

PORT CHESTER BUILDING AND FIRE PREVENTION DEPARTMENT

222 GRACE CHURCH STREET • PORT CHESTER, NEW YORK 10573

939-5203

Frank Ruccolo Assistant Building & Plumbing Inspector

MEMO TO: Joan Mancuso, Village Clerk

FROM:

Anne Belfatto, ZBA Secretary

DATE:

April 22, 2010

RE:

Zoning Board of Appeals Decisions

APR 2 2 2010

Village Glork ILLAGE OF POST CHESTER

Pursuant to Section 7-712-a of Village Law, attached are the decisions rendered by the Zoning Board of Appeals at their meeting held on Thursday, April 15, 2010.

Please respond with the proper filing date.

AB/ Attachments



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada

Gerardo Espinoza, Alternate

(914) 939-5203

Received

APR 2 2 2010

Village Clerk VIII AGE OF PORT CHESTS

April 16, 2010

Mr. Scott R. Lucas 295 Lake Drive Rhinebeck, NY 12572

RE: Case No. 1481 (F2833)

406 King Street

Variances to Replace Existing Structure

Dear Mr. Lucas:

WV:akb

As per your written request, it was the unanimous decision of this Board at its hearing held on Thursday, April 15, 2010, that the above captioned matter be withdrawn without prejudice.

Sincerely,

William Villanova Acting Chairman

cc: P.C. Congregation of Jehovah Witnesses



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

ORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

April 16, 2010

(914) 939-5203

Received

APR 2 2 2010

Mr. Bruno J. Gioffre, Esq. Gioffre & Gioffre 2900 Westchester Avenue Suite 206
Purchase, NY 10577

RE: Case No. 1482 (F3488) 225 William Street

Parking Variance to Create a Laundromat

Dear Mr. Gioffre:

It was the decision of this Board at its hearing held on Thursday, April 16, 2010, to grant the variance as requested on your application regarding the above captioned matter.

Sincerely,

William Villanova Acting Chairman

Application for Zoning Variance

Applicant: Port Chester Congregation of Jehovah Witnesses

Nature of Request: See publication notice annexed hereto.

Variances to replace eixsting structure

Date of Hearing: April 15, 2010 No. of Case: 1481, 406 King Street

 a. None b. c. d. e. 2. Names and addresses of those appearing in opposition a. None b. c. d. 	on to appl	ication.
c. d. e. 2. Names and addresses of those appearing in opposition a. None b. c. d.	on to appl	ication.
d. e. 2. Names and addresses of those appearing in opposition a. None b. c. d.	on to appl	ication.
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a. None b. c. d.	on to appli	ication.
b. c. d.		
c. d.		
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e.		
XX SHKKKKKKKK KKKKK		
Action taken by Board: A motion was made by Mr. I that this application be withdrawn withou and the motion was unanimously carried.		
Record of Vote: For <u>Five</u> Against <u>-0-</u> A List names of members and how voted – symbols as fol	bsent <u>-(</u> llows: F-f	or, A-against, Ab-absent
F - Petrone F - Luiso		
F - D'Estrada F - Espinoza F - Villanova		1111

RESOLUTION ON APPEAL

Before the

Zoning Board of Appeals

OF THE VILLAGE OF PORT CHESTER, N.Y.

IN THE MATTER OF THE APPEAL

οf

NDC Contracting Corporation - Lessee RZMZ Holding Corporation - Owner

from the determination of the Building

Inspector denying application for permit to create a laundromat business

on premises No. 225 William Street

in the Village of Port Chester, New York, being Section

No. 142.29, Block No. 3, Lot No. 32, 0

the Assessment Map of the said Village

having heretofore appealed to this Board from a determination of the Building Inspector denying appellants application for permission to create a laundromat business located in a Cl zoning district

on the premises No. 225 William Street

32

in the Village of Port Chester, being Section No. 142.29

Block No. 3 Lot No.

on the Assessment Map of said Village on the ground that the same violates the

zoning ordinance of said Village in the following particulars, viz: Section 345-14(C), Schedule of Off-Street Parking Spaces: Ten (10) parking spaces required, five (5) parking spaces existing and proposed

and due public notice having been duly given of a hearing on said application to be held on the 18th

day of

į,

March, 2010, and the applicant having appeared by Bruno J. Gioffre, Esq.

in support of said application and no one

observed, public safety secured and substantial justice done. result in carrying out the strict letter of the ordinance, and that by granting said appeal the spirit of the ordinance will be the use applied for is a reasonable one for the premises involved; that practical difficulties and unnecessary hardship would granted without detriment to the health, safety, morals, comfort, convenience, or general welfare of the community, and that appearing in opposition, and after due consideration it appearing to the satisfaction of this Board that said appeal can be

NDC Contracting Corporation NOW THEREFORE, RESOLVED, that

, on the Assessment Map of the Village of Port Chester. Tot 35 , Block 145.29 heing Section 225 William Street in the Village of Port Chester, New York on premises No. is hereby authorized to create a laundromat business by the grant of a variance

Village of Port Chester, New York, conditioned nevertheless. in accordance with plans and specifications therefore to be submitted to and approved by the Building Inspector of the

4251 in accordance with plans and specifications dated December 10, 2009, approved by said Board on the

suthoxized shall have been commenced within one year from the date of the permit. Such limitation may, upon day of April, 2010 , subject to being submitted to and approved by the Building Inspector of The Village a building permit has been obtained within 90 days of this resolution and of Port Chester, conditioned nevertheless that the variance shall expire by limitation unless such building or work so

application to the board, without notice or hearing be extended for sorby numbers as shown. " application to the board, without notice or hearing be extended for sorby numbers as a shown. "

construction of the building or work so authorized by such variance is suspended or abandoned for a period of one year after

the time of commencing, the variance so authorized shall expire, and it is further conditioned:

. 0102

April 15,

Dated

ZONING BOARD OF APPEALS OF THE VILLAGE OF PORT CHESTER.

William Villenova, Acting Chairman

members of the Board being present Appeals of the Village of Port Chester on the date above mentioned, £ŢΛ6 I HEREBY certify the above to be a full, true, and correct copy of a resolution duly adopted by the Zoning Board of

Anne Belfatto ARecording Secretary

KOLL CALL:

Petrone, Luiso, D'Estrada, Villanova

NAYES: YXES:

and concurring.

None

Espinoza **YBZTAINED:**

None **YBSENT:**

Application for Zoning Variance

Date of Hearing: April 15, 2010
No. of Case: 1482, 225 William Street
Applicant: NDC Contracting Corporation

Nature of Request: See publication notice annexed hereto.

Parking vriance to create laundromat business

and addres	ses of those	e appear	ing in f	avor of th	e applica	tion.		
Demetrios	Adamis,	Esq., 2	900 Wes	stcehster	Avenue,	Purchase	, NY	
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and addres	ses of thos	e appea	ring in o	pposition	to applic	ation.		
None								
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		-	ented:	Finding	gs of Fac	et as prep	ared by Antho	n
of Board:	SEE ATTA	CHED						
approve t torney, an	he Findin d to gr a n	gs of F t the v	act as ariance	prepared as requ	d by Antl	nony Cerre	to, Village	ŀ
es of memb								<u>}</u>
- Petron - Luiso - D'Estr - Espino - Villan	ada za				Signed Title	,		
	of Statement of Statement of Statement of Ville of Statement of Statement of Ville of Statement of Vote: For es of membrained of Luison of Luison of Luison of Luison of Statement of Vote: For es of membrained of Luison of Statement of Vote: For es of membrained of Luison of L	and addresses of those None of Statement or evidence of Board: SEE ATTA ken by Board: A monoprove the Finding torney, and to grant to grant to grant to taken and the motoprove of members and home ained Petrone Luiso D'Estrada Espinoza Villanova	and addresses of those appear None of Statement or evidence preserveto, Village Attorney. f Vote: For Four Against es of members and how voted ained Petrone - Luiso - D'Estrada - Espinoza - Villanova	and addresses of those appearing in on None of Statement or evidence presented: rreto, Village Attorney. of Board: SEE ATTACHED ken by Board: A motion was made approve the Findings of Fact as torney, and to grant the variances taken and the motion was carried to the statement of Vote: ForFourAgainst	and addresses of those appearing in opposition None of statement or evidence presented: Finding rreto, Village Attorney. of Board: SEE ATTACHED ken by Board: A motion was made by Ms. I approve the Findings of Fact as prepared torney, and to grant the variance as required staken and the motion was carried. f Vote: For Four Against0 Ab es of members and how voted - symbols as follows a	and addresses of those appearing in opposition to application of statement or evidence presented: Findings of Factoreto, Village Attorney. Tof SEE ATTACHED Ken by Board: A motion was made by Ms. Petrone, approve the Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried. Findings of Fact as prepared by Antitorney, and to grant the variance as requested on a taken and the motion was carried.	and addresses of those appearing in opposition to application. None of statement or evidence presented: Findings of Fact as preprieto, Village Attorney. of Board: SEE ATTACHED ken by Board: A motion was made by Ms. Petrone, seconded approve the Findings of Fact as prepared by Anthony Carretorney, and to grant the variance as requested on applicate staken and the motion was carried. f Vote: For Four AgainstO_ AbsentO_ AbsentO_ AbsentO_ AbsentO_ AbsentO_ Best of members and how voted - symbols as follows: F-for, A-agains alned - Petrone - Luiso - D'Estrada - Espinoza - Villanova - Willianova - Willianova - Willianova - Willianova - Willianova	Tof statement or evidence presented: Findings of Fact as prepared by Anthorreto, Village Attorney. Of Board: SEE ATTACHED Ken by Board: A motion was made by Ms. Petrone, seconded by Mr. Luiso, approve the Findings of Fact as prepared by Anthorretoney. Of Word: For Four Against — O— Absent — O— Abstained One os of members and how voted — symbols as follows: F-for, A-against, Ab-absent at med — D'Estrada — Bepinoza — Villanova — Signed — Maller — William Villanova

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FINDINGS OF FACT

- 1. Marty and Robert Zamora are the owners of property located at 225 William Street, Port Chester, also designated as Section 142.29, Block 3, Lot 32 on the Tax Map of the Town of Rye, New York.
 - 2. NDC Contracting Corp. is the applicant/contract lessee.
 - 3. The subject premises are improved by a commercial/multi-family building.
 - 4. The subject premises are located in a C1 Commercial District.
- 5. The applicant was represented by Bruno Gioffre, Gioffre & Gioffre, Purchase, New York.
- 6. The applicant proposes a Laundromat in place of an existing beauty salon and other vacant retail space.
- 7. The Building Department denied the application for a building permit by Notice of Disapproval dated January 19, 2010, which stated as follows:

Section 345-14©, Schedule of Off-Street Parking Spaces: Ten (10) parking spaces required, five (5) parking spaces existing and proposed, variances required.

- 8. A public hearing was held on March 18, 2010 wherein the applicant and all interested parties were given a full and complete opportunity to be heard.
- 9. The applicant's attorney made the presentation. He stated that the proposed laundromat supports a community need and submitted a map depicting other laundromats in the Village and their distances from the neighborhood. A petition was submitted signed by 100 residents within the immediate area in favor.

there any evidence that the variance would negatively impact the natural environment and/or any ecological systems.

6. Since the owners purchased the property with presumptive knowledge of the restrictions contained within the C-1 Zoning District, there is arguably the existence of self-created hardship. However, this is only one factor for the Board to consider and does not outweigh the other foregoing factors that otherwise tip in their favor.

DETERMINATION

On motion of Ms. Petrone, seconded by Mr. Luiso, the Zoning Board of Appeals of the Village of Port Chester, New York, granted the application of NDC Contracting Corporation, Calendar No. 1482, for an area variance and authorizes the Acting Chairman to sign these Findings on its behalf.

Dated: April 15, 2010 Port Chester, New York

> William Villanova Acting Chairman



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

(914) 939-5203

April 16, 2010

Mr. Douglas Coccaro Sign Design 501 Willett Avenue Port Chester, NY 10573

RE: Case No. 1480 (F2923)
435 Boston Post Road
Variance to Install Second Wall Sign

Received

APR 2 2 2010

Village Clerk VILLAGE OF FORT CHESTER

Dear Mr. Coccaro:

It was the decision of this Board at its hearing held on Thursday, April 16, 2010, to grant the variance as requested on your application regarding the above captioned matter.

Sincerely,

William Villanova Acting Chairman

RESOLUTION ON APPEAL

Before the

Zoning Board of Appeals

OF THE VILLAGE OF PORT CHESTER, N.Y.

IN THE MATTER OF THE APPEAL

of

AVR Realty Company, LLC Party City

from the determination of the Building

Inspector denying application for permit to install a second wall sign

on premises No. 435 Boston Post Road in the Village of Port Chester, New York, being Section No. 142.53, Block No. 1, Lot No. 1, on the Assessment Map of the said Village

having heretofore appealed to this Board from a determination of the Building Inspector denying appellants application for permission to install a second wall sign on premises located in a CD zoning district

on the premises No. 435 Boston Post Road

in the Village of Port Chester, being Section No. 142.53

Block No. 1 Lot No. 1

on the Assessment Map of said Village on the ground that the same violates the

zoning ordinance of said Village in the following particulars, viz: Section 345-15, Sign Regulations, (B), Scheduled of Permitted Signs: Sign permitted on public street or municipal off-street parking lot. Applicant proposes a second wall sign at required non-municipal lot

and due public notice having been duly given of a hearing on said application to be held on the 18th

day of

February,

2010 , and the applicant having appeared by Douglas Coccaro, Sign Design

in support of said application and no one

observed, public safety secured and substantial justice done. result in carrying out the strict letter of the ordinance, and that by granting said appeal the spirit of the ordinance will be the use applied for is a reasonable one for the premises involved; that practical difficulties and unnecessary hardship would granted without detriment to the health, safety, morals, comfort, convenience, or general welfare of the community, and that appearing in opposition, and after due consideration it appearing to the satisfaction of this Board that said appeal can be

NOW THEREFORE, RESOLVED, that AVR Realty Company, LLC/Party City

, on the Assessment Map of the Village of Port Chester. Lot 1 142.53 , Block being Section in the Village of Port Chester, New York on premises No. 435 Boston Post Road is hereby authorized to the tall a second wall sign by the grant of variance

Village of Port Chester, New York, conditioned nevertheless. in accordance with plans and specifications therefore to be submitted to and approved, by the Building Inspector of the

, approved by said Board on the July 27, 2009 in accordance with plans and specifications dated

day of a building permit has been obtained within 90 days of this resolution and of Port Chester, conditioned nevertheless that the variance shall expire by limitation unless such building or work so

application to the board, without notice or hearing be extended forcemberschendenderschendender If the suthorized shall have been commenced within one year from the date of the permit. Such limitation may, upon

construction of the building or work so authorized by such variance is suspended or abandoned for a period of one year after

the time of commencing, the variance so authorized shall expire, and it is further conditioned:

April 15, 2010 ·

ZONING BOARD OF APPEALS OF THE VILLAGE OF PORT CHESTER.

IV mailitw

members of the Board being present Appeals of the Village of Port Chester on the date above mentioned, IIVE I HEREBY certify the above to be a full, true, and correct copy of a resolution duly adopted by the Zoning Board of

Anne Belfatto, Recording Secretary

. BOLL CALL:

and concurring,

Petrone, Luiso, D'Estrada, Villanova

rzourdsa - ABSTAINED: **YXE2:**

None

NAYES:

None

YBSENT:

Application for Zoning Variance

Date of Hearing: April 15, 2010

No. of Case: 1480, 435 Boston Post Road

Applicant: Sign Design/AVR Realty Company, LLC

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2. Na	mes an	d addr	esses of th	ose ap	pearing	n opposi	tion to app	lication.		
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Attest	F - t: 4/3,		lanova				Signed	WAK	1/VA	1
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FINDINGS OF FACT

1. John Marcello is the owner of the Party City store located at the shopping center located at 435 Boston Post Road, Port Chester, New York, also Section 142.53, Block 1, Lot 1, on the Tax Map of the Town of Rye, New York.

- 2. The applicant is the agent for the owner.
- 3. The subject premises are located in a CD Commercial District.
- 4. The applicant proposes a second wall sign.
- 5. The Building Department denied the application for a building permit by Notice of Disapproval dated September 11, 2009 which stated as follows:

Section 345-15, Sign Regulations, (B), Schedule of Permitted Signs: Sign permitted on public street or municipal off-street parking lot. Applicant proposes a second wall sign at required non-municipal lot. variance required.

- 6. A public hearing was held on February 18, 2010 and March 18, 2010 wherein the applicant and all interested parties were given a full and complete opportunity to be heard.
- 7. The owner advised that the franchise was taken back last year and that over \$900,000 has been made in improvements to the store. He was waiting for approval for the sign before proceeding with exterior improvements. A waiver is sought for a second sign to provide more visibility. The sign is the standard for the franchise. The representative for the shopping center advised that the shopping center is in transition and that they intend to make application for land use approvals later in the year. It was noted that the Zoning Board had granted similar applications to other stores in the shopping center.
 - 8. No neighbors appeared for or against the application.

CONCLUSIONS OF LAW

- l. With regard to a request for area variances, Village Law, Section 7-712-b(3)(b) requires the Zoning Board of Appeals to balance the benefit to the applicant if the variance is granted as against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall consider: (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; (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; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse impact on the physical or environmental conditions in the neighborhood; and (5) whether the alleges 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.
- 2. The requested variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties in the shopping center.
- 3. The applicant cannot otherwise provide a "presence" for the store without a variance.
 - 4. The requested variance is not significant.
- 5. The requested variance will not have any adverse impact on the physical or environmental conditions in the neighborhood. The variances will not result in any decrease of light, air, privacy, security for fire and other dangers or overcrowding. Nor is there any evidence that the variance would negatively impact the natural environment and/or any ecological systems.
- 6. Since the owner of the store purchased the property with presumptive knowledge of the restrictions contained within the CD Zoning District, there is arguably the existence of self-created hardship. However, this is only one factor for the Board to consider and does not outweigh the other foregoing factors that otherwise tip in his favor.

DETERMINATION

On motion of Ms. Petrone, seconded by Mr. Luiso, , the Zoning Board of Appeals of the Village of Port Chester, New York, granted the application of Joe Lanza/Sign Design and JC Awning, Calendar No. 1480, for an area variance and authorizes the Chairman to sign these Findings on its behalf.

Dated: April 15, 2010

Port Chester, New York

William Villanova Acting Chairman



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

(914) 939-5203

April 16, 2010

Mr. Demetrios Adamis, Esq. Gioffre & Gioffre 2900 Westchester Avenue Suite 206 Purchase, NY 10577

RE: Extension

Case No. 1394 (F1869)

Willett Avenue/Abendroth Place

Dear Mr. Adamis:

It was the decision of this Board at its hearing held on Thursday, April 15, 2010, to grant a ninety day extension on variances that were granted June 15, 2006 for and application to construct a multi-family residential structure with a commercial component on the first floor at the above noted location.

Sincerely,

William Villanova Acting Chairman

cc: Frank Boccanfuscoi

Application for Zoning Variance

Date of Hearing: April 15, 2010
No. of Case: 1394, Willett Avenue/Abendroth Place

Nature of Request: SERYMENERMONE STATEMENT NATURE STATEMENT STATEMENT NATURE STATEMENT NATU

Applicant: Demetrios Adamis, Esq.

1. Names and	d addresses of those	appearing in favor	of the application	.	
a: De	metrios Adamis, E	sq., 2900 Westch	aster Avenue, Pu	ırch a se, NY	
b.					
	•				
c.					
ď.					
е.					
2. Names and	d addresses of those	appearing in oppos	sition to application	on.	
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for t in Pl with	statement or evidence heir April, 2010 anning. Same var several lenders. It the land and igh.	agenda. There is iances. Continu Site has been fo	s a limition of ing efforss to i enced in and the	approval of two Find financing. a buildings secur	years Working
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to gr	by Board: A moti ant another ninet e was taken and t	y day extension	on variances gra	ded by Mr. Petron anted June 15, 20	ie, 010.
Record of Vo List names o Abs-abstrai	ote: For Three f members and how ned	Against voted – symbols as	Absent -0- follows: F-for, A	Abstained	<u>'wo</u>
F -	· Petrone · Luiso				
Abs -	D'Estrada				
	· Espinoz a · Vill a nov a		/	IAAMAMA	•
Attest: 4/2	32/10		Signed W	14-1111	
, ,				liam/Villanova ing Chairman	
-		•			



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

(914) 939-5203

Received

APR 2 2 2010

Village Clerk VILLAGE OF PORT CHESTER

April 16, 2010

Mr. Demetrios Adamis, Esq. Gioffre & Gioffre 2900 Westchester Avenue Suite 206 Purchase, NY 10577

RE: Extension

Case No. 1415 (F113)

Willett Avenue/Abendroth Avenue

Dear Mr. Adamis:

It was the decision of this Board at its hearing held on Thursday, April 15, 2010, to grant a ninety day extension on variances that were granted February 15, 2007 for and application to construct a multi-family residential structure at the above noted location.

Sincerely,

William Villanova Acting Chairman

cc: Frank Boccanfuscoi

Application for Zoning Variance

Date of Hearing: April 15, 2010

Applicant:

No. of Case: 1415, Willett/Abendroth Avenues

Demetrios Adamis, Esq.

Nature of Request: Sexpander Nature Na

1. Names and addresses of those appearing in favor	of the application.
a. Demetrios Adamis, Esq., 2900 Westch	ester Avenue, Purchase, NY
ъ.	•
c.	
d.	
e.	
.	
2. Names and addresses of those appearing in oppos	sition to application.
a. None	
b.	
c.	
d.	•
e.	
Summary of statement or evidence presented: Rec with amended plan reducing by one floo Units will be smaller. Variances rem for financing. Made substantial inves	or but the same number of units. ain the same. Continuing efforts
Akimkingawakawax	
Action taken by Board: A motion was made by I grant a ninety day extension on variations was taken an dthe motion carried.	Mr. Luiso, seconded by Ms. Petrone, to note granted February 15, 2007. A vote
	·
Record of Vote: For <u>Three</u> Against <u>-0-</u> List names of members and how voted – symbols as Abs-abstained	Absent -0- Abstained Two follows: F-for, A-against, Ab-absent
F - Petrone F - Luiso Abs - D'Estrada Abs - Espinoza F - Villanova Attest: 4/12/10	Signed WAMTAN
1141-	William Villanova Title Acting Chairman
	11110



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

(914) 939-5203

April 16, 2010

Mr. Vitorio Ciraco, Jr., AIA 23 West Street Harrison, NY 10528

RE: Case No. 1483 (F1515)
470 West William Street
Variances to Construct One Story Rear Addition

Received

APR 2 2 2010

Village Clark VILLAGE OF PORT CHESTER

Dear Mr. Ciraco:

It was the unanimous decision of this Board at its hearing held on Thursday, April 15, 2010, to adjourn the above captioned matter to the next scheduled meeting of May 20, 2010.

