

Application for Permit or Variance

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 November 21, 2024, at 7:00 p.m. with Chairwoman Evelyn Petrone presiding.

Present in addition to Chair Petrone were Messrs.: D’Estrada, Morlino, Simmons, Falk and new Board member Joseph Devita

Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpinello, and Building Inspector Kevin Donohue.

Date of Hearing:	November 21, 2024		
Case No.	2024-0234		
Applicant:	Fanny Y Rios	Vincent Coakley, PE	
	46 Sylvan Road	Oliver Engineering P.C.	
	Port Chester, NY 10573	188 North Main Street	
		Port Chester, NY 10573	

Nature of Request:

On the premises **46 Sylvan Road**, located in the CD-3,R7 Zoning District, being **Section 135.60, Block 2, Lot(s) 46** on the assessment map of the Town of Rye, New York, an application submitted by Vincent Coakley of Oliver Engineering on behalf of Fanny Y Rios to add a portico to the frontage of an existing residence.

- 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:

Chairwoman Evelyn Petrone summarized the Findings of Fact as prepared by the Village Attorney James Carpinello

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

Record of Vote: **For** 5 **Against** **Absent** 0 **Abstain**
List names of members & how voted

Approve Findings
Petrone **F**
D’Estrada **F**
Falk **F**
Morlino **F**
Simmons **F**
Devita

Signed _____
Evelyn Petrone
Title **Chair** _____

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Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpinello, and Building Inspector Kevin Donohue.

Date of Hearing: **November 21, 2024**

Action taken by Board:

Enter into a closed session to consult with the attorney on an agenda item.

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the Board entered into a CLOSED SESSION (7:08pm) to discuss an item on the agenda with the Village Attorney

Record of Vote: **F**or 5 **A**gainst **A**b~~s~~ent **A**b~~s~~tain
List names of members & how voted

Enter Closed Session

Petrone	F
D’Estrada	F
Falk	F
Morlino	F
Simmons	F
Devita	

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, the Board exited the CLOSED SESSION (7:19pm) with the Village Attorney

Record of Vote: **F**or 5 **A**gainst **A**b~~s~~ent **A**b~~s~~tain
List names of members & how voted

Exit Closed Session

Petrone	F
D’Estrada	F
Falk	F
Morlino	F
Simmons	F
Devita	

Signed	_____
	Evelyn Petrone
Title	Chair

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Present in addition to Chair Petrone were Messrs.: D’Estrada, Morlino, Simmons, Falk and new Board member Joseph Devita

Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpiello, and Building Inspector Kevin Donohue.

Date of Hearing: **November 21, 2024**

No. of Case: **2024-0237**
Applicant: New Broad Street LLC by Howie Ravikoff
 33 New Broad Street
 Port Chester, New York 10573

Nature of Request:

On the premises **41 Pearl Street**, located in the CD-4MU Zoning District, being **Section 142.30, Block 2, Lot(s) 6** on the assessment map of the Town of Rye, New York, an application submitted by Howie Ravikoff on behalf of New Broad Street LLC / Ravikoff Property Management for Interpretation and Review of the Zoning Compliance Determination issued and signed by Greg Cutler, the Director of Planning & Development on July 25, 2024 (the “July Zoning Determination”

The Appellant seeks to reverse and modify the determination made in the July Zoning Determination that the Site Plan Approval Application of Neri Land Improvement, LLC (“Neri”), 41 Pearl Street, Case No. 2023-0251 (the “Site Plan Application”) conforms to Chapter 345 (Zoning) of the Code of the Village of Port Chester (the “Zoning Code”).

Mr. Lindenberg ESQ, attorney for the applicant was present to represent the matter

Action taken by Board:

Chairwoman Evelyn Petrone advised thst after speaking with Legal Counsel it was determined that the applicant has a Lack of Standing to proceed further with this matter. Therefore, the case will not be heard

On the motion of Commissioner Simmons, which was seconded by Commissioner Morlino, this matter was dismissed for Lack of Standing

Record of Vote: **F**or 5 **A**gainst **A**bsent 0 **A**bstain
List names of members & how voted

Case dismissed
Petrone **F**
D’Estrada **F**
Falk **F**
Morlino **F**
Simmons **F**
Devita

Signed _____
 Evelyn Petrone
Title **Chair** _____

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Present in addition to Chair Petrone were Messrs.: D’Estrada, Morlino, Simmons, Falk and new Board member Joseph Devita

Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpiniello, and Building Inspector Kevin Donohue.

Date of Hearing:	November 21, 2024	
Case No.	2024-0238	
Applicant:	Peter & Yvonne Zuk	John Scarlato, Jr. – Architect
	288 Glen Avenue	33 Byram Hill Road
	Port Chester, NY 10573	Armonk, NY 10504

Nature of Request:

On the premises **288 Glen Avenue**, located in the CD-3,R7 Zoning District, being **Section 136.53, Block 1, Lot(s) 1** on the assessment map of the Town of Rye, New York, an application submitted by John Scarlato, Jr. on behalf of Peter and Yvonne Zuk to add an addition to the side of an existing building

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:

Mr. Scarlato began by saying they want to add an addition to 1 side of the house that is 8 feet wide. They are proposing a 7 foot 3inch side yard setback where 10 feet is required. Currently there is a small ½ bathroom on the 1st floor but it takes up half of the kitchen. The applicant proposes to eliminate the ½ bathroom that protrudes into the kitchen and redo it complete with a mud room and add a full bathroom in the side addition. The requested variance into the side yard is 2 feet 6 inches. The addition will blend in with the rest of the house.

The neighbors have been consulted with regard to the addition.

The house is owner occupied and the family has been there 30 years.

Mr Donohue offered that this house is a corner lot and the Zone where the house is located allows for a side yard setback of 10 feet with a total of 20, but the applicant only has one side yard so he only has one minimum that he has to adhere to.

Public

No One

Action taken by the Board

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

Record of Vote: **For** 5 **Against** _____ **Absent** 0 **Abstain** _____
List names of members & how voted

Close Public Hearing

Petrone **F**
D’Estrada **F**
Falk **F**
Morlino **F**
Simmons **F**
Devita

On the motion of Commissioner Simmons, which was seconded by Commissioner D’Estrada, Village Attorney was directed to prepare Favorable Findings of Fact for the December meeting

Record of Vote: **For** 5 **Against** _____ **Absent** 0 **Abstain** _____
List names of members & how voted

Close Public Hearing

Petrone **F**
D’Estrada **F**
Falk **F**
Morlino **F**
Simmons **F**
Devita

Signed _____
 Evelyn Petrone
Title **Chair** _____

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Also in attendance was Planning Director Greg Cutler, Assistant Planning Director Curt LaValla, Village Attorney James Carpiello, and Building Inspector Kevin Donohue.

Date of Hearing: **November 21, 2024**

Nature of Request:

Adjourn Meeting

Action taken by Board:

On the motion of Commissioner D’Estrada, which was seconded by Commissioner Simmons the meeting was adjourned to December 19, 2024

Record of Vote: **For** **5** **Against** **Absent** **0** **Abstain**

List names of members & how voted

Adjourn Meeting

Petrone	F
D’Estrada	F
Falk	F
Morlino	F
Simmons	F
Devita	

Signed	_____
	Evelyn Petrone
Title	Chair

ATTEST: