

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

ZONING BOARD MEETING

Town Hall
1 Heady Street
Cortlandt Manor, NY 10567
April 18, 2024
7:00 p.m. - 7:07 p.m.

April 18, 2024

MEMBERS PRESENT:

Michael Fleming, Chairman

Chris Beloff, Member

Frank Franco, Member

Benito Martinez, Member

ALSO PRESENT:

Chris Kehoe, AICP, Director of Planning

ABSENT:

Wai Man Chin, Vice-Chairman

Michelle Piccolo Hill, Member

Thomas Walsh, Member

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2 (The board meeting commenced at 7:00 p.m.)

3 MR. MICHAEL FLEMING: All right, I'd
4 like to call to order the April 18, 2024 meeting
5 of the Town of Cortlandt Zoning Board of Appeals.
6 To start, as is my practice, I'd like to invite
7 anybody present who wishes to join me in the
8 Pledge of Allegiance.

9 MULTIPLE: I pledge allegiance to the
10 flag of the United States of America and to the
11 Republic for which it stands, one nation under
12 God, indivisible, with liberty and justice for
13 all.

14 MR. FLEMING: All right, thank you, and
15 Chris, start with the roll call?

16 MR. CHRIS KEHOE: Mr. Martinez?

17 MR. BENITO MARTINEZ: Here.

18 MR. KEHOE: Mr. Franco?

19 MR. FRANK FRANCO: Here.

20 MR. KEHOE: Mr. Fleming?

21 MR. FLEMING: Here.

22 MR. KEHOE: Mr. Beloff?

23 MR. CHRIS BELOFF: Here.

24 MR. FLEMING: Mr. Chin, Ms. Piccolo Hill

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2 and Mr. Walsh noted as absent.

3 MR. FLEMING: Thank you. All right, has
4 everyone had an opportunity to review the meeting
5 minutes? Yes?

6 MR. BELOFF: Yeah.

7 MR. FLEMING: All right, can I have a
8 motion?

9 MR. FRANCO: I make a motion to approve
10 the meeting minutes for March 21, 2024.

11 MR. MARTINEZ: Second it.

12 MR. FLEMING: All in favor?

13 MULTIPLE: Aye.

14 MR. FLEMING: No, no opposition, so the
15 meeting minutes are, are granted. On old
16 business, case number 2023-17, the application of
17 Parth Patel for interpretation of a zoning
18 ordinance, that matter has been adjourned to the
19 May meeting. The date on that is, what's the date
20 for the May meeting?

21 MR. KEHOE: The 16th.

22 MR. FLEMING: May 16th. The date on that
23 is May 16, 2024. So there will be a -- that will
24 be on the agenda for that meeting. We do have a

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2 piece of new business, and Mr. Franco, I think
3 this is yours.

4 MR. FRANCO: Yeah, this is case number
5 2024-3, for the address of 13 Tommy Thurber Lane
6 for a front yard setback for a proposed portico
7 over the existing entry. I will invite the
8 applicants to come up and walk through their
9 case.

10 MR. FLEMING: When you get there, just
11 give us your full name, your address and then
12 feel free to say anything you want to say and
13 we'll go from there.

14 MR. JOE DURAES: My name is Joe Duraes
15 and I live at 13 Tommy Thurber Lane in Montrose.

16 MR. FLEMING: Okay.

17 MS. JENNIFER DADDIO: My name is
18 Jennifer Daddio and I also live at 13 Tommy
19 Thurber Lane in Montrose.

20 MR. FLEMING: Thank you.

21 MR. DURAES: And we are planning to
22 build a portico in front of our, you know, front
23 door. And this is something that we wanted to do
24 for many years and we're finally in a position to

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2 do it. And that's why we're here.

3 MR. FRANCO: Okay. We've reviewed the
4 case, and, you know, what we generally do is take
5 a look at it relative to our standard five
6 factors. So we don't, you know, one of the things
7 is can the benefit be achieved by some other
8 means, and the portico is the portico so I don't
9 think that there's a way to do it any other way.
10 Judging from the pictures and your house, I don't
11 think it would create an undesirable change to
12 the neighborhood. It's not, from my opinion, it
13 doesn't appear to be a substantial request and
14 the steps are already there.

15 MS. DADDIO: Mm-hmm.

16 MR. FRANCO: So you're not creating a
17 setback greater than what's already present.

18 MS. DADDIO: Correct.

19 MR. FRANCO: It won't have, in my
20 opinion, an adverse physical -- it won't have an
21 adverse physical or environmental effect and yes,
22 it's self created, but it's not the end of our
23 decision. So from my viewpoint, I don't see a
24 problem with it, but I'll open it up to my

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2 colleagues, if they have any comments or
3 questions they want to ask.

4 MR. BELOFF: I'm going to -- no, I'm
5 fine. I agree with everything.

6 MR. MARTINEZ: Yeah, it's a fair
7 request, so I have no problem with it.

8 MR. DURAES: Thank you.

9 MS. DADDIO: Thank you.

10 MR. FLEMING: All right, well I --

11 MR. FRANCO: Before we go any further,
12 does anybody -- we don't have anyone on the
13 phone, right?

14 MR. KEHOE: No one is on the Zoom.

15 MR. FRANCO: The Zoom.

16 MR. FLEMING: Yeah, just to follow up, I
17 mean I also feel the same way. You know, there
18 are five factors we have to consider when we
19 grant these variances. I don't think any of them
20 create an opposition for you to go forward with
21 this. So I also don't have a problem. In light of
22 that, I think we probably just need a motion.

23 MR. FRANCO: Okay. So --

24 MR. FLEMING: Unless you've got anything

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2 else you want to add.

3 MR. FRANCO: Well, I think first I make
4 a motion to close the public hearing.

5 MR. FLEMING: Sure. All in favor? Oh, we
6 need a second.

7 MR. MARTINEZ: I second it.

8 MR. FLEMING: All in favor?

9 MULTIPLE: Aye.

10 MR. FLEMING: All right, the public
11 hearing is now closed.

12 MR. FRANCO: Okay. So I make a motion to
13 approve the variance for three feet which is 8.6
14 percent for case number 2024-3 for the variance
15 of the portico over the front entry. This is a
16 SEQR type II, no further compliance is required.

17 MR. FLEMING: I need a second.

18 MR. MARTINEZ: I second it.

19 MR. FLEMING: All in favor?

20 MULTIPLE: Aye.

21 MR. FLEMING: All right, so ordered. And
22 do we have -- tonight will we be able to give
23 them a copy of --

24 MR. KEHOE: No, we create a document

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2 called the decision and order, which given the
3 simplicity of the case, we already have. But I
4 have to get it to the code enforcement director,
5 we have to file it. You'll get a copy of it in
6 the mail and then allows Martin Rogers to proceed
7 with issuing his building permit or continuing to
8 review. So look for this document in the mail in
9 the next couple of days.

10 MS. DADDIO: Okay.

11 MR. FLEMING: Thank you, Chris.

12 MS. DADDIO: Thank you so much.

13 MR. FLEMING: Good luck.

14 MR. DURAES: Thank you.

15 MS. DADDIO: Thanks.

16 MR. FLEMING: All right.

17 MR. FRANCO: Okay. There's nothing else,
18 right?

19 MR. FLEMING: There's nothing else on
20 the agenda, so can we --

21 MR. FRANCO: I make a motion to close --

22 MR. FLEMING: The hearing.

23 MR. FRANCO: -- the hearing until what,
24 May 16th?

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MR. FLEMING: May 16, 2024.

MR. MARTINEZ: I second it.

MR. FLEMING: All in favor?

MULTIPLE: Aye.

MR. FLEMING: No opposition, the meeting
is closed, thank you everybody.

MR. FRANCO: All right.

(The public board meeting concluded at
7:07 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Zoning Board meeting of the Town of Cortlandt on April 18, 2024 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Handwritten signature of Claudia Marques in cursive script.

Date: May 1, 2024

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