

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

May 19, 2026  
7:30 PM

1. **ANTHONY CASOLA**                      **2026:ZB12**  
An application for a variance for site coverage for an inground swimming pool to an existing one family dwelling in an R-80 Residential District at **40 Orchard Hill Road, Katonah**. The property is shown on the Town Tax Map as **Section: 37.10, Block: 1, Lot: 25**. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.
  
2. **KEVIN SESTAK AND JENNIFER KITAY**                      **2026:ZB13**  
An application for a variance for a detached garage accessory to an existing one family dwelling in an R-40 Residential District at **64 Stone House Road, Somers**. The property is shown on the Town Tax Map as **Section: 6.16, Block: 3, Lot: 4**. RE: Section Schedule: 170:A1 Zoning Schedule Part 1.
  
3. **OTHER BUSINESS**                      April 21, 2026 Meeting Minutes  
  
Next Meeting – July 21, 2026  
  
Remaining 2026 Meeting Dates:  
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

Anthony Casola

B Z NUMBER 2026 ZB12

DATE: 3/9/26

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

1. ANTHONY CASOLA, JR.

(Name of appellant)

whose post office address is 40 ORCHARD HILL ROAD KATONAH, NY 10536

(Post office address)

through CURT M. JOHNSON, ARCHITECT

(Name of attorney or representative if any)

whose post office address is 69 EAST MAIN STREET PAWLING, NY 12564

(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. TOOMA JR

(Name of officer)

BUILDING INSPECTOR

made on FEBRUARY 24, 2026

(Office held)

which ruling was filed on FEBRUARY 24, 2026, and notice of such ruling was

first received by appellant on FEBRUARY 27, 2026;

such ruling PROPOSED PROJECT EXCEEDS THE SITE COVERAGE MAXIMUM PERCENT

(Give summary of ruling)

an application for a variance for site coverage for an inground swimming pool to an existing one family dwelling in an R-80 District

3. The property which is the subject of the appeal is located at or known as 40

ORCHARD HILL ROAD

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

Town Tax Map as Section: 37.10, Block: 1, Lot: 25

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 40  
ORCHARD HILL ROAD

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

MAXIMUM PERMITTED SITE COVERAGE IS 15%, 18% IS PROPOSED

and such may be granted pursuant to VARIANCE FROM REQUIREMENT SHOWN

ON TOWN OF SOMERS ZONING SCHEDULE PART 1 170-A1 ZONING

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

Schedule Part 1

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 9th DAY March 2026

NOTARY SIGNATURE

OWNER SIGNATURE

NOTARY SIGNATURE

APPLICANT SIGNATURE

ELIZABETH FONVIL-VOLTAIRE  
Notary Public - State of New York  
NO. 01F06239257  
Qualified in Rockland County  
My Commission Expires May 20, 2027



ZONING BOARD OF APPEALS

Town of Somers

WESTCHESTER COUNTY, N. Y.

TOWN 1101 SE  
SOMERS, NEW YORK 10589

(914) 277 5582

IN THE MATTER OF THE APPEAL  
OF  
Kevin Sestak and Jennifer Kitay

B Z NUMBER 2026: ZB 13  
DATE: 4/30/26

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

1. Kevin Sestak and Jennifer Kitay

(Name of appellant)

whose post office address is 64 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 Thomas J. Tooma, Jr.

(Name of officer)

Building Inspector, made on April 15, 2026

(Office held)

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

(Give summary of ruling)

an application for a front yard area variance to construct a garage accessory in an R-40  
district

3. The property which is the subject of the appeal is located at or known as  
64 Stone House Road

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

Town Tax Map as Section: 6.16, Block: 3, Lot: 4

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 .....

64 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:

40' is required

23.5' exists

16.5' variance is being requested

and such may be granted pursuant to 170:A1 Zoning Schedule Part 1

(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 30<sup>th</sup> DAY April 20 26

Notary Signature: George Schirmer, Notary Public State of New York, No. 01SC6298242, Qualified in Dutchess County, Commission Expires March 10, 2030

Owner Signature: [Handwritten Signature]

NOTARY SIGNATURE

APPLICANT SIGNATURE

(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**

April 21, 2026

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, Ms. D'Ippolito, Mr. Harden, Mr. Lansky, and Mr. Newman.

