

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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jesica Youngblood. Planner

Date of Hearing: August 21, 2014
Case No. 2014-0089
Applicant: 242 King Street
Port Chester, NY 10573

A letter dated July 17, 2014 was received from Gary Gianfrancesco AICP of Arconics Architecture requesting an extension on a previously granted variance (May 15, 2014) for property located at 242 King Street. Applicant is requesting an extension for the maximum amount of time possible.

Gary Gianfrancesco, AIA of Arconics Architecture represented this application.

On the motion of Commissioner D'Estrada, seconded by Commissioner Espinoza, an extension was granted for 90 days (November 20, 2014)

Record of Vote: For 3 Against Absent 2

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

Extension

F Petrone
Luiso
F D'Estrada
F Espinoza
Strauch
Villanova

Signed _____
William Villanova
Title Chairman _____

MINUTES OF MEETING

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Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jesica Youngblood. Planner

Date of Hearing: August 21, 2014
Case No. 2014-0090
Applicant: 25 Willett Avenue
Port Chester, NY 10573

A letter dated July 21, 2014 was received from Gary Gianfrancesco, AICP of Arconics Architecture requesting an extension on a previously granted variance (May 15, 2014) for property located at 25 Willett Avenue. Applicant is requesting an extension for the maximum amount of time possible.

Gary Gianfrancesco AIA, of Arconics Architecture represented this application.

On the motion of Commissioner D'Estrada, seconded by Commissioner Espinoza, an extension was granted for 90 days (November 20, 2014)

Record of Vote: For 3 Against Absent 2
List names of members and how voted – symbols as follows: F-for, A-against, Ab-abstain

Extension

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

Signed _____
 William Villanova
Title 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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood. Planner

Date of Hearing: August 21, 2014

Case No. 2014-0093

Applicant: Capitol Theatre LLC Anthony Tirone, Esq.
Capitol Enterprises, Inc. 202 Mamaroneck Avenue
Peter Shapiro, Owner White Plains, NY 10601
145/149-151 Westchester Avenue
Port Chester, NY 10573

Nature of Request:

on the premises No. **149-151 Westchester Avenue** in the Village of Port Chester, New York, situated on the **North** side of **Westchester Avenue** distant approximately 100 feet from the corner formed by the intersection of **Westchester Avenue and Broad Street** being **Section 142.30 Block No. 2, Lot No. 19** 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: Obtain an Off-Street Parking Space Variance

Property is located in the C5 Train Station Mixed Use Zoning District 345-14 Off Street parking, Truck Loading and Vehicular Access C. (2) For Non-Residential Non Uses, combined uses of a Cabaret, Catering Events, and Bar require a minimum of 412 Off-Street Parking Spaces. Proposed is 0, therefore a 412 Off-Street Parking Space variance is required

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

Anthony Tirone, Esq. represented this application

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

None

Summary of statement or evidence presented:

Mr. Tirone stated that he along with Village Staff are continuously working on a plan to address some of the pending issues and is requesting an adjournment of this matter to the September 18, 2014 meeting.

Findings of Board:

Action taken by Board:

On the motion of Commissioner D'Estrada, seconded by Commissioner Espinoza, the matter was adjourned to the September 18, 2014 meeting.

Record of Vote: For 3 Against Absent 2

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

Adjourn to September 18, 2014

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

Signed
 William Villanova
Title Chairman

MINUTES OF MEETING

Application for Zoning 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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jesica Youngblood. Planner

Date of Hearing: August 21, 2014

Case No: 2014-0095

Applicant: Aline Polimeni
220 Westchester Corp.
220 Westchester Avenue
Port Chester, New York 10573

Bernard A. Edelstein, Esq.
315 Westchester Avenue
Port Chester, NY 10573

Nature of Request:

on the premises No. **220 Westchester Avenue** in the Village of Port Chester, New York, situated on the **South** side of **Westchester Avenue** distant **110 feet** from the corner formed by the intersection of **Westchester Avenue & Grove Street** being **Section 142.22, Block No 1, Lot No. 6** 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: **Create medical and dental offices on 2nd floor of an existing mixed use building.**

Property is located in the C1 Neighborhood Retail District where a Use Variance is required for medical/dental office use with X-Ray per Village Code 345 Attachment #A Schedule of Regulations for Nonresidence Districts

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:

Commissioner Petrone stated that although no one was present to represent the matter, communication had been received from the applicant requesting an adjournment of the matter to the September 18, 2014 meeting.

Action taken by Board:

On the motion of Commissioner Petrone, seconded by Commissioner D'Estrada, the matter was adjourned to the August 21, 2014 meeting.

Record of Vote: For 3 Against _____ Absent 2

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

Adjourn to September 18, 2014

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

Signed

William Villanova
Title Chairman

MINUTES OF MEETING

Application for Zoning 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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood, Planner

Date of Hearing: August 21, 2014
Case No: 2014-0096
Applicant: Joseph & Deryl DePauw
12 Chestnut Street
Port Chester, NY 10573

Nature of Request:

on the premises No. **12 Chestnut Street** in the Village of Port Chester, New York, situated on the **NorthEast** side of **Chestnut Street** distant **125 feet** from the corner formed by the intersection of **Chestnut Street and Willett Avenue** being **Section 136.71, Block No 1, Lot No. 61** 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: Convert a single family home and rear barn into a two family dwelling by connecting two structures via a breezeway.

Property is located in the R2F Zoning District. Per Article IV Supplementary Regulation 345-6 Accessory Buildings and Uses (I) *In One and Two Family Residential Districts: (3) Accessory off-street parking spaces, other than those which might be incidentally available within an actual access driveway area shall not be located within a required front yard nor within a required side yard.* Proposed are 4 parking spaces, one space can be utilized and relocated by use of the proposed 1 car garage. Three spaces are located within the required side yard and one space is located within the required front yard; therefore a variance to allow 3 spaces to be located within the required side yard and one space to be located within the required front yard is requested

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:

Commissioner Petrone said that a request had been made by the applicant to adjourn the matter to the September 18, 2014 meeting.

Action taken by Board:

On the motion of Commissioner Espinoza, seconded by Commissioner D'Estrada, the matter was adjourned to the September 18, 2014 meeting

Record of Vote: For 3 Against _____ Absent 2

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

Adjourn to September 18, 2014

F Petrone
Luiso
F D'Estrada
F Espinoza
Strauch
Villanova

Signed

William Villanova

Title Chairman

MINUTES OF MEETING

Application for Zoning 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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood. Planner

Date of Hearing: August 21, 2014
No. of Case: 2014-0097
Applicant: Wine Easy Corp
449 Boston Post Road
Port Chester, NY 10573

Nature of Request:

on the premises No. **449 Boston Post Road** in the Village of Port Chester, New York, situated on the **East** side of **Boston Post Road** distant **600 feet** from the corner formed by the intersection of **Boston Post Road and High Street** being **Section 142.53, Block No 1, Lot No. 1** 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: install 2 additional wall identification sign

Property is located in the CD Design Shopping Center District. Per Zoning 345-15E Sign Regulations - Permitted Signs Identification, Identification Signs in Other Commercial and Industrial Districts: One wall sign on each public street or municipal off-street parking lot, and 1 detached or ground sign. Proposed are two additional Wall Identification Signs, therefore a variance for 2 additional identification signs is requested

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

Cameron Servas, applicant represented the matter

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

None

Summary of statement or evidence presented:

Commissioner Petrone informed the applicant that only 3 members of the Board were present and 4 are needed to approve the application. Ms. Petrone informed the applicant that it is their right to either proceed tonight or adjourn to another time when more members may be present. The applicant (Mr. Servas) chose to proceed with the hearing.

Looking to have a sign installed on the East side of the building which is the back side that faces Kohls store and to have one installed on the South side of the building which faces Whole Foods Store. Mr. Servas store is located at the entrance to the shopping center in the site that used to house the FYE Music Store. That location was designed to house four tenants and this application utilizes three of the four allocated spaces. Mr. Servas said that the site is visible from the roadway entrance but has no visible identification once inside the shopping center parking lot. Mr. Servas also said that the former tenant FYE had identification signs on all three sides, the neighboring Verizon store currently has 3 identification signs and Bank of America has three and one on the roadway side as well. (Color photos to support this claim were provided by the applicant). On the front of the building facing the street the sign is 27 feet 6 inches with 1 foot 8 inch lettering; the lighting source is LED and made of acrylic. The exact same sign will be on the

East and South sides of the building for consistency. The signs are similar in size to the existing Verizon signs. (they are no larger than the approved signs that were FYE)

A brief discussion was held regarding the surrounding and previous businesses and their signs. It was suggested that Mr. Miley and the Building Department review records to determine if variances for these properties were approved.

Commissioner Petrone stated that this application does not appear to differ from the signs of the other surrounding businesses and those businesses have signs on various sides of their properties.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Espinoza, which was seconded by Commissioner D'Estrada the Public Hearing was closed.

Record of Vote: For 3 Against _____ Absent 2

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

Close Public Hearing

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

On the motion of Commissioner D'Estrada, which was seconded by Commissioner Espinoza the Village Attorney was directed to prepare Favorable Findings of Fact for the September 18, 2014 meeting.

Record of Vote: For 3 Against _____ Absent 2

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

Prepare Findings

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

Signed _____
William Villanova
Title **Chairman**

MINUTES OF MEETING

Application for Zoning 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 August 21, 2014 at 7:00 p.m. with Commissioner Evelyn Petrone presiding

Present in addition to Commissioner Petrone were Messrs: D'Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood. Planner

| | | |
|-------------------------|-----------------------------|--|
| Date of Hearing: | August 21, 2014 | |
| No. of Case: | 2014-0098 | Michael Piccirillo Architecture |
| Applicant: | 609 Wood Street | 962 East Main Street |
| | Mamaroneck, NY 10543 | Shrub Oak, NY 10588 |

Nature of Request:

on the premises No. **47 Halstead Avenue** in the Village of Port Chester, New York, situated on the **East** side of **Renshaw Street** distant **30 feet** from the corner formed by the intersection of **Halstead Avenue and Renshaw Street** being **Section 136.47, Block No 2, Lot No. 24** 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 second story addition and deck.

Property is located in the R7 One Family Zoning District. The Maximum Floor Area Ratio (FAR) is **0.50%**; proposed is **0.74%**, therefore a FAR variance of **0.24%** is requested, and,

The Usable Open Space Lot for per dwelling unit is **3,500 sq. ft.** Home is a two family dwelling requiring **7,000 sq. ft.**; proposed is **2,982 sq. ft.** of usable open space, therefore a usable open space variance of **4,018 sq. ft.** is requested,

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:

Commissioner Petrone stated that at the request of the Building Department the application is requesting an adjournment to the September 18, 2014 meeting.

Findings of Board:

Action taken by Board:

On the motion of Commissioner D'Estrada, which was seconded by Commissioner Espinoza the matter was adjourned to the September 18, 2014 meeting

Record of Vote: For 3 Against _____ Absent 2

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

Adjourn to September 18, 2014

F Petrone
Luiso
F D'Estrada
F Espinoza
Strauch
Villanova

Signed _____
 William Villanova
Title **Chairman** _____

MINUTES OF MEETING

Application for Zoning Variance

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Present in addition to Commissioner Petrone were Messrs: D’Estrada, and Espinoza.

Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood. Planner

Date of Hearing: August 21, 2014
No. of Case: 2014-0099
Applicant: BMW Automotive/Penske Automotive
PAG Greenwich BI, LLC
475 Commerce Drive
Fairfield, CT 06825

Nature of Request:

on the premises No. **8 Slater Street** in the Village of Port Chester, New York, situated on the **West** side of **Slater Street** distant **600 feet** from the corner formed by the intersection of **Slater Street and Midland Avenue** being **Section 142.46, Block No. 1, Lot No. 6** 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: forego three off street truck loading spaces as required by Village Code

Property is located in the M2 General Industrial District District. Per Zoning 345-14(D) Schedule of off street truck loading requirements, three off street truck loading spaces are required; proposed are zero spaces, therefore a variance for three off street truck loading spaces is requested

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:

The applicant was travelling to the meeting via airplane and did not arrive prior to the adjournment of this application.

Findings of Board:

Action taken by Board:

On the motion of Commissioner D’Estrada, which was seconded by Commissioner Espinoza the matter was adjourned to the September 18, 2014 meeting

Record of Vote: For 3 Against _____ Absent 2

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

Adjourn to September 18, 2014

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

Signed _____
 William Villanova
Title **Chairman** _____

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Also in attendance were Peter Miley, Building Inspector and Anthony Cerreto, Village Attorney and Jessica Youngblood. Planner

Date of Hearing: August 21, 2014

Applicant:

Nature of Request: ADJOURN MEETING TO September 18, 2014

On the motion of Commissioner D'Estrada, which was seconded by Commissioner Espinoza the meeting was adjourned to September 18, 2014

Record of Vote: For 3 Against _____ Absent 2

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

Adjourn meeting to September 18, 2014

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

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