

Telephone
(914) 277-5582

ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Town of Somers

WESTCHESTER COUNTY, N.Y.



AGENDA

February 17, 2026
7:30 PM

1. **ROBERT MORROW AND CHRIS LOPEZ** **2026:ZB01**
An application to legalize an existing one-bedroom accessory apartment on the 2nd floor of a detached garage structure of an existing one family dwelling in an R-80 Residential District at **10 Linda Lane, Katonah**. The property is shown on the Town Tax Map as **Section: 47.08, Block: 1, Lot: 29**. RE: Section Schedule: 170-70.

2. **MTS29, LLC** **2026:ZB02**
An application for two variances for proposed improvements to the property for an increase of a non-conforming front yard setback and an increase in height in an R-80 Residential District at **7 Lake View Drive, Katonah**. The property is shown on the Town Tax Map as **Section: 28.18, Block: 1, Lot: 6**. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.

3. **OTHER BUSINESS** November 18, 2025 Meeting Minutes

Next Meeting – March 17, 2026

Remaining 2026 Meeting Dates:
April 21, May 19, July 21, August 18,
September 15, October 20, November 17
and December 15.



ZONING BOARD OF APPEALS
Town of Somers
WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589
(914) 277-5582

IN THE MATTER OF THE APPEAL
OF
*Robert Morrow &
Chris Lopez*

B Z NUMBER

DATE:

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF SOMERS, N. Y.:

1. *Chris Lopez*
(Name of appellant)

whose post office address is *10 Linda Lane - Katonah, NY 10536*
(Post office address)

through
(Name of attorney or representative if any)

whose post office address is
(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of *Thomas J. Toomey, Jr.*
(Name of officer)

Building Inspector made on *October 15, 2024*
(Office held)

which ruling was filed on and notice of such ruling was
first received by appellant on

.....
(Give summary of ruling)
*An application to legalize an existing
one bedroom accessory apartment on
the 2nd floor of an existing detached
garage in an R-80 zone.*

3. The property which is the subject of the appeal is located at or known as

10 Linda Lane and is shown on the
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: *47.08* Block: *1* Lot: *29*

The interest of the appellant is that of *owner*
(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain
variance, permit or special permit. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as

10 Linda Lane
.....
.....
.....

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

a Special Exception Use Permit is
required to have an accessory apartment
.....
.....

and such may be granted pursuant to 170 - 70

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

Both applicant and owner must sign
if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The
Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 8th DAY January 20 24

Denise Schirmer
NOTARY SIGNATURE

CO2
OWNER SIGNATURE

DENISE SCHIRMER
Notary Public State of New York
No. 01SC6298242
Qualified in Dutchess County
Commission Expires March 10, 2026

NOTARY SIGNATURE

APPLICANT SIGNATURE



ZONING BOARD OF APPEALS
Town of Somers
WESTCHESTER COUNTY, N. Y.

TOWN HOUSE
SOMERS, NEW YORK 10589
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IN THE MATTER OF THE APPEAL
OF
MTS29, LLC

B Z NUMBER **2026i ZB02**
DATE: **1/15/2026**

TO THE ZONING BOARD OF APPEALS
OF THE TOWN OF SOMERS, N. Y.:

1. **WILLIAM BESHARAT**

(Name of appellant)

whose post office address is **266 SHEAR HILL RD MAHOPAC, NY 10541**

(Post office address)

through **N/A**

(Name of attorney or representative if any)

whose post office address is.....

(Post office address)

does hereby appeal to the Zoning Board of Appeals at the Town of Somers.

2. Such appeal is taken from a ruling of **THOMAS TOOMA**

(Name of officer)

BUILDING INSPECTOR, made on **1/9/2026**

(Office held)

which ruling was filed on **1/9/2026** and notice of such ruling was

first received by appellant on **1/9/2026**; such ruling

PROPOSED SECOND FLOOR ADDITION WILL INCREASE THE NON CONFORMATY

(Give summary of ruling)

THAT EXISTS IN THE FRONT YARD

3. The property which is the subject of the appeal is located at or known as.....

7 LAKE VIEW DR IN SOMERS, NY

(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: **28.18**, Block: **1** Lot: **6**

The interest of the appellant is that of **AGENT OWNER**

(Owner, tenant, etc.)

4. The appeal is taken (on the ground that the ruling or decision was erroneous) to obtain
variance, ~~permit~~ or ~~special permit~~. (Strike out wording not applicable.)

(OVER)

5.

(Fill out (a) or (b) or both if applicable)

(a) The property which is the subject of the appeal is located at or known as

7 LAKE VIEW DRIVE SOMERS, NY

(b) A variance, permit or special permit is sought because of practical difficulties or unnecessary hardship to the property as indicated below:

THIS ADDITING WITH NOT ALTER THE EXISTING FRONT YARD SETBACKS

THE HOUSE EXISTS THIS WAY AND THE ADDITION IS A SECOND FLOOR USING

THE SAME FOUNDATION AND FOOTPRINT

and such may be granted pursuant to.....

(Refer to applicable Provisions of the Zoning Ordinance of the Town of Somers)

Both applicant and owner must sign if they are different persons.

I Hereby Dispose And Say That All The Above Statements And The Statements Contained In The Papers Submitted Herewith Are True.

SWORN TO ME BEFORE THIS 13th DAY - January 20 26

Gene M. Rilly NOTARY SIGNATURE

NICOLAUS OWNER SIGNATURE

Gene M. Rilly NOTARY SIGNATURE

William Boshart APPLICANT SIGNATURE

IRENE M RILLY Notary Public, State of New York No. 01RE0025106 Qualified in Putnam County Commission Expires May 22, 20 28

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ZONING BOARD OF APPEALS

TOWN HOUSE
ANNEX
337 ROUTE 202
SOMERS, NY 10589

Victor Cannistra
Chairman

Town of Somers

WESTCHESTER COUNTY, N.Y.



Meeting Minutes
November 19, 2025

The meeting was called to order by Chairman Cannistra at 7:30 p.m. with the Pledge of Allegiance.

The members present were: Mr. Burke, Mr. Cannistra, Mr. Guyot, Mr. Lansky and Mr. Newman.

Ms. D'Ippolito and Mr. Harden were absent.

Mr. Lansky attended via Zoom.

Interested residents, and Building Inspector Tom Tooma were also present.

APPLICANTS

Erika Murray – 2025:ZB19 – 17.08-3-25

An application to construct an accessory apartment in the basement of an existing one family dwelling in an R-40 Residential District at 37 Carolyn Way, Somers. The property is on the Town Tax Map as Section: 17.08, Block: 3, Lot: 25. RE: Section Schedule: 170-70.

Architect Robert Eberts addressed the Board. His client has an existing finished basement that includes an office, family room and bathroom. Ms. Murray would like to create an accessory apartment for her daughter and son-in-law to live in by simply adding a kitchenette to the family room and turning the office into a bedroom. The entrance to the finished basement is off a walkway at the back of the house. The dwelling was built in 1966 and Mr. Tooma has visited the site. All agreed this is an ideal situation for an accessory apartment.

Mr. Guyot made a motion for a Type II action. Mr. Burke seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Burke	Aye
Mr. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Newman and seconded by Mr. Guyot to approve the proposed one-bedroom accessory apartment for 7 years.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Burke	Aye
Mr. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

Americo Rezzonico, Colin, Megan and Paula Quinn – 2025:ZB20 – 26.20-1-24

An application for a variance for site coverage for an above ground pool to an existing one family dwelling in an R-40 District at 51 Mahopac Avenue, Amawalk. The property is on the Town Tax Map as Section: 26.20, Block: 1, Lot: 24. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.

Architect Enrico Diana addressed the Board. His clients would like to install an above ground swimming pool that is 12' by 24' and oval in shape in their rear yard. In doing so they are seeking a 3.4% site coverage variance as 20% is required and they need 23.4%. The pool cannot be near the septic, septic fields and expansion area. The proposed location is really the only place the pool can be installed. It is further away from the rear yard setback than it needs to be. No trees will be removed for the placement of the pool. The nearest neighbor to the pool will not be able to see it as it is blocked by trees.

Mr. Guyot made a motion for a Type II action. Mr. Burke seconded the motion.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Burke	Aye
Mr. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Burke and seconded by Mr. Newman to approve a 3.4% site coverage variance for the installation of an above ground swimming pool.

A vote was then taken by the Board as follows...

POLL OF THE BOARD

Mr. Burke	Aye
Mr. Guyot	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Variance was approved.

Minutes – The minutes of the October 21, 2025 meeting were approved.

The next monthly meeting of the Zoning Board of Appeals will be held on January 20th at 7:30 p.m. The Board will not meet in December as there are no applicants.

With there being no further business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Denise Schirmer, Secretary
Zoning Board of Appeals

cc: Town Board
Town Clerk
Planning and Engineering
Planning Board