Mr. Guyot was absent.

Ms. D'Ippolito attended via Zoom.

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

**APPLICANTS**

**Robert Meixner – 2026:ZB07 – 28.17-1-9**

An application to renew a Special Exception Use Permit for an existing accessory apartment in an addition attached to an existing one family dwelling in an R-80 Residential District at 2 Otha Drive, Katonah. The property is on the Town Tax Map as Section: 28.17, Block: 1, Lot: 9. RE: Section Schedule: 170-70.

Property owner Robert Meixner addressed the Board. The apartment is occupied and is 924 square feet with two bedrooms, but approved at that size four times. The property is 1.9 acres. Building Inspector Mr. Tooma inspected the apartment on March 12, 2026, no changes have been made and it is compliant. There have been no complaints or issues.

Mr. Newman made a motion for a Type II action. Mr. Harden 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Burke and seconded by Mr. Harden to renew the Special Exception Use Permit for an existing accessory apartment attached to an existing one family dwelling 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**Michelina Montana – 2026:ZB08 – 6.16-2-12**

An application to renew a Special Exception Use Permit for an existing accessory apartment on the 2<sup>nd</sup> floor of an existing one family dwelling in an R-40 Residential District at 451 Route 202, Somers. The property is on the Town Tax Map as Section: 6.16, Block: 2, Lot: 12. RE: Section Schedule: 170-70.

Property owner Michelina Montana addressed the Board. The apartment is occupied. Building Inspector Mr. Tooma inspected the apartment on March 31, 2026, no changes have been made and it is compliant. There have been no complaints or issues.

Mr. Newman made a motion for a Type II action. Mr. Harden 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Harden and seconded by Mr. Newman to renew the Special Exception Use Permit for an existing accessory apartment on the 2<sup>nd</sup> floor of an existing one family dwelling 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**George and Kathleen Piccorelli – 2026:ZB09 – 37.14-1-4**

An application to renew a Special Exception Use Permit for an existing accessory apartment in a detached structure (cottage) to an existing one family dwelling in an R-120 Residential District at 4 Orchard Hill Road, Katonah. The property is on the Town Tax Map as Section: 37.14, Block: 1, Lot: 4. RE: Section Schedule: 170-70.

Property owner George Piccorelli addressed the Board. The two-bedroom apartment is vacant and is 1,124 square feet but approved at that size in 2002. The property is 11+ acres and the apartment is about 800' from Orchard Hill Road. Building Inspector Mr. Tooma inspected the apartment on April 10, 2026, no changes have been made and it is compliant. There have been no complaints or issues.

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

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

**POLL OF THE BOARD**

Mr. Burke	Aye
Mr. D'Ippolito	Aye
Mr. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Burke and seconded by Mr. Newman to renew the Special Exception Use Permit for an existing accessory apartment in a detached structure (cottage) 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**Robert Wade, John and Louise Jacob – 2026:ZB10 – 16.12-1-38**

An application to renew a Special Exception Use Permit for an existing accessory apartment in a detached structure (barn) to an existing one family dwelling in an R-40 Residential District at 10 Lovell Street, Somers. The property is on the Town Tax Map as Section: 16.12, Block: 1, Lot: 38. RE: Section Schedule: 170-70.

Property owner Louise Jacob addressed the Board. She and her family live in the 2-bedroom apartment, which is 1,300 square feet but was approved at that size in 2002. The property is 15+ acres. Building Inspector Mr. Tooma inspected the apartment on March 3, 2026, no changes have been made and it is compliant. There have been no complaints or issues.

Mr. Newman made a motion for a Type II action. Mr. Harden 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Mr. Burke and seconded by Mr. Harden to renew the Special Exception Use Permit for an existing accessory apartment in a detached structure (barn) 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. Harden	Aye
Mr. Lansky	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Special Exception Use Permit was approved.

**SOMERSTOWN TURNPIKE PROPERTIES, LLC – 2026:ZB11 – 28.10-2-6.1**

An application for a height variance for a wall sign to be placed on a new commercial building in an Office & Light Industry District at 260 Route 100, Somers. The property is on the Town Tax Map as Section: 28.10, Block: 2, Lot: 6.1. RE: Section Schedule: 170-126 – A(3).

John Oliva of C&M Signs addressed the Board. A height variance for a wall sign to be placed on a new commercial building is being requested. The size of the wall sign presented is 96" high by 212" long. The applicant met with the Architectural Review Board at their meeting on February 26, 2026. Although they thought the sign was aesthetically pleasing and the building could certainly accommodate a sign that size because the building is so large, they couldn't approve the sign because it is higher than the maximum amount permitted of 24". In addition, the Architectural Review Board thought that the sign could be scaled down a bit to better fit between the windows and eaves of the building, as well as at that time the renditions reviewed didn't include the architectural roof (faux) line. The drawings presented to the Zoning Board of Appeals, which the Architectural Review Board reviewed before distribution reflect their request.

Both Mr. Burke and Mr. Newman felt the height variance request was quite substantial and feel it is the Board's responsibility to come up with alternative solutions to lessen the amount of the variance. Mr. Lansky commented that the property is well screened and the building sits back quite a distance from the road so it will be difficult to see the sign from the street. In addition, cars move pretty quickly when going by that business. Mr. Harden noted that the logo takes up a lot of space. Mr. Newman commented that the sign could be longer based on its length therefore doesn't need to be so high. Mr. Oliva said that the size of the building should be taken into consideration. The sign needs to be designed to fit the building and that in his opinion placing it in the peak makes the most sense and is the most aesthetically pleasing. Mr. Burke confirmed that only the LA logo is 41" high and will be internally lit. Property owner Lawton Adams addressed the Board and said the building is 36' high and to shrink down the sign will not look right. Mr. Lansky noted that if the sign was not being placed directly on the building, but on a panel, it wouldn't look as big. Ms. D'Ippolito wanted clarification as to what the Architectural Review Board meant by scaling the size down and they weren't

referring to its size as presented. Mr. Lansky questioned whether the sign proposal was actually two signs, but there was a comment as to how two signs would be defined. Regardless it would lessen the variance. Mr. Oliva said the sign consists of the logo and elements and it is one sign. Mr. Burke and Mr. Newman were concerned that the neighbors living across the street on Highview Terrace might be able to see the LA logo that will be red and internally lit, especially since the building is 36' high. Mr. Oliva said there is a wood line on that road that would prevent that from happening. Other than the internally lit LA logo, there is soft security lighting, and downlighting from the roof eave to the sidewalk. Ms. D'Ippolito asked Mrs. Schirmer if she received any questions, comments or concerns from the neighbors and she did not. All property owners within 250' of the property lines were sent a public notice and a sign has been posted at 260 Route 100 for at least the last 10 days. Ms. D'Ippolito has no issues with the sign aesthetically, but would like to put a restriction on when the LA logo can be lit.

Mr. Burke made a motion for a Type II action. Mr. Harden 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. Harden	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

A motion was made by Ms. D'Ippolito and seconded by Mr. Harden to approve a height variance for a wall sign to be placed on a new commercial building as submitted with the understanding that the LA logo that is internally lit will be turned off from 12:00 midnight to 5:00 a.m. daily.

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. Harden	Aye
Mr. Newman	Aye
Chairman Cannistra	Aye

The Variance was approved.

**Minutes** – The minutes of the March 17, 2026 meeting were approved. Mr. Burke abstained as he was not present at the March meeting.

The next monthly meeting of the Zoning Board of Appeals will be held on May 19<sup>th</sup> at 7:30 p.m.

With there being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Denise Schirmer, Secretary  
Zoning Board of Appeals

cc: Town Board  
Town Clerk  
Planning and Engineering  
Planning Board

DRAFT