

THE REGULAR MEETING of the ZONING BOARD OF APPEALS of the Town of Cortlandt was conducted at the Town Hall, 1 Heady St., Cortlandt Manor, NY on *Wednesday, December 18<sup>th</sup>, 2019*. The meeting was called to order, and began with the Pledge of Allegiance.

David S. Douglas, Chairman presided and other members of the Board were in attendance as follows:

Wai Man Chin, Vice Chairman  
Adrian C. Hunte  
Eileen Henry  
Thomas Walsh  
Frank Franco  
Cristin Jacoby

Also Present

Chris Kehoe, Deputy Director for Planning  
Joshua Subin, Assistant Town attorney

\* \* \*

**ADOPTION OF MEETING MINUTES FOR NOVEMBER 20, 2019**

Mr. David Douglas stated next can I have a motion?

So moved, seconded with all in favor saying "aye".

Mr. David Douglas stated the minutes for November 20<sup>th</sup>'s meeting are adopted.

\* \* \*

Mr. David Douglas asked then we've got the meeting schedule that Mr. Kehoe distributed for our 2020 calendar year. Can I have a motion to adopt that?

So moved, seconded with all in favor saying "aye".

Mr. David Douglas stated that meeting schedule is adopted.

\* \* \*

**NEW PUBLIC HEARING:**

**A. Case No. 2019 – 15 Application of Building Permit Services, on behalf of Scott Feero** for an area variance for a front yard setback for an existing front entry for property located at 136 Furnace Woods Road.

Ms. Nora Hildinger stated good evening. My name is Nora Hildinger. I am representing Scott Feero of 136 Furnace Woods Road in this hearing. 136 Furnace Woods Road in an R40 zone which requires a 50 foot front yard setback. In 1989, there was a ZBA case, ZBA case# 30-89 and a variance was granted for 35 feet front yard setback and today I am requesting a variance to allow a 30 foot front yard setback for an existing mudroom entryway. The property was granted a 35 foot variance. This variance is for an additional 5 feet allowing for the 30 foot setback. I would like to further mention that it will not be injurious to the neighborhood and it will not change the character of the neighborhood. Thank you.

Mr. Frank Franco stated so this is my case and we reviewed it. After taking a look at it, it doesn't appear that it would have any adverse affect on the neighborhood. It seems obfuscated by the big boulders in the front. I don't think there's any other way that you could create that entrance in the front. Some other way and besides that it would require tearing down the old one. It's not that much different than what's already existing. Given that, and like you said it doesn't have an adverse affect on the neighborhood from what we can tell, from what I see. So my thoughts on it is it's okay from my viewpoint. I don't know, anyone else want to weigh in on the board?

Mr. Thomas Walsh stated I would just like to make a point. This structure is existing, was built illegally and that's why we are here now requesting this variance. That does put us in a bad situation having to approve something that's already built but we have to look at it like it's not there. I don't know if I would approve it if it wasn't already built but I look at the factors that we go through. It is not an undesirable change to the neighborhood, just where it is, I drive by it every day. It is a substantial though variance that you are requesting. The house is built very close to the road already. Your neighbors are actually closer to the road. I really don't see that it is an undesirable change so I would be in favor of granting this.

Ms. Adrian Hunte stated I concur.

Mr. David Douglas asked anyone else?

Mr. Wai Man Chin stated I would like to say that looking at the map of Furnace Woods Road there are quite a few houses a lot closer to the property line than what's being asked for right here. I would not have any problems with granting this smaller variance that was given originally in 1989.

Mr. Frank Franco asked anybody else want to make any comments on – I'll make a motion to close the public hearing for 2019-15.

Seconded, with all in favor saying "aye".

Mr. David Douglas stated public hearing is closed.

Mr. Frank Franco stated I make a motion to approve for a variance of 20 feet from a required 50 down to a proposed 30 foot which is a variance of 20 feet. This is a SEQRA type II and no further compliance is required.

Seconded with all in favor saying "aye".

Mr. David Douglas stated the variance is granted. Thank you.

Ms. Nora Hildinger stated thank you.

\*

\*

\*

**ADJOURNED PUBLIC HEARINGS:**

**A. Case No. 2019 – 13 Application of Elizabeth Holloway of Station Glo of New England,** for the property of Ibrahim Jamil, for an area variance for additional signage at the existing Mobil Gas Station located at 2225 Crompond Road (Route 202).

**B. Case No. 2019-14 Application of Elizabeth Holloway of Station Glo of New England, for the property of GTY NY Leasing, Inc.** for an area variance for additional signage at the existing Mobil Gas Station located at 2072 E. Main St. (Route 6).

Mr. David Douglas stated my understanding is that the applicants have requested an adjournment until January, is that right?

Mr. Chris Kehoe responded correct.

Mr. David Douglas asked somebody want to make a motion to adjourn this until January?

Mr. Wai Man Chin stated I make a motion on case 2019-13 and 2019-14 to adjourn to the January meeting.

Seconded, with all in favor saying "aye".

Mr. David Douglas stated those two cases are adjourned to January.

\*

\*

\*

**ADJOURNED PUBLIC HEARINGS:**

- A. **Case No. 2016-24 Application of Hudson Ridge Wellness Center, Inc.** for an Area Variance from the requirement that a hospital in a residential district must have frontage on a State Road for property located at 2016 Quaker Ridge Road.  
**(Adjourned to the January 15, 2020 meeting)**

Mr. David Douglas stated this has been adjourned until January.

\*

\*

\*

**OLD BUSINESS:**

- A. **Case No. 2019-10 Application of Hudson Ridge Wellness Center, Inc.** for an interpretation related to the Code Enforcement Officer's determination(s) on the proposed wellness center for property located at 2016 Quaker Ridge Road.  
**(Adjourned to the January 15, 2020 meeting)**

Mr. David Douglas stated we already closed the public hearing and we anticipate issuing a decision & order at the January meeting. I guess we have to do a motion to close those things. I'm sorry about that. I got ahead of myself. Is there a motion to adjourn the two Hudson Wellness...

Ms. Adrian Hunte stated on case 2016-24 and case #2019-10 I make a motion to adjourn these matters to the January 15<sup>th</sup>, 2020 ZBA meeting.

Seconded, with all in favor saying "aye".

Mr. David Douglas stated these two matters are adjourned, officially now, adjourned to January.

\*

\*

\*

**ADJOURNMENT**

Mr. Thomas Walsh stated I make a motion to adjourn the meeting.

Seconded with all in favor saying "aye".

Mr. David Douglas stated the meeting is adjourned.

Members stated Merry Christmas, Happy New Year, Happy Hanukkah!

Mr. David Douglas stated we'll see everybody next year.

\*

\*

\*

**NEXT REGULAR MEETING WEDNESDAY, JANUARY 15, 2020**