

THE REGULAR MEETING of the ZONING BOARD OF APPEALS of the Town of Cortlandt was conducted via Zoom webinar on *Wednesday March 17, 2021*. 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

Chris Beloff, alternate board member

Also Present:

Joshua Subin, Assistant Town Attorney  
Rosemary Boyle Lasher, Planning Division

\*

\*

\*

### **SPECIAL MOMENT OF SILENCE IN MEMORIAM**

Chairman Douglas announced before we begin this evening he would like to ask for a moment of silence to remember Mr. James Seimarco who passed away recently. Mr. Seimarco was a member of the ZBA for several years and a fine man. We grieve his loss and thank him for his service to the community.

### **ADOPTION OF MEETING MINUTES FOR FEBRUARY 17, 2021**

Mr. David Douglas stated the first item on the agenda; the adoption of the meeting minutes from February.

Motion made by Ms. Hunte, Seconded by Ms. Henry with all voting "aye".

**ADJOURNED PUBLIC HEARINGS**

**A. Case No. 2021-1 Application of Charles Cardella** for an area variance for unenclosed storage in the side yard for an existing trailer at 3 Dickerson Road.

Chairman Douglas announced this public hearing is being adjourned this evening at the request of the applicant after our discussion at the work session on 3/15/21.

**NEW PUBLIC HEARINGS**

**A. Case No. 2021-4 Application of Matthew Carroll** for an area variance for a proposed building addition to an existing dwelling located at 300 Mt. Airy Road West.

Chairman Douglas recognized Ms. Jacoby to speak on this case. Ms. Jacoby asked if the applicant is present. Mr. Matt Carroll was present and gave the following brief overview of his request. Mr. Carroll explained he needs a variance to construct a master suite over the new garage and raise the roof of the existing home for better access into the attic as that is rather tight right now. The Variances being requested are 10.5 feet in side yard and 36.5 in rear yard.

Ms. Jacoby asked if there is any way to make a change to the house that does not require a variance. Mr. Carroll responded short answer no. Due to the placement of the garage.

Ms. Jacoby asked about his outreach to his neighbors. Mr. Carroll confirmed he personally spoke to his neighbor and none of them had any problem with this variance. They all wished him well.

Mr. Chin stated he has to problem with the request. He lives on East Mt. Airy and knows the area well. His only concern is the Health Department approvals for bedrooms vs. dens. Mr. Carroll understands as this was already highlighted to him by Mr. Rogers of the Code Enforcement division. Mr. Chin as long as that is worked out with the Board of Health and the Town's building department that is fine.

Ms. Jacoby said she will be quickly reviewing the 5 factors on the record here as it relates to this case:

1. Whether an undesirable change will be produced in the character of the neighborhood, or if a detriment to nearby properties will occur? No
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; No.
3. Whether the requested variance is substantial; No.
4. Whether the proposed variance will have an adverse effect or impact on the physical or

- environmental conditions in the neighborhood or district; No.
5. Whether the alleged difficulty was self-created; Yes it was but there is no other reasonable solution.

This is a type 2 action under SEQRA and no further compliance is required.

Mr. Douglas followed up with two comments. One being that part of the reason for the variance is that it is a corner lot that adjoins Hillcrest Road which is a paper street (a non-built road). Mr. Douglas said there are several paper roads in this area of Town as he is aware because he lives just up the street on Colabaugh Pond Rd.

The second comment was the trailer that is on the property. Mr. Carroll responded yes it is only here temporarily for a few repairs and it is moving upstate shortly. Mr. Douglas and several other Board members pointed out the case on the agenda earlier this evening was with regard to a trailer so that is why we ask. Mr. Carroll confirmed his is only there very temporarily and he will be relocating it upstate shortly after repairs are complete.

There being no further comments and no one else from the public wishing to speak, Ms. Jacoby made a motion to close the public hearing, Seconded by Ms. Hunte with all voting Aye.

Ms. Jacoby made a motion to approve a D&O for case number 2021-4 for approval an area variance 10.5 front and 36.4 feet in the rear yard for a proposed building addition to an existing dwelling located at 300 Mt. Airy Rd West. Motion was seconded by Ms. Henry with all voting "Aye".

## **ADJOURNMENT**

Chairman Douglas asked if there was any other business for this evening. There was not, so Ms. Hunte made a motion to adjourn. Seconded by Mr. Franco with all in favor saying "aye".

\*

\*

\*

**NEXT REGULAR ZBA MEETING WEDNESDAY, APRIL 21, 2021**