

MINUTES OF MEETING

DEC 16 2011
Village Clerk
VILLAGE OF PORT CHESTER

Application for Permit or Variance

A meeting of the Zoning Board of Appeals was held at the Courtroom of the Police Headquarters Building, 350 North Main Street, Port Chester, NY, October, 2011, at 7:00 p.m. with William Villanova presiding.

Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case: 2011- 0006 - Phoenix Castle - Willett Avenue & Abendroth Place
Applicant: Anthony Gioffre III

Nature of Request:

Applicant proposed to construct a building, located in the C2 Zone, which requires a variance as follows: Minimum area per dwelling unit required per Section 345-48.

Requested: 750 square feet
Proposed: 531 square feet

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

Anthony Gioffre

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

None

Summary of statement or evidence presented:

A brief discussion was held regarding the extension of variances which had been granted at a previous meeting. Also questions ensued relative to the requested 750 sq ft and a report prepared by Adler Consulting.

Mr. Gioffre requested an adjournment.

Action taken by Board:

On the motion of Mr. Luiso which was seconded by Ms. Petrone, the matter was adjourned until the next meeting on November 17, 2011.

Record of Vote: For 5 Against 0 Absent _____

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

Close Public
Hearing/
Adjourn

F - PETRONE
F - LUISO
F - D'ESTRADA
F - ESPINOZA
F - VILLANOVA

Signed



William Villanova

Title Acting Chairman

ATTEST:



MINUTES OF MEETING

Application for Permit or Variance

Received

A meeting of the Zoning Board of Appeals was held at the Courtroom of the Police Headquarters Building, 350 North Main Street, Port Chester, NY, October, 2011, at 7:00 p.m. with William Villanova presiding.

Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Received
DEC 16 2011
Village Clerk
VILLAGE OF PORT CHESTER

Date of Hearing: October 20, 2011

No. of Case: 2011-0009 – 67 Purdy Avenue
Applicant: Vincent Castellano, Attorney

Nature of Request:

Applicant proposes to construct a one story warehouse. The premise is in the M1 Zone. Plans submitted for a Building Permit do not comply with front yard and side yard setbacks. Zoning Regulations, Section 345 Attachment 1.3, require a front yard setback of 25 feet and a total side yard setback of 40 feet total. Applicant's plan denotes front yard setback of 1.6 foot minimum and 5.62 foot maximum. Plan denotes a total side yard setback of 20 feet.

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

Vincent Castellano

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

None

Summary of statement or evidence presented:

Public Hearing was continued with discussions on storage use, parking spaces and other concerns addressed at previous meeting. Mr. Castellano stated that there was no longer a need for storage use and the parking spaces and handi-capped parking met the Code requirements. Mr. Cerreto, the Village Attorney stated that all his concerns had been met by the applicant.

Action taken by Board:

On a motion of Mr. Luiso which was seconded by Ms. Petrone, the public hearing was closed and the Village Attorney was directed to draw up Finding of Fact in favor of this application for the next meeting, with strong language relative to storage and consequences thereof should the location be used for storage. The matter was adjourned until the next meeting to be held November 17, 2011.

Record of Vote: For 5 Against 5 Absent

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

Close Public
Hearing/
Adjourn

- F – PETRONE
- F – LUISO
- F – D'ESTRADA
- F – ESPINOZA
- F – VILLANOVA

Signed William Villanova
Title Acting Chairman

ATTEST:

cep

MINUTES OF MEETING

Application for Permit or Variance

A meeting of the Zoning Board of Appeals was held at the Courtroom of the Police Headquarters Building, 350 North Main Street, Port Chester, NY, October, 2011, at 7:00 p.m. with William Villanova presiding.

Present in addition to Mr. Villanova were Messrs. Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case: 2011-0012 – 20 Francis Lane

Applicant: James Heffernan

Nature of Request:

on the premises No **20 Francis Lane** in the Village of Port Chester, New York, situated on the **East** side of **Francis Lane** distant 639.25 feet of the corner formed by the intersection of **Francis Lane and Quintard Drive** being Section 136.398 Block No1, Lot No. 26 on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Applicant proposes an extension of the Den area by an additional 3 feet. Section 345-40, Part II, Dimensional Regulations; Minimum 30ft front yard setback requirement. Applicant proposes 10.5 ft where a variance is required



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

James Heffernan

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

None

Summary of statement or evidence presented:

In a discussion with the applicant it was determined that this request was not a new case and had been before the Board on a previous occasion. There were no new issues or new construction since the previous appearance. The application was considered a good application.

