

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 October 16, 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, Village Attorney James Carpinello and Building Inspector Steve Velardo

Date of Hearing: October 16, 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

Summary of statement or evidence presented

Findings of Board

The Findings of Fact were summarized by Zoning Board Chair Evelyn Petrone in favor of granting the variance.

Action taken by Board

On the motion of Commissioner Morlino, which was seconded by Commissioner Devita, the Findings of Fact were approved

Record of Vote: For 5 Against Absent Abstain

List names of members & how voted

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

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Signed Evelyn Petrone
Title Chair

ATTEST:

MINUTES OF MEETING

Application for Permit or Variance

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

Date of Hearing: October 16, 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

This matter was placed on the agenda as a placeholder to inform the public that the matter has been adjourned for 2 months and will be on the November 20th meeting agenda

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Signed Evelyn Petrone
Title Chair

ATTEST:

MINUTES OF MEETING

Application for Permit or Variance

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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, Village Attorney James Carpinello and Building Inspector Steve Velardo

Date of Hearing: **October 16, 2025**
Case # **2025-0242**

Applicant:	Waldir and Vera Correia 30 Old Mamaroneck Road White Plains, NY 10605	Jacob Amir, Esq. Zarin & Steinmetz LLP 81 Main Street White Plains, NY 10601
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Nature of Request:

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 an interpretation that the property is a prior existing legal non-conforming 3 family dwelling or in the alternative, a Use Variance to continue the property to be maintained as a 3 family dwelling

- 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:

Jacob Amir, Esq. of Zarin and Steinmetz along with the applicant represented this matter The applicants’ last appearance before the Board was July 17th and the use variance was denied The matter is back before this board because no environmental determination was made The matter is basically a redo because of that issue The interpretation of the application was never determined The application was two pronged: a) determine if a use variance was needed b) an interpretation of the zoning of the property The property was purchased in 2003 and was used as a 3-family residence – illegally in a 2-family zone Later in 2011 the location was zoned CD.4 which allowed for 3 family residences No Certificate of Occupancy was issued for a 3 family residence for 12 years Over that time fire inspections and safety improvements were reported as a 3-family residence Building inspector provided documentation that the occupants were removed from the basement apartment because it was deemed unlawful The property has a history of being a 3 family, then a two family, and continued to go back and forth

Public:

Michael Scarola – Marathon Place – Port Chester, NY
Charles Hoge – North Regent Street- Port Chester, NY

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Findings of Board:

The Board requested that the Village Attorney provide legal Memorandum/Case Law regarding this matter for the next meeting.

Action taken by Board:

On the motion of Commissioner Simmons, which was seconded by Commissioner Dvita, the matter was adjourned to the November 20th meeting with the Public Hearing remain open.

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:

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 October 16, 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, Village Attorney James Carpinello and Building Inspector Steve Velardo

Date of Hearing:
No. of Case:
Applicant:

October 16, 2025
2025-0253
Louis Larizza
25 South Regent Street
Port Chester, NY 10573

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Nature of Request:

On the Premises **20 Hilltop Drive**, located in the CD.3-R-7 Zoning District, being **Section 142.55, Block 1, Lot(s) 28.1** on the assessment map of the Town of Rye, New York, an application submitted by Louis Larizza for the construction of an accessory building in the front yard of the property.

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:

The matter was represented by the applicant Louis Larizza. The applicant is the builder of several properties on Hilltop Drive and Harbor Drive
This building is the last one in the sub-division
This property is adjacent to I95 and the DPW yard
The noise in the rear of the premise is too loud for any family time in the back yard
The applicant proposes a little building in the front yard so the people can have a bar b cue or family gathering
The house is proposed to be 220 feet from the driveway and will not be seen by neighbors
The house will not be seen until you actually enter through the gates on the property
Tere will be trees to also block the view

Public:

No one from the public spoke for or against this application

Findings of Board:

Action taken by Board:

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the Public Hearing was closed and staff was directed to prepare findings for the November 20th meeting

Record of Vote: For 5 Against Absent Abstain
List names of members & how voted

Close Public Hearing & Prepare Findings

Petrone	F
D'Estrada	F
DeVita	F
Morlino	F
Simmons	F


Signed <u>Evelyn Petrone</u>
Title <u>Chair</u>

ATTEST:

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

Date of Hearing:	October 16, 2025	Evan Sakofsky
No. of Case:	2025-0254	11 Berkley Lane
Applicant:	Rebel White Developments Inc	Rye Brook, NY 10573

Nature of Request:

On the premises 4 West Glen Avenue, located in the CD-3, R7 Zoning District, being Section 135.60, Block 2, Lot(s): 47, on the assessment map of the Town of Rye, New York, an application submitted by Rebel White Developments, Inc on behalf of Evan Safosky requesting 2 area variances (1) additional 0.05 of F.A.R., (2) One additional story

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- 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:

The matter was represented by Evan Sakofsky architect for the applicant Applicant stated the property is a non-conforming lot This application is technically an amendment and has already been given a building permit The new story is within the original footprint of the house The variances are related to the existing conditions of the house on a non-conforming lot The house looks like a three-story house and when entering the house, its walk up – entrance is on the first floor. Based on the new zoning code the basement level now counts as a story. The applicant plans to refinish the basement, and no visible changes will be seen from the outside.

Public:

No one from the Public spoke for or against this matter

Findings of Board:

Action taken by Board:

On the motion of Commissioner D’Estrada, which was seconded by Commissioner Simmons, the Public Hearing was closed, and staff was directed to prepare Findings for the November 20th meeting

Record of Vote: For 5 Against Absent Abstain
List names of members & how voted

Close public Hearing & Prepare Findings

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, Village Attorney James Carpinello and Building Inspector Steve Velardo

Date of Hearing: October 16, 2025

No. of Case: 2025-0252

Hans Cadek Architecture, Jan Cadek, R.A

Applicant: Lamar, LLC

63 Shelly Avenue

130 Columbus Avenue Port Chester, NY 10573

Port Chester, NY 10573

Nature of Request:

On the premises 130 Columbus Avenue, located in the CD-3, R5 Zoning District, being Section 136.69, Block 1, Lot(s): 41, on the assessment map of the Town of Rye, New York, an application submitted by Hans Cadek on behalf of the above-named applicant, requesting a front yard setback variance for a proposed second story addition to the premise

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:

The matter was represented by Jan Cadek Architect and Kimberly Koenig the applicant Proposing a second floor over the first floor aligning with the shape of the premises. Currently the second floor only exists on a portion of the house. The footprint of the house will not change. There is no room to add the addition to the side of the house, so the addition will extend the second floor to even out the shape of the house. The addition will be for a master bedroom. The existing bedroom will become a walk in closet In summation the applicant is losing a small bedroom and creating a larger master bedroom with a dressing area

Public:

No one spoke for or against this matter

Findings of Board:

Action taken by Board:

On the motion of Commissioner Morlino, which was seconded by Commissioner DeVita, the Public Hearing was closed and staff was directed to prepare Findings for the November 20th meeting.

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

List names of members & how voted

Close Public Hearing & Prepare Findings

Petrone	F
D'Estrada	F
DeVita	F
Morlino	F
Simmons	F


Signed
Evelyn Petrone
Title
Chair

ATTEST:

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Date of Hearing: **October 16, 2025**
No. of Case:
Applicant:

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Nature of Request: **Adjourn Meeting**

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the meeting was adjourned November 20, 2025

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

List names of members & how voted

Adjourn November 20, 2025

Petrone	F
D'Estrada	F
DeVita	F
Morlino	F
Simmons	F


Signed _____
Evelyn Petrone
Title Chair _____

ATTEST: