



# Village of Pleasantville

**Building Department**

80 Wheeler Avenue / Pleasantville, New  
York 10570  
(914) 769-1926 Fax: (914) 769-5519

## PLEASANTVILLE ZONING BOARD MEETING

### **To: Zoning Board Members:**

There will be a meeting of the Pleasantville Zoning Board on Thursday, April 24, 2025, at 8:15 PM, at Village Hall, 2nd Floor 80 Wheeler Avenue, Pleasantville, New York.

#### **Meeting Access**

Topic: ZBA

Time: Apr 24, 2025 08:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86275304767?pwd=y8ghZ4aHNXBkLc fhmTQ9KzP aaeUDbA.1>

Meeting ID: 862 7530 4767

Passcode: 919365

One tap mobile

+16469313860,,86275304767# US

**Note:** *One board member will be attending remotely at the following location:*

***65 Ella Grasso Turnpike, Windsor Locks, CT 06090***

## **AGENDA**

### **1. 45 Dogwood Lane**

**Case No. 2025-05 - Nam Nguyen & Yen Pham - 45 Dogwood Lane** - Proposed additions and alterations to the existing single-family dwelling on-site in violation of Section 185-36.B.(1) Schedule I "Bulk Requirements" and Section 185-38.E "Layout, location, and ownership" regarding deficient side yard setback and excessive driveway width

### **2. 49 Brentwood Drive**

**Case No. 2025-06 - Mounir Ibrahim - 49 Brentwood Drive** - Proposed open wood deck to the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding excessive building coverage and deficient front yard setback - ***Re-application - previous variance issued April 2023 has expired***

### **3. 86 Weskora Avenue**

**Case No. 2025-07 - Wayde and Kim Bendus - 86 Weskora Avenue** - Proposed one story addition to the rear of the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding deficient rear yard setback

4. **63 Highview Terrace**

**Case No. 2025-08 - Leanne LaMacchia - 63 Highview Terrace** - Proposed 2nd floor addition and rear deck to the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding deficient side and rear yard setbacks

5. **Minutes of Meeting**

Meeting of March 27, 2025

Very truly yours

Robert Hughes  
Building Inspector



**Meeting Access**

Topic: ZBA

Time: Apr 24, 2025 08:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86275304767?pwd=y8ghZ4aHNXBkLcfhmTQ9KzPaaeUDbA.1>

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**Note:** *One board member will be attending remotely at the following location:  
65 Ella Grasso Turnpike, Windsor Locks, CT 06090*



**45 Dogwood Lane**

**Case No. 2025-05 - Nam Nguyen & Yen Pham - 45 Dogwood Lane** - Proposed additions and alterations to the existing single-family dwelling on-site in violation of Section 185-36.B.(1) Schedule I "Bulk Requirements" and Section 185-38.E "Layout, location, and ownership" regarding deficient side yard setback and excessive driveway width

**ATTACHMENTS:**

Description	Type	Upload Date
Denial Letter	Backup Material	4/10/2025
Principal points letter	Backup Material	4/10/2025
Architectural plans	Backup Material	4/10/2025
ZBA application	Backup Material	4/10/2025
BP application	Backup Material	4/10/2025
EAS form	Backup Material	4/10/2025
Public Notice	Backup Material	4/17/2025
Neighbor's support letters	Backup Material	4/24/2025



# Village of Pleasantville

**Building Department**

80 Wheeler Avenue • Pleasantville, New York 10570

(914) 769-1926 Fax: (914) 769-5519

**Nam Nguyen & Yen Pham  
45 Dogwood Lane  
Pleasantville, New York 10570**

**PARCEL ID**

**Sec – 99.11  
Blk – 2  
Lot – 5**

**Re – Building Permit Application dated March 26, 2025, for proposed additions and alterations to the existing single-family dwelling located at 45 Dogwood Lane, within the Village of Pleasantville, on-site in violation.**

Date: April 10, 2025

Dear Nam & Yen:

This notice is to inform you that the proposed additions and alterations to the existing single-family dwelling located at 45 Dogwood Lane on-site in violation, is hereby denied.

Denial is based on the following facts:

1. Subject property is located in an RR “One-Family Residence” zoning district within the Village of Pleasantville, New York.
2. To construct the additions and alterations to the existing single family dwelling as proposed would not comply with section 185-36.B.(1) Schedule I “Bulk Requirements” of the Village Municipal Code which sets forth the following:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
<b>Min one side yard setback.....</b>	<b>20.0 feet</b>	<b>17.0 feet</b>	<b>3.0 feet</b>

3. To expand the driveway as proposed would not comply with Section 185-38.E “Layout, location, and ownership” of the Village Municipal Code which prohibits parking within the front yard other than located in driveways

Note: Village zoning code limits a single car driveway to a maximum of 12 feet in width. Furthermore, for a building with a multicar garage, the width of such driveway may be increased, provided that it does not exceed the combined width of the face of all garages to which it provides access. Such an increase in width for multicar garages may be established only within 20 feet of the face of the garage(s) for the purposes of providing vehicular access to the garage(s) and accommodating on-site circulation, as deemed appropriate and necessary in the judgment of the Building Inspector based upon his or her field inspection.

You may appeal this decision to the local Zoning Board of Appeals within sixty (60) days of receipt of this notice.

If you should have any further questions, please do not hesitate to contact this Department.

Very truly yours,

Robert Hughes  
Building Inspector

March 26, 2025

Mr. Robert Hughes  
Village of Pleasantville Building Department  
80 Wheeler Avenue  
Pleasantville, New York 10570

Re: Addition and Alterations to the Nguyen and Pham residence  
45 Dogwood Lane, Pleasantville, New York  
Section 99.11 Block 2 Lot 5

Dear Mr. Hughes,

Please accept this letter as an appeal of your decision, which denied our request to add an addition to the side of our home and a driveway area in front of our home at 45 Dogwood Lane.

As such, please place our application of appeal on the next available agenda of the Village of Pleasantville Zoning Board of Appeals.

Sincerely,



Nam Nguyen and Yen Pham  
Owners

March 26, 2025

Chairman Campriello and Members of the Zoning Board of Appeals  
Village of Pleasantville  
80 Wheeler Avenue  
Pleasantville, New York 10570

Re: **Letter of Principal Points**  
Addition and alterations to the Pham and Nguyen residence  
45 Dogwood Lane, Pleasantville, New York  
Section 99.11 Block 2 Lot 66

**Request for two variances as follows:**

- **3.0 foot side yard setback variance to construct a 2-story addition where 20.0 feet is required, and 17.0 feet is proposed.**
- **12.0 feet driveway width within the front yard setback where 12.0 feet is the maximum width permitted, and 24.0 feet width is proposed.**

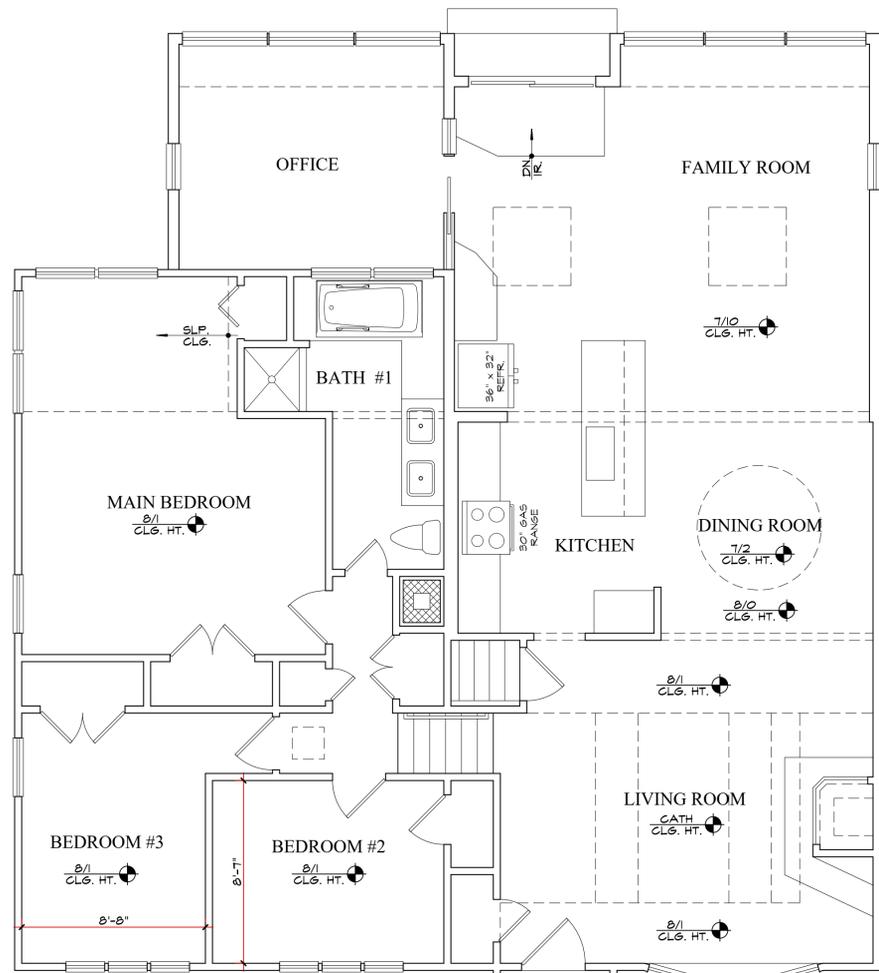
Dear Chairman Campriello and Members of the Z.B.A.:

We are requesting the variances noted above so that we may construct a 2-story addition which will include a one-car garage and mud room on the basement level, and 2 children's bedrooms on the second floor to legally conforming home. In considering our application, we would like the Board to consider these principal points as required by State law:

- 1) The granting of these variances will not create an undesirable change in character to the neighborhood or detriment to nearby properties.** The character of the neighborhood is made up primarily of single family homes, most of which are either one or two stories in height and many have split floor levels like ours. The new exterior design of our home will dramatically improve the curb appeal and will be consistent with other remodeled homes on our road. There are also other homes who have double-wide driveways, although they have two-car garages which is not possible to do on our home.
- 2) There is no feasible method other than the requested variances to achieve the benefit of a new garage and bedroom addition on this home.** Our house is a side to side split level with the bedroom level on the western side of the house, so it only makes sense to expand that side of the house to make nicer bedrooms for our 3 children. The width of the addition was determined by the necessary 12' interior width for the new garage. We have 2 cars and with children who will be driving age soon, having side by side parking would be extremely convenient so we would not have to constantly back cars out of our sloped driveway onto the street just to let one car out.
- 3) The variances we are requesting are not substantial for the following reasons.** The 3 foot side yard setback variance is not substantial because it's only 15% variance and is not unlike one of our neighbors (62 Dogwood) whose side yard variance was 7.0' or a 35% variance in 2018. As mentioned above, many of our neighbors already have double wide driveways, some of which go all the way to the curb where ours will be 12' wide conforming at the curb.
- 4) If these variances are granted, there will be no adverse effect or impact on the physical or environmental conditions in the neighborhood.** The new addition to our home will have excellent energy efficiency due to the use of high-R insulation, air sealing, and high-quality windows with low U-values, and highly efficient HVAC systems. The water runoff from all new roof areas and impervious surfaces will be contained on-site with below ground stormwater mitigation systems.
- 5) Although these variance requests are self-created,** we feel that this alone may not necessarily preclude the Board from granting these variances

We therefore respectfully request that the Board grant these variances.

Sincerely,  
Nam Nguyen and Yen Pham  
Owners



**EXISTING LIVING & BEDROOM LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



45 DOGWOOD \* PROJECT HOUSE\*



62 DOGWOOD



10 DOGWOOD



24 DOGWOOD



36 DOGWOOD



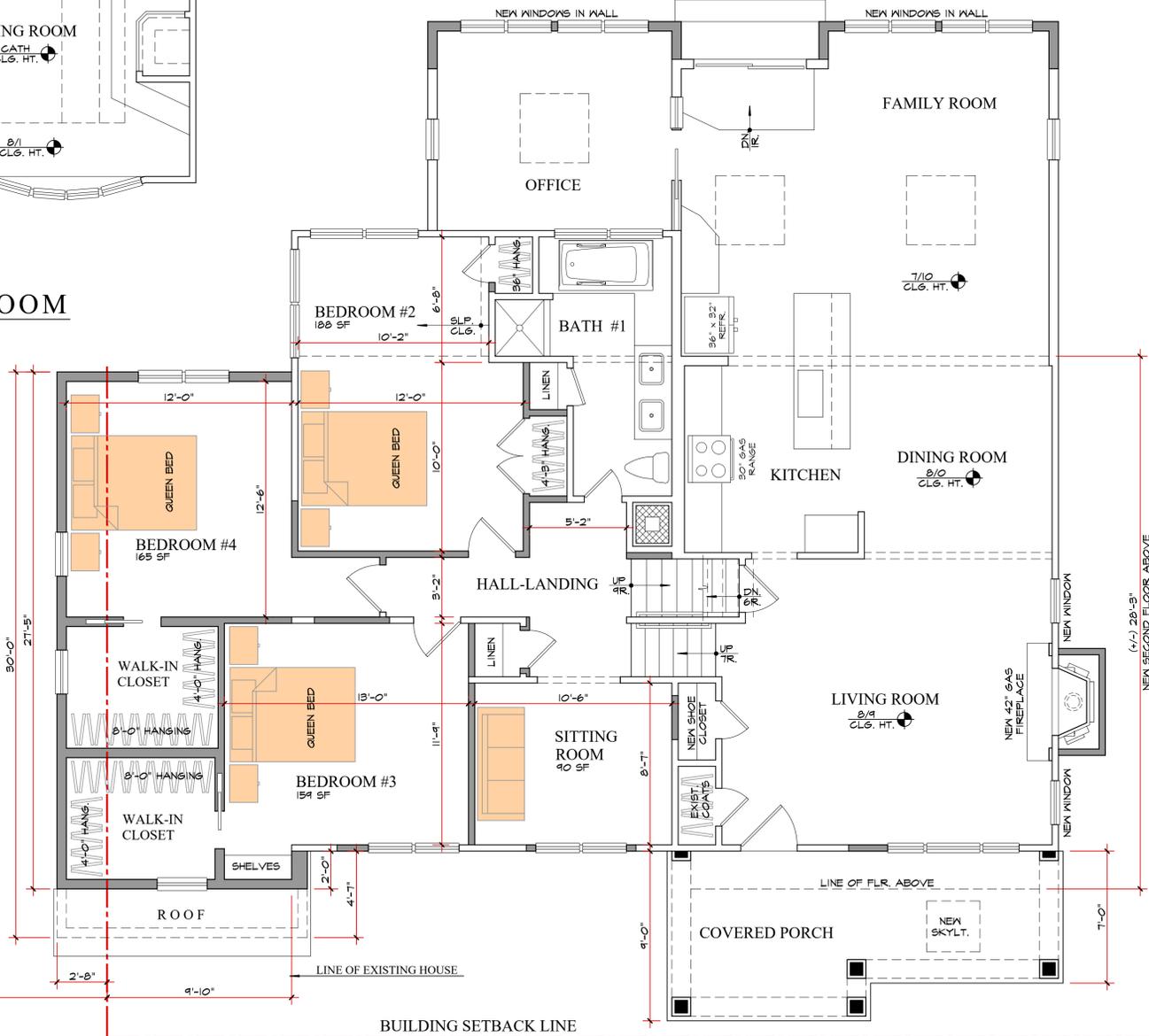
44 DOGWOOD



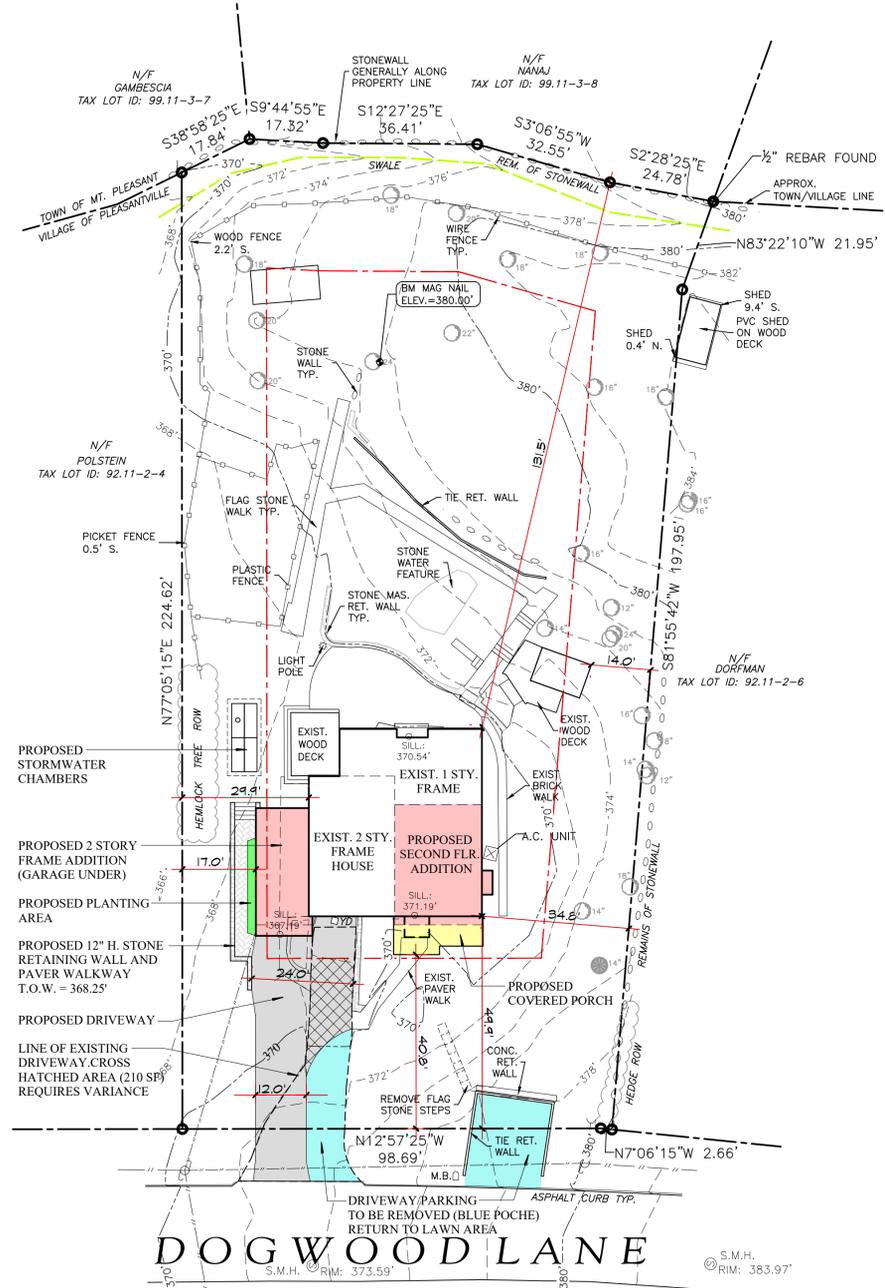
53 DOGWOOD



54 DOGWOOD



**PROPOSED LIVING & BEDROOM LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**SITE PLAN**  
SCALE: 1" = 20'-0"  
THIS SITE PLAN IS BASED ON A SURVEY BY GEOLOGIC LAND SURVEYING, P.L.L.C. DATED 01/30/25. THE ARCHITECT SHALL ASSUME NO RESPONSIBILITY FOR THE ACCURACY OF THE ORIGINAL SURVEY. REFER TO THE ORIGINAL SURVEY FOR ADDITIONAL INFORMATION.

ZONING COMPLIANCE TABLE				
ZONE: RR SECTION 92.11, BLOCK 2, LOT 5				
BULK REGULATION	REQUIRED	EXISTING	PROPOSED	VARIANCE
MIN. LOT AREA	15000 S.F.	25381 S.F.	25381 S.F.	
MIN. LOT FRONTAGE	100 FT.	75 FT.	75 FT.	
MIN. LOT WIDTH	100 FT.	75 FT.	75 FT.	
MIN. LOT DEPTH	125 FT.	75 FT.	75 FT.	
MIN. FRONT YARD	40 FT.	44.8 FT.	40.8 FT.	
MIN. SIDE YARD	20 FT.	29.8 FT.	17.0 FT.	3.0 FT.
MIN. REAR YARD	30 FT.	131.5 FT.	131.5 FT.	
MAX. HEIGHT (STORIES/FT.)	2.5 STORIES/30 FT.	2.0 STORIES/16.75 FT.	2.0 STORIES/22.50 FT.	
MAX. BLDG. COVERAGE	20% (5076 S.F.)	6.8% (1730 S.F.)	8.9% (2264 S.F.)	
MAX. FLOOR AREA	.27 (6345 S.F.)	.08 (2224 S.F.)	.13 (3207 S.F.)	
DRIVEWAY WIDTH WITHIN FRONT YARD SETBACK FOR ONE-CAR GARAGE	12.0 FT. MAX.	12.0 FT.	24.0 FT.	12.0 FT.

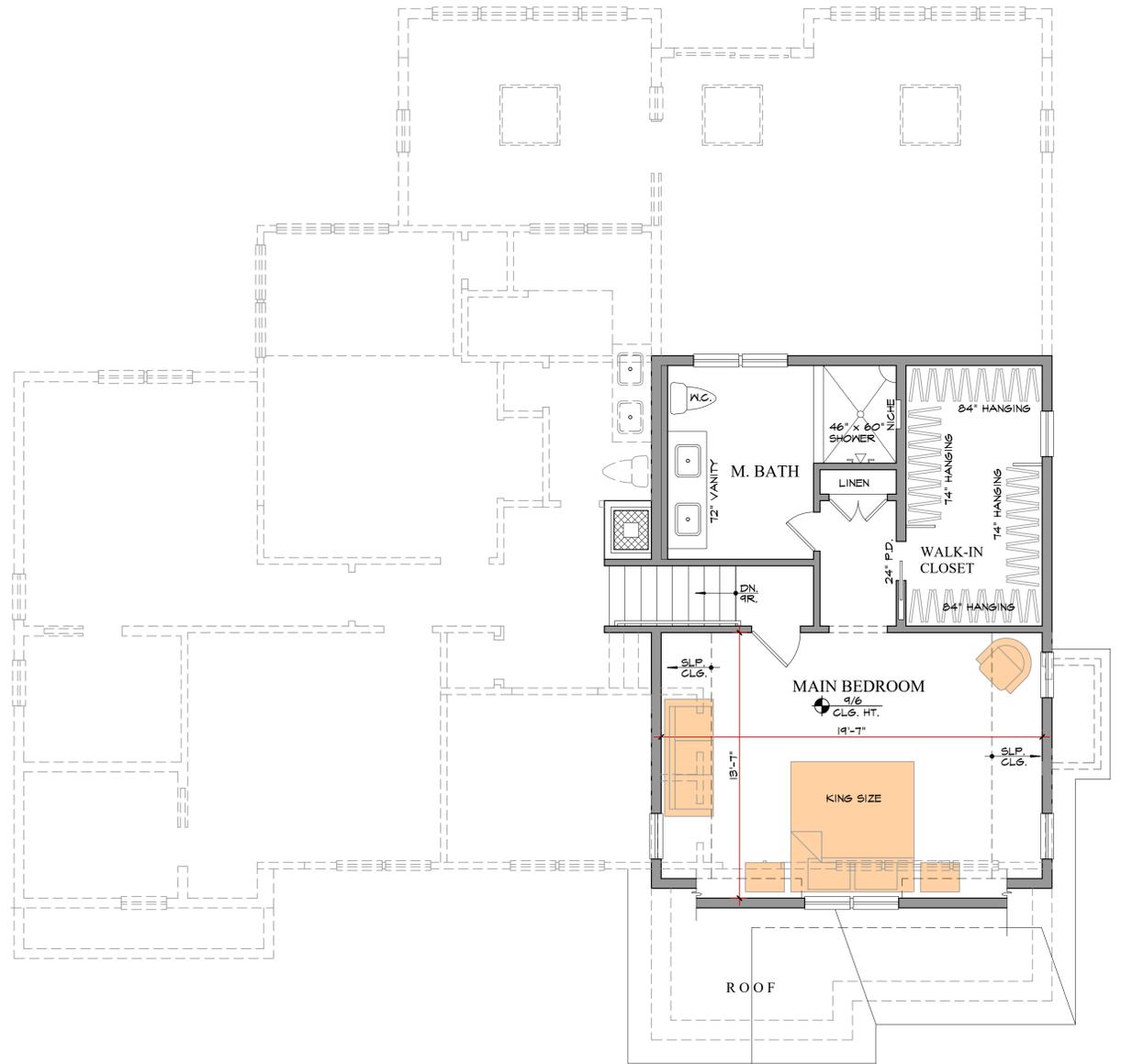
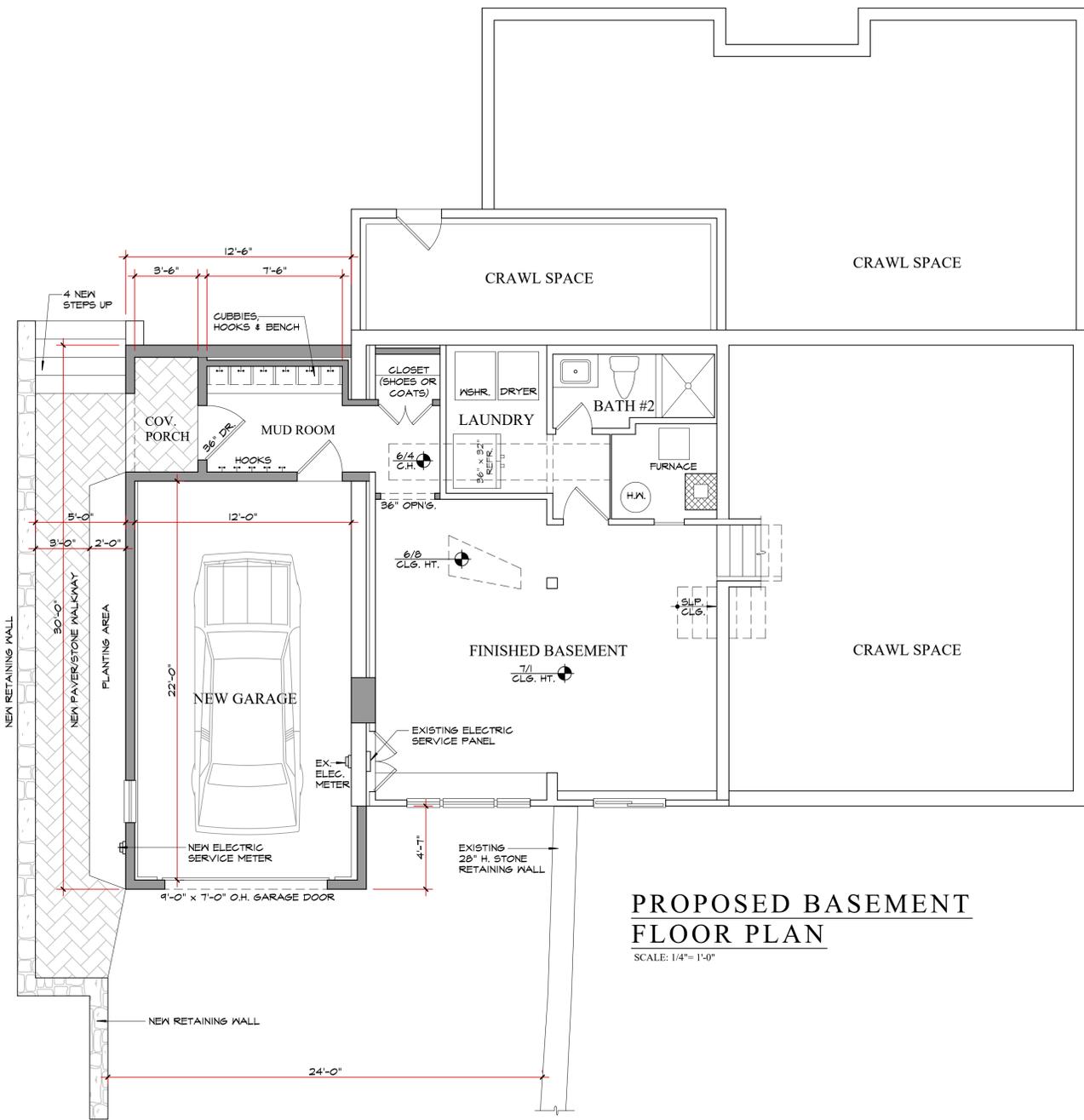
• ARCHITECT •  
**Timothy P. Lener, Architect, P.C.**  
 P.O. Box 393, Pleasantville, New York 10570  
 Phone: 914-747-1220 E-Mail: tp.lener@gmail.com

**Addition and Alteration to the**  
**Pham & Nguyen Residence**  
 45 Dogwood Lane, Pleasantville, New York  
 Section: 99.11 Block: 2 Lot: 5

DISCLAIMER: COPYRIGHTED DRAWING AND SPECIFICATIONS ARE THE PROPERTY OF TIMOTHY P. LENER ARCHITECT, P.C. NO PART OF THIS DRAWING OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TIMOTHY P. LENER ARCHITECT, P.C.

Revisions  
 Date: 03/28/25  
 Do Not Scale Prints  
 Sheet No.

**ZBA1**



**ARCHITECT**  
**Timothy P. Lener, Architect, P.C.**  
 P.O. Box 393, Pleasantville, New York 10570  
 Phone: 914-747-1220 E-Mail: tp.lener@gmail.com

**Pham & Nguyen Residence**  
 45 Dogwood Lane, Pleasantville, New York  
 Section: 99.11 Block: 2 Lot: 5

Revisions  
 Date: 03/28/25  
 Do Not Scale Prints  
 Sheet No.

**ZBA2**

UNAUTHORIZED ALTERATIONS AND ADDITIONS TO THIS DRAWING ARE PROHIBITED. ANY SUCH ALTERATIONS SHALL BE CONSIDERED TO BE THE PROPERTY OF THE ARCHITECT AND SHALL BE CONSIDERED TO BE THE PROPERTY OF THE ARCHITECT. ANY SUCH ALTERATIONS SHALL BE CONSIDERED TO BE THE PROPERTY OF THE ARCHITECT. ANY SUCH ALTERATIONS SHALL BE CONSIDERED TO BE THE PROPERTY OF THE ARCHITECT.



VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570
PHONE (914) 769-1926 \* FAX (914) 769-5519
WWW.PLEASANTVILLE-NY.GOV

ZONING VARIANCE APPLICATION

NOTE: APPROVAL FROM THE ZONING BOARD IS REQUIRED FOR ALL VARIATIONS FROM THE REQUIREMENTS OF THE VILLAGE OF PLEASANTVILLE BUILDING ZONE ORDINANCES.

\* TWO (2) COPIES OF ALL DRAWINGS MUST BE SUBMITTED WITH ONE (1) COPY OF VARIANCE \* APPLICATION PACKET A MINIMUM THIRTY (30) DAYS IN ADVANCE OF SCHEDULED ZBA MEETING DATE

SECTION I - PROJECT ADDRESS: 45 DOGWOOD LANE, PLEASANTVILLE, NY 10570

SECTION II - CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: NAM NGUYEN & YEN PHAM
ADDRESS: 45 DOGWOOD LANE, PLEASANTVILLE, NY 10570
PHONE: CELL: 614-446-5604 EMAIL: NAMCTIN@GMAIL.COM

OWNER: NAM NGUYEN & YEN PHAM
ADDRESS: 45 DOGWOOD LANE, PLEASANTVILLE, NY 10570
PHONE: CELL: 614-446-5604 EMAIL: NAMCTIN@GMAIL.COM

LESSEE:
ADDRESS:
PHONE: CELL: EMAIL:

SECTION III - SUBMISSION CHECKLIST - [X] AREA VARIANCE [ ] USE VARIANCE

- [X] VARIANCE APPLICATION [X] PRINCIPAL POINTS LETTER [X] BUILDING PERMIT APPLICATION [X] SHORT EAS FORM
[X] SURVEY & DETAILED DRAWINGS [ ] ADDITIONAL INFORMATION

SECTION IV - APPLICATION FEE: \$250

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION V - APPLICANT'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

APPLICANT'S SIGNATURE: [Signature] DATE: 03/31/2025

SWORN TO BEFORE ME THIS 31<sup>st</sup> DAY OF March 2025

[Signature]  
NOTARY PUBLIC

ELIZABETH FONVIL-VOLTAIRE  
Notary Public - State of New York  
NO. 01FO6239257  
Qualified in Rockland County  
My Commission Expires May 20, 2027

## SECTION VI - AFFIDAVIT OF OWNERSHIP

I, Yen Hai Pham, HEREBY CERTIFY THAT I RESIDE AT  
45 DOGWOOD LANE IN THE CITY OF PLEASANTVILLE  
COUNTY OF WESTCHESTER IN THE STATE OF NEW YORK

AND THAT I AM THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PARCEL OF LAND SITUATED, LYING, AND BEING IN THE VILLAGE OF PLEASANTVILLE AFORESAID KNOWN AND DESIGNATED AS SECTION: 99.11 BLOCK: 2 LOT: 5

AND THAT I AUTHORIZE THE APPLICANT NOTED ABOVE TO MAKE THE FOREGOING APPLICATION ON MY BEHALF AND THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION, IN ANY SUPPLEMENTARY STATEMENTS, SCHEDULES, OR OTHER PAPERS ATTACHED HERETO ARE TRUE.

OWNER'S SIGNATURE: [Signature] DATE: 03/31/2025

SWORN TO BEFORE ME THIS 31<sup>st</sup> DAY OF March 2025

[Signature]  
NOTARY PUBLIC

ELIZABETH FONVIL-VOLTAIRE  
Notary Public - State of New York  
NO. 01FO6239257  
Qualified in Rockland County  
My Commission Expires May 20, 2027

**OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE**

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

### ADDITIONAL BOARD / DEPT. APPROVALS REQUIRED:

ARB  PLANNING  DPW / ENGINEERING  WCDOH  WETLANDS  FLOOD DEV

### BUILDING DEPARTMENT CHECKLIST:

VARIANCE APPLICATION  PRINCIPAL POINTS LETTER  BUILDING PERMIT APPLICATION  SHORT EAS FORM  
 SURVEY & DETAILED DRAWINGS  ADDITIONAL INFO  APP FEE  DENIAL LETTER  PUBLIC NOTICE & MAILINGS

PAYMENT:  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_



# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570  
PHONE (914) 769-1926 \* FAX (914) 769-5519  
[WWW.PLEASANTVILLE-NY.GOV](http://WWW.PLEASANTVILLE-NY.GOV)

## BUILDING PERMIT APPLICATION

**NOTE:** ONE (1) SET OF ALL REQUIRED DOCUMENTS MUST BE SUBMITTED WITH THIS APPLICATION

**SECTION I** – PROJECT ADDRESS: \_\_\_\_\_

**SECTION II** – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PROPERTY OWNER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**SECTION III** – TYPE OF WORK PROPOSED (CHECK ALL THAT APPLY)

- ADDITION     ALTERATION / RENOVATION     BOILER / FURNACE     CHANGE OF OCCUPANCY     DECK
- DEMOLITION     DRIVEWAY / ROW PARKING     FENCE     FIRE REPAIR / FIRE DAMAGE     FIRE ALARM
- FIRE SPRINKLER / SUPPRESSION SYSTEM     GENERATOR     HISTORICAL CO     HVAC / MECH
- KIT. EXHAUST HOOD     KIT. / BATH RENO     LEGALIZATION     NEW BUILDING     PATIO / TERRACE
- RETAINING WALL     ROOFING     SHED     SOLAR PANELS     SWIM POOL     TEMP STRUCT / TENT

**SECTION IV** – USE & OCCUPANCY

EXISTING / CURRENT USE: \_\_\_\_\_

**PROPOSED COMMERCIAL USE:** (CHECK ALL THAT MAY APPLY)

- ASSEMBLY (RESTAURANTS, THEATERS)     BUSINESS (OFFICE, BANKS)     EDUCATIONAL (SCHOOLS)
- FACTORY / INDUSTRIAL (MANUFACTURING)     HIGH HAZARD     INSTITUTIONAL (ASSISTED LIVING)
- MERCANTILE (RETAIL)     RESIDENTIAL GROUP (APTS, HOTELS)     STORAGE (WAREHOUSE)

**PROPOSED RESIDENTIAL:**

- ONE FAMILY DWELLING     TWO FAMILY DWELLING     TOWNHOUSE     DETACHED ACCESSORY STRUCTURE

**SECTION V** – PERMIT FEES: (\$100 FIRST \$1000 OF CONSTRUCTION COST – THEN \$15 PER \$1000 RES / \$30 PER \$1000 COM

TOTAL COST OF CONSTRUCTION (BASED ON FAIR MARKET VALUE LABOR & MATERIALS): \$ \_\_\_\_\_

**LEGALIZATION FEE: ALL WORK PERFORMED WITHOUT A PERMIT REGARDLESS OF DATE OF COMPLETION = \$1500**

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION VI – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

ARCHITECT/ENG: TIMOTHY P. LENER, R.A.

ADDRESS: P.O. BOX 393, PLEASANTVILLE, NY 10570

PHONE: 747-1220 CELL: 522-4402 EMAIL: TPL.ARCH@GMAIL.COM

CONTRACTOR: TBD

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PLUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

ELECTRICIAN: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

## SECTION VII – APPLICANT CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE & CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR LAND USE OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE:  Nam Nguyen DATE: 03-26-25

### OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

#### BUILDING DEPARTMENT CHECKLIST:

PERMIT FEE \_\_\_\_\_  GC LICENSE  WORK COMP.  LIAB. INS.  ONE SET OF DOCUMENTS

EAS FORM  SWPPP  FLOOD DEV. PERMIT  OWNER'S AFFIDAVIT  TRUSS IDENTIFICATION

PERMIT #: \_\_\_\_\_ PAYMENT  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

FINAL DESCRIPTION OF WORK: \_\_\_\_\_

#### PERMIT CONDITIONS:

ACC / ADA  ADD. REQUIRE.  ARCH'S CERT  BSMT AFF.  BLOWER DOOR  DIG SAFELY  DRIVEWAY

ELECT CERT  ENG CERT (ANT)  END CERT (SOLAR)  FENCE / WALL  FINAL SURVEY  FIRE SPRINKLER A

DUCT LEAK  PATIO / TERR.  PLUMB AFF.  PROPANE  SMOKE DET.  FOUND SURVEY  FIRE SPRINKLER B

SOIL BEARING CERT  TANK MANIFEST

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action?		_____ <b>acres</b>		
b. Total acreage to be physically disturbed?		_____ <b>acres</b>		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ <b>acres</b>		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain purpose and size: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: NAM NGUYEN	Date: MARCH 26 2025	
Signature: 		

**Part 2 - Impact Assessment** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

# PUBLIC NOTICE

All public meetings will be held *in person* and via teleconference. To attend the meeting noted below via teleconference and address any application with the ZBA, please visit the Village website ([www.pleasantville-ny.gov](http://www.pleasantville-ny.gov)) the evening of the meeting and follow the Zoom virtual meeting link provided for this specific meeting date. Don't hesitate to contact this office for assistance 914-769-1926.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Pleasantville, Pleasantville, New York, will hold a Public Hearing on the 24th of April, 2025, in person at 80 Wheeler Avenue, Pleasantville, NY and via teleconference beginning at 8:15 P.M. pursuant to Article VIII of the Zoning Ordinance on the Appeal of Nam Nguyen and Yen Pham residing at 45 Dogwood Lane, Pleasantville, New York, from the decision of Robert Hughes, Building Inspector, dated April 10, 2025, for a proposed additions and alterations to the existing single family dwelling structure on-site in violation. The property involved is known as 45 Dogwood Lane, Pleasantville, New York and described on the Village Tax Maps as Section 99.11, Block 2, Lot 5, and is located on the eastern side of Dogwood Lane, Pleasantville, New York in an RR "One-Family Residence" zoning district. Said appeal is being made to obtain a variance from Section 185-36.B.(1) Schedule I "Bulk Requirements" and Section 185-38.E "Layout, location and ownership" of the Village Zoning Ordinance which sets forth the following criteria:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Min one side yard setback.....	20.0	17.0'	3.0'

To expand the driveway as proposed would not comply with Section 185-38.E "Layout, location, and ownership" of the Village Municipal Code which prohibits parking within the front yard other than located in driveways Note: Village zoning code limits a single car driveway to a maximum of 12 feet in width.

Robert Hughes, Building Inspector  
Zoning Board of Appeals  
of the Village of Pleasantville

April 2025

Chairman Campriello and Members of the Zoning Board of Appeals  
Village of Pleasantville  
80 Wheeler Avenue  
Pleasantville, New York 10570

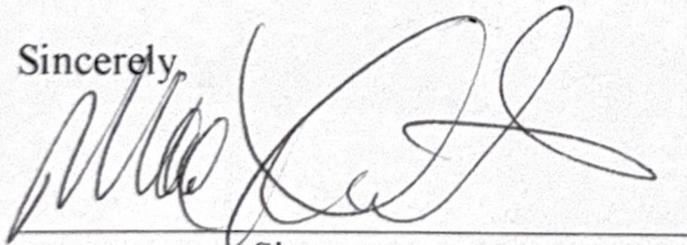
Re: Proposed addition to the Pham & Nguyen residence  
45 Dogwood Lane, Pleasantville, New York  
Section 99.11 Block 2, Lot 5

Dear Chairman Campriello and Members of the Z.B.A.:

I am a neighbor of Yen Pham and Nam Nguyen's property. They were kind enough to share their plans and ideas for the proposed addition and alterations to their home with me.

I would like you to know that I am not opposed to the granting of the front yard setback and driveway variances they are seeking.

Sincerely,



Signature

MARC LINTER

Printed Name

36 DOGWOOD LANE, PLEASANTVILLE, NY 10570

Address

April 2025

Chairman Campriello and Members of the Zoning Board of Appeals  
Village of Pleasantville  
80 Wheeler Avenue  
Pleasantville, New York 10570

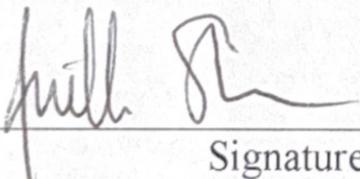
Re: Proposed addition to the Pham & Nguyen residence  
45 Dogwood Lane, Pleasantville, New York  
Section 99.11 Block 2, Lot 5

Dear Chairman Campriello and Members of the Z.B.A.:

I am a neighbor of Yen Pham and Nam Nguyen's property. They were kind enough to share their plans and ideas for the proposed addition and alterations to their home with me.

I would like you to know that I am not opposed to the granting of the front yard setback and driveway variances they are seeking.

Sincerely,

  
\_\_\_\_\_  
Signature

Arielle Sherman  
\_\_\_\_\_  
Printed Name

39 Dogwood Lane Pleasantville  
\_\_\_\_\_  
Address

April 2025

Chairman Campriello and Members of the Zoning Board of Appeals  
Village of Pleasantville  
80 Wheeler Avenue  
Pleasantville, New York 10570

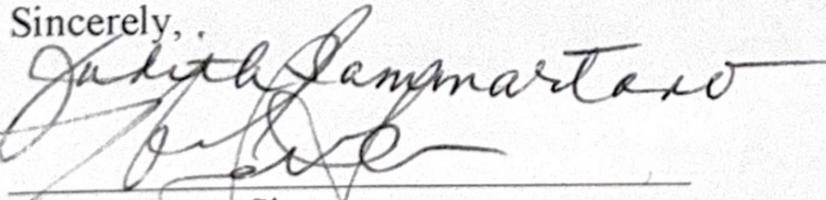
Re: Proposed addition to the Pham & Nguyen residence  
45 Dogwood Lane, Pleasantville, New York  
Section 99.11 Block 2, Lot 5

Dear Chairman Campriello and Members of the Z.B.A.:

I am a neighbor of Yen Pham and Nam Nguyen's property. They were kind enough to share their plans and ideas for the proposed addition and alterations to their home with me.

I would like you to know that I am not opposed to the granting of the front yard setback and driveway variances they are seeking.

Sincerely,



Signature

JUDITH SAMMARTANO / Robert SAMMARTANO

Printed Name

44 DOGWOOD LANE

Address



**49 Brentwood Drive**

**Case No. 2025-06 - Mounir Ibrahim - 49 Brentwood Drive** - Proposed open wood deck to the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding excessive building coverage and deficient front yard setback - *Re-application - previous variance issued April 2023 has expired*

**ATTACHMENTS:**

Description	Type	Upload Date
Denial Letter	Backup Material	4/10/2025
Principal points letter	Backup Material	4/10/2025
Architectural plans	Backup Material	4/10/2025
ZBA application	Backup Material	4/10/2025
BP application	Backup Material	4/10/2025
EAS form	Backup Material	4/10/2025
Public Notice	Backup Material	4/17/2025
Minutes to prior meeting	Backup Material	4/17/2025



# Village of Pleasantville

**Building Department**

80 Wheeler Avenue • Pleasantville, New York 10570

(914) 769-1926 Fax: (914) 769-5519

**Mounir Ibrahim  
49 Brentwood Drive  
Pleasantville, New York 10570**

**PARCEL ID**

**Sec – 99.15  
Blk – 2  
Lot – 35**

**Re – Building Permit application originally submitted April 5, 2023 and re-submitted March 21, 2025, for proposed open wood deck to the existing single-family dwelling located at 49 Brentwood Drive, within the Village of Pleasantville, on-site in violation.**

Date: April 10, 2025

Dear Mounir:

This notice is to inform you that your building permit application originally submitted to this Department dated April 5, 2023 & re-submitted on March 21, 2025 for a proposed open wood deck to the existing single-family dwelling located at 49 Brentwood Drive, within the Village of Pleasantville, is hereby denied.

Denial is based on the following facts:

1. Subject property is located in an R-1 “One-Family Residence” zoning district within the Village of Pleasantville, New York.
2. To construct the open wood deck as proposed to the existing single family dwelling as proposed would not comply with section 185-36.B.(1) Schedule I “Bulk Requirements” of the Village Municipal Code which sets forth the following:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
<b>Min front yard setback.....</b>	<b>30.0 feet</b>	<b>17.0 feet</b>	<b>13.0 feet</b>
<b>Max building coverage.....</b>	<b>20 %</b>	<b>23.34 %</b>	<b>3.34 %</b>

You may appeal this decision to the local Zoning Board of Appeals within sixty (60) days of receipt of this notice.

If you should have any further questions, please do not hesitate to contact this Department.

Very truly yours,

Robert Hughes  
Building Inspector

**Edwin O. Elliott, Jr., AIA  
ARCHITECT  
207 Edgewood Ave.  
Pleasantville, NY 10570  
(914) 747-5039 (phone & fax)**

Zoning Board  
Village of Pleasantville  
80 Wheeler Ave.  
Pleasantville, NY 10570

April 3, 2023 revised March 21, 2025

Re: application of Mounir Ibrahim  
Deck Front Yard Variance  
49 Brentwood Dr..  
Pleasantville, NY 10570  
Sec.; 99.15, blk.; 2, lot 35

Dear Members of the Board,

We are asking to be placed on the Board's agenda for the next available meeting. We received approval for a zoning variance in April 2023. Mr Ibrahim was unable to come to terms with a contractor to do the work and the variance expired. He now has a new contract with a builder which he will sign when he has approval from your board. At this time we would like to reapply for a variance with the original plans from 2023.

Mr. Ibrahim bought the house with the present deck on the garage level where it does not get much use. The preferred location would have been for the deck to be on the first floor outside of the dining room. Due to the unusual lot configuration the proposed deck will require a front yard variance.

**Area variances**

- 1) *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties' will be created by the granting of the area variance;*

The proposed deck does not produce an undesirable change in the character of the neighborhood. The deck will match the detailing of the existing lower deck..

- 2) *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;*

The property has an unusual shaped lot. There is an existing deck on the garage level, but the location at the side of the first floor adjacent to the dining room and kitchen would be much more beneficial and get more use by the owner.

- 3) *Whether the requested-area variance is substantial;*

The variance is not substantial. The way the lot is set up the angle that the 2 streets meet is about 45 degrees. .the distance from the property line at the intersection would be over 50 ft.

- 4) *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and*

The variance will have little effect on the physical and environmental conditions of the neighborhood since it replicates the existing deck on the right and to the rear of the existing deck.

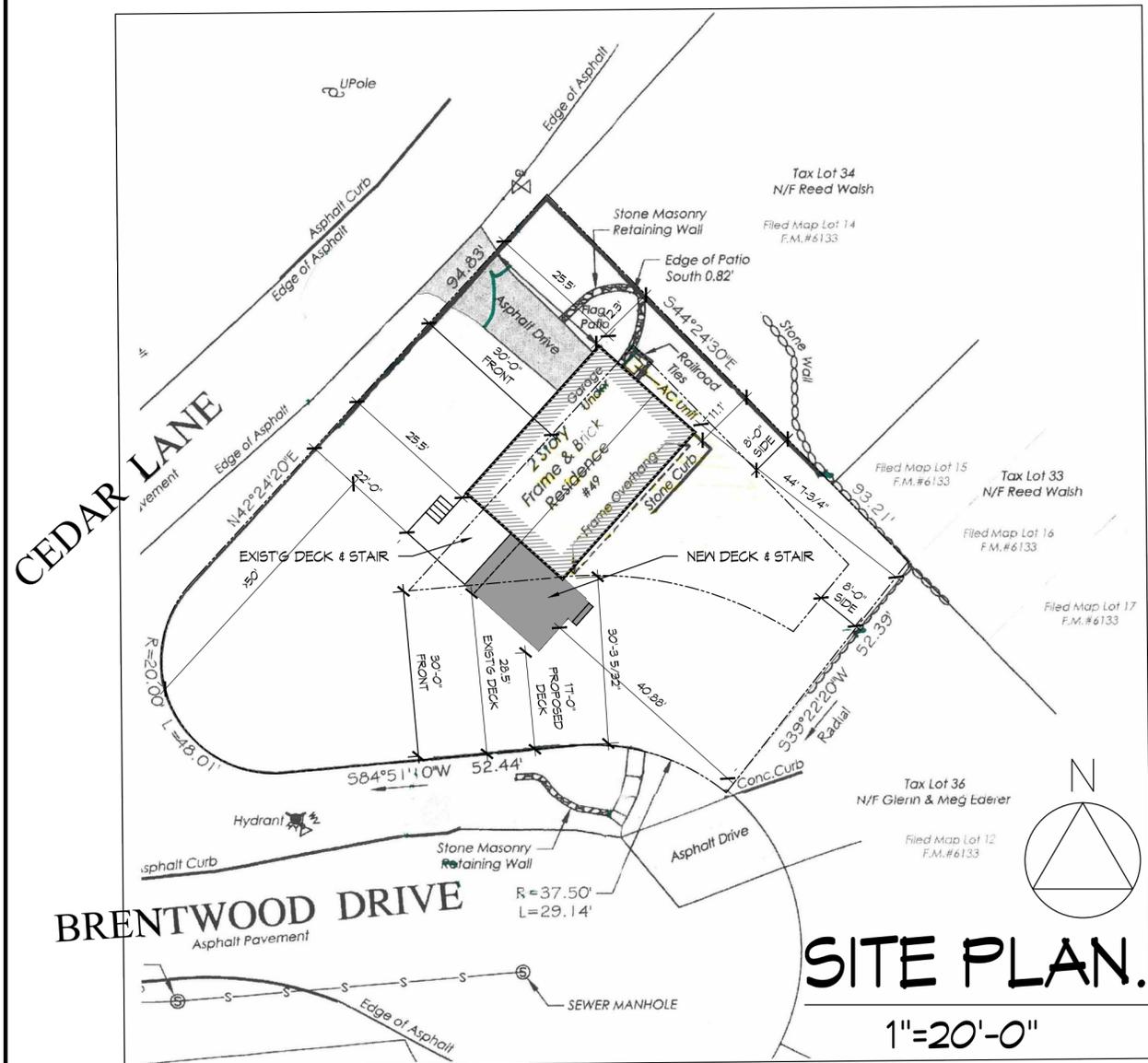
*Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

The difficulty was not self-created. The only location to construct a deck that has access to the dining room on the first floor is the proposed location. If we were building the house now the kitchen and dining room would be flipped so the new upper deck would be above the existing garage level deck, but the house was not set up that way..

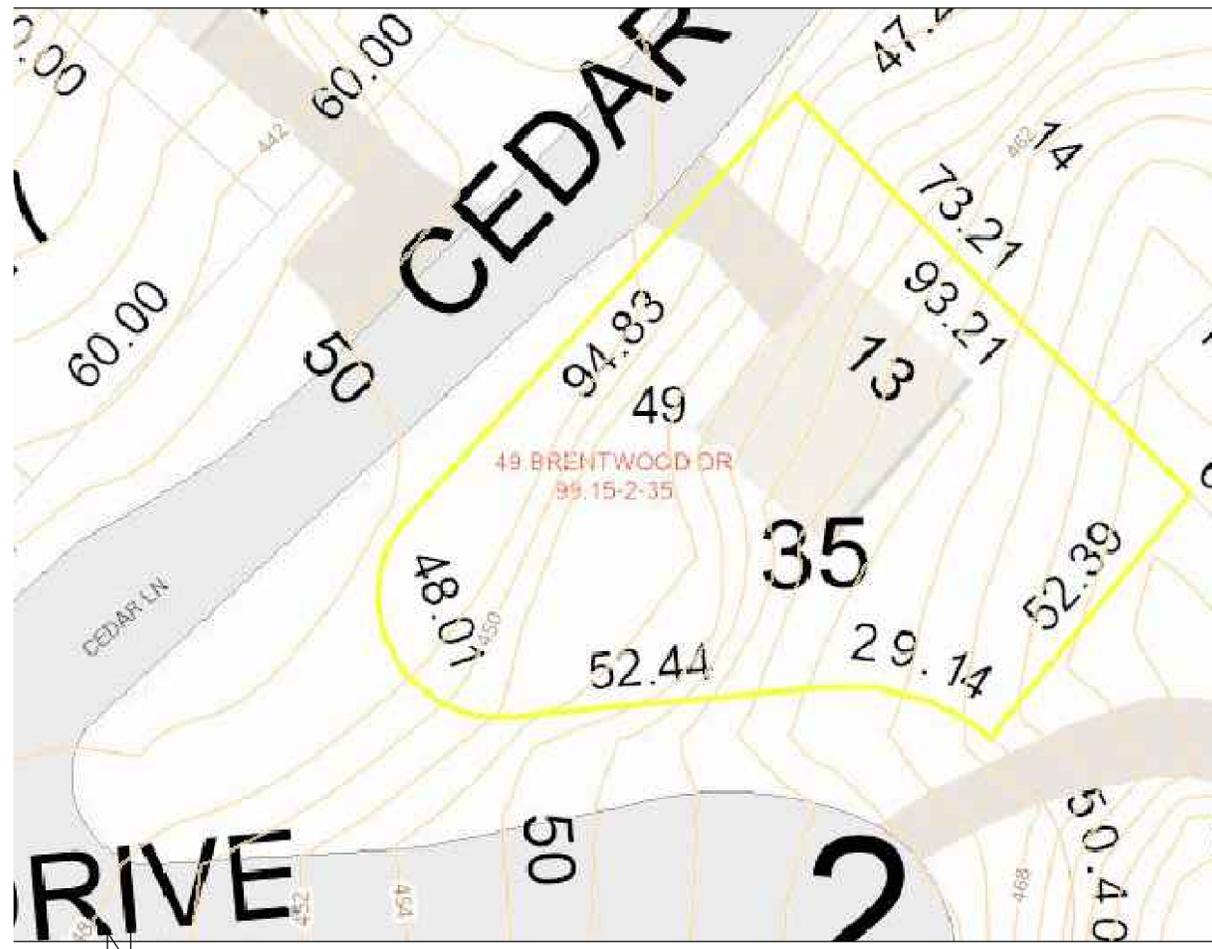
Sincerely Yours,



Edwin O. Elliott, Jr.



NOTES:  
 SITE INFORMATION TAKEN FROM  
 SURVEY BY: CHRISTOPHER  
 CROSSLAND, LAND SURVEYORS.  
 DATED: 1/25/88



SITE PLAN - TOPOGRAPHY  
 1"=20'-0"

ZONING DATA				
ITEM	REQUIRED	EXISTING	PROPOSED	NOTES
ZONING DATA				
ZONE: R-1 One Family Residence sec.: 99.15 , blk.: 2, lot: 35				
<b>BUILDING HOUSE</b>				
FRONT YARD (Cedar Lane)	30'	22.0'	22.0'	Existing Non-Conforming
OTHER FRONT (Brentwood Dr.)	30'	28.5'	17.0'	<b>Variance required 13.0'</b>
SIDE YARD	8'	11.1'	11.1'	No Change
CORNER OTHER SIDE	8'	44.6'	40.9'	
COMBINED BOTH SIDES	20'	55.7'	52.0'	
<b>BUILDING AREA</b>				
		<b>EXISTING</b>	<b>PROPOSED</b>	
RESIDENCE		834 s.f.	834 s.f.	Existing
EXISTING DECK		328 s.f.	328 s.f.	Existing
NEW DECK ADDITIONAL			197 s.f.	Proposed
TOTAL		1,162 s.f.	1,359 s.f.	
<b>LOT AREA</b>				
	7,500 s.f.	5,821.85 s.f.	5,821.85 s.f.	Existing Non-Conforming
<b>Variance required 3.34%</b>				
<b>BUILDING COVERAGE</b>				
	20%	19.96%	23.34%	

**General Notes and Outline Specifications**

**DIVISION 100 - GENERAL**  
**CODES:** All work shall be done in accordance with the applicable rules, regulations and codes of agencies having jurisdiction. In the absence of other standards the NYS Residential Code (2020) shall govern.

**VERIFICATION:** Verify all dimensions and conditions on the site. Report any differences from the drawings and specifications to the Owner and the Architect prior to starting work, extras for failing to do so will not be allowed. The Architect does not assume responsibility for information supplied by others and believed to be reliable.

**PERMITS:** The Owner will obtain the building permit. The contractor shall secure and pay for all other permits, tests, and certificates required by the codes. The contractor shall deliver the Certificate of Occupancy to the Owner at the completion of the project. Keep approved permit Drawings at the job site.

**INSURANCE:** The contractor shall supply to the Owner for submission to the Pleasantville Building Department certificates of insurance for workman's compensation, disability, and liability insurance for bodily injury, property damage and automotive liability in amounts and terms satisfactory to the owner and the village prior to starting work. Certification for Worker's Compensation Insurance shall be submitted in duplicate on either form C-105.2 or U-26.3 (insured); form SI-102 self insured; or form C-105.21 (exempt). Certification for Disability Insurance shall be submitted in duplicate on either form DB-120.1 or DB-155. The owner will provide homeowner's insurance.

**PROTECTION:** Protect all structures, finishes, utilities, equipment, appliances, vegetation scheduled to remain as shown on drawings or as directed by owner. Maintain the structural integrity of all parts of the building from damage from any cause. Do not cut or weaken any structural member without proper shoring.

**SUPERVISION:** The contractor is responsible for complying with the drawings and specifications, for the method of construction, and for maintaining safety at the project site. The Architect will make periodic visits to the construction site to determine amount of work completed for general observation as the construction progresses.

**CUTTING** and patching performed by trade required under the supervision of the General Contractor.

**DRAWINGS:** By submitting a bid or starting the work, the contractor agrees that he has examined the Drawings and Specifications and found them adequate for the completion of the project. Claims for extra charges due to inadequate drawings will not be allowed unless the architect has been notified prior to beginning such work.

**LATENT DEFECTS:** The Architect does not assume responsibility for information supplied by others and believed to be reliable.

**CHANGES:** Authorization for all changes from these plans and specifications must be in writing and signed by the owner.

**COOPERATION:** Contractors and subcontractors shall coordinate their work with adjacent work and cooperate with other trades to facilitate the general progress of the work. Each trade shall afford other trades the every reasonable opportunity for the installation of their work and for the temporary storage of their tools and materials.

**USE OF PREMISES:** The Owner will continue to use the premises during construction. The Contractor shall store materials, dispose of debris, coordinate work and schedule all work in cooperation with the Owner for minimum disruption. Maintain safe access to all areas at all times.

**CLEAN UP:** Remove trash and debris during the course of the work, leaving the site broom clean and in an acceptable living condition.



EDWIN O. ELLIOTT, JR., AIA  
**ARCHITECT**  
 207 EDGEWOOD AVENUE  
 PLEASANTVILLE, N.Y. 10570  
 (914) 747-5039

Project name:  
**Ibrahim Residence**  
 Deck Addition  
 49 Brentwood Dr.  
 Pleasantville, NY 10570  
 sec.: 99.15, blk.: 2, lot: 35

drawing title:  
**Site Plan**  
**Zoning Table**  
**General Notes &**  
**Outline Specifications**

revised:  
 4-20-23

job number:  
**2304**

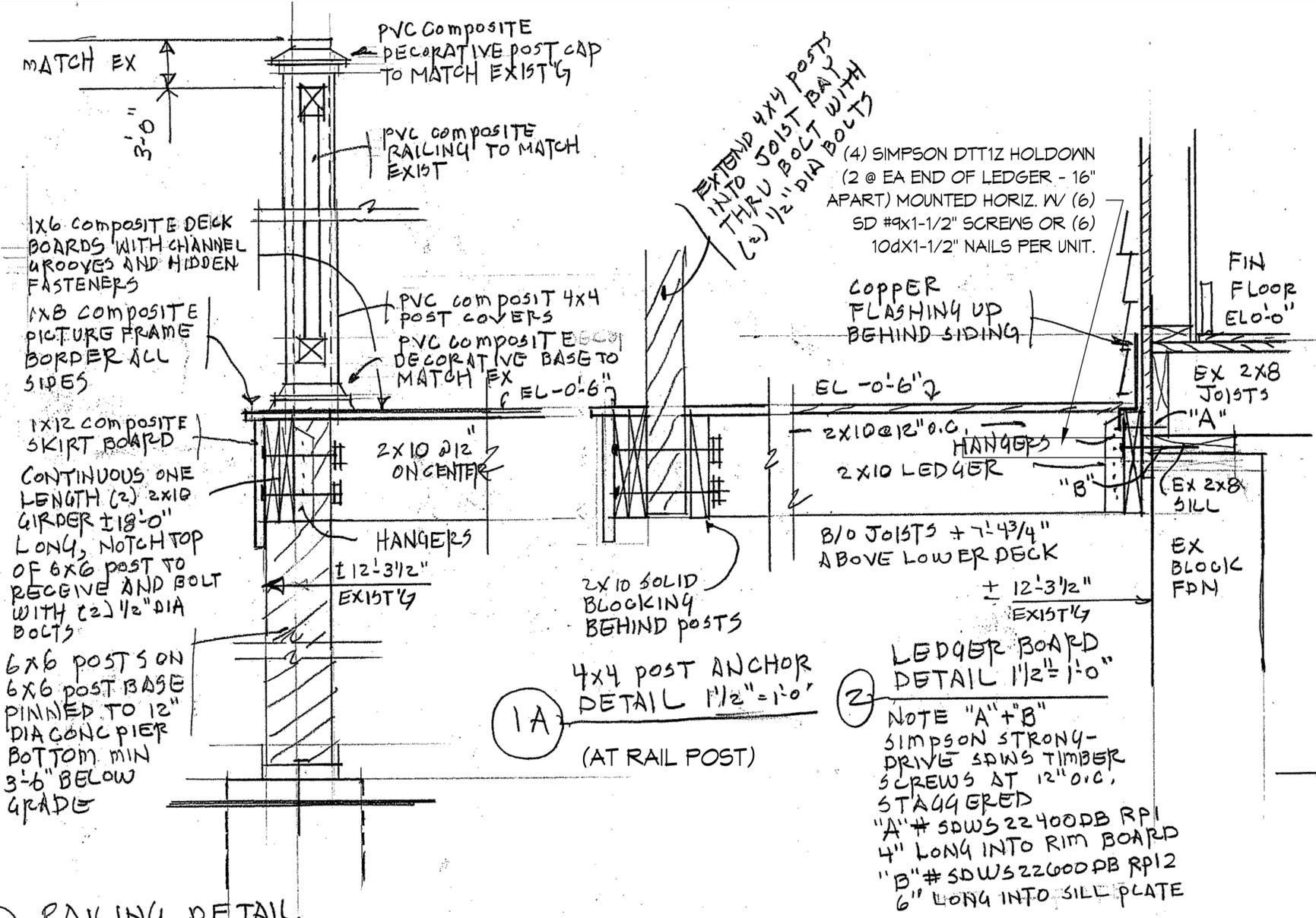
drawing number:  
**SI-1**

scale: 1" = 20'-0"

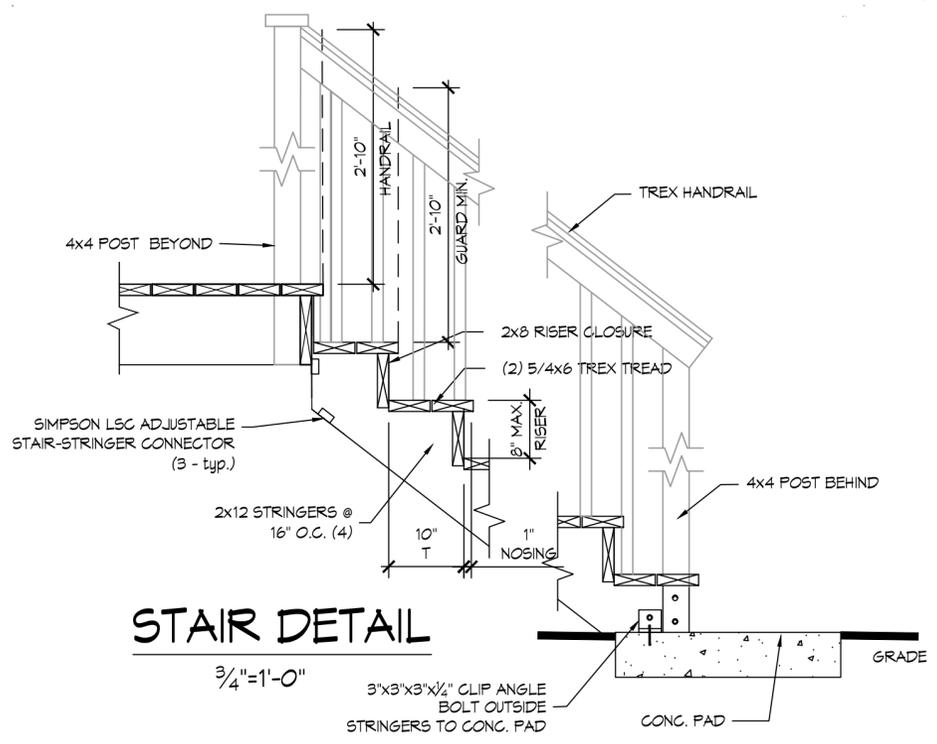
date: 4-3-23

drawn by: EOE

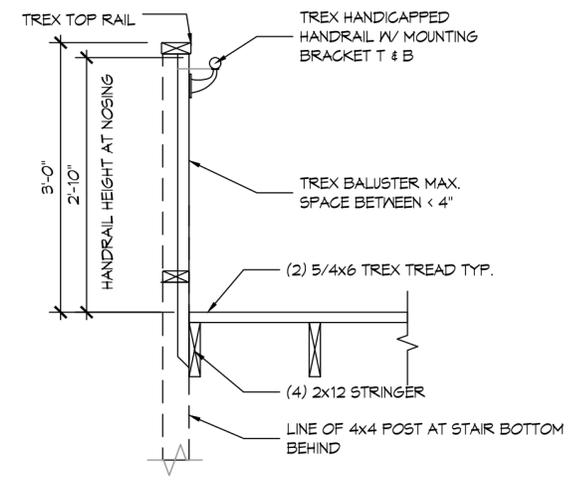




1 RAILING DETAIL  
1 1/2" = 1'-0" (AT SUPPORT POST)



STAIR DETAIL  
3/4" = 1'-0"



WOOD STAIR RAIL DETAIL  
3/4" = 1'-0"

**DIVISION 200 - SITE WORK**  
**EXCAVATION**  
Call 1-800-962-7962 before you dig. (16 NYCRR PART 753)

Excavate to lines as shown on the drawings. Excavation material is assumed to be earth, stones and other materials that can be removed by equipment normal to excavation work, but not requiring the use of explosives or drills.

The bottom of footing excavations shall be level on solid undisturbed soil and kept free of standing water.

**FOUNDATIONS** to bear on firm undisturbed soil. Design bearing pressure 2,500 P.S.F.

**BACKFILL** to within 6" of finish grade. Brace all piers prior to backfilling. Topsoil to grade.

**DEMOLITION:** Demolish all items indicated on the drawings or described in the specifications. Remove debris to a legal disposal point. Pay all disposal fees. Relocate all active electrical lines found to interfere with the work. Inactive or abandoned lines are to be removed.

Provide and maintain barricades, dust barriers, safety devices, and other items to protect people and property in accordance with all State and Federal Regulations.

**DIVISION 300 - CONCRETE**  
**CONCRETE** All concrete shall have a minimum compressive strength of 3,000 psi at the end of 28 days. Concrete exposed to de-icing chemicals or to freeze/thaw cycles shall be 5-7% air entrained.

**ANCHOR BOLTS**  
Anchor post base with 1/2" steel anchor bolts embedded a minimum of 8" into concrete.

**DIVISION 600 - CARPENTRY**  
**ROUGH FRAMING**  
Frame new work as shown on plans, including all lintels, and recesses. Provide blocking for all fixtures and accessories as required. Verify all dimensions and requirements prior to starting work.

**DECK LUMBER**  
All deck lumber to be ACQ treated lumber with a 30-year warranty. Posts, floor joists and girders, stair stringers and treads, to be ACQ treated southern yellow pine #1. Fasteners and connectors used in contact with treated wood shall be appropriate for their use. G 185 hot dipped galvanized, type 304 stainless steel, or type 316 stainless steel may be used. All framing lumber to have a fiber strength (bending) of 1200 psi or better.

**FRAMING ANCHORS**  
Provide galvanized framing devices as shown on drawings or as described in this section. Joist Hangers: galvanized single or double joist hanger size to match joist depth. Post Base: Simpson AB44. Post Cap: Simpson BC4. Railing Post Anchor: Simpson DTT2 w/ 1/2" bolt, washer & nut. Stringer Anchor: Simpson DTT2.

**DECKING & DECK RAILING:** Trex decking & railing system. Install per manufacturer's instructions.

**DIVISION 700 - THERMAL & MOISTURE PROTECTION**  
**GIRDER FLASHING** Grace Vycor Butyl self-adhered flashing is composed of durable, cross-laminated high density polyethylene sheet, backed by an aggressive butyl adhesive. (Alternate: Deck Flash™ Barrier)

**SIDING:** Patch exterior walls as required with horizontal vinyl siding to match existing.

**CAULKING** All joints and openings in building envelope shall be caulked. Verify compatibility of materials and follow manufacturer's recommendations.

Caulking: GE paintable silicone caulk with 25 year warranty. Do all caulking as required for a tight seal. Caulk between different materials.

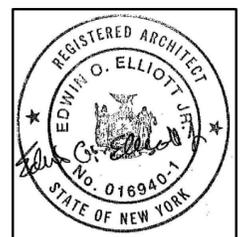
**DIVISION 900 - FINISHES**  
All patched material is to match existing adjacent materials.

**ELECTRICAL**  
The design and installation of all electrical work shall be done by licensed electricians in accordance with the local codes and the National Electric Code whichever is more restrictive by a licensed electrician.

Submit copy of Inspection Certificate to Building Department and Owner upon completion of electrical work.

**ELECTRICAL OUTLETS GFI**  
Ground fault interrupter circuits shall be provided in all exterior outlets.

**ELECTRICAL FIXTURES**  
Review fixture selection with Owner.



EDWIN O. ELLIOTT, JR., AIA  
**ARCHITECT**  
207 EDGEWOOD AVENUE  
PLEASANTVILLE, N.Y. 10570  
(914) 747-5039

Project name:  
**Ibrahim Residence**  
Deck Addition  
49 Brentwood Dr.  
Pleasantville, NY 10570

drawing title: **Details**  
drawing number: **A102**  
job number: **2304**  
date: **4-3-23**  
scale: **as noted**  
revised:  
drawn by: **EOE, RAL**



# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570  
PHONE (914) 769-1926 \* FAX (914) 769-5519  
[WWW.PLEASANTVILLE-NY.GOV](http://WWW.PLEASANTVILLE-NY.GOV)

## ZONING VARIANCE APPLICATION

**NOTE: APPROVAL FROM THE ZONING BOARD IS REQUIRED FOR ALL VARIATIONS FROM THE REQUIREMENTS OF THE VILLAGE OF PLEASANTVILLE BUILDING ZONE ORDINANCES.**

\* TWO (2) COPIES OF ALL DRAWINGS MUST BE SUBMITTED WITH ONE (1) COPY OF VARIANCE \* APPLICATION PACKET A MINIMUM THIRTY (30) DAYS IN ADVANCE OF SCHEDULED ZBA MEETING DATE

**SECTION I** – PROJECT ADDRESS: 49 ~~50~~ Brentwood Dr.

**SECTION II** – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: Edwin O Elliott, Jr., AIA - Architect

ADDRESS: 207 Edgewood Ave., Pleasantville, NY 10570

PHONE: (914) 747-5039 CELL: (914) 649-1662 EMAIL: eoe@aol.com

OWNER: Mounir Ibrahim

ADDRESS: 49 ~~50~~ Brentwood Dr., Pleasantville, NY 10570

PHONE: (914) 643-0214 CELL: \_\_\_\_\_ EMAIL: mogoat.mo@gmail.com

LESSEE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**SECTION III**- SUBMISSION CHECKLIST -  AREA VARIANCE  USE VARIANCE

VARIANCE APPLICATION  PRINCIPAL POINTS LETTER  BUILDING PERMIT APPLICATION  SHORT EAS FORM

SURVEY & DETAILED DRAWINGS  ADDITIONAL INFORMATION

**SECTION IV**- APPLICATION FEE: \$250

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION V – APPLICANT'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

NOTARY PUBLIC

## SECTION VI – AFFIDAVIT OF OWNERSHIP

I, Mounir Ibrahim, HEREBY CERTIFY THAT I RESIDE AT  
49 58 Brentwood Dr., IN THE CITY OF Pleasantville

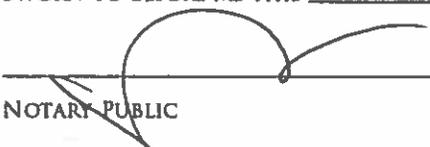
COUNTY OF Westchester IN THE STATE OF New York

AND THAT I AM THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PARCEL OF LAND SITUATED, LYING, AND BEING IN THE VILLAGE OF PLEASANTVILLE AFORESAID KNOWN AND DESIGNATED AS SECTION: 99.15 BLOCK: 2 LOT: 35

AND THAT I AUTHORIZE THE APPLICANT NOTED ABOVE TO MAKE THE FOREGOING APPLICATION ON MY BEHALF AND THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION, IN ANY SUPPLEMENTARY STATEMENTS, SCHEDULES, OR OTHER PAPERS ATTACHED HERETO ARE TRUE

OWNER'S SIGNATURE:  DATE: 4-5-23

SWORN TO BEFORE ME THIS 5 DAY OF April 20 23

NOTARY PUBLIC   
PETER J. CHO  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01CH6308766  
QUALIFIED IN WESTCHESTER COUNTY  
MY COMMISSION EXPIRES JULY 28, 2026

## OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

### ADDITIONAL BOARD / DEPT. APPROVALS REQUIRED:

ARB  PLANNING  DPW / ENGINEERING  WCDOH  WETLANDS  FLOOD DEV

### BUILDING DEPARTMENT CHECKLIST:

VARIANCE APPLICATION  PRINCIPAL POINTS LETTER  BUILDING PERMIT APPLICATION  SHORT EAS FORM  
 SURVEY & DETAILED DRAWINGS  ADDITIONAL INFO  APP FEE  DENIAL LETTER  PUBLIC NOTICE & MAILINGS

PAYMENT:  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_



# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570  
PHONE (914) 769-1926 \* FAX (914) 769-5519  
[WWW.PLEASANTVILLE-NY.GOV](http://WWW.PLEASANTVILLE-NY.GOV)

## BUILDING PERMIT APPLICATION

**NOTE:** ONE (1) SET OF ALL REQUIRED DOCUMENTS MUST BE SUBMITTED WITH THIS APPLICATION

**SECTION I** – PROJECT ADDRESS: 49 Brentwood Dr.

**SECTION II** – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: Edwin O Elliott, Jr., AIA - Architect

ADDRESS: 207 Edgewood Ave., Pleasantville, NY 10570

PHONE: (914) 747-5039 CELL: (914) 649-1662 EMAIL: eoel@aol.com

PROPERTY OWNER: Mounir Ibrahim

ADDRESS: 49 Brentwood Dr., Pleasantville, NY 10570

PHONE: (914) 643-0214 CELL: \_\_\_\_\_ EMAIL: mogoat.mo@gmail.com

**SECTION III** – TYPE OF WORK PROPOSED (CHECK ALL THAT APPLY)

- ADDITION     ALTERATION / RENOVATION     BOILER / FURNACE     CHANGE OF OCCUPANCY     DECK
- DEMOLITION     DRIVEWAY / ROW PARKING     FENCE     FIRE REPAIR / FIRE DAMAGE     FIRE ALARM
- FIRE SPRINKLER / SUPPRESSION SYSTEM     GENERATOR     HISTORICAL CO     HVAC / MECH
- KIT. EXHAUST HOOD     KIT. / BATH RENO     LEGALIZATION     NEW BUILDING     PATIO / TERRACE
- RETAINING WALL     ROOFING     SHED     SOLAR PANELS     SWIM POOL     TEMP STRUCT / TENT

**SECTION IV** – USE & OCCUPANCY

EXISTING / CURRENT USE: Single Family Residence

PROPOSED COMMERCIAL USE: (CHECK ALL THAT MAY APPLY)

- ASSEMBLY (RESTAURANTS, THEATERS)     BUSINESS (OFFICE, BANKS)     EDUCATIONAL (SCHOOLS)
- FACTORY / INDUSTRIAL (MANUFACTURING)     HIGH HAZARD     INSTITUTIONAL (ASSISTED LIVING)
- MERCANTILE (RETAIL)     RESIDENTIAL GROUP (APTS, HOTELS)     STORAGE (WAREHOUSE)

PROPOSED RESIDENTIAL:

- ONE FAMILY DWELLING     TWO FAMILY DWELLING     TOWNHOUSE     DETACHED ACCESSORY STRUCTURE

**SECTION V** – PERMIT FEES: (\$100 FIRST \$1000 OF CONSTRUCTION COST – THEN \$15 PER \$1000 RES / \$30 PER \$1000 COM

TOTAL COST OF CONSTRUCTION (BASED ON FAIR MARKET VALUE LABOR & MATERIALS): \$ 15,000

**LEGALIZATION FEE: ALL WORK PERFORMED WITHOUT A PERMIT REGARDLESS OF DATE OF COMPLETION = \$1500**

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION VI – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

ARCHITECT/ENG: Edwin O Elliott, Jr., AIA - Architect

ADDRESS: 207 Edgewood Ave., Pleasantville, NY 10570

PHONE: (914) 747-5039 CELL: (914) 649-1662 EMAIL: eoel@aol.com

CONTRACTOR: tbd

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PLUMBER: tbd

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

ELECTRICIAN: tbt

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

## SECTION VII – APPLICANT CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE & CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR LAND USE OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE: *Edwin O. Elliott Jr.* DATE: 4-5-23

## OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

### BUILDING DEPARTMENT CHECKLIST:

PERMIT FEE \_\_\_\_\_  GC LICENSE  WORK. COMP.  LIAB. INS.  ONE SET OF DOCUMENTS  
 EAS FORM  SWPPP  FLOOD DEV. PERMIT  OWNER'S AFFIDAVIT  TRUSS IDENTIFICATION

PERMIT #: \_\_\_\_\_ PAYMENT:  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

FINAL DESCRIPTION OF WORK: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### PERMIT CONDITIONS:

ACC / ADA  ADD. REQUIRE.  ARCH'S CERT  BSMT AFF.  BLOWER DOOR  DIG SAFELY  DRIVEWAY  
 ELECT CERT  ENG CERT (ANT)  END CERT (SOLAR)  FENCE / WALL  FINAL SURVEY  FIRE SPRINKLER A  
 DUCT LEAK  PATIO / TERR  PLUMB AFF.  PROPANE  SMOKE DET.  FOUND SURVEY  FIRE SPRINKLER B  
 SOIL BEARING CERT  TANK MANIFEST

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
new deck			
Name of Action or Project: 49 <del>XX</del> Brentwood Dr., Pleasantville, NY 10570			
Project Location (describe, and attach a location map): NE corner of Brentwood Dr. & Cedar Pl.			
Brief Description of Proposed Action: Construction of a new deck at the first floor. The project requires a zoning variance for a front yard setback for a property with 2 front yards			
Name of Applicant or Sponsor: Edwin O Elliott, Jr., AIA - Architect		Telephone: (914) 747-5039	
		E-Mail: eoe@aol.com	
Address: 207 Edgewood Ave.,			
City/PO: Pleasantville		State: NY	Zip Code: 10570
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit, Village of Pleasantville			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<1 acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Edwin O Elliott, Jr., AIA - Architect</u> Date: <u>4-3-23</u>		
Signature: <u><i>Edwin O. Elliott Jr.</i></u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

# **PUBLIC NOTICE**

All public meetings will be held *in person* and via teleconference. To attend the meeting noted below via teleconference and address any application with the ZBA, please visit the Village website ([www.pleasantville-ny.gov](http://www.pleasantville-ny.gov)) the evening of the meeting and follow the Zoom virtual meeting link provided for this specific meeting date. Don't hesitate to contact this office for assistance 914-769-1926.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Pleasantville, Pleasantville, New York, will hold a Public Hearing on the 24th of April, 2025, at 80 Wheeler Avenue and via teleconference beginning at 8:15 P.M. pursuant to Article VIII of the Zoning Ordinance on the Appeal of Edwin O Elliott, Jr AIA on behalf of Mounir Ibrahim regarding 49 Brentwood Drive, Pleasantville, New York, from the decision of Robert Hughes, Building Inspector, dated April 10, 2025, for a proposed open wood deck to the existing single family dwelling on-site in violation. The property involved is known as 49 Brentwood Drive, Pleasantville, New York and described on the Village Tax Maps as Section 99.15, Block 2, Lot 35, and is located on the northern side of Brentwood Drive, Pleasantville, New York in an R-1 "One-Family Residence" zoning district. Said appeal is being made to obtain a variances from Section(s) 185-36.B.(1) Schedule I "Bulk Requirements" of the Zoning Ordinance which sets forth the following criteria:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Min front yard (open wood deck).....	30.00'	17.00'	13.00'
Max building coverage.....	20%	23.34 %	3.34 %

**Robert Hughes, Building Inspector  
Zoning Board of Appeals of the Village of Pleasantville**

Pleasantville Zoning Board of Appeals  
April 27, 2023

The Pleasantville Zoning Board of Appeals meeting was called to order by Austin Campriello, Chairman, at 8:15 PM on Thursday, April 27, 2023. This meeting was conducted both in person and online via Zoom. Attending the meeting were: Austin Campriello, Chairman; Serge Budzyn, Seth Gladstone, Steven Krauss and Erika Krieger (Zoom), Members; and Robert Hughes, Building Inspector.

1. **Case No. 2022-08 – Prashanth Suresh & Saritha Bhat – 12 Hillview Drive** – Request to extend previously granted variance for proposed additions and alterations to existing single-family dwelling. Present: Prashanth Suresh, applicant.

Mr. Suresh explained various factors that contributed to the need for an extension on the variance previously granted. It took them a while to get the architect and contractor. They got the Building Permit in December 2022 and started construction in January 2023. Obtaining materials took three months, which brought them past the deadline. Costs also created budget limitations. He said they hoped to start construction on the portion for which they received a variance sometime in the summer and complete it by April 2024.

There were no comments from the public.

On a motion by Mr. Budzyn, seconded by Mr. Krauss and unanimously carried, the Public Hearing was closed.

VOTING took place as follows:

Mr. Gladstone - Deny. Mr. Gladstone voted against this application when it came before the Board a year ago and because the proposal did not change in any way, he was forced to vote against it again.

Mr. Budzyn - Approve, for the same reasons as last year.

Mr. Campriello - Approve. Legally they are entitled to an extension, at least the first time around.

Mr. Krauss - Approve. Given the delays cited, there are grounds for an extension.

Ms. Krieger - Approve.

Pleasantville Zoning Board of Appeals  
April 27, 2023

2. **Case No. 2023-07 – Great Oak Lane LLC – 2 Great Oak Lane** – Proposed four (4) lot subdivision involving the future construction of a two-family dwelling on Lot #1. Present: Michael Guillaro, builder.

Mr. Guillaro explained the proposal was to subdivide the property into four lots to accommodate two single-family and two two-family homes. A development coverage variance is needed for Lot #1. Mr. Guillaro said at preliminary meetings, the Planning Commission asked that the garage be in the back instead of having garage doors facing Bedford Road. This elongated the driveway and increased coverage, resulting in the need for a variance.

Mr. Campriello asked if the driveway would be on Bedford Road, and Mr. Guillaro said that was correct. Mr. Krauss explained that the garage wouldn't be visible from Bedford Road, as it would be tucked under the house. The Commission preferred that garage doors not be on Bedford Road for aesthetic purposes.

Mr. Hughes said the longer driveway forced them to be over development coverage.

Mr. Campriello and Mr. Krauss pointed out the long driveway meant there would be a lot of asphalt. Mr. Guillaro said their original proposal with garage doors facing Bedford Road had much less asphalt, but the Planning Commission felt strongly that the garage should not face Bedford.

Mr. Hughes said it was a two-family home. Mr. Campriello noted that would mean several cars parked outside. Mr. Hughes said parking would not be in the front yard, so it was all legal.

Mr. Gladstone said according to the depiction, there is an extension of the driveway at the west side of the garage and asked if that was necessary. Mr. Guillaro said it was needed for turning around.

On a motion by Mr. Krauss seconded by Mr. Gladstone and unanimously carried the Public Hearing was closed.

Pleasantville Zoning Board of Appeals  
April 27, 2023

Based upon a review of the application of Great Oak Lane LLC to divide the property into four lots, two (2) single-family and two (2) two-family homes at 2 Great Oak Lane, it has been determined that the ZBA is acting in an uncoordinated review with the Planning Commission and that the Proposed Action is classified as a Type II Action under Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQR.

- Ms. Krieger - Approve. Based on the balancing test and because the reason for the increase in coverage is for the reorientation of the driveway, the balance weighs in favor.
- Mr. Gladstone - Approve. The referral from the Planning Commission is compelling and he agrees that the balancing test weighs in favor.
- Mr. Budzyn - Approve, based on the balancing test. Also, there is evidently no objection from neighbors and the possibility for detriment to the neighboring properties is minimal.
- Mr. Krauss - Approve. The safety issue is addressed by having the garage tucked in and having a turning area there. The balance weighs in favor of the applicant.
- Mr. Campriello - Approve, because the balance weighs in favor of the applicant and for reasons stated by his colleagues.

3. **Case No. 2023-08 – Robert Sestito – 128 Sarles Lane** – Proposal to legalize an existing rear enclosed patio and rebuild and extend an open wood deck at the front of the existing single-family dwelling. Present: Ed Elliott, Architect and Tim Sestito (Applicant’s son)

Mr. Elliott showed photos of the home before renovations took place in the 1970s. He said the work was likely completed between 1973 and 1978 by the Sestitos. They did not have a permit for enclosing the patio in the rear or for constructing the wood deck in the front.

The home has transferred to the son (the Applicant) as part of his father’s estate. He did not know that the 1970s construction took place without a permit.

Mr. Elliott said the deck didn’t have any footings. It has settled and doesn’t have code-compliant railings. It needs to be removed and replaced. Instead of stained red wood deck, they plan to build a front porch and paint it white.

Pleasantville Zoning Board of Appeals  
April 27, 2023

Mr. Elliott noted that the structures have been there for 40 years, so he didn't believe the neighbors would object. In fact, they believe the porch on the front will be an improvement rather than a detriment to the neighborhood.

Mr. Elliott said they needed three separate variances for front and rear setbacks and for coverage.

The new porch will be about six inches larger than the existing deck so that footings can be set. The porch will end where the staircase is, so it will be less wide than the deck.

Mr. Elliott believed the patio existed when the family bought the house.

Mr. Elliott said they will keep the landscaping that is there.

Mr. Elliott said that no work will be done in the back – they just want to legalize it.

On a motion by Mr. Budzyn seconded by Mr. Krauss and unanimously carried, the Public Hearing was closed.

Based upon a review of the application of Robert Sestito to legalize an existing rear enclosed patio and rebuild and extend an open wood deck at the front of the existing single-family dwelling at 128 Sarles Lane, it has been determined that the ZBA is the only Involved Agency and that the Proposed Action is classified as a Type II Action under Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQR.

The Board decided to do one vote for all the variances requested.

VOTING took place as follows:

Mr. Krauss - Approved. The balancing weighs in favor of the applicant. The front yard variance is minimal and it is going to be hidden by the hedges. It will look better than what's there now. The addition in the back is alongside the house and not visible from the street.

Pleasantville Zoning Board of Appeals  
April 27, 2023

- Mr. Campriello - Approve, based on comments made by Mr. Krauss.
- Ms. Krieger - Approve. The Board doesn't always approve legalizations, but in this case the variances are minimal. They are not overly large or extreme additions. An additional six inches is de minimis. The balance weighs in favor of the applicant.
- Mr. Budzyn - Approve. The balance weighs in favor of the applicant for reasons stated by his colleagues.
- Mr. Gladstone - Approve, for reasons stated by his co-Board Members.

4. **Case No. 2023-09 – Mounir Ibrahim – 49 Brentwood Drive** – Proposed open wood deck to the existing single-family dwelling. Present: Ed Elliott, Architect, Mounir Ibrahim, Applicant.

Mr. Elliott said the home was rebuilt after a fire.

Mr. Elliott said the applicant would like to build a new deck similar to the one that is there now but eight feet above it and over to right, overlapping the lower deck. It would be at the floor line of the first floor. The existing lower deck is at the basement level and would remain.

There would be steps to the ground at the rear of the house, which Mr. Elliott said is actually the front. He explained that the existing deck is only accessible by going downstairs and out through the rec room. The proposed deck would be accessible through the first floor living room and would be easier to use.

Mr. Elliott said the deck sticks out a bit at the front of the house near the retaining wall to enable the addition of no more than three steps down to grade and also so the deck is the size that the applicant wants.

Mr. Ibrahim explained that the home burned down in 2018 or 2019 and was purchased by a developer from whom he bought the house in 2020. The deck and the variances were existing. Mr. Ibrahim said the house is an odd shape. Because of the elevation, most people enter the house in the front where the kitchen and living areas are. The driveway is on the other side.

Pleasantville Zoning Board of Appeals  
April 27, 2023

Mr. Elliott said the new deck would be about 23 inches from the ground on the right side. On the left side it would be 8 feet above the existing deck (10 feet above the ground).

They plan to build a second retaining wall for storage, which will be hidden by some lattice work.

There will not be a stair connecting the two decks.

Mr. Larry Koved, 12 Cedar Lane, said his property faces the deck and the back of the house. He said he had no objection and believes it would make the applicant's home more livable. Mr. Koved said he also has a two-story deck in the back of his house since, like the applicant, their property is hilly. He thinks it would improve the value of the properties in the neighborhood.

Ms. Krieger wondered if the applicant's property extended all the way to the corner. Mr. Elliott said it was all one lot.

Mr. Hughes said the property extends around to the corner of Cedar and Brentwood. It is all one lot.

Mr. Budzyn wondered how the code viewed the front yard. Mr. Krauss said it was looked at as a corner lot with two front yards. Mr. Hughes explained that there is a 30-foot setback requirement off of Cedar Lane (garage area) and a 30-foot setback requirement off of Brentwood Drive (corner of the front and the deck). Mr. Hughes said the deck was encroaching on the front yard. Mr. Gladstone noted that the 30-foot line runs diagonally through the proposed new deck.

On a motion by Mr. Krauss, seconded by Mr. Budzyn and unanimously carried, the Public Hearing was closed.

Based upon a review of the application of Mounir Ibrahim to install a proposed open wood deck to the existing single-family dwelling at 49 Brentwood Drive, it has been determined that the ZBA is the only Involved Agency and that the Proposed Action is classified as a Type II Action under

Pleasantville Zoning Board of Appeals  
April 27, 2023

Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQR.

VOTING took place as follows:

- Mr. Gladstone - Approve. The front yard variance request is substantial; however, on balance, the factors weigh in favor of the applicant. He thinks the dual deck may look interesting.
- Mr. Budzyn - Approve. The front yard variance seems substantial, but because of the odd shaped lot it is understandable why the deck combination is desired. And after hearing support from a neighbor who also has two decks, he doesn't think it would be a detriment to the neighborhood.
- Ms. Krieger - Approve. Ms. Krieger agrees with her colleagues. She thinks the deck will help integrate the building into the site better than without it.
- Mr. Krauss - Approve, based topography and the acute corner lot. It won't affect the neighborhood but will actually improve the neighborhood.
- Mr. Campriello - Approve, for reasons stated by his colleagues. His initial reaction was one of discomfort at having a deck up in the air. While a neighbor's point of view is not controlling, some of his concern was alleviated by the comments from the neighbor who would be impacted visually and had no opposition.

5. **Case No. 2023-10 – Rocco DeRubeis – 33 Grandview Avenue** – Proposal to extend previously permitted driveway at the front of the newly constructed single-family dwelling. Present: Rocco DeRubeis.

Mr. DeRubeis said the existing zoning doesn't allow the code to work in this application. Mr. DeRubeis explained his property is on a shared driveway off which his driveway extends at a width of 12 feet for 22 feet. When you get down to the two-car garage, there was no means for turning around. That means cars must be backed all the way out, 175 feet, to Grandview. He showed some pictures of a UPS truck and a mail truck on the shared driveway and noted there had already been an accident from someone backing out. Parents park on Grandview when picking up children from school, and Mr. DeRubeis thinks it's a hazard.

Mr. DeRubeis said he was requesting 242 square feet of pavement to square off the corner to provide a turn-around.

Pleasantville Zoning Board of Appeals  
April 27, 2023

Mr. DeRubeis said the current driveway is Item 4. He doesn't plan to pave it until all work is done, and then it will be blacktopped.

Mr. Budzyn asked about runoff. Mr. DeRubeis said there were six cultecs. Three are under the driveway. There was an extended catch basin across the two-car garage and it sloped slightly. Mr. Hughes said the drainage was sufficient and it sloped toward the house, not an adjacent property.

Mark Pawlowski lives down the hill from Mr. DeRubeis. He wanted to know where the catch basin led out to. Mr. DeRubeis said there is water mitigation, six cultec systems underground on his property, so it would all be collected on site. Mr. DeRubeis explained there would be no runoff to anybody's property. Mr. Hughes said water would be collected on site and dissipates on site.

On a motion by Mr. Krauss seconded by Ms. Krieger and unanimously carried the Public Hearing was closed.

Based upon a review of the application of Rocco DeRubeis to extend previously permitted driveway at the front of the newly constructed single-family dwelling at 33 Grandview Drive, it has been determined that the ZBA is the only Involved Agency and that the Proposed Action is classified as a Type II Action under Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQRA.

VOTING took place as follows:

- |               |  |
|---------------|--|
| Ms. Krieger - | Approve, based on balancing test and the oddity of the site and length of the private driveway. This will facilitate easy in and out access. A couple of hundred square feet is inconsequential. |
| Mr. Krauss -  | Approve. The driveway doesn't fit into the Village code. It is an L-shaped driveway with changing grades and retaining walls. The proposed will not affect the neighborhood.                     |
| Mr. Budzyn -  | Approve. This will be a safety improvement for cars coming out of that residence.  |

Pleasantville Zoning Board of Appeals  
April 27, 2023

Mr. Gladstone - Approve. Technically, this is a self-made issue since it was a brand new house, and the driveway could have been considered during construction and layout for the new house. He said when he looked at the property, however, the driveway is below grade so that from the road, you really can't see the driveway or be aware of any detrimental or aesthetic impact. The balancing test weighs in favor of the applicant.

Mr. Campriello - Approve. The balancing test weighs in favor of the applicant.

**6. Minutes of Meeting**

The minutes of the March 30, 2023 meeting were approved with corrections.

Respectfully submitted,

Mary Sernatinger  
Secretary



**86 Weskora Avenue**

**Case No. 2025-07 - Wayde and Kim Bendus - 86 Weskora Avenue** - Proposed one story addition to the rear of the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding deficient rear yard setback

**ATTACHMENTS:**

Description	Type	Upload Date
Denial Letter	Backup Material	4/17/2025
Principal points letter	Backup Material	4/10/2025
Architectural plans	Backup Material	4/10/2025
EAS form	Backup Material	4/10/2025
Public Notice	Backup Material	4/17/2025
ZBA application	Backup Material	4/17/2025



# Village of Pleasantville

## Building Department

80 Wheeler Avenue • Pleasantville, New York 10570

(914) 769-1926 Fax: (914) 769-5519

Wayde & Kim Bendus  
86 Weskora Avenue  
Pleasantville, New York 10570

**PARCEL ID**

Sec – 106.9

Blk – 1

Lot – 10

**Re – Building Permit application submitted March 26, 2025, for proposed one story addition to the rear of the existing single-family dwelling located at 86 Weskora Avenue, within the Village of Pleasantville, on-site in violation.**

Date: April 10, 2025

Dear Wayde & Kim:

This notice is to inform you that your building permit application originally submitted to this Department dated March 26, 2025 for a proposed one-story addition to the rear of the existing single-family dwelling located at 86 Weskora Avenue, within the Village of Pleasantville, is hereby denied.

Denial is based on the following facts:

1. Subject property is located in an R-1 “One-Family Residence” zoning district within the Village of Pleasantville, New York.
2. To construct the addition as proposed to the existing single family dwelling as proposed would not comply with section 185-36.B.(1) Schedule I “Bulk Requirements” of the Village Municipal Code which sets forth the following:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Min rear yard setback.....	25.0 feet	22.5 feet	2.5 feet

You may appeal this decision to the local Zoning Board of Appeals within sixty (60) days of receipt of this notice.

If you should have any further questions, please do not hesitate to contact this Department.

Very truly yours,

Robert Hughes  
Building Inspector

**Edwin O. Elliott, Jr., AIA  
ARCHITECT  
207 Edgewood Ave.  
Pleasantville, NY 10570  
(914) 747-5039 (phone & fax)**

Zoning Board  
Village of Pleasantville  
80 Wheeler Ave.  
Pleasantville, NY 10570

April 3, 2023

Re: application of Wayde & Kim Bendus  
Rear Vard & Coverage Variance  
86 Weskora Ave.  
Pleasantville, NY 10570  
Sec.: 106.9, blk.: 1, lot 10

Dear Members of the Board,

We are asking to be placed on the Board's agenda for the next available meeting.

Mr. & Mrs Bendus would like to configure the living space on the first floor to work better with how the space is used. The first floor currently has a combined Living /Dining room with a fireplace and a dilapidated sunroom at the rear of the house. Currently the dining table & chairs are in front of the fireplace which interferes with enjoying the fireplace. The Bendus family is large and need more room in the dining area. The layout of the first floor

**Area variances**

- 1) *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties' will be created by the granting of the area variance;*

The proposed addition does not produce an undesirable change in the character of the neighborhood. The addition will replace & enlarge the sunroom. The house will be getting all new siding which will give it a more uniform appearance than it currently has.

- 2) *Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;*

The property size, shape & location of the house, & the layout of the house require that an addition be built in the rear of the house. In order to obtain a large enough dining room a variance is required.

- 3) *Whether the requested-area variance is substantial;*

The variance is not substantial. The required setback is 25 ft. We will have a 22.5' setback for the 14 ft. width of the dining room not the entire width of the house.

- 4) *Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and*

The variance will have little effect on the physical and environmental conditions of the neighborhood since it replaces & enlarges the existing sunroom which needs to be replaced. The new siding on the house will improve the appearance of the rear of the house.

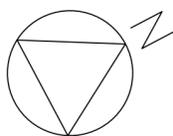
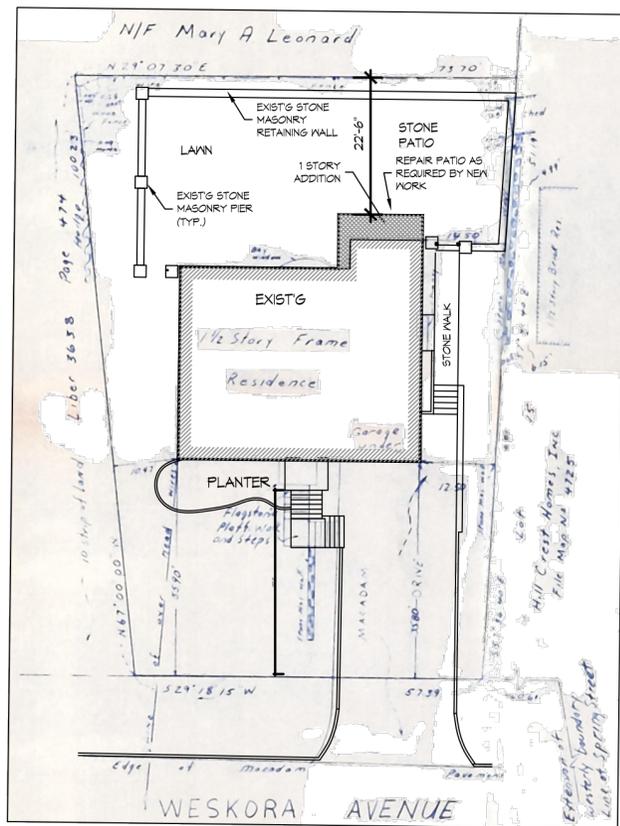
*Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

The difficulty was not self-created. The only location to construct the addition is to put it where the existing sunroom is.

Sincerely Yours,



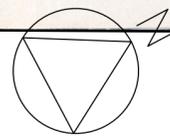
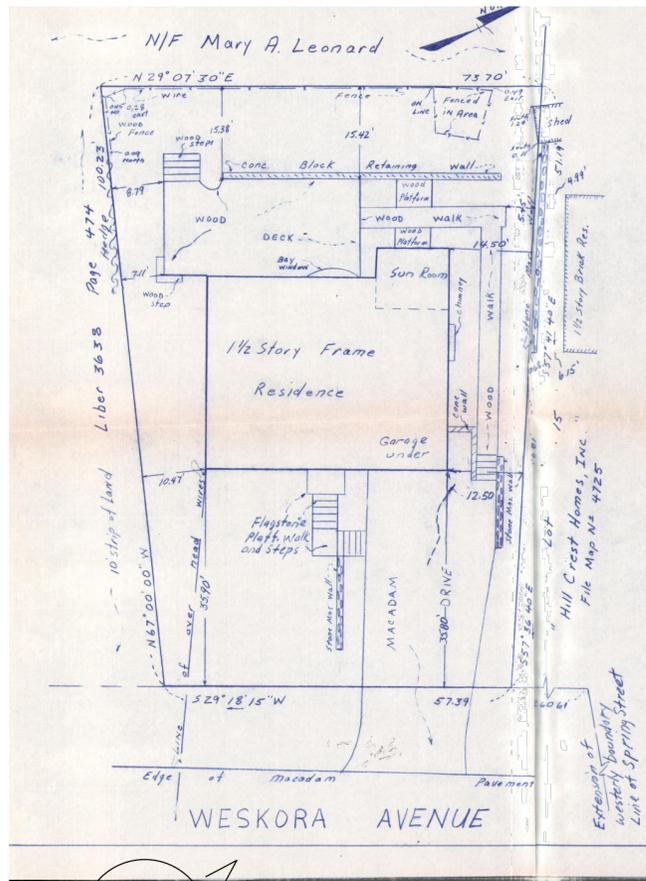
Edwin O. Elliott, Jr.



**SITE PLAN .**

1"=20'-0"

NOTE: SITE INFORMATION TAKEN FROM SURVEYS BY: THOMAS MERRITTS, LAND SURVEYOR. DATED: DECEMBER 8, 1986. & BY JOHN MURANO L.S. DATED: DECEMBER 21, 1968



**1968 SURVEY .**

1"=20'-0"

NOTE: SURV JOHN MURAN DATED: DECE SUBMITTED F

ZONING DATA				ZONE: R-1	One Family Residence	sec.: 106.9 , blk.: 1, lot: 10
ITEM	REQUIRED	EXISTING	PROPOSED	NOTES		
BUILDING HOUSE						
FRONT YARD	30'	22.00'	30.67'			
SIDE YARD	8'	10.47'	10.47'			No Change
OTHER SIDE YARD		12.50'	12.50'			No Change
COMBINED BOTH SIDES	20'	22.97'	22.97'			
						<b>Variance Needed 2.5'</b>
REAR YARD	25'	26.94'	22.50'			
<b>BUILDING AREA</b>		<b>EXISTING</b>	<b>PROPOSED</b>			
RESIDENCE		1,342 s.f.	1,408 s.f.			
LOT AREA	7,500 s.f.	6,738.51 s.f.	6,738.51 s.f.			Existing Non-Conforming
						<b>Variance required 0.89%</b>
BUILDING COVERAGE	20%	19.91%	20.89%			

EDWIN O. ELLIOTT, JR., AIA  
**ARCHITECT**  
 207 EDGEWOOD AVENUE  
 PLEASANTVILLE, N.Y. 10570  
 (914) 747-5039

Project name:  
**Bendus Residence**  
 Addition & Alteration  
 86 Weskora Ave.  
 Pleasantville, NY 10570  
 sec: 106.9, blk: 2, lot: 10

drawing number: **SI-1**

job number: **2048**

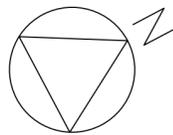
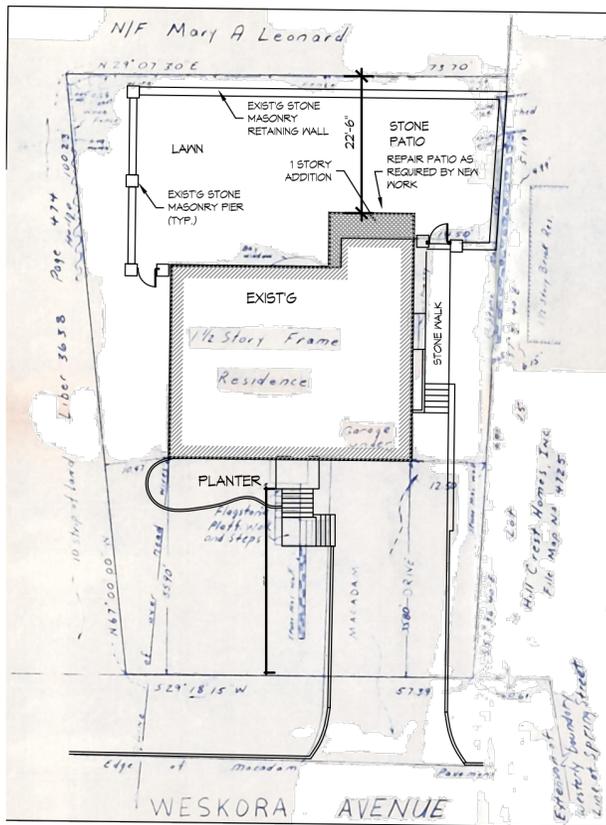
drawing title: **Site Plan Zoning Table**

scale: 1"=20'-0"

date: **3-20-25**

revised:

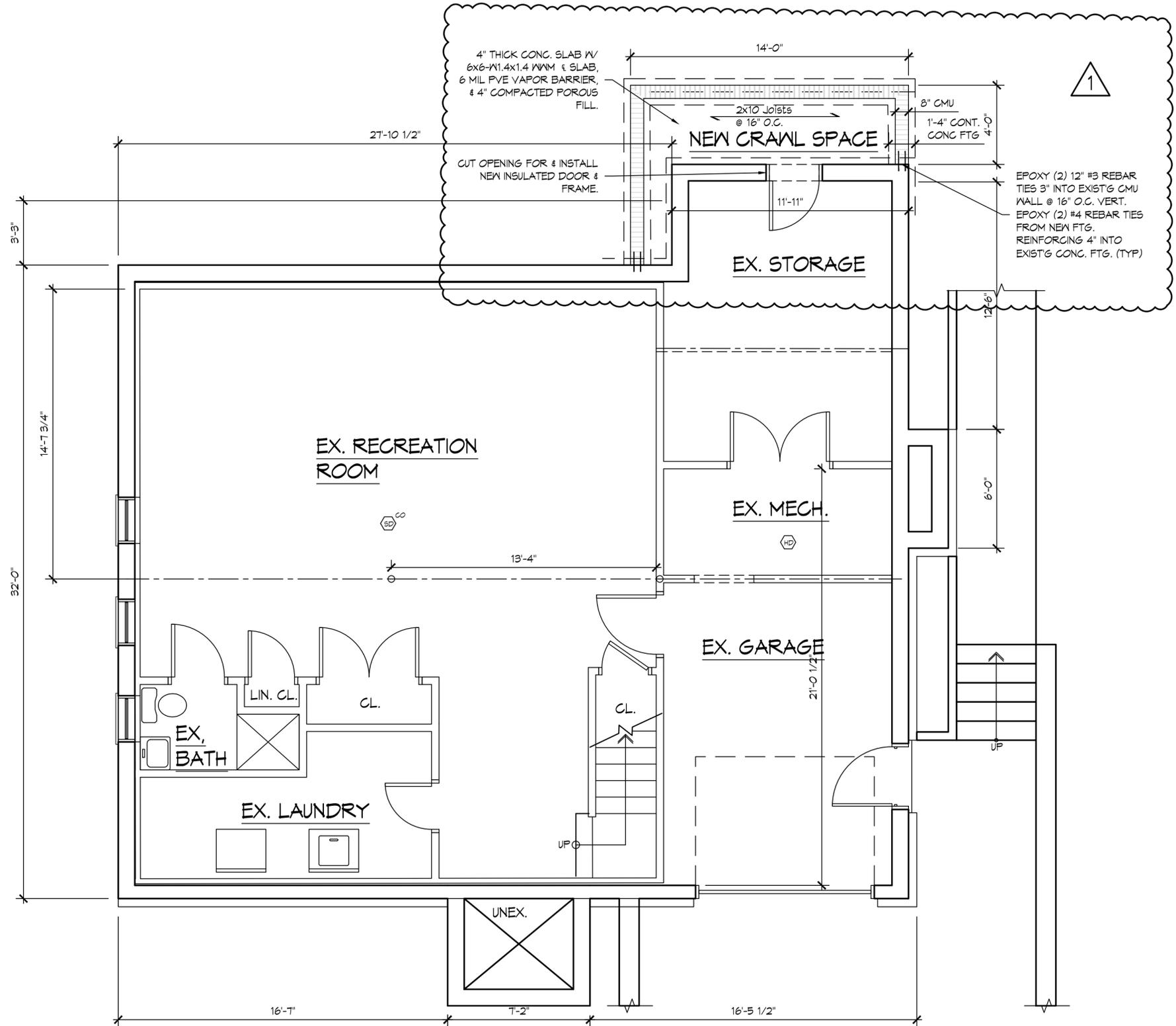
drawn by: **EOE**



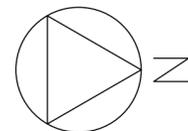
**SITE PLAN .**  
1"=20'-0"

NOTE: SITE INFORMATION TAKEN FROM SURVEYS BY: THOMAS MERRITTS, LAND SURVEYOR. DATED: DECEMBER 8, 1986. & BY JOHN MURANO L.S. DATED: DECEMBER 21, 1968

Energy Requirements		Climate Zone: 4
	required	provided
Walls	R-20	R-22
Floor	R-30	R-30
Roof	R-49	R-49
windows		
U value	U-32	U-26
SHG	0.6	0.34
VT	0.3	0.59
Water Pipes		
Hot	R-3	R-3
Air Conditioner		
Sizing	ACCA Manual S	ACCA Manual S
Calculations	ACCA Manual J	ACCA Manual J
Refrigerant		
Piping	R-3	R-3
Ducts		
in Attic	R-8	R-8
Elsewhere	R-6	R-6
Thermostat		
Range	programmable 55-85 degrees	programmable 55-85 degrees
Initial Set	70-78 degrees	70-78 degrees



**BASEMENT FLOOR PLAN .**  
1/4"=1'-0"



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207 EDGEWOOD AVENUE  
PLEASANTVILLE, N.Y. 10570  
(914) 747-5039

project name:  
**Bendus Residence**  
Addition & Alteration  
86 Weskora Ave.  
Pleasantville, NY 10570  
sec: 106.9, blk: 2, lot: 10

drawing title:  
**Site Plan**  
**Basement Floor Plan**  
**Energy Requirements Table**

revised:  
12-4-24

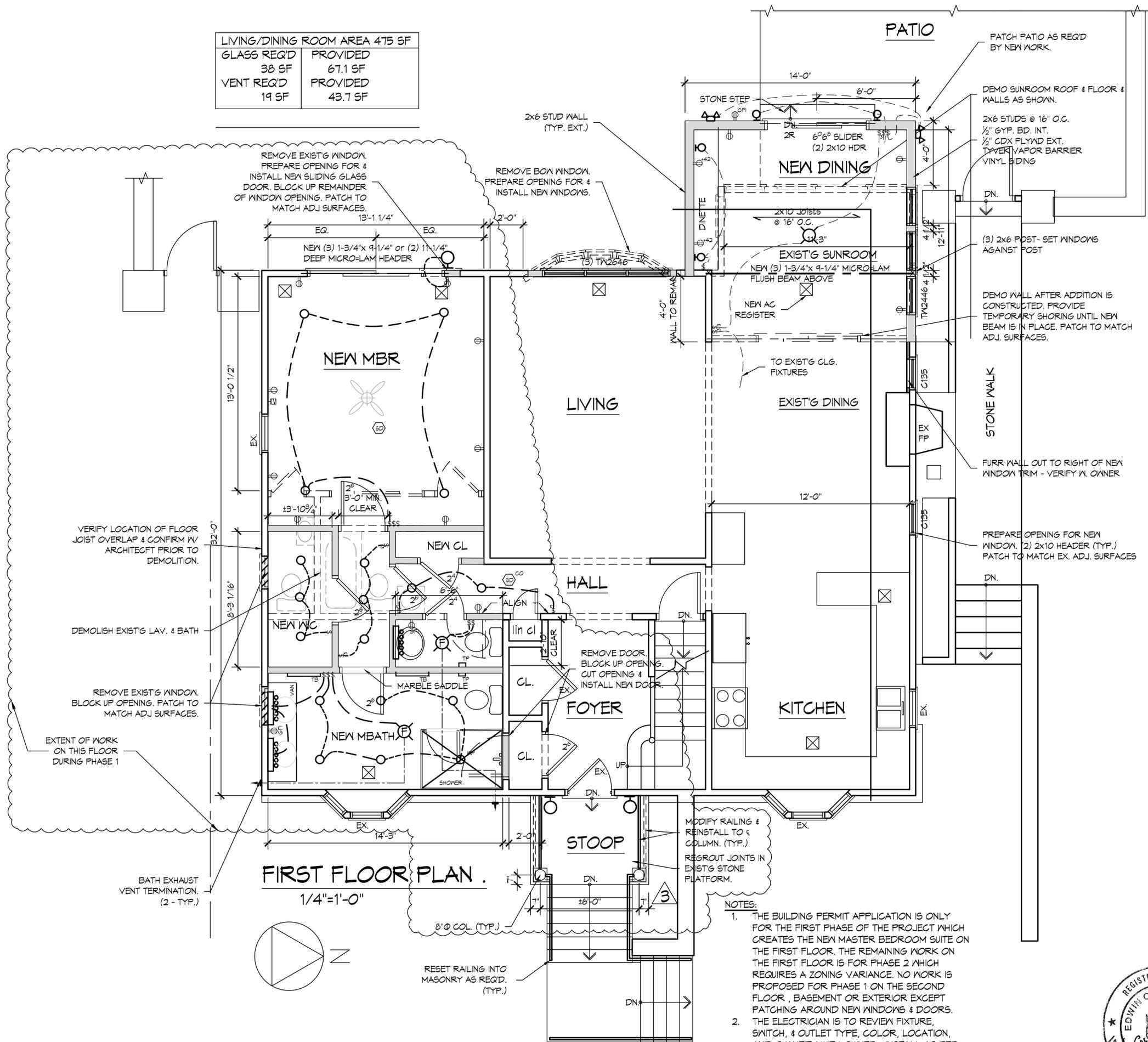
job number:  
**2048**

drawing number:  
**A 100**

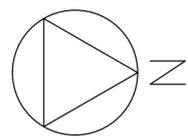


scale: as noted  
date: 8-8-24  
drawn by: EOE, RAL

LIVING/DINING ROOM AREA 475 SF	
GLASS REQ'D	PROVIDED
38 SF	67.1 SF
VENT REQ'D	PROVIDED
19 SF	43.7 SF



**FIRST FLOOR PLAN.**



- NOTES:**
1. THE BUILDING PERMIT APPLICATION IS ONLY FOR THE FIRST PHASE OF THE PROJECT WHICH CREATES THE NEW MASTER BEDROOM SUITE ON THE FIRST FLOOR. THE REMAINING WORK ON THE FIRST FLOOR IS FOR PHASE 2 WHICH REQUIRES A ZONING VARIANCE. NO WORK IS PROPOSED FOR PHASE 1 ON THE SECOND FLOOR, BASEMENT OR EXTERIOR EXCEPT PATCHING AROUND NEW WINDOWS & DOORS.
  2. THE ELECTRICIAN IS TO REVIEW FIXTURE, SWITCH, & OUTLET TYPE, COLOR, LOCATION, AND QUANTITY WITH OWNER, INSTALL AS PER ELECTRICAL CODE.
  3. THE CONTRACTOR IS TO VERIFY THE WIDTHS OF THE NEW MBR & MBATH WITH THE ARCHITECT PRIOR TO STARTING FRAMING.



**EDWIN O. ELLIOTT, JR., AIA**  
**ARCHITECT**  
 207 EDGEWOOD AVENUE  
 PLEASANTVILLE, N.Y. 10570  
 (914) 747-5039

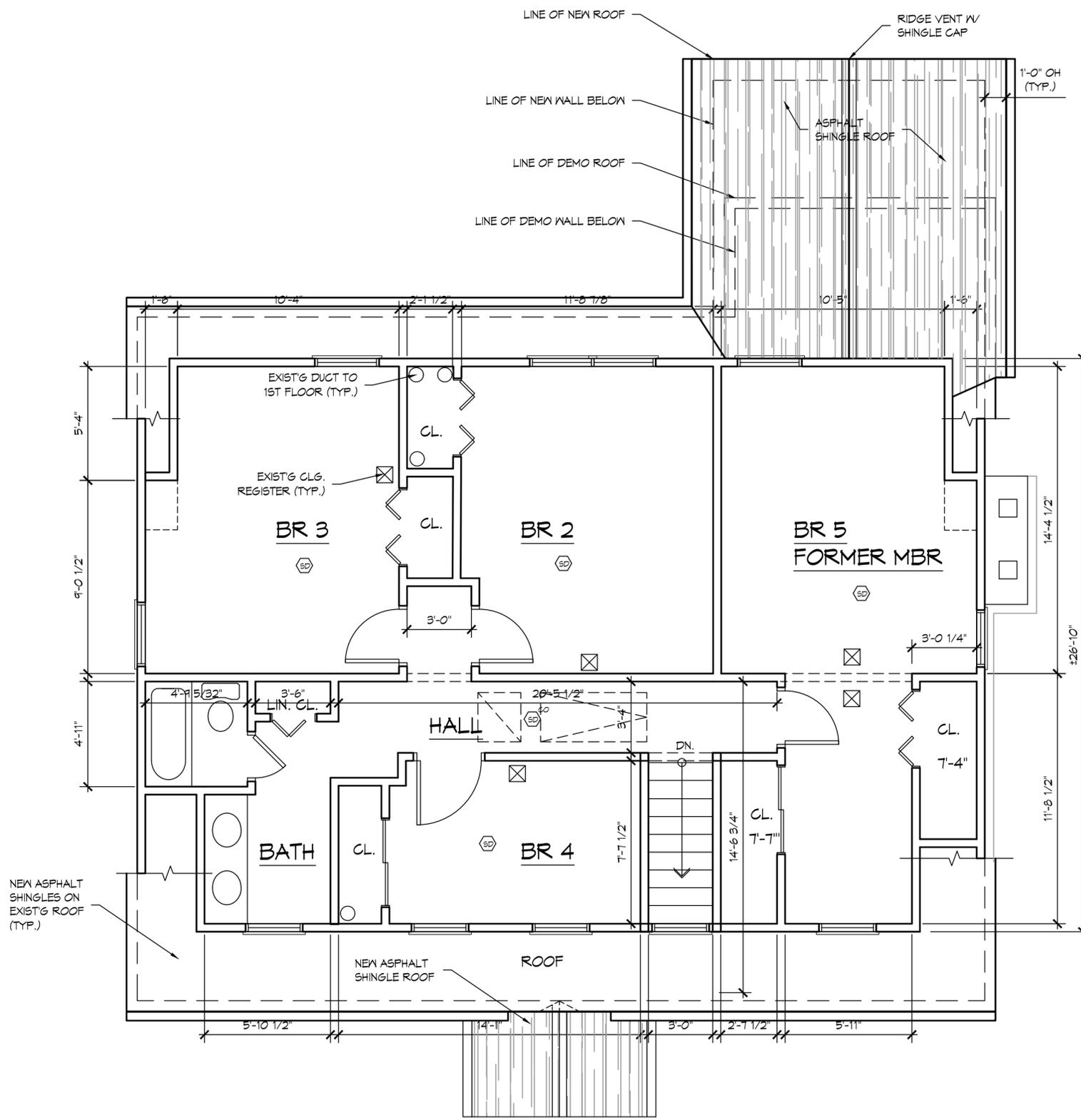
**Bendus Residence**  
 Addition & Alteration  
 86 Weskora Ave.  
 Pleasantville, NY 10570  
 sec: 106.9, blk: 2, lot: 10

Project name:  
 drawing title: **First Floor Plan**  
 scale: 1/4"=1'-0"

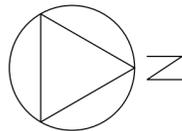
3-3-25  
 1-17-25  
 revised:  
 date: 8-8-24

job number:  
**2048**  
 drawn by: EOE

drawing number:  
**A 101**



**SECOND FLOOR PLAN .**  
 1/4"=1'-0"



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**ARCHITECT**  
 207 EDGEWOOD AVENUE  
 PLEASANTVILLE, N.Y. 10570  
 (914) 747-5039

Project name:  
**Bendus Residence**  
 Addition & Alteration  
 86 Weskora Ave.  
 Pleasantville, NY 10570  
 sec: 106.9, blk: 2, lot: 10

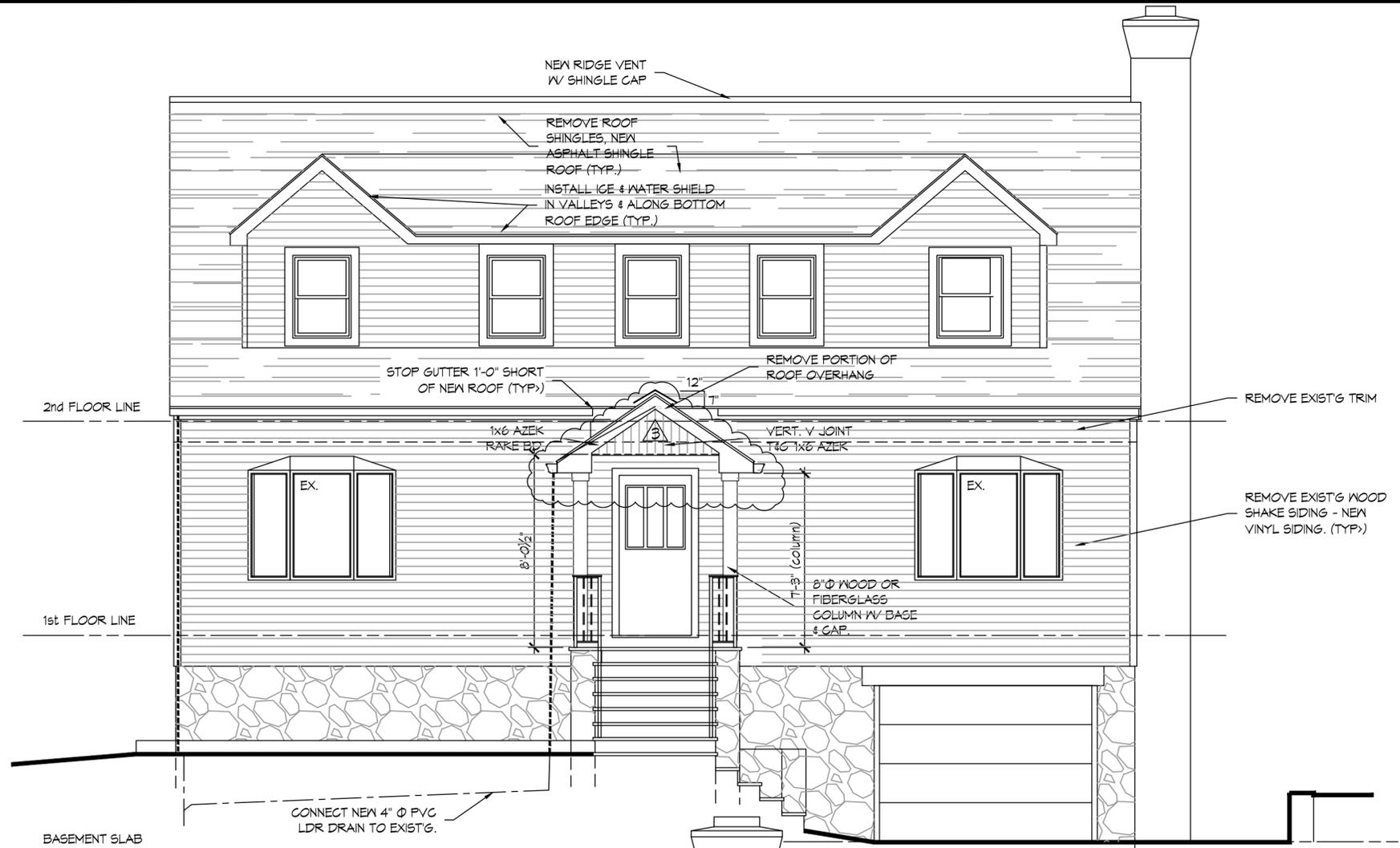
drawing title:  
**Second Floor Plan**  
 scale: 1/4"=1'-0"

revised:  
 date: 8-8-24

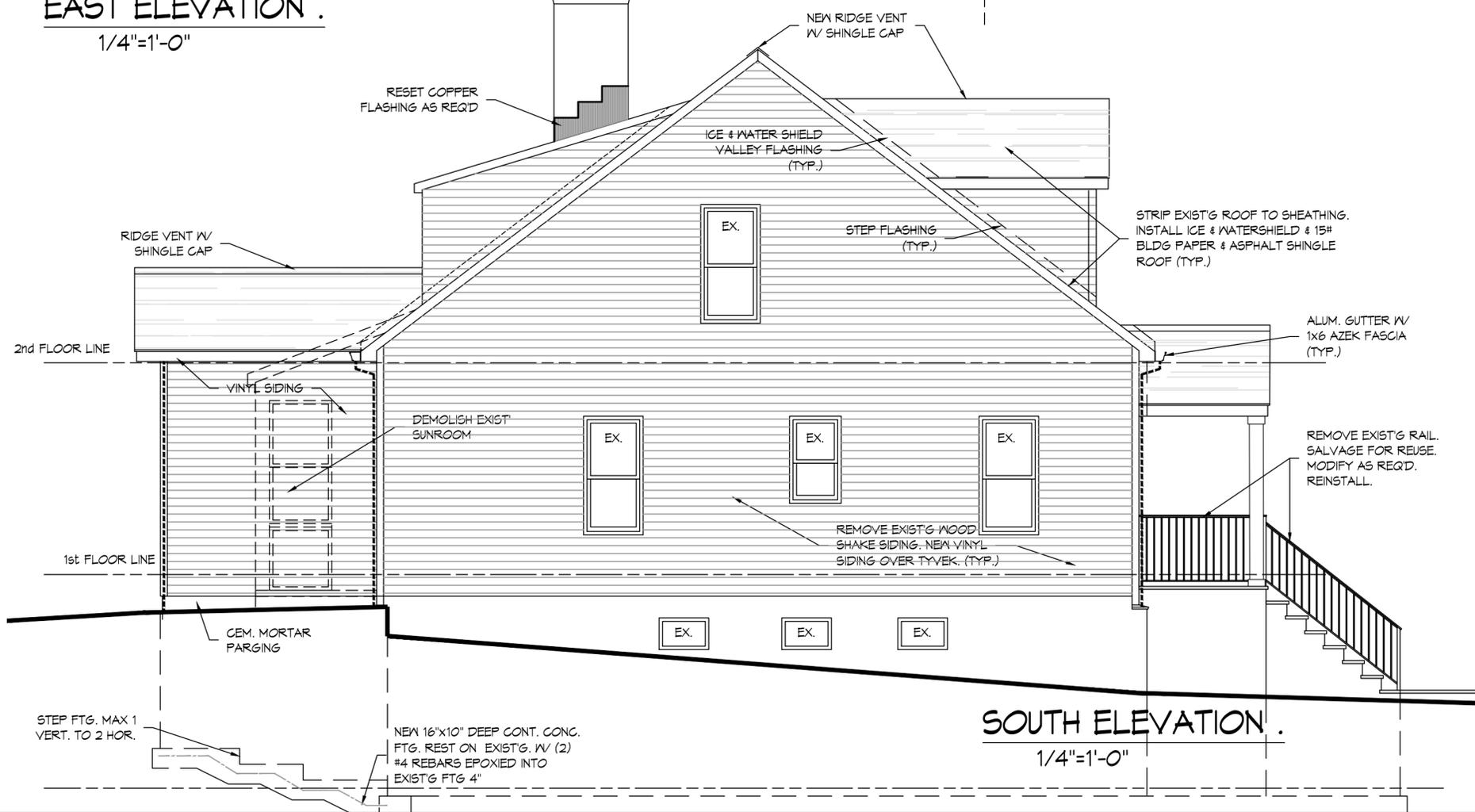
job number:  
**2048**  
 drawn by: EOE

drawing number:  
**A 102**





**EAST ELEVATION.**  
1/4"=1'-0"



**SOUTH ELEVATION.**  
1/4"=1'-0"

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207 EDGEWOOD AVENUE  
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Project name:  
**Bendus Residence**  
Addition & Alteration  
86 Weskora Ave.  
Pleasantville, NY 10570  
106.9, blk: 2, lot: 10

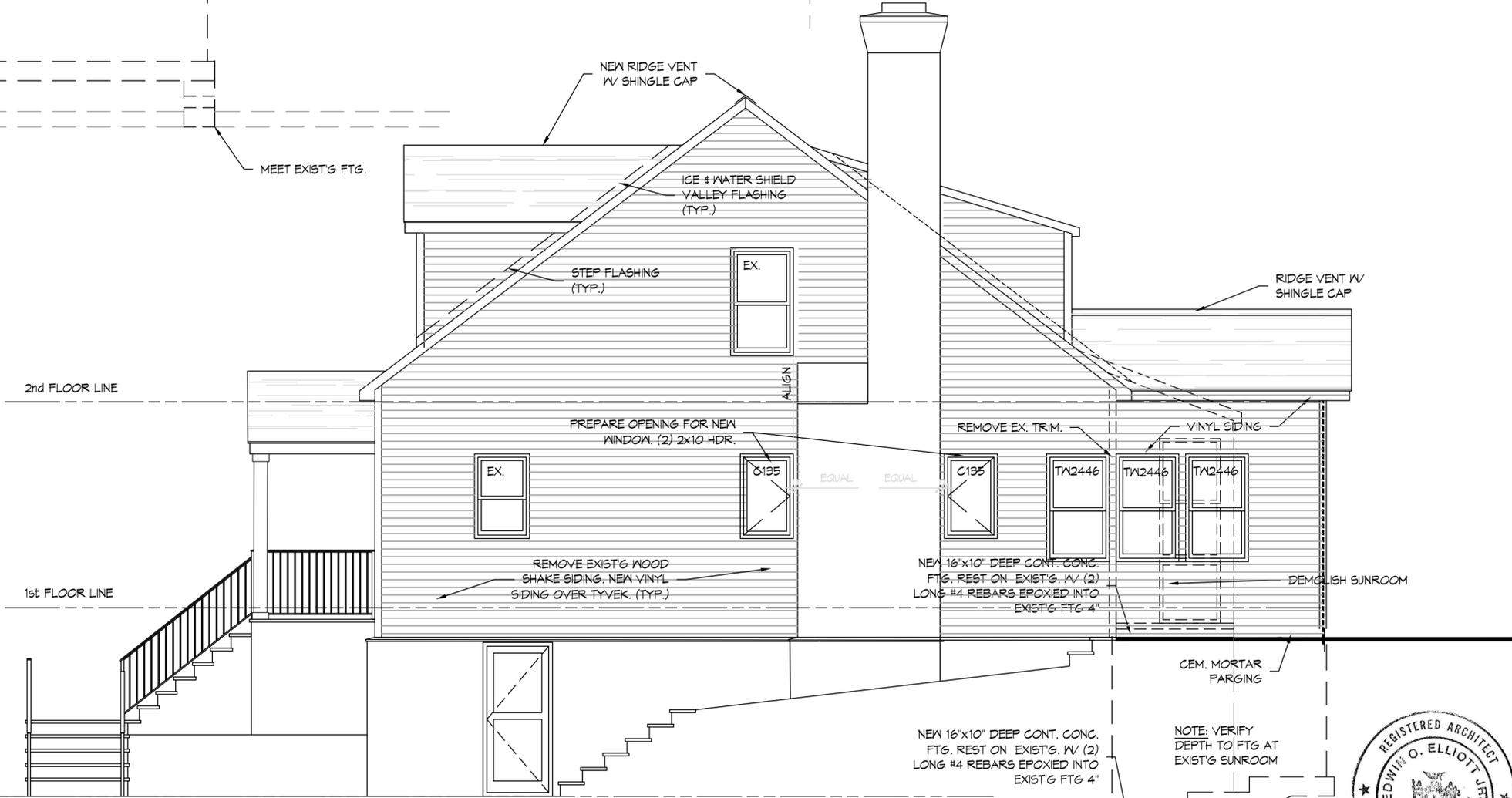
drawing title:  
**East & South Demolition Elevations**  
scale: 1/4"=1'-0"

3-3-25  
2048  
A 103  
date: 8-8-24  
revised:  
drawn by: EOE





**WEST ELEVATION**  
1/4"=1'-0"



**NORTH ELEVATION**  
1/4"=1'-0"

NO WORK THIS ELEVATION IN PHASE 1



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(914) 747-5039

project name:  
**Bendus Residence**  
Addition & Alteration  
86 Weskora Ave.  
Pleasantville, NY 10570  
sec: 106.9, blk: 2, lot: 10

drawing title:  
**West & North Demolition Elevations**  
scale: 1/4"=1'-0"

revised:  
1-17-25  
date: 8-8-24

job number:  
**2048**  
drawn by: EOE

drawing number:  
**A 104**

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)			
<input type="checkbox"/> Forest     Agriculture                           Aquatic           Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____ Signature: <u>Edwin C. Elliott Jr.</u> Title: _____		

# **PUBLIC NOTICE**

All public meetings will be held *in person* and via teleconference. To attend the meeting noted below via teleconference and address any application with the ZBA, please visit the Village website ([www.pleasantville-ny.gov](http://www.pleasantville-ny.gov)) the evening of the meeting and follow the Zoom virtual meeting link provided for this specific meeting date. Don't hesitate to contact this office for assistance 914-769-1926.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Pleasantville, Pleasantville, New York, will hold a Public Hearing on the 24<sup>th</sup> of April, 2025, in person at 80 Wheeler Avenue, Pleasantville, NY and via teleconference beginning at 8:15 P.M. pursuant to Article VIII of the Zoning Ordinance on the Appeal of Wayde and Kim Bendus residing at 86 Weskora Avenue, Pleasantville, New York, from the decision of Robert Hughes, Building Inspector, dated April 10, 2025, for a one story addition to the rear of the existing single family dwelling structure on-site in violation. The property involved is known as 86 Weskora Avenue, Pleasantville, New York and described on the Village Tax Maps as Section 106.9, Block 1, Lot 10, and is located on the north western side of Weskora Avenue, Pleasantville, New York in an R-1 "One-Family Residence" zoning district. Said appeal is being made to obtain a variance from Section 185-36.B.(1) Schedule I "Bulk Requirements" of the Village Zoning Ordinance which sets forth the following criteria:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Min rear yard setback.....	25.0 feet	22.5 feet	2.5 feet

Robert Hughes, Building Inspector  
Zoning Board of Appeals  
of the Village of Pleasantville



VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570
PHONE (914) 769-1926 \* FAX (914) 769-5519
WWW.PLEASANTVILLE-NY.GOV

ZONING VARIANCE APPLICATION

NOTE: APPROVAL FROM THE ZONING BOARD IS REQUIRED FOR ALL VARIATIONS FROM THE REQUIREMENTS OF THE VILLAGE OF PLEASANTVILLE BUILDING ZONE ORDINANCES.

\* TWO (2) COPIES OF ALL DRAWINGS MUST BE SUBMITTED WITH ONE (1) COPY OF VARIANCE \* APPLICATION PACKET A MINIMUM THIRTY (30) DAYS IN ADVANCE OF SCHEDULED ZBA MEETING DATE

SECTION I - PROJECT ADDRESS: 86 Weskora Ave.

SECTION II - CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: Wayde & Kim Bendus

ADDRESS: 86 Weskora Ave., Pleasantville, NY 10570

PHONE: CELL: (917) 922-1429 EMAIL: wbendus@yahoo.com & kmck86@yahoo.com

OWNER: Wayde & Kim Bendus

ADDRESS: 86 Weskora., Pleasantville, NY 10570

PHONE: CELL: (917) 922-1429 EMAIL: wbendus@yahoo.com & kmck86@yahoo.com

LESSEE:

ADDRESS:

PHONE: CELL: EMAIL:

SECTION III - SUBMISSION CHECKLIST - [X] AREA VARIANCE [ ] USE VARIANCE

- [X] VARIANCE APPLICATION [X] PRINCIPAL POINTS LETTER [X] BUILDING PERMIT APPLICATION [X] SHORT EAS FORM
[X] SURVEY & DETAILED DRAWINGS [ ] ADDITIONAL INFORMATION

SECTION IV - APPLICATION FEE: \$250

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

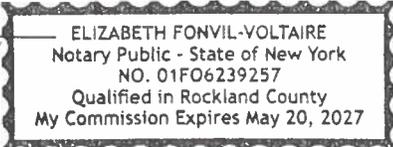
## SECTION V - APPLICANT'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

APPLICANT'S SIGNATURE: [Signature] DATE: 3/26/25

SWORN TO BEFORE ME THIS 26<sup>th</sup> DAY OF March 20 25

[Signature]  
NOTARY PUBLIC



## SECTION VI - AFFIDAVIT OF OWNERSHIP

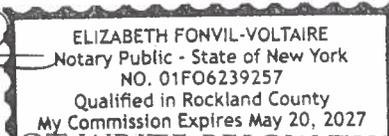
I, Wayde & Kim Bendus, HEREBY CERTIFY THAT I RESIDE AT  
86 Weskora Ave., IN THE CITY OF Pleasantville  
COUNTY OF Westchester IN THE STATE OF New York

AND THAT I AM THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PARCEL OF LAND SITUATED, LYING, AND BEING IN THE VILLAGE OF PLEASANTVILLE AFORESAID KNOWN AND DESIGNATED AS SECTION: 106.9 BLOCK: 1 LOT: 10  
AND THAT I AUTHORIZE THE APPLICANT NOTED ABOVE TO MAKE THE FOREGOING APPLICATION ON MY BEHALF AND THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION, IN ANY SUPPLEMENTARY STATEMENTS, SCHEDULES, OR OTHER PAPERS ATTACHED HERETO ARE TRUE.

OWNER'S SIGNATURE: [Signature] DATE: 3/26/25

SWORN TO BEFORE ME THIS 26<sup>th</sup> DAY OF March 20 25

[Signature]  
NOTARY PUBLIC



**OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE**

ZONE: R-1 SECTION: 106.9 BLOCK: 1 LOT: 10

### ADDITIONAL BOARD / DEPT. APPROVALS REQUIRED:

- ARB
- PLANNING
- DPW / ENGINEERING
- WCDOH
- WETLANDS
- FLOOD DEV

### BUILDING DEPARTMENT CHECKLIST:

- VARIANCE APPLICATION
- PRINCIPAL POINTS LETTER
- BUILDING PERMIT APPLICATION
- SHORT EAS FORM
- SURVEY & DETAILED DRAWINGS
- ADDITIONAL INFO
- APPL FEE
- DENIAL LETTER
- PUBLIC NOTICE & MAILINGS

PAYMENT:  CHECK #: 32602 @ 250  CASH

NAME ON CHECK: Wayde and Kimberly Bendus

BLDG. INSPECTOR SIGN OFF: RA DATE: 3/26/2025



**63 Highview Terrace**

**Case No. 2025-08 - Leanne LaMacchia - 63 Highview Terrace** - Proposed 2nd floor addition and rear deck to the existing single family dwelling on-site in violation of Section 185-36.B.(1) "Bulk Requirements" regarding deficient side and rear yard setbacks

**ATTACHMENTS:**

Description	Type	Upload Date
Denial Letter	Backup Material	4/17/2025
Principal points letter	Backup Material	4/10/2025
Architectural plans	Backup Material	4/10/2025
ZBA application	Backup Material	4/10/2025
EAS form	Backup Material	4/10/2025
BP application	Backup Material	4/10/2025
Public Notice	Backup Material	4/17/2025



# Village of Pleasantville

## Building Department

80 Wheeler Avenue • Pleasantville, New York 10570

(914) 769-1926 Fax: (914) 769-5519

Leanne LaMacchia  
63 Highview Terrace  
Pleasantville, New York 10570

### PARCEL ID

Sec – 99.15  
Blk – 2  
Lot – 75

**Re** – Building Permit application submitted April 9, 2025, for proposed 2<sup>nd</sup> floor addition and rear deck to the existing single-family dwelling located at 63 Highview Terrace, within the Village of Pleasantville, on-site in violation.

Date: April 10, 2025

Dear Leanne:

This notice is to inform you that your building permit application originally submitted to this Department dated April 9, 2025 for a proposed 2<sup>nd</sup> floor addition and rear deck to the existing single-family dwelling located at 63 Highview Terrace, within the Village of Pleasantville, is hereby denied.

Denial is based on the following facts:

1. Subject property is located in an R-1 “One-Family Residence” zoning district within the Village of Pleasantville, New York.
2. To construct the addition and deck as proposed to the existing single family dwelling as proposed would not comply with section 185-36.B.(1) Schedule I “Bulk Requirements” of the Village Municipal Code which sets forth the following:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Rear yard setback..... (new deck)	25 feet	14.75 feet	10.25 feet
*Side yard setback..... (to new rear deck at left side)	20 feet	15.92 feet	4.17 feet
**Combined side yard setback # 1..... (total of both sides to new rear deck)	32 feet*	30.0 feet	2.0 feet
**Combined side yard setback # 2..... (total of both sides to new 2 <sup>nd</sup> floor addition)	32 feet	30.25 feet	1.75 feet

\*NOTE: One side yard setback of 20 feet must be provided when a garage is not located on-site

\*\*NOTE: The aggregate of both side yards must be 32 feet when a garage is not located on-site

You may appeal this decision to the local Zoning Board of Appeals within sixty (60) days of receipt of this notice.

If you should have any further questions, please do not hesitate to contact this Department.

Very truly yours,

Robert Hughes  
Building Inspector

APRIL 9, 2025

ZONING BOARD OF APPEALS  
VILLAGE OF PLEASANTVILLE  
63 HIGHVIEW TERRA

AREA VARIANCE

Proposed reconstructed and extended deck resulting in a required rear yard variance of 10'-3" (41%)

1. **Whether the granting of the requested variances would create an undesirable change in the character of the neighborhood or detriment to nearby properties.**

Granting the requested variance for a rear setback will not cause any undesirable effects. Currently an existing two-level deck exists. It is in poor condition. Owners will demolish and reconstruct the deck slightly larger. The impact of a slightly larger deck will be minimal or equal to the existing condition and will make it more functional for the homeowner.

2. **Whether the benefit sought can be achieved by some other method other than a variance**

A larger deck will be a functional benefit for the owners and will provide needed usable outdoor space on the first floor and the basement level. This is the main reason for the addition and this is the logical location.

3. **Whether the requested variances are substantial**

A 10'-3" variance (41%) is considered substantial. However, given the deck already extends into this setback, the increase in any impact felt is minimal.

4. **Whether the requested variances have an adverse impact on the physical or environmental conditions in the existing neighborhood**

The extended raised wood deck, matching existing construction will not increase stormwater concentration to any neighbor. The impact will be negligible.

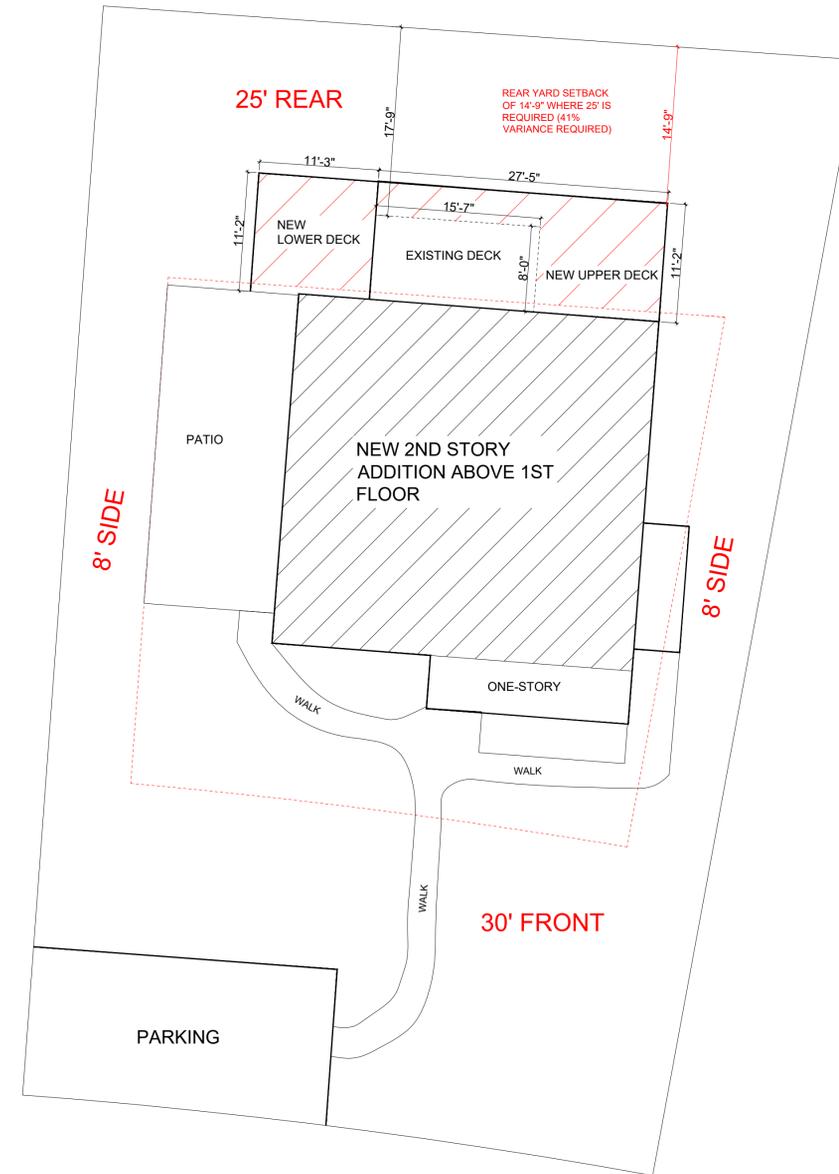
5. **Whether the difficulty is self created.**

The difficulty is self-created in the sense that the extension of the deck is desired, but the deck already extends into that setback and the choice to extend the deck to align with the edge of the house and connect to the patio on the basement level appears to be the most sensible option.

ZONE R-1  
 LOT SIZE 6845  
 HOUSE 1217  
 DECKS 614

BUILDING COVERAGE= 1217  
 MAX BUILDING COVERAGE (20%)= 1369

NO CHANGE TO BUILDING COVERAGE



SITE PLAN  
 1/8"=1'-0"

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF PROFESSIONAL SERVICE ARE AND SHALL REMAIN THE PROPERTY OF SI DESIGN ARCHITECTS. NO REPRODUCTION OR ARCHITECTURAL REPRODUCTION OR USE, IN WHOLE OR IN PART, WITHOUT SI DESIGN'S AUTHORIZATION IS PROHIBITED.

THIS DOCUMENT IS INTENDED SOLELY FOR THE CONSTRUCTION OF THE PROJECT AND SHALL NOT BE USED FOR ANY OTHER CONSTRUCTION OR FOR ANY OTHER PART OF THE PROJECT WITHOUT THE WRITTEN CONSENT OF SI DESIGN.

PROJECT NAME:  
**LAMACCHIA RESIDENCE  
 ADDITION & ALTERATIONS  
 63 HIGHVIEW TERRACE  
 PLEASANTVILLE, NY**

DWG TITLE:

**SI Design**  
 architecture - interiors - landscapes  
 3 PETERSVILLE ROAD  
 MOUNT KISCO, NY 10549  
 914-673-2309 SIDesign@yahoo.com  
 sidesign-architects.com

ARCHITECT'S SEAL

DRAWN BY:  
 SS

CHECKED BY:  
 SS

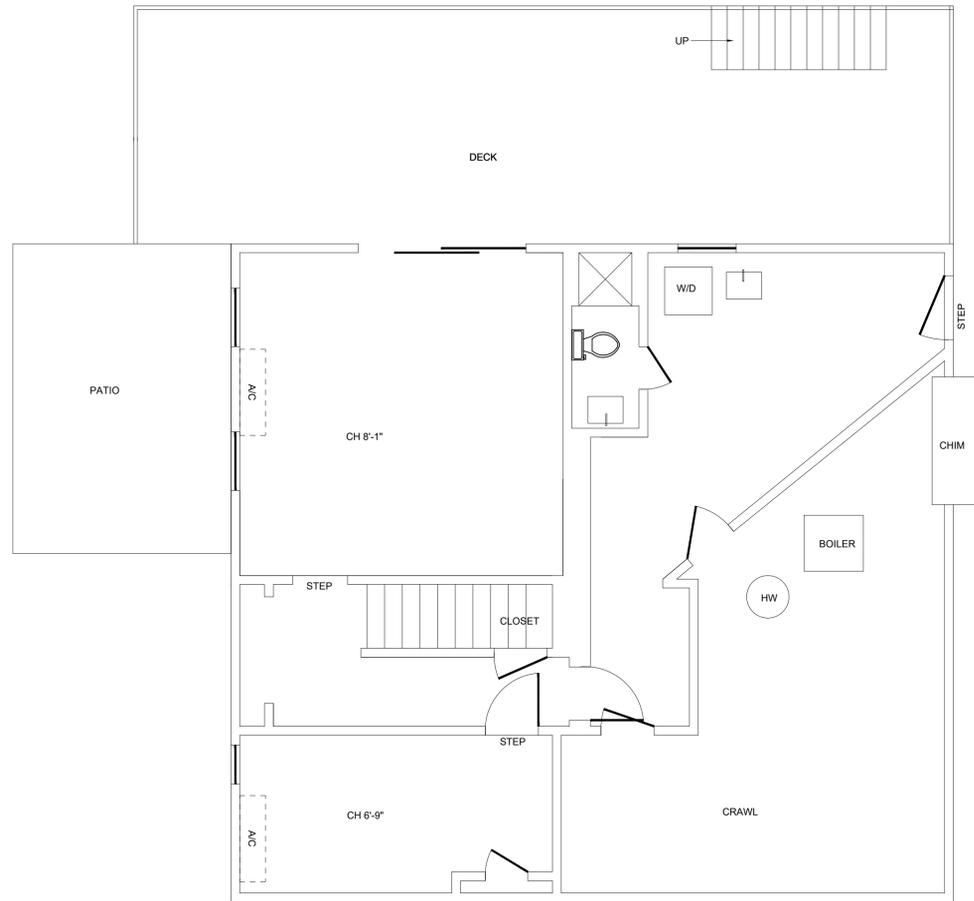
SCALE:  
 1/8" = 1'-0"

PROJECT No:  
 2025-5

DATE:  
 4-9-25

No.	DATE:	DESCRIPTION	REV.	BY:	DATE:	DESCRIPTION
DWG. ISSUED						
REVISIONS						

SHEET NO.  
**A-101.00**



**PROPOSED BASEMENT PLAN**  
 1/4"=1'-0"

SHEET NO.  
**A-201.00**

No.	DATE	DESCRIPTION	REV.	BY	DATE	DESCRIPTION
<b>DWG. ISSUED</b>						<b>REVISIONS</b>

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PROJECT NAME:  
**LAMACCHIA RESIDENCE  
 ADDITION AND ALTERATIONS**

DWG TITLE:  
**63 HIGHVIEW TERRACE  
 PLEASANTVILLE, NY**

**SI Design**  
 architecture • interiors • landscapes  
 3 PETERSVILLE ROAD  
 MOUNT KISCO, NY 10549  
 914-673-2309 SIDesign@yahoo.com  
 sidedesign-architects.com

ARCHITECT'S SEAL

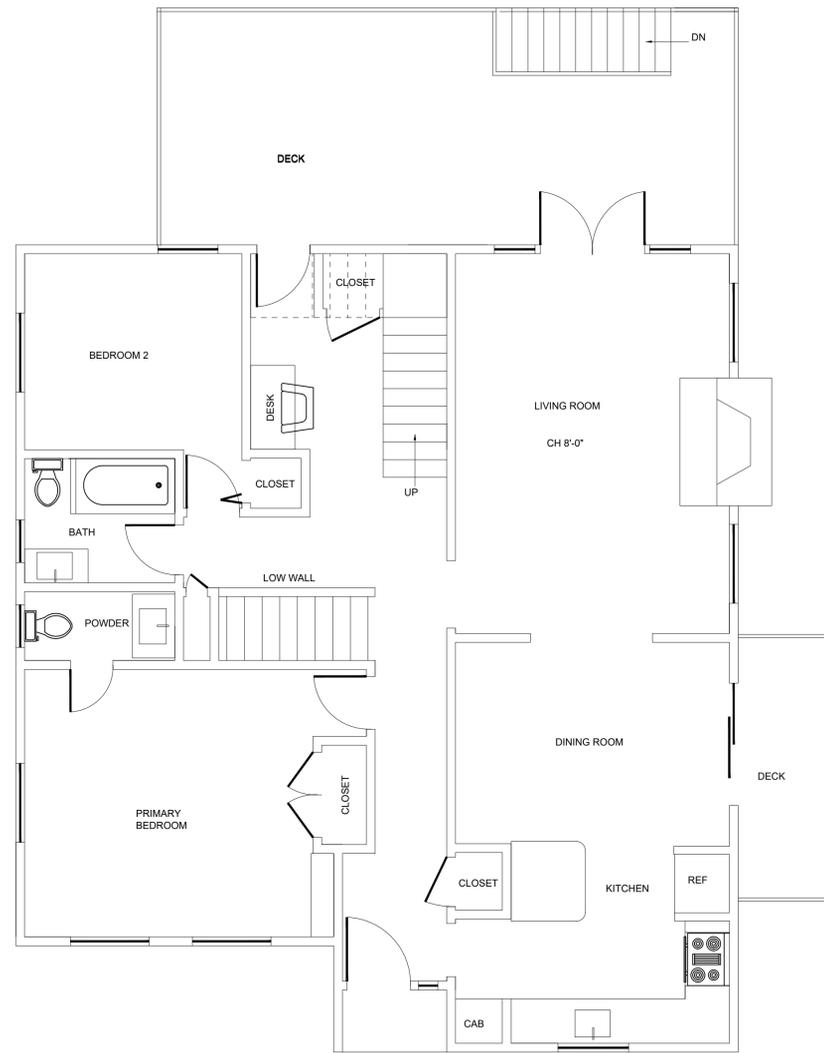
DRAWN BY:  
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 SS

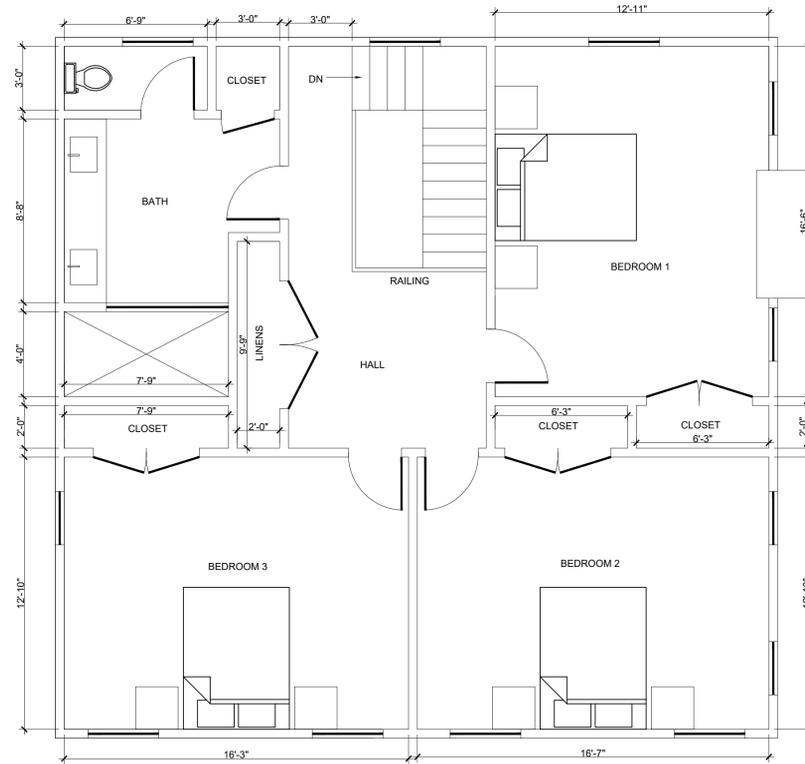
SCALE:  
 1/4" = 1'-0"

PROJECT No:  
 2025-5

DATE:  
 4-9-25



○ PROPOSED FIRST FLOOR PLAN  
1/4"=1'-0"



○ PROPOSED SECOND FLOOR PLAN  
1/4"=1'-0"

SHEET NO. <b>A-301.00</b>	
No.	DESCRIPTION
REV.	DATE
BY:	DATE:
REV.	DATE:
DESCRIPTION	DESCRIPTION
DWG. ISSUED	
REVISED	

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THIS DOCUMENT IS INTENDED SOLELY FOR THE CONSTRUCTION OF THE PROJECT AND IS NOT TO BE USED FOR ANY OTHER CONSTRUCTION OR DESIGN. THE WRITTEN CONSENT OF THE ARCHITECT IS REQUIRED FOR ANY OTHER USE.

PROJECT NAME:  
**LAMACCHIA RESIDENCE  
ADDITION AND ALTERATIONS  
63 HIGHVIEW TERRACE  
PLEASANTVILLE, NY**

DWG TITLE:

**si Design**  
architecture • interiors • landscapes  
3 PETERSVILLE ROAD  
MOUNT KISCO, NY 10549  
914-673-2309 SIDesign@yahoo.com  
sidesign.architects.com

DRAWN BY:  
SS

CHECKED BY:  
SS

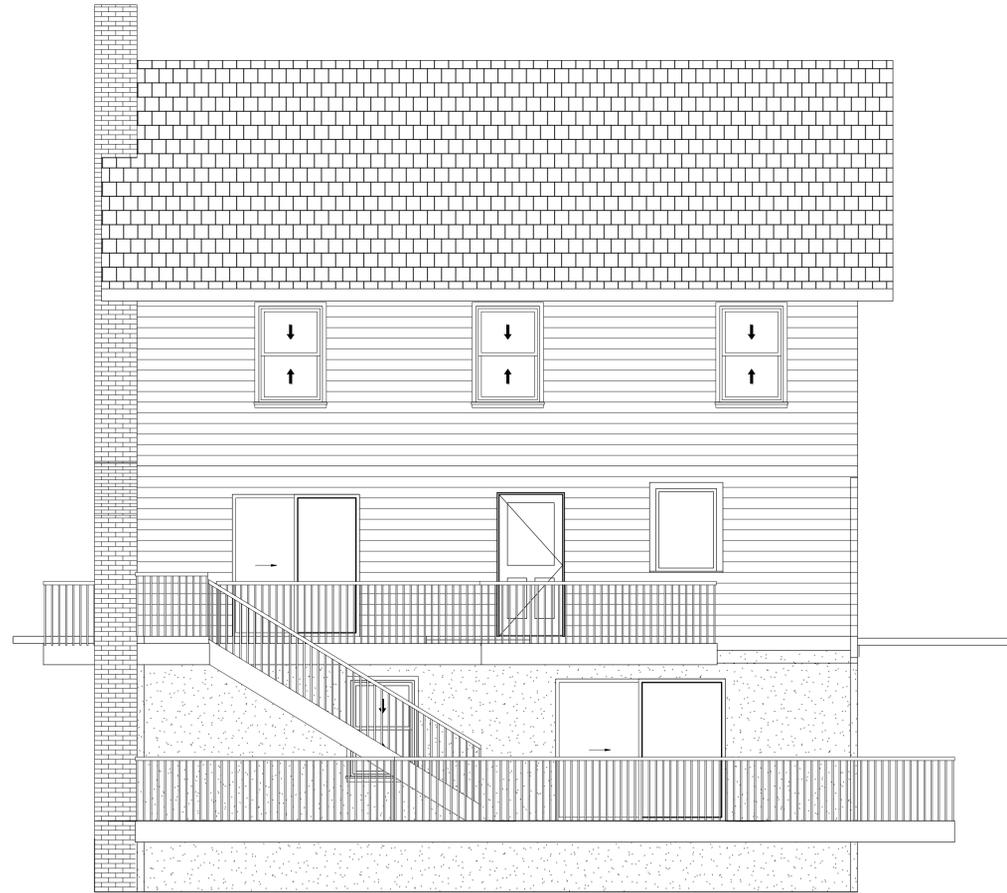
SCALE:  
1/4" = 1'-0"

PROJECT No:  
2025-5

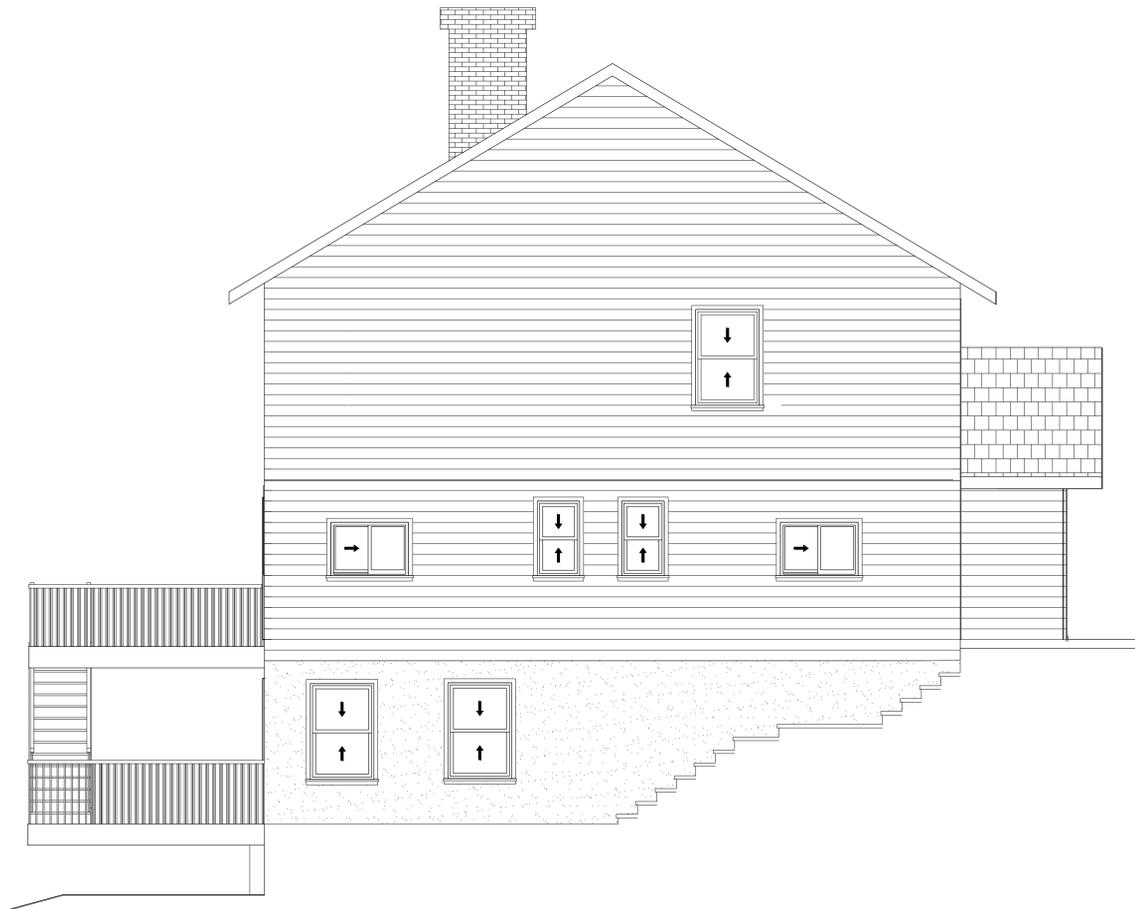
DATE:  
4-9-25

ARCHITECT'S SEAL





○ PROPOSED REAR ELEVATION  
1/4"=1'-0"



○ PROPOSED LEFT SIDE ELEVATION  
1/4"=1'-0"

No.	DATE:	DESCRIPTION	REV.	BY:	DATE:	DESCRIPTION
DWG. ISSUED						
REVISIONS						

DRAWINGS AND SPECIFICATIONS AS INSTRUMENTS OF PROFESSIONAL SERVICE ARE AND SHALL REMAIN THE PROPERTY OF SIDesign ARCHITECTS AND ARCHITECT ANY REPRODUCTION OR USE, IN WHOLE OR IN PART, WITHOUT THE WRITTEN AUTHORIZATION OF SIDesign IS PROHIBITED.

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PROJECT NAME:  
**LAMACCHIA RESIDENCE  
ADDITION AND ALTERATIONS  
63 HIGHVIEW TERRACE  
PLEASANTVILLE, NY**

DWG TITLE:

**SI Design**  
architecture · interiors · landscapes  
3 PETERSVILLE ROAD  
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DRAWN BY:  
SS

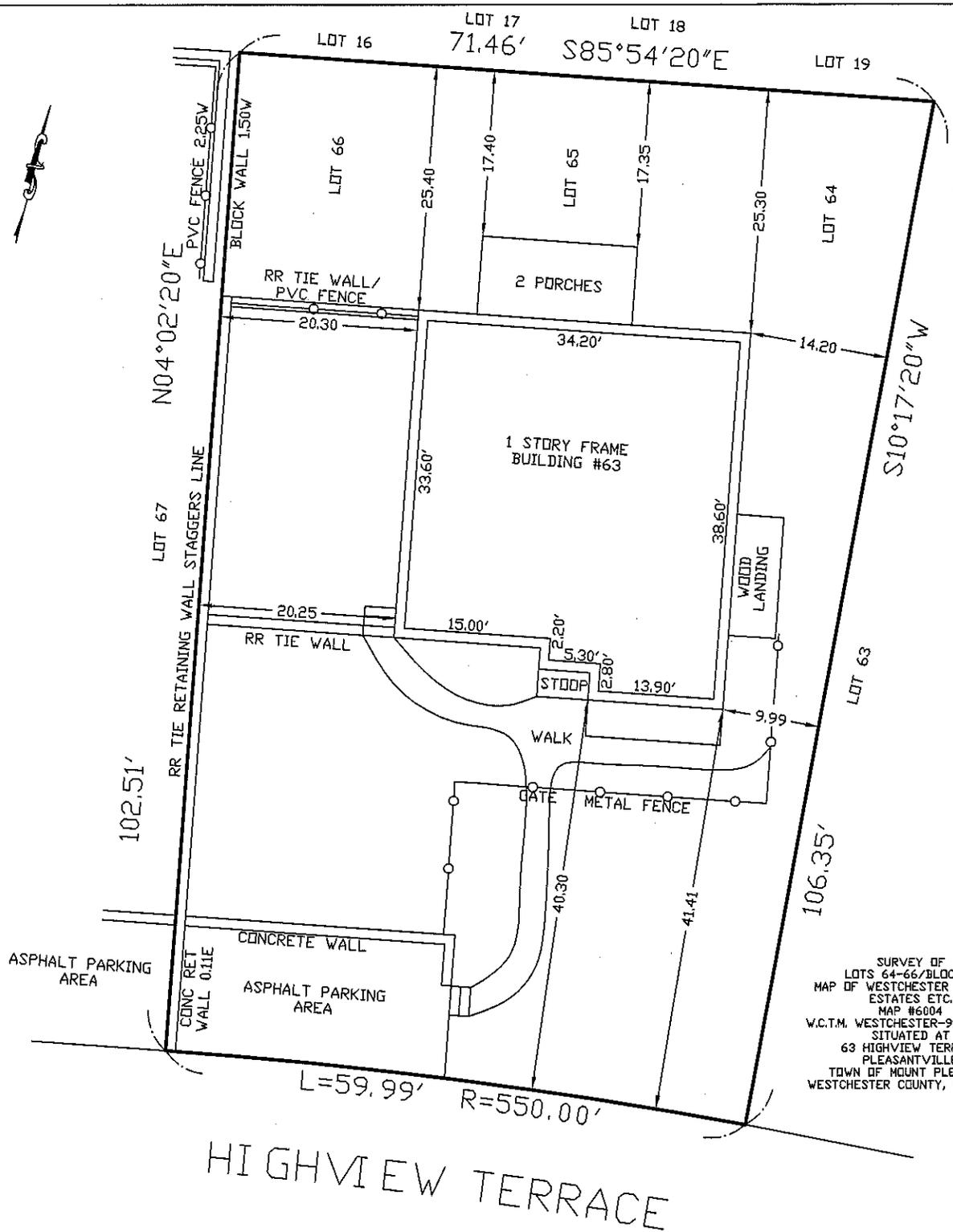
CHECKED BY:  
SS

SCALE:  
1/4" = 1'-0"

PROJECT No:  
2025-5

DATE:  
4-9-25

SHEET NO:  
**A-501.00**



SURVEY OF  
 LOTS 64-66/BLOCK C  
 MAP OF WESTCHESTER COUNTRY  
 ESTATES ETC.  
 MAP #6004  
 W.C.T.M. WESTCHESTER-99-15-2-75  
 SITUATED AT  
 63 HIGHVIEW TERRACE  
 PLEASANTVILLE  
 TOWN OF MOUNT PLEASANT  
 WESTCHESTER COUNTY, NEW YORK

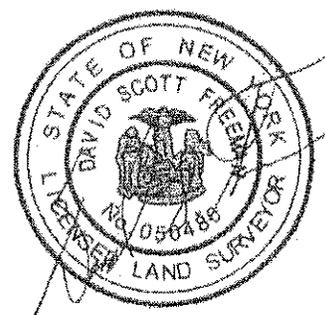
UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY IS A VIOLATION OF SECTION 7809 OF THE NEW YORK STATE EDUCATION LAW

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S IRONED SEAL OR EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE VALID TRUE COPY.

CERTIFICATIONS INDICATED HEREIN SHALL RUN ONLY TO PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREIN, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE

PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR TITLE SURVEYS AS ESTABLISHED BY THE LEGALS AND APPROVED AND ADOPTED FOR SUCH USE BY THE NEW YORK STATE LAND TITLE ASSOCIATION.

THE OFFSET OR DIMENSIONS SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, RETAINING WALLS, POOL, PATIOS, PLANTING AREAS, ADDITIONS TO BUILDINGS AND ANY OTHER TYPE OF CONSTRUCTION.



THIS SURVEY IS CERTIFIED TO THE FOLLOWING PARTIES:  
 STEVEN MILZ

TITLE SURVEY		
PREPARED FOR: MILZ		
SITUATE AT 63 HIGHVIEW TERRACE, PLEASANTVILLE TOWN OF MOUNT PLEASANT WESTCHESTER COUNTY, NEW YORK		
SOLO SURVEYING INC. 176 BELL HOLLOW ROAD (631) 926-4563 CELL PUTNAM VALLEY, NY 10579 (631) 517-9201 FAX		
FILE No. 4570	DATE: 6/11/12	SCALE: 1"=15'



VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570
PHONE (914) 769-1926 \* FAX (914) 769-5519
WWW.PLEASANTVILLE-NY.GOV

ZONING VARIANCE APPLICATION

NOTE: APPROVAL FROM THE ZONING BOARD IS REQUIRED FOR ALL VARIATIONS FROM THE REQUIREMENTS OF THE VILLAGE OF PLEASANTVILLE BUILDING ZONE ORDINANCES.

\* TWO (2) COPIES OF ALL DRAWINGS MUST BE SUBMITTED WITH ONE (1) COPY OF VARIANCE \* APPLICATION PACKET A MINIMUM THIRTY (30) DAYS IN ADVANCE OF SCHEDULED ZBA MEETING DATE

SECTION I - PROJECT ADDRESS: 63 HIGHVIEW TERRACE

SECTION II - CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: SID SCHLOMANN

ADDRESS: 3 PETERSVILLE RD, MOUNT KISCO, NY 10549

PHONE: 9146732309 CELL: EMAIL: SIDESIGN@YAHOO.COM

OWNER: LEANNE LAMACCHIA

ADDRESS: 63 HIGHVIEW TERRACE

PHONE: 9145576350 CELL: EMAIL: LEAMICUCCI@AOL.COM

LESSEE:

ADDRESS:

PHONE: CELL: EMAIL:

SECTION III - SUBMISSION CHECKLIST - [X] AREA VARIANCE [ ] USE VARIANCE

[X] VARIANCE APPLICATION [X] PRINCIPAL POINTS LETTER [X] BUILDING PERMIT APPLICATION [X] SHORT EAS FORM

[X] SURVEY & DETAILED DRAWINGS [ ] ADDITIONAL INFORMATION

SECTION IV - APPLICATION FEE: \$250

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION V - APPLICANT'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

APPLICANT'S SIGNATURE: [Signature] DATE: 4/9/25

SWORN TO BEFORE ME THIS 9<sup>th</sup> DAY OF April 20 25

NOTARY PUBLIC

PETER J. CHO  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01CH6308766  
QUALIFIED IN WESTCHESTER COUNTY  
MY COMMISSION EXPIRES JULY 28, 2026

## SECTION VI - AFFIDAVIT OF OWNERSHIP

I, Leanne Lamacchia, HEREBY CERTIFY THAT I RESIDE AT

63 Highview Terrace IN THE CITY OF Pleasantville

COUNTY OF Westchester IN THE STATE OF New York

AND THAT I AM THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PARCEL OF LAND SITUATED, LYING, AND BEING IN THE VILLAGE OF PLEASANTVILLE AFORESAID KNOWN AND DESIGNATED AS SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: 63

AND THAT I AUTHORIZE THE APPLICANT NOTED ABOVE TO MAKE THE FOREGOING APPLICATION ON MY BEHALF AND THAT THE STATEMENTS OF FACT CONTAINED IN SAID APPLICATION, IN ANY SUPPLEMENTARY STATEMENTS, SCHEDULES, OR OTHER PAPERS ATTACHED HERETO ARE TRUE.

OWNER'S SIGNATURE: [Signature] DATE: 4/9/25

SWORN TO BEFORE ME THIS 9<sup>th</sup> DAY OF April 20 25

NOTARY PUBLIC

PETER J. CHO  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01CH6308766  
QUALIFIED IN WESTCHESTER COUNTY  
MY COMMISSION EXPIRES JULY 28, 2026

### OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

#### ADDITIONAL BOARD / DEPT. APPROVALS REQUIRED:

ARB  PLANNING  DPW / ENGINEERING  WCDOH  WETLANDS  FLOOD DEV

#### BUILDING DEPARTMENT CHECKLIST:

VARIANCE APPLICATION  PRINCIPAL POINTS LETTER  BUILDING PERMIT APPLICATION  SHORT EAS FORM  
 SURVEY & DETAILED DRAWINGS  ADDITIONAL INFO  APP FEE  DENIAL LETTER  PUBLIC NOTICE & MAILINGS

PAYMENT:  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

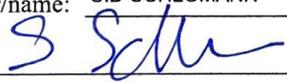
### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: SECOND STORY ADDITION AND RECONSTRUCTED/ EXTENDED DECK			
Project Location (describe, and attach a location map): 63 HIGHVIEW TERRACE			
Brief Description of Proposed Action: SECOND STORY ADDITION ATOP EXISTING FIRST FLOOR AND RECONSTRUCTED DECK LARGER			
Name of Applicant or Sponsor: SID SCHLOMANN		Telephone: 9146732309	
		E-Mail: SIDESIGN@YAHOO.COM	
Address: 3 PETERSVILLE RD			
City/PO: MOUNT KISCO		State: NY	Zip Code: 10549
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: BUILDING/ZONING			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 0.16 acres	
b. Total acreage to be physically disturbed?		_____ 0.006 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>SID SCHLOMANN</u> Date: <u>4-9-25</u>		
Signature: <u></u> Title: <u>ARCHITECT</u>		



VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

80 WHEELER AVENUE \* PLEASANTVILLE, NY 10570
PHONE (914) 769-1926 \* FAX (914) 769-5519
WWW.PLEASANTVILLE-NY.GOV

BUILDING PERMIT APPLICATION

NOTE: ONE (1) SET OF ALL REQUIRED DOCUMENTS MUST BE SUBMITTED WITH THIS APPLICATION

SECTION I - PROJECT ADDRESS: 63 HIGHVIEW TERRACE

SECTION II - CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

APPLICANT: SID SCHLOMANN

ADDRESS: 3 PETERSVILLE RD, MOUNT KISCO, NY 10549

PHONE: 9146732309 CELL: EMAIL: SIDESIGN@YAHOO.COM

PROPERTY OWNER: LEANNE LAMACCHIA

ADDRESS: 63 HIGHVIEW TERRACE

PHONE: 9145576350 CELL: EMAIL: LEAMICUCCI@AOL.COM

SECTION III - TYPE OF WORK PROPOSED (CHECK ALL THAT APPLY)

- [X] ADDITION [X] ALTERATION / RENOVATION [ ] BOILER / FURNACE [ ] CHANGE OF OCCUPANCY [X] DECK
[X] DEMOLITION [ ] DRIVEWAY / ROW PARKING [ ] FENCE [ ] FIRE REPAIR / FIRE DAMAGE [ ] FIRE ALARM
[ ] FIRE SPRINKLER / SUPPRESSION SYSTEM [ ] GENERATOR [ ] HISTORICAL CO [ ] HVAC / MECH
[ ] KIT. EXHAUST HOOD [ ] KIT. / BATH RENO [ ] LEGALIZATION [ ] NEW BUILDING [ ] PATIO / TERRACE
[ ] RETAINING WALL [X] ROOFING [ ] SHED [ ] SOLAR PANELS [ ] SWIM POOL [ ] TEMP STRUCT / TENT

SECTION IV - USE & OCCUPANCY

EXISTING / CURRENT USE: RESIDENTIAL ONE FAMILY

PROPOSED COMMERCIAL USE: (CHECK ALL THAT MAY APPLY)

- [ ] ASSEMBLY (RESTAURANTS, THEATERS) [ ] BUSINESS (OFFICE, BANKS) [ ] EDUCATIONAL (SCHOOLS)
[ ] FACTORY / INDUSTRIAL (MANUFACTURING) [ ] HIGH HAZARD [ ] INSTITUTIONAL (ASSISTED LIVING)
[ ] MERCANTILE (RETAIL) [ ] RESIDENTIAL GROUP (APTS, HOTELS) [ ] STORAGE (WAREHOUSE)

PROPOSED RESIDENTIAL:

- [X] ONE FAMILY DWELLING [ ] TWO FAMILY DWELLING [ ] TOWNHOUSE [ ] DETACHED ACCESSORY STRUCTURE

SECTION V - PERMIT FEES: (\$100 FIRST \$1000 OF CONSTRUCTION COST - THEN \$15 PER \$1000 RES / \$30 PER \$1000 COM

TOTAL COST OF CONSTRUCTION (BASED ON FAIR MARKET VALUE LABOR & MATERIALS): \$ 300,000

LEGALIZATION FEE: ALL WORK PERFORMED WITHOUT A PERMIT REGARDLESS OF DATE OF COMPLETION = \$1500

# VILLAGE OF PLEASANTVILLE \* BUILDING DEPARTMENT

## SECTION VI – CONTACT INFORMATION: (PLEASE PRINT CLEARLY. ALL INFORMATION MUST BE CURRENT)

ARCHITECT/ENG: SID SCHLOMANN

ADDRESS: 3 PETERSVILLE RD, MOUNT KISCO, NY 10549

PHONE: 9146732309 CELL: \_\_\_\_\_ EMAIL: SIDESIGN@YAHOO.COM

CONTRACTOR: TO BE DETERMINED

ADDRESS: TBD

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PLUMBER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

ELECTRICIAN: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CELL: \_\_\_\_\_ EMAIL: \_\_\_\_\_

## SECTION VII – APPLICANT CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THE INSTRUCTIONS & EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE & CORRECT. ALL PROVISIONS OF LAWS & ORDINANCES COVERING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR LAND USE OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE: S Schlu DATE: 4-25

## OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

ZONE: \_\_\_\_\_ SECTION: \_\_\_\_\_ BLOCK: \_\_\_\_\_ LOT: \_\_\_\_\_

### BUILDING DEPARTMENT CHECKLIST:

PERMIT FEE \_\_\_\_\_  GC LICENSE  WORK. COMP.  LIAB. INS.  ONE SET OF DOCUMENTS  
 EAS FORM  SWPPP  FLOOD DEV. PERMIT  OWNER'S AFFIDAVIT  TRUSS IDENTIFICATION

PERMIT #: \_\_\_\_\_ PAYMENT:  CHECK #: \_\_\_\_\_  CASH

NAME ON CHECK: \_\_\_\_\_

FINAL DESCRIPTION OF WORK: \_\_\_\_\_

### PERMIT CONDITIONS:

ACC / ADA  ADD. REQUIRE.  ARCH'S CERT  BSMT AFF.  BLOWER DOOR  DIG SAFELY  DRIVEWAY  
 ELECT CERT  ENG CERT (ANT)  END CERT (SOLAR)  FENCE / WALL  FINAL SURVEY  FIRE SPRINKLER A  
 DUCT LEAK  PATIO / TERR  PLUMB AFF.  PROPANE  SMOKE DET.  FOUND SURVEY  FIRE SPRINKLER B  
 SOIL BEARING CERT  TANK MANIFEST

BLDG. INSPECTOR SIGN OFF: \_\_\_\_\_ DATE: \_\_\_\_\_

# PUBLIC NOTICE

All public meetings will be held *in person* and via teleconference. To attend the meeting noted below via teleconference and address any application with the ZBA, please visit the Village website ([www.pleasantville-ny.gov](http://www.pleasantville-ny.gov)) the evening of the meeting and follow the Zoom virtual meeting link provided for this specific meeting date. Don't hesitate to contact this office for assistance 914-769-1926.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Pleasantville, New York, will hold a Public Hearing on the 24th of April, 2025, in person at 80 Wheeler Avenue, Pleasantville, NY and via teleconference beginning at 8:15 P.M. pursuant to Article VIII of the Zoning Ordinance on the Appeal of Sid Schlomann RA on behalf of Leanne LaMacchia residing at 63 Highview Terrace, Pleasantville, New York, from the decision of Robert Hughes, Building Inspector, dated April 10, 2025 for a permit to construct additions and alterations to the existing single family structure on-site in violation. The property involved is described on the Village Tax Maps as Section 99.15, Block 2, Lot 75, and is located on the northern side of Highview Terrace, Pleasantville, New York in an R-1 "One-Family Residence" zoning district. Said appeal is being made to obtain a variance(s) from Section 185-36.B (1) Schedule I "Bulk Requirements", of the Village Municipal Zoning Ordinance which sets forth the following criteria:

	<u>Required</u>	<u>Provided</u>	<u>Variance Needed</u>
Rear yard setback..... (new deck)	25 feet	14.75 feet	10.25 feet
*Side yard setback..... (to new rear deck at left side)	20 feet	15.92 feet	4.17 feet
**Combined side yard setback # 1..... (total of both sides to new rear deck)	32 feet*	30.0 feet	2.0 feet
**Combined side yard setback # 2..... (total of both sides to new 2 <sup>nd</sup> floor addition)	32 feet	30.25 feet	1.75 feet

\*NOTE: One side yard setback of 20 feet must be provided when a garage is not located on-site

\*\*NOTE: The aggregate of both side yards must be 32 feet when a garage is not located on-site

Robert Hughes, Building Inspector  
Zoning Board of Appeals  
of the Village of Pleasantville



**Minutes of Meeting**

Meeting of March 27, 2025

**ATTACHMENTS:**

Description

Meeting minutes of 3.27.2025

Type

Backup Material

Upload Date

4/23/2025

Pleasantville Zoning Board of Appeals  
March 27, 2025

The Pleasantville Zoning Board of Appeals meeting was called to order by Austin Campriello, Chairman, at approximately 8:15 PM on Thursday, March 27, 2025. Attending the meeting were: Austin Campriello, Chairman; Serge Budzyn (Zoom), Seth Gladstone, Steven Krauss and Erika Krieger, Members and Robert Hughes, Building Inspector.

1. **Case No. 2025-04 – Manville and Grove LLC – 325 Manville Road** – Proposed conversion of the existing professional office building into a new multiple dwelling consisting of a maximum (6) residential apartment units on-site in violation of Section 186-36.(3), “Residence – Professional Office” Zoning District regarding deficient lot area. *Referral from the Planning Commission*. Present: Ray Beeler, Architect and Daniel Merritts, Contractor.

Mr. Campriello confirmed that everyone in the room as well as those attending via Zoom could see the screen clearly before Mr. Beeler began his presentation.

The subject building is a 1960s office building. Mr. Beeler displayed a photo of the existing building and a rendering of the proposed project. He said it would essentially be a gut renovation, with most of the work being done inside to convert the office space into six two-bedroom apartments.

Mr. Beeler described changes that would be made to the exterior:

- Increasing window size through replacement as well as the addition of new windows
- Adding wood-like Trespa panels in the middle while keeping the brick at the ends
- New lighting
- Two-foot-high parapet at the top to hide mechanicals on the roof

Mr. Beeler displayed a zoning table for the RPO District, noting that the proposed project complies or is pre-existing non-conforming in all respects, except for the minimum lot area for which they were requesting a variance for 7,760 square feet (20,000 square feet is required, 12,240 square feet is provided).

Regarding parking, Mr. Beeler said that it would mostly stay the same. A handicapped parking space will be added with an accessible route to the front door. The configuration was reworked to make all parking spaces legal sized. A garbage can enclosure was also added. As a result of the changes made to the parking lot, the developed coverage was decreased by about 60 square feet. The landscaping plan includes the addition of 21 trees and 22 shrubs in front of the building.

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Mr. Beeler believed that the proposed six apartments would generate less traffic and activity around the site and parking lot than the current office building, which had six different tenants with 25 offices. He added that the residential use was consistent with the surrounding residential neighborhood.

Mr. Merritts noted that the current zoning is confusing. It requires a 20,000-square-foot lot size; however, 2,500 square feet is required per unit with a maximum of 6 units per location. If you multiply the 6 units by 2,500 square feet, the result is only 15,000 square feet. So, while the variance seems significant, 15,000 square feet is really all that is needed, even though the code states the requirement is 20,000 square feet overall. Mr. Merritts said they were asking for 7,000 square feet based on the 20,000 square foot requirement. But if you base the variance on the actual 15,000 square foot requirement, they technically only need a variance for 2,000 square feet.

Mr. Campriello confirmed with the applicant that the building has been there for at least a half century and the original footprint would not be changed. He shared that for 16 years he walked by that building on the way to the train station from his first home in Pleasantville. He noted that it is right in the middle of an area of town that has both commercial and residential properties – heading toward the train station and beyond is commercial and in the other direction are two apartment buildings, a Masonic Temple, and then all residential. Therefore, he believed that the residential use in this building would not cause any change in the character of the neighborhood or have any adverse effect on the neighborhood. Additionally, he noted that residential is a permitted use.

Mr. Campriello said the thing that was troublesome to him was the large 7,700 square foot variance, which didn't make sense to him, since the building has been there for so long. He assumed that it either had to do with the Village Code's objective to create more green space for residents, which was a priority over office space, or that there was some error. Mr. Hughes told him there was no clear explanation as to why the Code had the 20,000 square-foot requirement, but he thought it possible that when the Code was changed, someone forgot to change that part of the zoning law. Regardless, Mr. Campriello said, the law is stated in the Code, so they must follow that law. As pointed out by Mr. Merritts, Ms. Kriger said there seems to be an incongruity – the minimum lot area requirement is 20,000 square feet, but only 2,500 sf per unit, which calculates to 15,000

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square feet. Mr. Merritts added that the maximum number of units is six, so there is no possible way to reach the 20,000 square feet.

Mr. Hughes said there was previously a zone called “Limited Office,” which had very similar language, but it no longer exists. When the current code was created in 1986, an error might have occurred when the same language under the “Limited Office” zone was used to define the RPO district. The “Limited” zone permitted an unlimited number of apartments, so possibly the 20,000 square foot requirement was based on that. Still, there is no proof of that.

Mr. Campriello pointed out that it didn’t matter – even if Mr. Merritts said they were deciding to do three apartments instead of six, they would still need 20,000 square feet of lot area. The Code says 2,500 square feet per dwelling or 20,000 square feet, whichever is more restrictive. Mr. Hughes said the 20,000 square foot requirement will always be more restrictive, because there is a limit of six apartments.

Ms. Krieger confirmed with Mr. Hughes that the Code would allow for a single-family dwelling on this property, at which point the 20,000 square foot requirement would not apply. She clarified that she was not suggesting they do that, she was just curious.

Mr. Merritts pointed out that they are providing more green space than required. Mr. Hughes explained that the zone requires 400 square feet of open space for each apartment, and the applicant exceeds that.

Mr. Campriello asked if there was adequate parking. He understood they were not asking for a parking variance. Mr. Hughes confirmed as much and added that unlike the downtown, the parking requirement for these apartments is two per dwelling.

Miriam and Roy, 1 Grove Street, asked if anything had changed since the applicant presented at the Planning Commission meeting, which they had attended and spoke at informally. Mr. Hughes said the only thing that had changed was development coverage, which was now better.

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Josie Cooke (Zoom) said she was pleasantly surprised that the existing building was staying and thought the proposal looked like a big improvement. She explained that she lives next door at the apartments and is very pleased she attended the meeting to learn more about the project.

There were two other members of the public on Zoom – one did not respond when given the chance to talk and the other, Mr. Pinto, said he didn't have any questions.

There were no more comments by members of the Board.

A motion to close the Public Hearing was made by Ms. Krieger, seconded by Mr. Krauss and unanimously carried.

Based upon a review of the application of Manville and Grove LLC for the proposed conversion of the existing professional office building into a new multiple dwelling consisting of a maximum of six (6) residential apartment units at 325 Manville Road, it has been determined that the ZBA is acting in an uncoordinated review with the Planning Commission and that the Proposed Action is classified as a Type II Action under Part 617.5 of the State Environmental Quality Review Act regulations. Therefore, this application requires no further processing under SEQRA.

VOTING took place as follows:

Mr. Krauss - Approve, based on the balancing test. This is an improvement to the neighborhood and looks a lot better. Per testimony, it will not increase traffic so there's no adverse effect on the neighboring properties, and there will be more green space.

Mr. Campriello - Approve, for reasons stated by Mr. Krauss. Mr. Campriello added a caveat, so this does not come back to bite him in the event that something similar comes along down the road: Part of his decision for approving this is that the building is already there and has been there for half a century and there will be no change to the footprint of the building. If this were an empty space and someone proposed to build the exact same thing, he might say no on the grounds that no matter how you calculate it, it's a huge variance that does not apply in this case, and he is perfectly comfortable approving the variance in this case. He wanted to make it clear that if anybody reads these

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minutes down the road, he will not feel bound to approve a similar request if the building hasn't been there for a long period of time.

Ms. Krieger - Approve, for reasons stated by colleagues. She added that this building has been there for more than half a century

Mr. Gladstone - Approve. He thinks this is a good use of space and it is widely agreed upon that more housing is needed in this part of the state. The remodeling is an improvement aesthetically, and the balancing test clearly weighs in favor of the applicant.

Mr. Budzyn - Approve, for all the reasons stated by colleagues.

Mr. Hughes said the application would go back to the Planning Commission for continued site plan review which was on hold until the variance was granted.

Ms. Krieger suggested asking the Village Board to review the meeting minutes and take a look at Section 185-36.B.(3), Schedule III, "Bulk Requirements" of the Municipal Code, which caused everyone some confusion this evening, and perhaps they can make necessary corrections / clarifications to that Section. Mr. Campriello asked that Mr. Hughes let the Mayor or Eric or both of them know that the Section really ought to be cleaned up. Mr. Hughes said he had been in touch with the Mayor.

2. **Minutes**

The minutes of the March 6, 2025, meeting were unanimously approved.

The meeting was adjourned at approximately 9:00 pm.

Respectfully submitted,

Mary Sernatinger  
Secretary