Action taken by the Board

After a brief discussion Ms. Petrone made a motion which was seconded by Mr. Luiso, directing the Village Attorney to draft Findings of Fact in favor of this applicant for the next meeting.

Record of Vote: For 5 Against 0 Absent _____

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

Prepare Findings

F – PETRONE
F – LUISO
F – D'ESTRADA
F – ESPINOZA
F – VILLANOVA

On the motion of Ms. Petrone, seconded by Mr. Luiso, the Public Hearing was closed and the matter was adjourned until the meeting to be held on November 17, 2011.

Record of Vote: For 5 Against 0 Absent _____

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

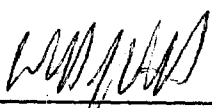
Close Public

Hearing/

Adjourn

F – PETRONE
F – LUISO
F – D'ESTRADA
F – ESPINOZA
F – VILLANOVA

Signed _____


William Villanova

Title Acting Chairman

ATTEST:



MINUTES OF MEETING

Application for Permit or Variance

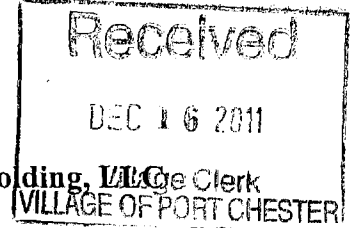
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Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case: 2011-0005 – 22 Broad Street
Applicant: Aldo Vitagliano, P.C.

Roosevelt Holding, LLC Clerk



Nature of Request:

An interpretation/variance is requested under Section 345-29A, 345-13 or in the alternative 345-30 of the Zoning Ordinance or Ordinances for permission to:

Operate an Auto Detailing business with indoor space for seven vehicles, and outdoor parking on site, within the C2 zone, in a building where the prior use was non-conforming warehouse and bulk storage, variances from the requirement of Section 345-48 of the said Zoning Ordinance.

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

Aldo Vitagliano, P.C.

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

None

Summary of statement or evidence presented:

A review of a letter submitted to the Board by Mr. Vitagliano generated several in depth discussions relative to the previous history of the building and its permitted uses.

It was also noted that the 22 Broad Street address was also known as 21 North Pearl and a previous histories of the site showed a Non Conforming Use & Certificate of Occupancy had been previously issued to Russo Pontiac.

Additional questions about the site, the Certificates of Occupancy, previous use etc. were raised by the Board and addressed to Mr. Steers and Mr. Vitagliano. In addition to needing more answers, a site visit was also suggested.

Action taken by Board:

On the motion of Mr. Luiso and seconded by Ms. Petrone the matter was adjourned until the next meeting on November 17, 2011.

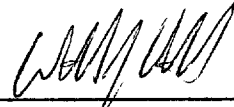
Record of Vote: For 5 Against 0 Absent

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

Close Public
Hearing/
Adjourn

F - PETRONE
F - LUISO
F - D'ESTRADA
F - ESPINOZA
F - VILLANOVA

Signed



William Villarova

Title **Acting Chairman**

ATTEST:

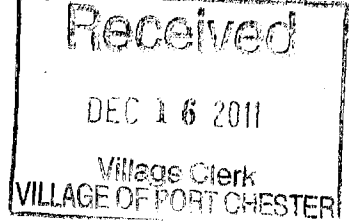
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MINUTES OF MEETING

Application for Permit or Variance

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Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.



Date of Hearing: October 20, 2011

No. of Case: 2011-0008 – 18 West Glen Avenue

Applicant: Catherine Furano

Nature of Request:

Applicant proposes to erect an above ground pool. The premise is located in the R7 Zone. Proposed pool has a side yard setback of 7 feet to each side; 10 feet required per Section 285-11B

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

Catherine Furano

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

No

Summary of statement or evidence presented:

Action taken by Board:

On the motion of Ms. Petrone which was seconded by Mr. Espinoza the Finding of Fact as prepared by the Village Attorney were accepted.

Record of Vote: For 5 Against 0 Absent _____

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

Acceptance of Findings

- F – PETRONE
- F – LUISO
- F – D'ESTRADA
- F – ESPINOZA
- F – VILLANOVA

Signed

William Villanova

Title Acting Chairman

ATTEST:

MINUTES OF MEETING

Application for Permit or Variance

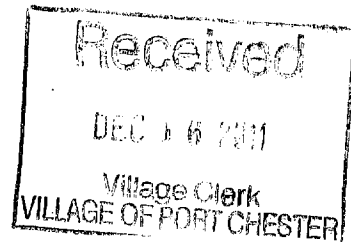
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Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case: 2011-0010 – 25 Willett Avenue
Applicant: John B. Colangelo, Attorney

Nature of Request:



Applicant proposes to renovate existing vacant 2-story building located on the Northeast corner of Willett Avenue and Abendroth Avenue for a full service European style restaurant on the First Floor with a separately accessed office space on the Second Floor (to be occupied by a separate tenant). The premise is located in the C2 Zone.

Applicant is requesting variances per Section 345-48: Minimum Yard Dimension Variance required for rear yard (20' required 0.1' proposed) and side yard (2) (6.1' proposed; minimum of 10' required).

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

Mr. John Colangelo, Attorney
Mr. Pierre Sarazin, Architect

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

None

Summary of statement or evidence presented:

Documents were handed up to the Board by Mr. Sarazin relative to seating plans, (outdoor seating) and the fencing in of the property. Discussions were held relative to a tenant occupying the second floor which is a tenant of the owner and not a part of this application. Per Mr. Steers the concerns regarding the air conditioning units have been satisfied.

Action taken by Board:


On the motion of Mr. Luiso which was seconded by Mr. D'Estrada the Public Hearing was closed. The village Attorney was directed to draft Findings of Fact favorable to the applicant with wording to reflect the containment of patrons from overcrowding the public sidewalks.

Record of Vote: For 5 Against 0 Absent _____

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

Close Public
Hearing/
Adjourn

F – PETRONE
F – LUISO
F – D'ESTRADA
F – ESPINOZA
F – VILLANOVA

Signed 

William Villanova
Title Acting Chairman

ATTEST:


MINUTES OF MEETING

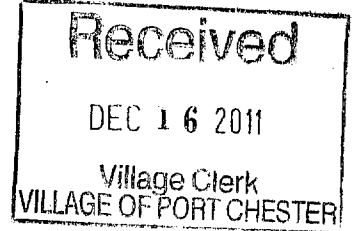
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Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case: 2011-0010 – 22 Don Bosco Place
Applicant: Peter F. Gaito & Associates



Nature of Request:

Applicant proposes to erect a two-story addition to the Don Bosco Community Center located at **22 Don Bosco Place**. The premise is located in the R2F Zoning District. Plans submitted for a Building Permit do not comply with front yard and side yard setbacks. Zoning Regulations, Section 345 Attachment 1:3, require a front yard setback of 25 feet and a total side yard setback of 40 feet total. Applicant's plan denotes front yard setback of 11.3 feet, a total side yard setback of 14 feet (same as existing) and a rear yard setback of 0.3 feet (same as existing).

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

None

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

None

Summary of statement or evidence presented:

Letter was received from the applicant requesting a postponement/adjournment to address technical issues. Mr. Steers unsure of the length of time needed to resolve issues before reappearing before the Board, but believes it may take 1 month.

Action taken by Board:

On the motion of Mr. D'Estrada which was seconded by Mr. Luiso the matter was adjourned for 1 month (the next meeting) November 17, 2011.

Record of Vote: For ___ Against ___ Absent ___

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

Close Public
Hearing/
Adjourn

F – PETRONE
F – LUISO
F – D'ESTRADA
F – ESPINOZA
F – VILLANOVA

Signed

William Villanova

Title Acting Chairman

ATTEST:

MINUTES OF MEETING

Application for Permit or Variance

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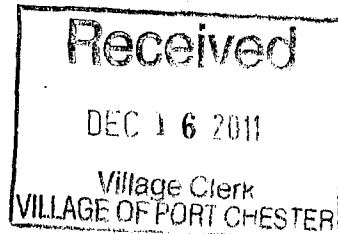
Present in addition to Mr. Villanova were Messrs Petrone, Luiso, D'Estrada, Alternate Member Espinoza. Also in attendance were Anthony Cerreto, Village Attorney and Christopher D. Steers, Assistant Village Manager.

Date of Hearing: October 20, 2011

No. of Case:

Applicant:

Nature of Request: Adjourn Meeting



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

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

Summary of statement or evidence presented:

Findings of Board:

Action taken by Board:

On the motion of Mr. D'Estrada and seconded by Mr. Espinoza, the meeting was adjourned at 8:20 p.m.

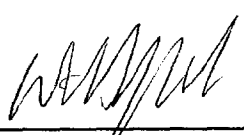
Record of Vote: For 5 Against 5 Absent _____

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

Adjourn Meeting

F – PETRONE
F – LUISO
F – D'ESTRADA
F – ESPINOZA
F – VILLANOVA

Signed



William Villanova

Title Acting Chairman

ATTEST:

