



## ZONING BOARD OF APPEALS MINUTES

Meeting on Wednesday, November 19, 2025 at 7:00 pm

The meeting was called to order at 7:05 pm, by Chairman Tom Smith. Also present from the Board were members AnnMarie Fusco, Joe Gunset, Lisa Smith, Counsel John Loveless, Conservation Board Liaison Marilyn Shapiro, and Administrator Nicole Engel.

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

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

The meeting was called to order. Mr. Smith motioned to approve the October 15, 2025 minutes; Ms. Fusco seconded. All in favor.

**David Moreinis**, 14 South Eastern Farm Rd., Pound Ridge, NY 10576, also known as Block 9318, Lot 1.9, Zone R-3A. The application for approval to construct a one-story detached garage 33.8' from the side property line and 45.4' from the rear property line is disapproved on the following grounds: Section 113-37 of the Code of the Town of Pound Ridge requires a side yard setback of 50' and a rear yard setback of 75'. In order for this application to move forward, a 16.2' side yard variance and a 29.5' rear yard variance will be required.

Present: Douglas M. Cooper of DMC Associates

Douglas Cooper, representing the applicant, explained that this was a revised application following feedback from the previous month's meeting. The garage had been shifted approximately 35 feet to the north from the original proposal, increasing the side yard setback from 13.7 feet to 33.8 feet. Mr. Cooper noted that the garage would be only about 35 feet from the house, with garage doors facing the house. He emphasized that this was the only feasible location on the site for the garage.

Mr. Cooper addressed the five criteria for variance approval. Regarding neighborhood character change, he stated the structure would match the existing house with the same stucco finish and roof design, and the applicant was willing to add evergreen plantings for screening. He noted there was no feasible alternative location on the property. The variance request was less substantial than the original proposal. He asserted there would be no adverse environmental effects. He acknowledged the difficulty was self-created.

There were two letters submitted by neighbors Leah Benincasa and Sandra Tsang-Cohen.

Mr. Smith read the letter from neighbor Sandra Cohen expressing opposition to the garage. Ms. Cohen, who attended via Zoom, elaborated that she hadn't been notified about the site visit and had concerns about seeing a large structure instead of trees from her property. She noted that even with the garage being moved further from the fence line, it would still be visible and "an eyesore" from her property.

Another neighbor, Leah Benincasa, read her letter and expressed similar concerns, stating that the garage would be visible from her living room, master bedroom, and gazebo, particularly during the 7-8 months when trees are bare of leaves. She presented photos showing the visibility from her property and expressed concern about setting a precedent for the homeowners' association.

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

**Deliberation:**

Board members had mixed opinions on the application. Some felt the revised proposal was an improvement that could potentially look better than the current situation where cars park in the open. Others expressed concern about the substantial variances required and potential impact on neighborhood character. Mr. Gunset voiced strong opposition, citing that the variance would create an undesirable change to neighborhood character and would overwhelm the property with additional bulk.

After extensive discussion, the Board decided that additional information was needed before making a final determination. They requested the applicant provide a comprehensive landscape plan showing screening that would mitigate the visual impact on neighboring properties. The Board also requested clarification on whether the existing paved area where cars currently park would be removed.

Ms. Fusco made a motion to adjourn the application pending the submission of a landscape plan. Mr. Smith seconded. All in favor. Application adjourned.

**Adjournment:**

Mr. Smith voted to adjourn the meeting. Ms. Smith seconded. All in favor. Meeting adjourned.