Sincerely,

William Villanova Acting Chairman

WV:akb

cc: William Lucerno

Application for Zoning Variance

April 15, 2010

Applicant: Vitorio Ciraco, Jr., AIA/William Luceno

Nature of Request: See publication notice annexed hereto. Variances to construct one story rear addition

1483, 470 West William Street

1. Names and addresses of those appearing in favor of the application.

Date of Hearing:

No. of Case:

F

F

F

Luiso

Attest: 4/32/10

D'Estrada

Espinoza Villanova

a: Vitorio Ciraco, Jr., AIA, 23 West Street, Harrison, NY b. William Luceno, 470 West William Street, Port Chester, NY c. d. e. 2. Names and addresses of those appearing in opposition to application. a. None b. c. ď. e. Summary of statement or evidence presented: Front yard not an issue as existing dimension. Two family dwelling with one bedroom in each unit. Proposes to add two bedrooms to first floor apartment, second floor apartment will remiain with one bedroom, to maximize rental income. No longer owner/occupied. Purchased in 1998, lived by himself and rented the second floor, for \$180,000.00. Taxes then were \$5,100.00 until 2006. Wife and himself moved out because it was too small. Rents \$1,400.00 for first floor and \$1,100.00 for second floor. Not sure what rent would be obtained by addition. Legal two family house. Findings of Boards Action taken by Board: A motion was made by Mr. Luiso, seconded by Mr. D'Estrada, to adjourn this application to the next month's hearing of May 20, 2010. A vote was taken and the motion was unanimously carried. Record of Vote: For Five Against -0- Absent -0-List names of members and how voted - symbols as follows: F-for, A-against, Ab-absent

Signed

Title

William/

Acting Chairman

Villanova



222 GRACE CHURCH STREET PORT CHESTER, NEW YORK 10573

Board Members
William Villanova, Acting Chairman
Evelyn Petrone, Secretary
Ronald Luiso
Art D'Estrada
Gerardo Espinoza, Alternate

(914) 939-5203

Received

APR 2 2 2010

Village Clark

AGE OF POFT CHESTER

April 16, 2010

Mr. Lawrence Bennett 312 Ronbru Drive New Rochelle, NY 10804

RE: Case No. 1476 (F4386)

435 Elm Street

Variances to Widen Existing Driveway

Dear Mr. Bennett:

Please be advised that at the Zoning Board of Appeals hearing held on Thursday, April 15, 2010, said Board reviewed your application for request of variances regarding the above captioned matter and a decision will be made at the next meeting scheduled for May 20, 2010.

Sincerely,

William Villanova
Acting Chairman

cc: Eilo Guaman

Application for Zoning Variance

Date of Hearing: April 15, 2010

Applicant: Elio Guaman

No. of Case: 1476, 435 Elm Street

Nature of Request: See publication notice annexed he Variances to widen driveway	•
1. Names and addresses of those appearing in favor o	f the application.
a: Lawrence Bennett, 312 Ronbru Drive, Ne	w Rochelle, NY
b.	
c.	
d.	
e.	
2. Names and addresses of those appearing in opposi	tion to application.
a. Bob Gerardi, 433 Elm Street, Port Che	ster, NY
b. Report regarding rock ledge submitted	by Mr. Gerardi, Labeled Exhibit "D"
c.	
d.	
e.	
apartment. Owner has retained attorney for concerned about removal of the rock. No oth excavating. It is bedrock not hardrock.	er way to create parking area without
XX HXXI HHEN & K BOOMXKXX	
Action taken by Board: A motion was made by Mr. close the public hearing and to render a dec May 20, 2010. A vote was taken and the motion was made by Ms. Petrone, Village Attorney, Anthony Cerreto, to preparand the motion carried.	con carried. Seconded by Mr. Luiso, requesting the
Record of Vote: For <u>Four</u> Against <u>-0-</u> List names of members and how voted – symbols as	Absent AbstrainedOne follows: F-for, A-against, Ab-absent
F - Petrone F - Luiso F - D'Estrada Abs - Espinoza	Findings of Fact F - Petrone F - Luiso F - D'Estrada Abs - Espinoza F - Villanova Signed William Villanova Title Acting Chairman