

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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D’Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing: February 19, 2015
Case No. 2014-0108
Applicant: Guiracocha’s Group, LLC
Jorge Guiracocha, Owner
10 Bulkley Avenue
Port Chester, NY 10573

Nature of Request:

on the premises No. **10 Bulkley Avenue** in the Village of Port Chester, New York, situated on the **North** side of **Bulkley Avenue** distant **200 feet** from the corner formed by the intersection of **Bulkley Avenue and Poningo Street** being **Section 142.22, Block No. 1, Lot No. 49** 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: an opinion per Section 345-13C3 to change one non-conforming use (auto body repair shop) to another non-conforming use (wood working shop) provided the proposed use is more restrictive and less intense in nature. Property is located in the R2F District

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

David Mooney – Architect

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 Anthony Cerreto

Findings of Board:

On the motion of Commissioner Petrone which was seconded by Commissioner D’Estrada, the Favorable Findings of Fact as prepared by the Village Attorney were approved.

Record of Vote: For 4 Against _____ Absent 1

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

Approve Findings

F Petrone
F Luiso
F D’Estrada
Espinoza
F Villanova

Signed _____
William Villanova
Title Chairman

Application for Zoning Variance

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Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing: February 19, 2015
Case No.: 2015-0109
Applicant: Mark & Stephanie Basso
26 Quintard Drive
Port Chester, NY 10573

Nature of Request:

on the premises No. **26 Quintard Drive** in the Village of Port Chester, New York, situated on the **Right** side of **Quintard Drive** distant **400 feet** from the corner formed by the intersection of Renshaw Place and Austin Place being **Section 136.46, Block No 1, Lot No. 37** 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 to the rear of an existing home.**

The structure is located in the R7 One Family Residential District where the minimum required (one) side yard setback is 10 feet, proposed is 7.3 feet therefore, a 2.7 feet minimum (one) side yard setback variance is required

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

Stephanie Basso - applicant

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 Anthony Cerreto.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Petrone, which was seconded by Commissioner Luiso, the Favorable Findings of Fact as prepared by the Village Attorney were approved.

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

Approve Findings

F Petrone
F Luiso
F D'Estrada
F Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Case #2014-0089

A letter dated January 29, 2015 was received from Gary Gianfrancesco Of Arconics Architecture on behalf of **O'Connor Redd, LLP, 242 King Street, Port Chester NY 10573** requesting an extension of Zoning Approvals previously granted on May 15, 2014. Construction on this project will most likely not take place until Spring 2015

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:

A letter dated January 29, 2015 was received from Gary Gianfrancesco Of Arconics Architecture on behalf of O'Connor Redd, LLP, 242 King Street, Port Chester NY 10573 requesting an extension of Zoning Approvals previously granted on May 15, 2014

Findings of Board:

Action taken by Board:

On the motion of Commissioner Luiso, which was seconded by Commissioner Petrone, and extension was granted for 90 days. (May 2015)

Record of Vote: For 4 Against _____ Absent 1

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

Approve Findings

**F Petrone
F Luiso
F D'Estrada
F Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing:	February 19, 2015	Michael Piccirillo Architecture
Case No.:	2014-0098	962 East Main Street
Applicant:	609 Wood Street	Shrub Oak, NY 10588
	Mamaroneck, NY 10543	

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:

Building Inspector Peter Miley stated that he has been working with the applicant and the applicant has decided to redesign the application and will not be needing a variance. The applicant would like to withdraw the application.

Action taken by Board:

On the motion of Commissioner Luiso, which was seconded by Commissioner D'Estrada the matter was withdrawn.

