816, Lot 178, Zone R-3A. An application for approval to construct a new wood deck 39' from the rear property line is disapproved on the following grounds: Section 113-37 of the Code of the Town of Pound Ridge requires a 50' side yard setback, in order for this application to move forward, an 11' side yard setback will be required.

Present: Owner Montgomery Bancroft

Mr. Bancroft, the property owner, introduced himself and explained that they had owned the property for three years and had done various improvements. This deck was likely their last addition. He described it as a single deck straight out the back of the house, on a property of approximately 32-34 acres of land, bordered by Carolin's Grove with Pound Ridge Elementary School in the back.

Mr. Bancroft addressed the five points. He stated that no undesirable change would occur in the neighborhood as nobody would see the deck. On whether the benefit sought could be achieved by any feasible alternatives, he said that it could not. Given the amount of open space, Mr. Bancroft did not believe the variance was substantial. He also did not see how the

requested variance could affect the physical or environmental conditions. Finally, on whether the difficulty was self-created, Mr. Bancroft expressed some uncertainty about the question's meaning in relation to his situation.

The members asked for clarifications on the deck's dimensions. Mr. Bancroft explained that the deck would be 12.5 feet deep from the house at its widest point, but only 6 feet at the door where it was closest to the property line. He confirmed that a variance would be needed for any part of the deck in that area.

It was noted that the house itself might be existing non-conforming, as Mr. Bancroft mentioned getting a variance when they put on an addition previously. The Board assumed a variance was granted for the existing 39-foot setback plus 6 feet.

Board members observed that the proposed deck wouldn't extend much further than the existing steps, essentially going over where the current steps are located. Mr. Bancroft confirmed that no new steps were included in the proposal, but they would add them later in a compliant location.

It was noted that there were no letters received.

Mr. Smith moved to close the public hearing. Ms. Fusco seconded. All in favor. The public hearing was closed.

**Deliberation:**

In their deliberation, the Board considered the application noting that nothing was likely to happen on the adjacent property. They didn't find the variance to be substantial, as it was only extending 11 feet into the required 50-foot setback.

Board members also noted the presence of deciduous trees and plantings that would help shield the deck from view. They went through the variance criteria, finding no adverse effects on the physical environment, acknowledging that while the difficulty was somewhat self-created, it was replacing unsafe steps with a more uniform and safe structure.

Mr. Smith motioned to approve the application as presented; Ms. Smith seconded. All in favor. Application approved.

**Grace Douglas & Yann Nury**, 57 Fancher Road, Pound Ridge, NY 10576, also known as Block 9454, Lot 31, Zone R-3A. An application for approval to reconstruct and expand existing 4-car garage in its current location and add a new 12' wide carport addition: the proposed carport is located 20' from the front property line and 9'1" from the side property line is disapproved on the following grounds: Section 113-37 of the Code of the Town of Pound Ridge requires a 60' front yard setback and a 50' side yard setback. In order for this application to move forward, a 40' front yard and a 40'1" side yard variance will be required.

The Board noted that the applicants were not present for the meeting. The Board decided to adjourn the hearing to the next meeting due to the applicants' failure to appear.

Ms. Smith made a motion to adjourn the hearing for the applicant's failure to appear to the next regularly scheduled meeting. Mr. Kao seconded. All in favor. Application adjourned.

Adjournment:

Mr. Kao made a motion to adjourn the meeting. Ms Fusco seconded. All in favor. Meeting adjourned.