

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

March 17, 2026  
7:30 PM

1. **PAUL AND JENNIE ANTONIUK**                      **2026:ZB03**  
An application to renew a Special Exception Use Permit for an existing accessory apartment in a detached garage structure of an existing one family dwelling in an R-80 Residential District at **20 Elmer Galloway Road, Katonah**. The property is shown on the Town Tax Map as **Section: 38.06, Block: 1, Lot: 10**. RE: Section Schedule: 170-70.
  
2. **MICHAEL AND JOSEPHINE KIMPEL**                      **2026:ZB04**  
An application to renew a Special Exception Use Permit for an existing accessory apartment in the basement of an existing one family dwelling in an R-40 Residential District at **12 Stone House Road, Somers**. The property is shown on the Town Tax Map as **Section: 7.17, Block: 1, Lot: 10**. RE: Section Schedule: 170-70.
  
3. **ZORAN MILOJEVIC AND CHRISTINE GUERCI**                      **2026:ZB05**  
An application to renew a Special Exception Use Permit for an existing accessory apartment in the basement of an existing one family dwelling in an R-40 Residential District at **4 Elisha Purdy Road, Amawalk**. The property is shown on the Town Tax

Map as **Section: 26.20, Block: 2, Lot: 8.**  
RE: Section Schedule: 170-70.

**4. PETER ZAMBORY**

**2026:ZB06**

An application to renew a Special Exception Use Permit for an existing accessory apartment in the basement of an existing one family dwelling in an R-80 Residential District at **43 Bedell Road, Katonah.** The property is shown on the Town Tax Map as **Section: 37.17, Block: 1, Lot: 3.** RE: Section Schedule: 170-70.

**5. OTHER BUSINESS**

February 17, 2026 Meeting Minutes

Next Meeting – April 21, 2026

Remaining 2026 Meeting Dates:

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 10569  
(914) 277-5582

IN THE MATTER OF THE APPEAL  
OF  
Paul and Jennie Antoniuk

B Z NUMBER 2026i ZB03  
DATE: 2/24/26

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

1. Paul and Jennie Antoniuk  
.....  
(Name of appellant)

whose post office address is 20 Elmer Galloway Road, 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 .....  
(Name of officer)

....., made on .....  
(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 renew a Special Exception Use Permit for an existing accessory  
apartment in a detached garage to an existing one family dwelling in an R-80 Zone

3. The property which is the subject of the appeal is located at or known as .....  
20 Elmer Galloway Road  
....., and is shown on the  
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 38.06, Block: 1 Lot: 10

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~~ SEUP permit. (Strike out wording not applicable.)

{OVER}

## Accessory Apartment Checklist

As Required by Section 170-70 of the Code of the Town of Somers

Property Address 20 Elmer Galloway Road Parcel ID \_\_\_\_\_

Owner's Name Paul + Jennie Antoniuk Phone # 914-232-5762

Email Address jantoniuk1@gmail.com Date of Meeting for Next Renewal 3/20

Is the lot conforming? yes Size of lot? (40,000 sq. ft. required) 1.84 acres

Does the owner reside on the property? yes

Is there a separate septic for the accessory apartment? SAME ABSORPTION FIELDS / SEPARATE 1000 GPM TANK

Where is the entry to the accessory apartment? FRONT OF ACCESSORY BUILDING

Is the accessory apartment approved by the WCDOH? yes

Is there parking on site for the accessory apartment? YES

When was the Special Exception Use Permit originally approved? 1998

List prior renewal dates 2012, 2019

1988 PER ORIG SEPT.

When was the building that contains the accessory apartment constructed? <u>1987</u> As per the Code, must be before April 1, 1992.	Compliant? <u>Yes</u> or No
How much is the floor area of the accessory apartment? <u>904<sup>sq</sup> - AS DET. BY ME.</u> As per the Code, must be between 300 and 800 square feet.	Compliant? <u>Yes</u> or No
What is the bedroom count of the accessory apartment? <u>ONE</u> As per the Code, one or two bedrooms are permitted.	Compliant? <u>Yes</u> or No
When is the last time the septic tank/s were cleaned? _____ As per the County, must be cleaned every 5 years.	Compliant? <u>Yes</u> or No
How many accessory apartments exist on the property? <u>one</u> As per the Code, only one accessory apartment is permitted.	Compliant? <u>Yes</u> or No

2/5/20 12:30 - 4



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN HOUSE  
SOMERS, NEW YORK 10589

(914) 277-6582

IN THE MATTER OF THE APPEAL  
OF  
Michael and Josephine Kimpel

B Z NUMBER 2026 ZB04  
DATE 2/26/26

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

1. Michael and Josephine Kimpel

(Name of appellant)

whose post office address is 12 Stone House Road, Somers, NY 10589

(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

(Name of officer)

made on

(Office held)

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

(Give summary of ruling)

renewal of a Special Exception Use Permit for an existing accessory apartment in the  
basement of an existing one family dwelling in a R-40 zone

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

12 Stone House Road

and is shown on the

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

Town Tax Map as Section: 7.17 Block: 1 Lot: 10

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 ~~SEUP~~ SEUP 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  
12 Stone House Road

(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 as per the Code of the Town of Somers 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 26<sup>th</sup> DAY February 2026

Denise Schirmer  
NOTARY SIGNATURE

Michael Kimpel  
OWNER SIGNATURE

DENISE SCHIRMER  
Notary Public State of New York  
No. 0136298242  
Qualified in Dutchess County  
Expires March 10, 2026  
NOTARY SIGNATURE

Michael Kimpel  
APPLICANT SIGNATURE

## Accessory Apartment Checklist

### As Required by Section 170-70 of the Code of the Town of Somers

Property Address 12 Stone House Road Parcel ID 7.17-1-10

Owner's Name Michael + Josephine Kimpel Phone # 914-309-8388

Email Address m.kimpel@msn.com Date of Meeting for Next Renewal 3/26

Is the lot conforming? yes Size of lot? (40,000 sq. ft. required) 2.84 acres

Does the owner reside on the property? yes

Is there a separate septic for the accessory apartment? no

Where is the entry to the accessory apartment? AT THE REAR OF THE HOME.

Is the accessory apartment approved by the WCDOH? yes

Is there parking on site for the accessory apartment? yes

When was the Special Exception Use Permit originally approved? 1994

List prior renewal dates 2004, 2011, 2019

When was the building that contains the accessory apartment constructed? <u>1994</u> As per the Code, must be before April 1, 1992.	Compliant? Yes or No
How much is the floor area of the accessory apartment? <u>790<sup>sq</sup> - per my calcs.</u> As per the Code, must be between 300 and 800 square feet.	Compliant? Yes or No
What is the bedroom count of the accessory apartment? <u>one</u> As per the Code, one or two bedrooms are permitted.	Compliant? Yes or No
When is the last time the septic tank/s were cleaned? <u>12/24</u> As per the County, must be cleaned every 5 years.	Compliant? Yes or No
How many accessory apartments exist on the property? <u>one</u> As per the Code, only one accessory apartment is permitted.	Compliant? Yes or No

$$26'3" \times 29'5" = 790\text{sq}$$

SMALLEST LEVEL APARTMENT WITHIN THE DWELLING



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  
Zoran Milojevic and Christine Guerci

B Z NUMBER 2026: ZB05  
DATE: 2/26/26

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

1. Zoran Milojevic and Christine Guerci

(Name of appellant)

whose post office address is 4 Elisha Purdy Road, Amawalk, NY 10501

(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

(Name of officer)

made on

(Office held)

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

(Give summary of ruling)

an application to renew a Special Exception Use Permit for an existing accessory apartment in the basement of an existing one family dwelling in an R-40 Zone

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

4 Elisha Purdy Road

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

Town Tax Map as Section: 26.20 Block: 2 Lot: 8

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  
4 Elisha Purdy Road

(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 as per  
the Code of the Town of Somers

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 26<sup>th</sup> DAY February 20 26  
Denise Schirmer NOTARY SIGNATURE  
Chris [Signature] OWNER SIGNATURE

DENISE SCHIRMER  
Notary Public State of New York  
No. 01SCE208242  
Qualified in Dutchess County  
NOTARY SIGNATURE since March 10, 20 26  
APPLICANT SIGNATURE

## Accessory Apartment Checklist

### As Required by Section 170-70 of the Code of the Town of Somers

Property Address 4 Elisha Purdy Road Parcel ID 26.20-2-8  
 Owner's Name Zoran Milojevic Phone # 914-953-6700  
Christine Guerci  
 Email Address Zoranm@optonline.net Date of Meeting for Next Renewal 3/26  
cguerci@somersny.gov  
 Is the lot conforming? yes Size of lot? (40,000 sq. ft. required) 1.14 acres  
 Does the owner reside on the property? yes  
 Is there a separate septic for the accessory apartment? no  
 Where is the entry to the accessory apartment? SIDE OF THE HOUSE  
 Is the accessory apartment approved by the WCDOH? yes  
 Is there parking on site for the accessory apartment? yes  
 When was the Special Exception Use Permit originally approved? 2001  
 List prior renewal dates 2005, 2012, 2019

When was the building that contains the accessory apartment constructed? <u>1978</u> As per the Code, must be before April 1, 1992.	Compliant? <input checked="" type="radio"/> Yes or No
How much is the floor area of the accessory apartment? <u>736<sup>sq</sup> PER PLAN</u> As per the Code, must be between 300 and 800 square feet.	Compliant? <input checked="" type="radio"/> Yes or No
What is the bedroom count of the accessory apartment? <u>ONE</u> As per the Code, one or two bedrooms are permitted.	Compliant? <input checked="" type="radio"/> Yes or No
When is the last time the septic tank/s were cleaned? <u>1/25</u> As per the County, must be cleaned every 5 years.	Compliant? <input checked="" type="radio"/> Yes or No
How many accessory apartments exist on the property? <u>ONE</u> As per the Code, only one accessory apartment is permitted.	Compliant? <input checked="" type="radio"/> Yes or No



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

TOWN HALL  
SOMERS, NEW YORK 10569  
PHONE 277 5582

IN THE MATTER OF THE APPEAL  
OF  
Peter Zambory

B Z NUMBER 2026i ZB06  
DATE: 2/26/26

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

1. Peter Zambory  
.....  
(Name of appellant)

whose post office address is 43 Bedell Road, 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 .....  
(Name of officer)

..... made on .....  
(Date held)

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

.....  
(Give summary of ruling)

an application to renew a Special Exception Use Permit for an existing accessory  
apartment in an existing one family dwelling in an R-80 Zone

3. The property which is the subject of the appeal is located at or known as .....  
43 Bedell Road  
.....  
(Street and number or distance from and names of nearest intersecting streets)

Town Tax Map as Section: 37.17 Block: 1 Lot: 3

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~~ SEUP 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  
43 Bedell Road

(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 as per the Code of the Town of Somers 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

24<sup>th</sup>

DAY

February 20 26

Denise Schirmer  
NOTARY SIGNATURE

[Signature]  
OWNER SIGNATURE

DENISE SCHIRMER  
Notary Public State of New York  
NOTARY SIGNATURE SC6298242  
Qualified in Dutchess County  
Commission Expires March 10, 20 26

[Signature]  
APPLICANT SIGNATURE

## Accessory Apartment Checklist

### As Required by Section 170-70 of the Code of the Town of Somers

Property Address 43 Bedell Road Parcel ID 37.17-1-3

Owner's Name Peter Zambory Phone # 914-325-9659

Email Address info@fusionwebdesign.com Date of Meeting for Next Renewal 3/26

Is the lot conforming? yes Size of lot? (40,000 sq. ft. required) 2 acres

Does the owner reside on the property? yes

Is there a separate septic for the accessory apartment? no

Where is the entry to the accessory apartment? AT THE REAR OF THE HOME

Is the accessory apartment approved by the WCDOH? yes

Is there parking on site for the accessory apartment? yes

When was the Special Exception Use Permit originally approved? 1989

List prior renewal dates 2004, 2002, 2019

When was the building that contains the accessory apartment constructed? <u>1976</u> As per the Code, must be before April 1, 1992.	Compliant? <input checked="" type="radio"/> Yes or No
How much is the floor area of the accessory apartment? <u>507 - per my calls.</u> As per the Code, must be between 300 and 800 square feet.	Compliant? <input checked="" type="radio"/> Yes or No
What is the bedroom count of the accessory apartment? <u>one</u> As per the Code, one or two bedrooms are permitted.	Compliant? <input checked="" type="radio"/> Yes or No
When is the last time the septic tank/s were cleaned? <u>5/2023</u> As per the County, must be cleaned every 5 years.	Compliant? <input checked="" type="radio"/> Yes or No
How many accessory apartments exist on the property? <u>one</u> As per the Code, only one accessory apartment is permitted.	Compliant? <input checked="" type="radio"/> Yes or No

(914) 277-5582

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**  
February 17, 2026

The meeting was called to order by Chairman Cannistra at 7:35 p.m. with the Pledge of Allegiance.

The members present were: Mr. Burke, Mr. Cannistra, Ms. D'Ippolito, Mr. Guyot, and Mr. Newman.

Mr. Harden and Mr. Lansky were absent.

Mr. Burke and Ms. D'Ippolito attended via Zoom.

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

**APPLICANTS**

**Chris Lopez and Robert Morrow – 2026:ZB01 – 47.08-1-29**

An application to legalize an existing one-bedroom accessory apartment on the 2<sup>nd</sup> floor of an existing detached garage structure of an existing one family dwelling in an R-80 Residential District at 10 Linda Lane, Katonah. The property is on the Town Tax Map as Section: 47.08, Block: 1, Lot: 29. RE: Section Schedule: 170-70.

Owner Chris Lopez addressed the Board. When he purchased the property in 2004, the accessory apartment on the 2<sup>nd</sup> floor of the existing accessory detached structure was existing. In 2006, his in-laws took occupancy of the apartment and did some plumbing work. It wasn't until recently that he learned the permits were never closed out and during an inspection by the Building Department it was determined that the plumbing work was done in the apartment for which there was not a Special Exception Use Permit. Mr. Lopez is seeking a permit to legalize the apartment which his in-laws have been living in for the last 20 years. The maximum allowance for an accessory

apartment is 800 square feet however the existing size is 954.7 square feet. Building Inspector Tom Tooma has visited the property which his 3.12 acres. If the Board approves the permit for the apartment, Mr. Lopez has Westchester County approval to put in a separate septic system for the apartment. It is understood that he would also need architect plans to secure a building permit to legalize the apartment.

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

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

**POLL OF THE BOARD**

Mr. Burke	Aye
Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Newman and seconded by Mr. Burke to approve legalizing the existing one-bedroom accessory apartment on the 2<sup>nd</sup> floor of an existing detached garage that is 954.7 square feet for seven years.

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

**POLL OF THE BOARD**

Mr. Burke	Aye
Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**MTS29, LLC – 2026:ZB02 – 28.18-1-6**

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 District at 7 Lake View Drive, Katonah. The property is on the Town Tax Map as Section: 28.18, Block: 1, Lot: 6. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.

Architect William Besharat addressed the Board. His clients purchased the property which is in need of some work and the dwelling is quite small. They would like to rebuild the existing dwelling adding a second story using the existing foundation that will need some repairs but maintain the same footprint. In doing so, two variances, a front yard setback in the amount of 18.6' and an increase in height of 8.9' will be needed because the property is non-conforming. The main floor will be used as living space

and the bedrooms will be on the 2<sup>nd</sup> floor. The bedroom count will not change and there will be no garage. Many trees buffer the area from this dwelling to the neighboring properties. The improvements to this property will certainly enhance the character of the neighborhood.

Fred Campion of 6 Oak Drive addressed the Board. He asked if he could look at the proposed plans, which were shared with him. Mr. Campion was happy with the improvements being made and said it will add to the character of the neighborhood.

John and Heather Maguire of 9 Lake View Drive addressed the Board. They have no objections to the proposed plan, but hope that there will be no water issues as they have existed in the past. Mr. Besharat assured them that if necessary although not anticipated, a new septic and well can be installed with absolutely no impact to the neighboring properties.

Kim Maguire of 6 Lake View Drive addressed the Board and had no objections to the proposed plans.

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

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

**POLL OF THE BOARD**

Mr. Burke	Aye
Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Newman and seconded by Mr. Guyot to approve the two variances, a front yard setback in the amount of 18.6' and an increase in height of 8.9' because the property is non-conforming.

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

**POLL OF THE BOARD**

Mr. Burke	Aye
Ms. D'Ippolito	Aye
Mr. Guyot	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Variances were approved.

**Minutes** – The minutes of the November 18, 2025 meeting were approved.

The next monthly meeting of the Zoning Board of Appeals will be held on March 17<sup>th</sup> at 7:30 p.m.

With there being no further business, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Denise Schirmer, Secretary  
Zoning Board of Appeals

cc: Town Board  
Town Clerk  
Planning and Engineering  
Planning Board

DRAFT