



**PORT CHESTER BUILDING AND FIRE PREVENTION DEPARTMENT**

222 GRACE CHURCH STREET • PORT CHESTER, NEW YORK 10573

**939-5203**

**Frank Ruccolo**

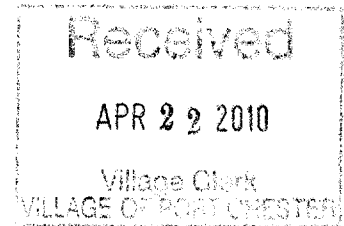
Assistant Building & Plumbing Inspector

MEMO TO: Joan Mancuso, Village Clerk

FROM: Anne Belfatto, ZBA Secretary *AB*

DATE: April 22, 2010

RE: **Zoning Board of Appeals Decisions**



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



# Zoning Board of Appeals

222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

**Board Members**

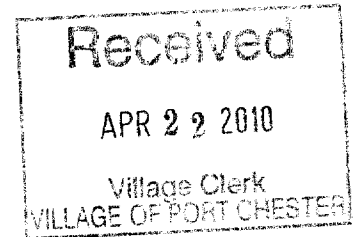
**William Villanova, Acting Chairman**  
**Evelyn Petrone, Secretary**  
**Ronald Luiso**  
**Art D'Estrada**  
**Gerardo Espinoza, Alternate**

(914) 939-5203

April 16, 2010

Mr. 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:

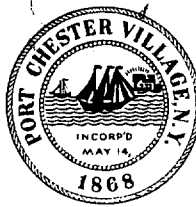
As per your written request, it was the unanimous decision of this Board at its hearing held on Thursday, April 15, 2010, that the above captioned matter be withdrawn without prejudice.

Sincerely,

William Villanova  
Acting Chairman

WV:akb

cc: P.C. Congregation of Jehovah Witnesses



## Zoning Board of Appeals

222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

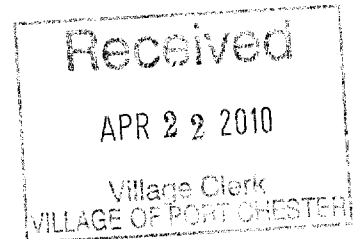
### Board Members

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

(914) 939-5203

April 16, 2010

Mr. 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

WV:akb

MINUTES OF MEETING

Application for Zoning Variance

Date of Hearing: April 15, 2010

No. of Case: 1481, 406 King Street

Applicant: Port Chester Congregation of Jehovah Witnesses

Nature of Request: See publication notice annexed hereto.

Variances to replace existing structure

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

- a. None
- b.
- c.
- d.
- e.

2. Names and addresses of those appearing in opposition to application.

- a. None
- b.
- c.
- d.
- e.

Summary of statement or evidence presented: Letter dated April 12, 2010 from Scott Lucas requesting this application be withdrawn without prejudice.

~~Findings of Board~~

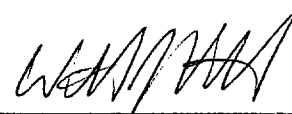
Action taken by Board: A motion was made by Mr. Luiso, seconded by Mr. D'Estrada, that this application be withdrawn without prejudice. A vote was taken and the motion was unanimously carried.

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

- F - Petrone
- F - Luiso
- F - D'Estrada
- F - Espinoza
- F - Villanova

Attest: 4/22/10

Signed   
 Title 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

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, 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 create a laundromat business located in a C1 zoning district

on the premises No. 225 William Street

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

Block No. 3, Lot No. 32 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 March, 2010, and the applicant having appeared by Bruno J. Gioffre, Esq.

in support of said application and no one

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

NOW THEREFORE, RESOLVED, that NDC Contracting Corporation

is hereby authorized to create a laundromat business by the grant of a variance

on premises No. 225 William Street in the Village of Port Chester, New York being Section 142.29, Block 3, Lot 32, on the Assessment Map of the Village of Port Chester.

in accordance with plans and specifications therefore to be submitted to and approved by the Building Inspector of the

Village of Port Chester, New York, conditioned nevertheless.

in accordance with plans and specifications dated December 10, 2009, approved by said Board on the 15th

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

authorized shall have been commenced within one year from the date of the permit. Such limitation may, upon

six months and completed within

application to the board, without notice or hearing be extended ~~for only one year~~ If the

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:

Dated

April 15,

2010

ZONING BOARD OF APPEALS OF THE VILLAGE OF PORT CHESTER

William Villanova, Acting Chairman

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

Anne Bellatto, Recording Secretary

ROLL CALL:

AYES: Petrone, Luiso, D'Estrada, Villanova

NAYES: None

ABSTAINED: Espinoza

ABSENT: None

MINUTES OF MEETING

**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 variance to create laundromat business

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

- a. Demetrios Adamis, Esq., 2900 Westchester Avenue, Purchase, NY
- b.
- c.
- d.
- e.

**2. Names and addresses of those appearing in opposition to application.**

- a. None
- b.
- c.
- d.
- e.

**Summary of statement or evidence presented:** Findings of Fact as prepared by Anthony Cerreto, Village Attorney.

**Findings of Board:** SEE ATTACHED

**Action taken by Board:** A motion was made by Ms. Petrone, seconded by Mr. Luiso, to approve the Findings of Fact as prepared by Anthony Cerreto, Village Attorney, and to grant the variance as requested on application. A vote was taken and the motion was carried.

**Record of Vote:** For Four Against -0- Absent -0- Abstained One  
**List names of members and how voted – symbols as follows: F-for, A-against, Ab-absent**  
**Abs-abstained**

- F - Petrone
- F - Luiso
- F - D'Estrada
- Abs - Espinoza
- F - Villanova

Attest: 4/22/10

Signed William Villanova  
 Title Acting Chairman

ZONING BOARD OF APPEALS OF THE  
VILLAGE OF PORT CHESTER

-----x  
In the Matter of the Application of  
NDC Contracting Corp.

Case No. 1482

-----x  
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.



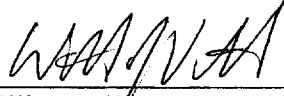
there any evidence that the variance would negatively impact the natural environment and/or any ecological systems.

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



# Zoning Board of Appeals

222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

**Board Members**

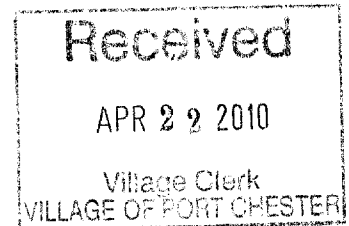
**William Villanova, Acting Chairman**  
**Evelyn Petrone, Secretary**  
**Ronald Luiso**  
**Art D'Estrada**  
**Gerardo Espinoza, Alternate**

(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**



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

WV:akb

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 Cocco, Sign Design

in support of said application and no one

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

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

is hereby authorized to install a second wall sign by the grant of variance

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

in accordance with plans and specifications therefore to be submitted to and approved by the Building Inspector of the

Village of Port Chester, New York, conditioned nevertheless.

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

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

authorized shall have been commenced within one year from the date of the permit. Such limitation may, upon

application to the board, without notice or hearing be extended ~~for a period not to exceed six months~~ If the

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:

Dated

April 15, 2010.

ZONING BOARD OF APPEALS OF THE VILLAGE OF PORT CHESTER

William Villanova, Acting Chairman

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

Anne Bellitto, Recording Secretary

ROLL CALL:

AYES:

Petrone, Luiso, D'Estrada, Villanova

ABSTAINED:

Espinoza

NAYES:

None

ABSENT:

None

MINUTES OF MEETING

**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

**Nature of Request:** See publication notice annexed hereto.  
Variance to install second wall sign for Party City

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

- a. Douglas Coccaro, Sign Design, 501 Willett Avenue, Port Chester, NY
- b.
- c.
- d.
- e.

**2. Names and addresses of those appearing in opposition to application.**

- a. None
- b.
- c.
- d.
- e.

**Summary of statement or evidence presented:** Findings of Fact as prepared by Anthony Cerreto, Village Attorney.

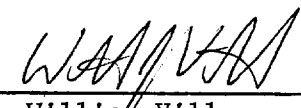
**Findings of Board:** SEE ATTACHED

**Action taken by Board:** A motion was made by Ms. Petrone, seconded by Mr. Luiso, to approve the Findings of Fact as prepared by Anthony Cerreto, Village Attorney, and to grant the variance as requested on application. A vote was taken and the motion carried.

**Record of Vote:** For Four Against -0- Absent -0- Abstained One  
**List names of members and how voted – symbols as follows:** F-for, A-against, Ab-absent  
Abs-abstained

- F - Patrone
- F - Luiso
- F - D'Estrada
- Abs - Espinoza
- F - Villanova

**Attest:** 4/22/10

**Signed**   
**Title** William Villanova  
Acting Chairman

ZONING BOARD OF APPEALS OF THE  
VILLAGE OF PORT CHESTER

-----x  
In the Matter of the Application of  
Joseph Lanza/Sign Design & JC Awning

Case No. 1480

-----x  
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:

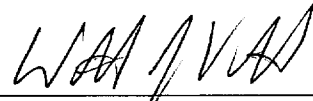
Section 345-15, Sign Regulations, (B), Schedule of Permitted Signs: Sign permitted on public street or municipal off-street parking lot. Applicant proposes a second wall sign at required non-municipal lot. variance required.

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.



Handwritten signature in black ink, appearing to read 'WAA/VAA'.

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William Villanova  
Acting Chairman





# Zoning Board of Appeals

222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

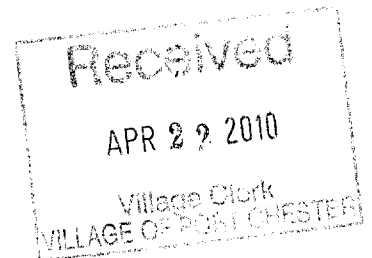
**Board Members**

**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

WV:akb

cc: Frank Boccanfusco

MINUTES OF MEETING

Application for Zoning Variance

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

Nature of Request: ~~See publication notice annexed hereto~~  
Extension on variances granted June 15, 2006

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

- a. Demetrios Adamis, Esq., 2900 Westchester Avenue, Purchase, NY
- b.
- c.
- d.
- e.

2. Names and addresses of those appearing in opposition to application.

- a. None
- b.
- c.
- d.
- e.

Summary of statement or evidence presented: Resubmitted plans to Planning Commission for their April, 2010 agenda. There is a limitation of approval of two years in Planning. Same variances. Continuing efforts to find financing. Working with several lenders. Site has been fenced in and the buildings secured. Own all the land and invested a lot of money. Applicants to see it through.

~~Findings of Board~~


Action taken by Board: A motion was made by Mr. Luiso, seconded by Mr. Petrone, to grant another ninety day extension on variances granted June 15, 2010. A vote was taken and the motion carried.

Record of Vote: For Three Against -0- Absent -0- Abstained Two

List names of members and how voted - symbols as follows: F-for, A-against, Ab-absent  
Abs-abstained

- F - Petrone
- F - Luiso
- Abs - D'Estrada
- Abs - Espinoza
- F - Villanova

Attest: 4/22/10

Signed   
 Title William Villanova  
Acting Chairman



## Zoning Board of Appeals

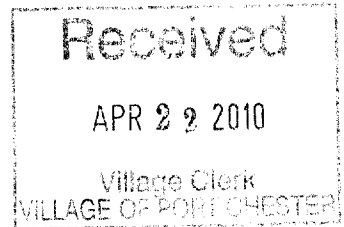
222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

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. 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

WV:akb

cc: Frank Boccanfuscoi

MINUTES OF MEETING

**Application for Zoning Variance**

**Date of Hearing:** April 15, 2010  
**No. of Case:** 1415, Willett/Abendroth Avenues  
**Applicant:** Demetrios Adamis, Esq.

**Nature of Request:** ~~See publication notice annexed hereto.~~  
Extension on variances granted February 15, 2007

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

- a. Demetrios Adamis, Esq., 2900 Westchester Avenue, Purchase, NY
- b.
- c.
- d.
- e.

**2. Names and addresses of those appearing in opposition to application.**

- a. None
- b.
- c.
- d.
- e.

**Summary of statement or evidence presented:** Received site plan approval last month with amended plan reducing by one floor but the same number of units. Units will be smaller. Variances remain the same. Continuing efforts for financing. Made substantial investment.

~~Findings of Board~~

**Action taken by Board:** A motion was made by Mr. Luiso, seconded by Ms. Petrone, to grant a ninety day extension on variances granted February 15, 2007. A vote was taken and the motion carried.

**Record of Vote:** For Three Against -0- Absent -0- Abstained Two  
**List names of members and how voted – symbols as follows: F-for, A-against, Ab-absent**  
Abs-abstained

- F - Petrone
- F - Luiso
- Abs - D'Estrada
- Abs - Espinoza
- F - Villanova

Attest: 4/22/10

Signed William Villanova  
Title Acting Chairman



# Zoning Board of Appeals

222 GRACE CHURCH STREET

PORT CHESTER, NEW YORK 10573

## Board Members

William Villanova, Acting Chairman

Evelyn Petrone, Secretary

Ronald Luiso

Art D'Estrada

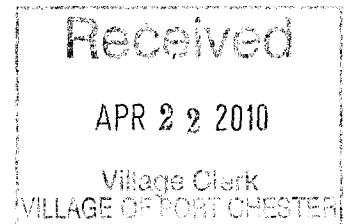
Gerardo Espinoza, Alternate

(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**



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

MINUTES OF MEETING

**Application for Zoning Variance**

Date of Hearing: April 15, 2010  
No. of Case: 1483, 470 West William Street  
Applicant: Vitorio Ciraco, Jr., AIA/William Luceno

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

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

- 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.
- d.
- 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 remain 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 Board~~

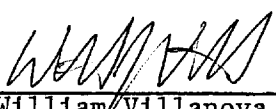
**Action taken by Board:** A motion was made by Mr. Luiso, seconded by Mr. D'Estrada, to adjourn this application to the next month's hearing of May 20, 2010. A vote was taken and the motion was unanimously carried.

**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

- F - Petrone
- F - Luiso
- F - D'Estrada
- F - Espinoza
- F - Villanova

Attest: 4/22/10

Signed   
 William Villanova  
 Acting Chairman  
 Title \_\_\_\_\_



# Zoning Board of Appeals

222 GRACE CHURCH STREET  
PORT CHESTER, NEW YORK 10573

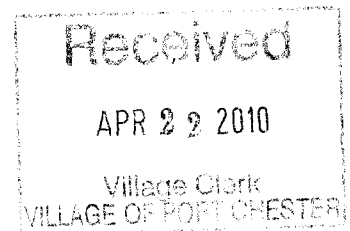
Board Members  
William Villanova, Acting Chairman  
Evelyn Petrone, Secretary  
Ronald Luiso  
Art D'Estrada  
Gerardo Espinoza, Alternate

(914) 939-5203

April 16, 2010

Mr. 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

WV:akb

cc: Eilo Guaman

MINUTES OF MEETING

Application for Zoning Variance

Date of Hearing: April 15, 2010  
No. of Case: 1476, 435 Elm Street  
Applicant: Elio Guaman

Nature of Request: See publication notice annexed hereto.  
Variances to widen driveway

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

- a. Lawrence Bennett, 312 Ronbru Drive, New Rochelle, NY
- b.
- c.
- d.
- e.

2. Names and addresses of those appearing in opposition to application.

- a. Bob Gerardi, 433 Elm Street, Port Chester, NY
- b. Report regarding rock ledge submitted by Mr. Gerardi, Labeled Exhibit "D"
- c.
- d.
- e.

Summary of statement or evidence presented: Before this Board six or seven times. Have revised the plan. Appearance ticket issued by Code Enforcement Office for using basement as habitable space. Before owner bought property, basement was an apartment. Owner has retained attorney for Court proceedings. Mr. Gerardi concerned about removal of the rock. No other way to create parking area without excavating. It is bedrock not hardrock.

~~Findings of Board~~

Action taken by Board: A motion was made by Mr. Luiso, seconded by Mr. D'Estrada, to close the public hearing and to render a decision at the next scheduled hearing of May 20, 2010. A vote was taken and the motion carried.

A motion was made by Ms. Petrone, seconded by Mr. Luiso, requesting the Village Attorney, Anthony Cerreto, to prepare Findings of Fact. A vote was taken and the motion carried.

Record of Vote: For Four Against -0- Absent -0- Abstained One  
List names of members and how voted - symbols as follows: F-for, A-against, Ab-absent

Close Public Hearing  
 F - Petrone  
 F - Luiso  
 F - D'Estrada  
 Abs - Espinoza  
 F - Villanova

Findings of Fact  
 F - Petrone  
 F - Luiso  
 F - D'Estrada  
 Abs - Espinoza  
 F - Villanova

Attest: 4/22/10

Signed William Villanova  
 Title Acting Chairman