

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 September 18, 2025, at 7:00 p.m. with Chairman Evelyn Petrone presiding.

Present in addition to Ms. Petrone were Messrs., D’Estrada, Morlino, Simmons and Devita

Also in attendance were Planning Director Greg Cuter, Assistant Planning Director Curt LaValla, and Building Inspector Steve Velardo

Date of Hearing: **September 18, 2025**
Case # **2025-0248**
Applicant: **250 Boston Road, LLC** **Gary Gianfrancesco**
 250 Boston Post Road Arconics Architecture
 Port Chester, NY 10573 545.5 Westchester Avenue

Nature of Request

- 1. Section 345.405.A-13 (CD-4MU) (g) Front Setback, Principal Frontage, 0 ft minimum 20 ft maximum.
 - 2. Section 345.405.A-13 (CD-4MU) (i) [1] Principal Buildings Stories, 3 Stories Maximum
 - 3. Section 345.405.A-13 (CD-4MU)) (i) [3] Finished Floor Level, 2 to 6 ft above average grade at façade.
 - 4. Section 345.405.A-13 (CD-4MU) (l) Garage Location, Third Lot Layer only
-

A letter was received from the Applicant’s attorney requesting that the matter be adjourned to the November 20th meeting

Action taken by Board

On the motion of Commissioner Simons, which was seconded by Commissioner Morlino, the matter was adjourned to the November 20th meeting

Record of Vote: **For** 5 **Against** **Absent** **Abstain**

List names of members & how voted

Adjourn to November 20, 2025
Petrone **F**
D’Estrada **F**
DeVita **F**
Morlino **F**
Simmons **F**

Signed _____
 Evelyn Petrone
Title **Chair** _____

ATTEST:

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Also in attendance were Planning Director Greg Cuter, Assistant Planning Director Curt LaValla, and Building Inspector Steve Velardo

Date of Hearing:	September 18, 2025	
Case Case #	2025-0242	
Applicant:	Waldir and Vera Correia	Jacob Amir, Esq.
	30 Old Mamaroneck Road	Zarin & Steinmetz LLP
	White Plains, NY 10605	81 Main Street
		White Plains, NY 10601

On the premises **47 Ellendale Avenue**, located in the CD.3-R-2F Zoning District, being **Section; 141.28, Block: 3, Lot(s): 16** on the assessment map of the Town of Rye, New York, an application submitted by Jacob Amir, Esq., on behalf of the above-named applicants, requesting a use variance to continue operating the property as a 3-family dwelling

A letter was received from the applicant requesting the matter be adjourned to the October 16th meeting due to a missed submission deadline

On the motion of Commissioner Morlino, which was seconded by Commissioner Simmons, which was seconded by Commissioner D’Estrada, the matter was adjourned to the October 16th meeting,

Record of Vote: **F** For 5 **A**gainst **A**bsent **A**bstain

List names of members & how voted

<u>Adjourn to October 16, 2025</u>	
Petrone	F
D’Estrada	F
DeVita	F
Morlino	F
Simmons	F

Signed	_____
	Evelyn Petrone
Title	Chair

ATTEST:

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Present in addition to Ms. Petrone were Messrs., D’Estrada, Morlino, Simmons and Devita

Also in attendance were Planning Director Greg Cuter, Assistant Planning Director Curt LaValla, and Building Inspector Steve Velardo

Date of Hearing:	September 18, 2025	
Case #	2025-0244	
Applicant	Manuel Caivinagua	Jan Cadek, Hans Cadek Architecture
	245 Madison Avenue	63 Shelley Avenue
	Port Chester, NY 10573	Port Chester, NY 10573

Nature of Request

On the premises **245 Madison Avenue**, located in the CD-3.R5 Zone, being **Section , Block , Lot(s)** on the assessment map of the Town of Rye, New York, an application submitted by Hans Cadek., on behalf of Manuel Cavinagua requesting an area variance in connection with the proposal to finish a cellar as a habitable space in an existing 2 family home (two apartments) a variance for 1 additional story is requested

- 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

This matter was represented by Hans Cadek, Architect for the project. The applicant was also present and provided information as needed.

Mr. Cadek informed the Board that the applicant has removed the dividing walls and the room is now one large room. In addition, there is no longer a sink in the room. The bathroom is incomplete due to a work stoppage because there was no permit obtained to do the work. The floor has been lowered but has not been inspected.

Public:

No one from the public spoke for or against this matter

Findings of Board

The board agreed to grant the variance with certain stipulations.

- No new gas lines
- No 3 waste lines in Bathroom (a half bath is suggested – toilet and sink)
- No vent to accommodate a stove
- Vent should accommodate a clothes dryer only

Action taken by Board

On the motion of Commissioner Morlino, which was seconded by Commissioner Simmons, the Public Hearing was closed.

Record of Vote: For 5 Against _____ Absent _____ Abstain _____

List names of members & how voted

Close Public Hearing

Petrone	F
D’Estrada	F
DeVita	F
Morlino	F
Simmons	F

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the variance was approved and the staff was directed to prepare favorable findings

Record of Vote: **F**or 5 **A**gainst **A**bsent **A**bstain

List names of members & how voted

Prepare Findings

Petrone	F
D’Estrada	F
DeVita	F
Morlino	F
Simmons	F

Signed
Evelyn Petrone
Title Chair

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Also in attendance were Planning Director Greg Cuter, Assistant Planning Director Curt LaValla, and Building Inspector Steve Velardo

Date of Hearing: **September 18, 2025**
No. of Case:
Applicant:

Nature of Request: **Adjourn Meeting**

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the meeting was adjourned to October 16, 2025

Record of Vote: **F**or **5** **A**gainst **A**b sent **A**b stain

List names of members & how voted

Adjourn to October 16, 2025
Petrone **F**
D’Estrada **F**
DeVita **F**
Morlino **F**
Simmons **F**

Signed _____
 Evelyn Petrone
Title **Chair** _____

ATTEST: