

Record of Vote: For 5 Against _____ Absent _____

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

Adjourn

F **Petrone**
F **Luiso**
F **D'Estrada**
 Espinoza
 Strauch
F **Villanova**

Signed _____
 William Villanova
Title **Acting Chairman**

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, on January 17, 2013, at 7:00 p.m. with Chairman William Villanova presiding.

Present in addition to Mr. Villanova were Messrs. Petrone, Luiso and D'Estrada, Strauch and Espinoza.

Date of Hearing: **January 17, 2013**
No. of Case: 2012-0049
Applicant: Chrissy Handel
 107 Munson Street
 Port Chester, New York 10573

Nature of Request:

on the premises No. **107 Munson Street** in the Village of Port Chester, New York, situated on the **West** side of **Munson Street**, distant 86.14 feet from the corner formed by the intersection of **Munson Street & Shelly Avenue** being **Section 136.45, Block No. 2, Lot No. 20** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: renew a Building Permit issued in 1963 to construct a one story addition to an existing single family dwelling.

The structure is located in the R5 One-Family Residential District where the minimum side yard setback dimensions are **8ft** (one) and a total of **14ft** (two) on an interior lot; home is legally non-conforming.

At the time construction of the addition commenced the home was located in the R5 One Family Zoning Ordinance adopted August, 1954 where regulations differed from today and were **6ft** (one side) and **16 ft** (two sides) on an interior lot.

The proposed addition on the survey provided indicates that it is set **3.9 ft** on the Southwest corner of the lot therefore s **2.1 ft** minimum (1) side yard setback variance is required

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

Chrissy Handel

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

None

Summary of statement or evidence presented:

Commissioner Petrone summarized the Favorable Findings of Fact as prepared by the Village Attorney.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Petrone seconded by Commissioner Luiso the Findings of Fact in favor of the application were approved.

Record of Vote: For 4 Against _____ Absent _____ Abstain 1
List names of members and how voted – symbols as follows: F-for, A-against, Ab-abstain

Findings

F **Petrone**
F **Luiso**
F **D'Estrada**
 Espinoza
Ab **Strauch**
F **Villanova**

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

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, on January 17, 2013, at 7:00 p.m. with Chairman William Villanova presiding.

Present in addition to Mr. Villanova were Messrs. Petrone, Luiso and D’Estrada, Strauch and Espinoza.

Date of Hearing: **January 17, 2013**
No. of Case: 2012-0050
Applicant: Peter Coperine & Megan Chument
 166 Betsy Brown Road
 Port Chester, New York 10573

Nature of Request:

on the premises No. **166 Betsy Brown Road** in the Village of Port Chester, New York, situated on the **South** side of **Betsy Brown Road**, distant 66.99 feet from the corner formed by the intersection of **Betsy Brown Road and West Glen Avenue** being **Section 135.44, Block No. 2, Lot No. 30** on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects:

Application is hereby made under the discretionary power vested in you by Section 345-29A, 345-13 or in the alternative 345.30 of the Zoning Ordinance of the Village of Port Chester for permission to: Construct a wood deck in the rear South East corner of the home.

The structure is located in the R7 One-Family Residential District where the minimum rear yard setback is 30ft, proposed is 26ft, therefore a variance of 3.8 ft is required.

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

Peter Coperine

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

None

Summary of statement or evidence presented:

Commissioner Petrone summarized the Favorable Findings of Fact as prepared by the Village Attorney

Findings of Board:

Action taken by Board:

On the motion of Commissioner Petrone seconded by Commissioner Luiso the Findings of Fact in favor of the application were approved.

Record of Vote: For 4 Against _____ Absent _____ Abstain 1

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

Findings

F Petrone
F Luiso
F D’Estrada
 Espinoza
Abs Strauch
F Villanova

Signed _____
 William Villanova
Title Acting Chairman _____

Findings of Board:

The Board requested that the applicant redraw the parking plans showing the ability to park the four cars on the property. There is no garage on the property. A variance is needed because the cars are being parked in the driveway. According to Village Code cars cannot park in the driveway unless there is a structure.

Action taken by Board:

On the motion of Commissioner Luiso, seconded by Commissioner D’Estrada the Public Hearing was closed.

Record of Vote: For 5 Against _____ Absent _____

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

Close Public Hearing

- F Petrone**
- F Luiso**
- F D’Estrada**
- Espinoza**
- F Strauch**
- F Villanova**

On the motion of Commissioner Luiso, seconded by Commissioner D’Estrada the Village Attorney was directed to prepare Favorable Findings of Fact for this application. The Building Department was directed to expedite this application dependent upon receiving the redrawn parking plans within the next 10 days.

Record of Vote: For 5 Against _____ Absent _____

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

Findings

- F Petrone**
- F Luiso**
- F D’Estrada**
- Espinoza**
- F Strauch**
- F Villanova**

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

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, on November 15, 2012, at 7:00 p.m. with Chairman William Villanova presiding.

Present in addition to Mr. Villanova were Messrs. Petrone, Luiso, D'Estrada, Strauch and alternate member Espinoza. Peter Miley, Building Inspector was also in attendance.

Date of Hearing: **January 17, 2013**
No. of Case: **2011-0006**
Applicant: **Willett Place & Abendroth Avenue (Phoenix Castle)**

Nature of Request:

A letter dated December 12, 2012 was received from Anthony Gioffre of Cuddy & Feder LLP requesting an extension of all variances previously granted for Phoenix Castle, which are due to expire this month (January 2013). Applicant is requesting a 90 day extension of all variances.

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

Anthony Mirando of Cuddy & Feder LLP

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 Commissioner Luiso, seconded by Commissioner Espinoza a 90 day extension was granted. (April 2013)

Record of Vote: For 5 Against _____ Absent _____

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Grant Extensions

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

Signed _____
 William Villanova
Title Acting Chairman

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, on January 17, 2013, at 7:00 p.m. with Chairman William Villanova presiding.

Present in addition to Mr. Villanova were Messrs. Petrone, Luiso and D'Estrada, Strauch and Espinoza.

Date of Hearing: **January 17, 2013**
No. of Case: 2012-0023
Applicant: William & Drayton Gerety Leslie Maron, Esq.
 2 Deerfield Lane 5 Westchester Avenue
 Mamaroneck, New York 10543 Pound Ridge, New York 10576

Nature of Request:

on the premises No **28 ½ Pilgrim Drive** in the Village of Port Chester, New York, situated on the **Northwest** side of **Pilgrim Drive** , distant **670 ft.** of the corner formed by the intersection of **Pilgrim Drive and Quintard Drive.** being Section 136.39 Block No.1, Lot No. 43 on the Assessment Map of the said Village, being a variance from the applicable Zoning Ordinance or Ordinances in the following respects: Applicant proposes to construct a single family dwelling. The property is located in R7 District- minimum lot size is 7,500 sq. ft & minimum lot width is 70 ft. Proposed lot size is 5,864 sq. ft. & proposed width is 50 ft. therefore lot area variances are required

This is a Continued Case: (Public Hearing for this matter is closed)

- 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:

Chairman Villanova recused himself from this matter and it was presided over by Commissioner Petrone.

The Last time the case was before the Board was October 2012. The case was adjourned after the Public Hearing so the applicant and neighbors could move forward with their case in the Supreme Court. To date there has been no movement with this case. It has come to the Board's attention that the Applicant and neighbors received a letter from the Supreme Court inviting them to a meeting on February 20, 2013 regarding this case. Deciding at this time would probably not be in the best interest of the parties. Perhaps a decision could be made after hearing the outcome of the Supreme Court Case.

Action taken by Board:

On the motion of Commissioner Luiso, seconded by Commissioner D'Estrada the matter was adjourned to **March 21, 2013**

Record of Vote: For 5 Against _____ Absent _____

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

Adjourn to March 21, 2013

F **Petrone**
F **Luiso**
F **D'Estrada**
 Espinoza
F **Strauch**
F **Villanova**

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

MINUTES OF MEETING

Application for Permit or Variance

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Present in addition to Mr. Villanova were Messrs. Petrone, Luiso, D'Estrada, Strauch and alternate member Espinoza. Peter Miley, Building Inspector was also in attendance.

Date of Hearing: **January 17, 2013**

No. of Case:

Applicant:

Nature of Request: **ADJOURN MEETING TO: February 21, 2013**

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 Commissioner Luiso, seconded by Commissioner D'Estrada the meeting was adjourned to **February 21, 2013**

Record of Vote: For 4 Against _____ Absent _____

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

Adjourn to next meeting

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

Signed _____
 William Villanova
Title **Acting Chairman**