

MINUTES OF MEETING

Application for Permit or Variance

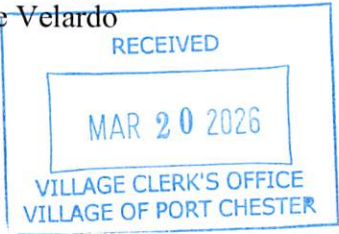
A meeting of the Zoning Board of Appeals was held at the Courtroom of the Police Headquarters Building, 350 North Main Street, Port Chester, NY, on February 19, 2026, at 7:00 p.m. with Chairman Evelyn Petrone presiding.

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

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

Date of Hearing: **February 19, 2026**

Adjourn Meeting



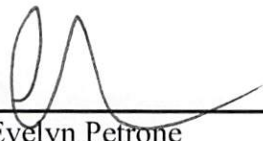
On the motion of Commissioner Simmons, which was seconded by Commissioner Devita, the meeting was adjourned to March 19, 2026

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

List names of members & how voted

Adjourn to March 19, 2026

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

Signed  _____
Evelyn Petrone
Title Chair _____

ATTEST:

Public:

Concetta Tina Tamucci 11 Field Place – Port Chester

Findings of Board:

Action taken by Board:

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

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

Close Public Hearing

Petrone
D'Estrada
DeVita
Morlino
Simmons

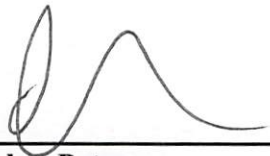
On the motion of Commissioner D'Estrada, which was seconded by Commissioner DeVita, Planning Staff was directed to prepare Favorable Findings of Fact for the March Meeting

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

Prepare Findings

Petrone
D'Estrada
DeVita
Morlino
Simmons

Signed


Evelyn Petrone

Title Chair

ATTEST:

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

Date of Hearing: February 19, 2026

No. of Case: 2026-0258

Applicant: Emilia Schnell
9 Field Place
Port Chester, NY 10573

Anthony Gioffre, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue
White Plains, NY 10601



Nature of Request:

On the premises **9 Field Place**, located in the CD-3-R7 Zoning District, being **Section: 136.38, Block: 2, Lot(s): 36** on the assessment map of the Town of Rye, New York, an application submitted by Anthony Gioffre Esq. of Cuddy & Feder LLP on behalf of the above named applicant requesting an area variance in connection with a pre-existing driveway. A NOV from Village Code Enforcement states driveway exceeds permitted width of 10 feet.

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

No One

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

Concetta Tina Tamucci 11 Field Place – Port Chester

Summary of statement or evidence presented:

The matter was represented by Daniel Patrick Esq. of Cuddy & Feder LLP

Mr. Patrick stated that on November 24, 2025, the Village of Port Chester Department of Code Enforcement issued a Notice of Violation alleging that the existing paved driveway violates the Character Based Code's driveway width limitations. The CD-3.R7 District provides the following pertaining to the permissible driveway widths

Online records reflect that the existing driveway long pre-dates the Village's adoption of the Character-Based Code in 2020. Westchester County Aerial Views show the driveway with its existing width dating all the way back to the year 2004.

Additionally, the Applicant had previously afforded itself the opportunity to legalize the existing conditions at the Premises in and around 2016 to 2018. The Applicant did this through the Village Building Department's Amnesty Program. A Certificate of Occupancy was issued for the Property

The Certificate of Occupancy was issued to the Premises under its current driveway conditions. Thus, any enforcement actions currently being taken regarding the driveway are unwarranted because the driveway width is a well-established pre-existing noncomplying condition which long pre-dates any regulation of driveway widths by the Village

Mr Scarola was neither for or against the application. He came to give an overview of the discussions held on this matter by the Planning Commission.

Findings of Board:

Action taken by Board:

On the motion of Commissioner Simmons, which was seconded by Commissioner D'Estrada, the matter was adjourned to the March 19th meeting

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

Adjourn to March 19, 2026

**Petrone
D'Estrada
DeVita
Morlino
Simmons**

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 was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpiello, and Building Inspector Steve Velardo

Date of Hearing: February 19, 2026

Case # 2025-0248

Applicant: 250 Boston Road, LLC
250 Boston Post Road
Port Chester, NY 10573

Gary Gianfrancesco
Arconics Architecture
545.5 Westchester Avenue



Nature of Request

On the premises **250 Boston Post Road**, located in the CD-4MU Zoning District, being **Section:142.39, Block: 1, Lot(s): 3** on the assessment map of the Town of Rye, New York, an application submitted by Gary Gianfrancesco AIA of Arconics Architecture, on behalf of 250 Boston Post Road, LLC requesting variances pertaining to:

1. Section 345.405.A-13 (CD-4MU) (i) [1] Principal Buildings Stories, 3Stories Maximum
2. Section 345.405.A-13 CD-4MU (i) [3] Finished floor Level, 2 to 6 ft above average grade at facade

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

No one

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

No one

Summary of statement or evidence presented:

The matter was represented by Gary Ginafrancesco of Arconics Architecture along with Anthony Veneziano and Scott Allen

Because the matter had been away from thr Board for several months and the plans had ben revised based on feedback from ther Planning Commission and the neighbors, Mr Gianfrancesco re introduced the project to the Zoning Board complete with renderings.

The new design has a reduction in the original number of requested vasriances; only two variances are currently needed. These variances pertain to stories (not floors)

There will be 120 units on four floors of the building. (30 units per floor) There will be 150 parking spaces.

The property will have 2 curb cuts; one way in and one way out

The Board addressed their concern with regard to demolition noise

The applicant said it would take approximately 18 months to build out after demolition

Public:

Michael Scarola Chair of Planning Commission – (14 Marathon Place Port Chester)

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

Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpiello, and Building Inspector Steve Velardo

Date of Hearing:	February 19, 2026	
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

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

No one was present to represent this application

Chair Petrone summarized the Findings of Fact to deny this application as prepared by the Village Attorney James Carpiello. A SEQRA Negative Declaration Resolution was also prepared by the Planning Director for this application. This is an unlisted action.

On the motion of Commissioner DeVita, which was seconded by Commissioner D'Estrada, the SEQRA Negative Declaration Resolution was approved

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

Approve SEQRA Neg Dec

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



On the motion of Commissioner DeVita, which was seconded by Commissioner Morlino, the variance application was denied

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

Approve Findings to Deny

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

Signed 
Evelyn Petrone
Title **Chair**

ATTEST: