

Planning Commission Meeting

A meeting of the Planning Commission was held on Monday evening March 31, 2025, at the Justice Courtroom, 350 North Main Street, Port Chester, NY at 6:30 p.m. with Chairman Scarola presiding

Present in addition to Chairman Scarola were Commissioners: Alvarez, Berkowitz, Candelaria, Harris, Hoge and Passarelli.

Also present was, Planning Director Greg Cutler, and Village Attorney James Carpiello

The meeting opened with a quorum at 6:30 pm

Constance R. Phillips
Recording Secretary

As presented to the Village Clerk:

Janusz Richards
Village Clerk

After the pledge of allegiance, the Commission proceeded with the agenda.

Approval of Minutes

February 24, 2025

On the motion of Commissioner Berkowitz, which was seconded by Commissioner Hoge, the minutes of the February 24, 2025 meeting were approved with a correction to the roll call chart for a particular application

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz	x		x				
Candelaria			x				
Harris			x				
Hoge		x	x				
Passarelli			x				
Scarola			x				
Carriere							

Michael Scarola, Chair

Case #2023-0244

An application submitted for Site Plan approval to redevelop the premises with a new 8-story mixed use building with 234 residential units and 245 off Street parking spaces, submitted by Anthony Gioffre Esq. of Cuddy & Feder LLP on behalf of Chester Owner, LLC - The Embassy for property located at **128-156 North Main Street, Section:142.23, Block: 1, Lot(s): 32,34,36,37,38,39,40**

A letter was received from the applicant requesting that this matter be adjourned to a future meeting.

No further action was taken on this matter.

Michael Scarola, Chair

Case # 2024-0257

An application submitted for Site Plan approval to redevelop the Premises with a new mixed-use development consisting of 401 residential units and approximately 24,950 s/f of commercial space. The development will be supported by 414 off-street structured parking spaces. submitted by Anthony Gioffre Esq. of Cuddy & Feder LLP on behalf of 181Westchester Avenue LLC, for property located at **181 Westchester Avenue**, Section:**142.22, Block: 2, Lot(s): 6**

On the motion of Commissioner Harris, which was seconded by Commissioner Hoge, the Public Hearing was opened.

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz			x				
Candelaria			x				
Harris	x		x				
Hoge		x	x				
Passarelli			x				
Scarola			x				
Carriere							

A letter was received from the applicant requesting an adjournment to the April meeting

On the motion of Commissioner Berkowitz, which was seconded by Commissioner Candelaria, the matter was adjourned to the April 28, 2025 meeting.

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz	x		x				
Candelaria		x	x				
Harris			x				
Hoge			x				
Passarelli			x				
Scarola			x				
Carriere							

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Michel Scarola, Chair

Case #2024-0256

An application submitted by Anthony Gioffre, Esq. of Cuddy & Feder LLP on behalf of AKT Two Realty LLC for Special Exception Use and Site Plan Approval for a proposed annex to an existing self-storage building located at **123 Oak Street (FKA 200 William Street), Section:142.29, Block: 3, Lot(s) 35**

A request to adjourn was received for this matter.

This matter is a public meeting therefore no further action was taken on this matter

Michael Scarola, Chair

Case #2024-0258 –

An application submitted by Anthony Gioffre Esq. of Cuddy & Feder LLP on behalf of 140 Owners LLC for Site Plan Approval to reconstruct the previously-existing 3rd story of the existing building. This proposal involves interior renovations in support of the continued personal service and office uses throughout the 1st and 2nd stories as well as reconstruction of the 3rd story to support 2 1-bedroom residential units located **at 30-32 North Main Street, Section 142.31, Block: 1, Lot(s): 31**

The matter was represented by Anthony Gioffre Esq. of Cuddy & Feder LLP along with Daniel Patrick Esq, of Cuddy & Feder LLP, Pierre Sarrazin of Sarrazin Architects and Howie Ravikoff the applicant.

The applicant is proposing to reconstruct the previously-existing 3rd story of the existing building at the Premises. This proposal involves interior renovations in support of the continued personal service and office uses throughout the 1st and 2nd stories as well as reconstruction of the 3rd story to support 2 1-bedroom residential units

The Premises consists of a single tax parcel with a total lot area of 0.06 acre (2,423 s/f) with frontage along the western side of North Main Street and eastern side of King Street

The Applicant proposes renovations to re-establish the previously existing 3rd story. The Applicant proposes to retain the existing personal service and office uses within the 1st and 2nd stories

The proposed plan will not alter the existing building footprint and/or change the existing impervious coverage. All new construction will be vertical only and will not be out of character with the surrounding area.

This proposal constitutes an action exempt from the New York State Environmental Quality Review Act ("SEQRA") because it is a Type II Action.

The applicant requested the matter be referred to the Zoning Board of Appeals to obtain any necessary variances

In addition, the applicant requested that a Public Hearing be set on this matter

On the motion of Commissioner Passarelli, which was seconded by Commissioner Alvarez, the matter was referred to the Zoning Board of Appeals

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez		x	x				
Berkowitz			x				
Candelaria			x				
Harris			x				
Hoge			x				
Passarelli	x		x				
Scarola			x				
Carriere							

On the motion of Commissioner Hoge, which was seconded by Commissioner Berkowitz, a Public Hearing was set for April 28, 2025

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz		x	x				
Candelaria			x				
Harris			x				
Hoge	x		x				
Passarelli			x				
Scarola			x				
Carriere							

Michael Scarola, Chair

Add on item

On the motion of Commissioner Hoge, which was seconded by Commissioner Passarelli, the following application was added to the agenda due to a late submission.

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz			x				
Candelaria			x				
Harris			x				
Hoge	x		x				
Passarelli		x	x				
Scarola			x				
Carriere							

Case # 2024-0253

A letter was submitted by David Cooper Esq. of Zarin & Steinmetz on behalf of 140 Midland Owner, LLC Midland Avenue with regard to a Shared Parking Agreement for property located at **140 Midland Avenue, Section:142.53, Block: 1, Lot(s) 4**

The Site Plan Approval currently requires the Applicant to provide a shared parking easement with Floor and Décor (on 130 Midland Avenue) prior to the signature of the Site Plan. Floor and Décor is still working towards signing the shared parking easement. The Applicant would like to proceed with the renovations of the existing façade at this time; however, the Building Department requires a signed Site Plan in order to process a permit request for this aspect of the Project. Therefore, we are asking that the Commission move the requirement concerning the shared parking easement to a condition precedent of a Certificate of Occupancy, rather than the signature of the Site Plan. This way, the Applicant can secure a permit related to the façade renovation and move ahead with this aspect of the Project. Since undertaking improvements to the existing facade would not increase the parking demand at the Site, we respectfully submit that allowing this portion of the Project to move forward without the shared parking easement in place should not be an issue.

The matter was represented by David Cooper Esq, of Zarin &Steinmetz.

Site Plan approval for this project was issued June 2024

The Site Plan Approval requires the Applicant to provide a shared parking easement with Floor and Décor (on 130 Midland Avenue) prior to the signature of the Site Plan.

Floor and Décor is still working towards signing the shared parking easement

The Applicant would like to proceed with the renovations of the existing façade, however, the Building Department requires a signed Site Plan in order to process a permit

The applicant is requesting the Commission move the requirement concerning the shared parking easement to a condition precedent of a Certificate of Occupancy, rather than the signature of the Site Plan.

The Commission agreed the applicant can move forward with façade work and sidewalk restoration only and the Site Plan can be signed

No additions to the property can go forward prior to the issuance of the shared parking agreement

The applicant's condition sheet to be revised:

NEW CONDITION SECTION:

PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR WORK CONSTRUCTING THE PROPOSED ADDITION

Applicant shall provide a Shared Parking Agreement, between 130 Midland Avenue Owner and 140 Midland Avenue Owner, allowing the 140 Midland Avenue property to share, at minimum, 60 parking spaces from the 130 Midland Avenue property, which is satisfactory to the Village Attorney.

On the motion of Commissioner Passarelli, which was seconded by Commissioner Candelaria

The applicant's request was granted with the above new condition added.

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz			x				
Candelaria		x	x				
Harris			x				
Hoge			x				
Passarelli	x		x				
Scarola			x				
Carriere							

Michael Scarola, Chair

BOT Referrals

Local Law Amending the code of the Village of Port Chester, Chapter 345, “Zoning,” revising the definition of an Accessory Dwelling Unit, reducing the number of Zoning Districts where they are a permitted accessory use, and requiring a special exception use permit

Summary of Referral as prepared by Commission Chair

Referral Topic Revising the definition of Accessory Dwelling Unit (ADU) and reducing the number of Zoning Districts where ADUs are permitted as an accessory use, *and requiring a special exception use permit.*

Planning Commission’s Agenda 3/31/2025

Actions The Planning Commission voted 7-0 in support of the local law.

Additional Recommendations

- N/A

Additional Comments / Concerns

- N/A

On the motion of Commissioner Berkowitz, which was seconded by Commissioner Hoge the Planning Commission unanimously in support of the Local Law

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz	x		x				
Candelaria			x				
Harris			x				
Hoge		x	x				
Passarelli			x				
Scarola			x				
Carriere							

Michael Scarola, Chair
Adjourn Meeting

By unanimous motion and second the meeting was adjourned to April 28, 2025

Roll Call

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	
Alvarez			x				
Berkowitz			x				
Candelaria			x				
Harris			x				
Hoge			x				
Passarelli			x				
Scarola			x				
Carriere							

Michael Scarola, Chair