Record of Vote: For 4 Against _____ Absent 1

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

Withdraw Application

F Petrone
F Luiso
F D'Estrada
Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing: February 19, 2014
Case No.: 2015-0111
Applicant: UCF Regent Park LLC@ 14 University Place
745 Boston Street, Suite 502
Boston, MA 02116

Nature of Request:

on the premises No. **14 University Place** in the Village of Port Chester, New York, situated on the **West** side of **University Place** distant **100 feet** from the corner formed by the intersection of **North Regent Street and University Place** being **Section 136.61, Block No 1, Lot No. 27** 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: **Reconcile cosmetic improvements made to the site.**

Property is located in the R5 One Family Residence District 5,000 sq. ft. min lot size. Per Village Code 345 Attachment 1B signs located at N. Regent Street & University Place require a side yard variance of 16'4" The sign located at N. Regent Street and Columbus Avenue require a front yard variance of 20'10"

Residence Districts allow for one identification sign, two identification signs are shown on property, and therefore a variance for one additional identification sign is required.

Both of the existing identification signs exceed 12 square feet in size requiring two variances. One sign is 10' x 4'6" requiring a variance of 33 sq. ft. The other sign is 7'6" x 4'6" requiring a variance of 21'9"

The gazebo installed near intersection of North Regent Street and Columbus Avenue requires a front yard setback variance of 4'8" and a side yard variance of 1 ft.

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:

Building Inspector Peter Miley said that he had received correspondence from the applicant's representative stating he would like to request an adjournment to next month's meeting. Mr. Miley said he has been in communication with Mr. Tartaglia and they will be amending the Notice.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Luiso, which was seconded by Commissioner D'Estrada
The matter was adjourned to the March 19, 2015 meeting.

Record of Vote: For 3 Against _____ Absent 1 Abstain 1

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

Adjourn to March 19, 2015

Petrone
F Luiso
F D'Estrada
Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D’Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing:	February 19, 2015	
Case No.	2015-0110	
Applicant:	Carlos Sosa	Alfonso Paltin & Laura Pulla
	671 Gramatan Avenue	129 Washington Street
	Mt. Vernon, NY 10552	Port Chester, NY 10573

Nature of Request:

on the premises No. **129 Washington Street** in the Village of Port Chester, New York, situated on the **South** side of **Washington Street** distant **257 feet** from the corner formed by the intersection of **Washington Street and Olivia Street** being **Section 142.37, Block No 1, Lot No. 29** 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: **legalize a previously constructed 1 story addition to an existing home.**

The home is a 2 family dimensionally non-conforming dwelling located in in the R2F Two Family District where the southeast addition would require a minimum (1) side yard setback of 8.0 feet and a minimum rear yard setback of 30.0 feet. Existing is 5.0 feet side yard setback and a 27.40 feet rear yard setback therefore, a side yard setback variance of 3.0 feet and a rear yard setback of 2.60 feet is required. The minimum usable open space for each dwelling unit (Square feet) is 800 square feet per unit. Existing is 1370 square feet per unit therefore, a 230 square feet usable open space variance is required

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:

No one was present to represent this application. Chairman Villanova called the case early in the agenda and a 2nd time later in the evening. Peter Miley Building Inspector said it is possible the applicant was confused with regard to a municipal search that was to be done for the property and did not understand they were to return this evening.

Chairman Villanova requested the secretary send a letter to the applicant informing them if they are not present at the next meeting, the case will be dismissed.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Petrone, which was seconded by Commissioner D'Estrada, the matter was adjourned to the March 19, 2015 meeting.

Record of Vote: For 4 Against _____ Absent 1

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

Adjourn to March 19, 2015

**F Petrone
F Luiso
F D'Estrada
 Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing: February 19, 2015

Case No. 2015-0112

Applicant: Michael & Coral Manire
16 Cornell Place
Rye, NY 10573

John G. Scarlato Jr. – Architect
33 Byram Hill Road
Armonk, NY 10504

Nature of Request:

on the premises No. **8 Rye Road** in the Village of Port Chester, New York, situated on the **North** side of **Rye Road** distant **0 feet** from the corner formed by the intersection of **Rye Road and Bay Drive** being **Section 142.70, Block No 1, Lot No. 7** 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 new front porch to an existing single family dwelling.

Property is located in the R7 One family Residential District where the minimum front yard setback is 30.0 ft., proposed is 20.0 ft.; therefore a minimum front yard variance of 10.0 feet is required,

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:

Todd Page representative for John Scarlato, Jr. – architect, represented this application. Mr. Page started by saying that the house is already in construction, the 10 ft. variance being requested is due to an existing deck/porch on the front of the house that when plans were originally filed with the building department were to remain. Since then it was determined that the deck/porch needs to be replaced which triggered the need for the variance. Although the application says it's a new front porch, the applicant is actually replacing an existing front porch as new.

Building Inspector Peter Miley said the application was accepted as a new porch, thus the need for the variance. The porch is on the second floor, and although it is in the existing footprint it increases the already existing non conformity (going up higher). Mr. Page also said the reason for the variance is because the house is on a corner lot Rye Road and Bay Road, the front of the house is existing non-conforming and as the curve of the corner lot comes into play that is where the variance is needed. The new porch will be slightly larger than the existing porch because it will be brought even with the existing house. It was clarified that from left to right of the house the variance decreases and the ten foot request represents the deepest part of the needed variance. In terms of square footage the deck will use very little. The entire second floor is a new addition including the new porch which will have a roof deck. A building permit was given to build the house however it was not determined that a variance was needed until now. After a brief search of records and a call to the architect on the project Mr. Miley concurred that a permit was granted for

the construction of the house. If the applicant is granted the variance, this would be an amendment to the permit.

The unique shape of the lot is the primary reason that a variance is needed for this property. Commissioner Petrone said that this application is not out of character of the other houses in the neighborhood that have front yard variances.

No one from the Public spoke for or against this application

Findings of Board:

Action taken by Board:

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

Record of Vote: For 4 Against _____ Absent 1

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
Espinoza
F Villanova

On the motion of Commissioner Luiso, which was seconded by Commissioner D'Estrada, the Village Attorney was directed to prepare Favorable Findings of Fact for the March 19, 2015 meeting.

Record of Vote: For 4 Against _____ Absent 1

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
Espinoza
F Villanova

Signed _____
William Villanova
Title Chairman _____

Part of this application is for the 2nd floor addition on the left side of the house which does not require a variance because of the unique triangle shape of the property.

Mr. Miley concluded that there is only 1 rear yard setback variance required for this application.

The applicant submitted a letter from the adjacent neighbor who stated that they had no objection to the construction proposed by the applicant.

Maria Misco, applicant provided testimony that the surrounding neighbors' houses are up higher than her house and the neighbor directly behind her is on a graded hill. New construction would not adversely affect any of the neighbors. Currently the house has four bedroom and will remain four bedrooms after the construction.

No one from the public spoke for or against this application.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Petrone, which was seconded by Commissioner Luiso, the Public Hearing was closed.

Record of Vote: For 4 Against _____ Absent 1

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
Espinoza
F Villanova

On the motion of Commissioner Luiso, which was seconded by Commissioner D'Estrada, the Village Attorney was directed to prepare Favorable Findings of Fact for the March 19, 2015 meeting.

Record of Vote: For 4 Against _____ Absent 1

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
Espinoza
F 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 February 19, 2015 at 7:00 p.m. with Chairman William Villanova presiding

Present in addition to Chairman Villanova were Messrs: Petrone, Luiso, and D'Estrada,

Also in attendance was Peter Miley – Building Inspector

Date of Hearing: February 19, 2015

Case No.

Applicant:

Nature of Request: ADJOURN MEETING TO March 19, 2015

On the motion of Commissioner Petrone, which was seconded by Commissioner Luiso, the meeting was adjourned March 19, 2015,

Record of Vote: For 4 Against _____ Absent 1

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

Adjourn meeting to March 19, 2015

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

**Signed _____
William Villanova
Title Chairman**