

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

ZONING BOARD MEETING

Cortlandt Town Hall
1 Heady Street,
Cortlandt Manor, New York

June 16, 2021

7:00 p.m. - 7:10 p.m.

June 16, 2021

MEMBERS PRESENT:

David Douglas, Chairman

Wai Man Chin

Frank Franco

Adrian C. Hunte

Benito Martinez

Cristin Jacoby

Thomas Walsh

Chris Beloff

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

3 MR. DAVID DOUGLAS: Welcome to the June
4 Zoning -- I'm out of practice. [laughter] I'm
5 looking, wait a second, why am I in this room.
6 So, welcome to the June Zoning Board of Appeals
7 meeting. This is our first meeting since March,
8 so welcome everybody. We begin with the Pledge
9 of Allegiance, which Mr. Kehoe, I can do now.

10 MR. CHRIS KEHOE: We'll all do it
11 together.

12 MR. DOUGLAS: Okay.

13 MULTIPLE: I pledge allegiance to the
14 flag of the United States of America, and to the
15 Republic for which it stands one nation, under
16 God, indivisible, with liberty and justice for
17 all.

18 MR. DOUGLAS: Call the roll, please.

19 MR. KEHOE: Mr. Chin?

20 MR. WAI MAN CHIN: Here.

21 MR. KEHOE: Mr. Subin?

22 MR. JOSHUA SUBIN: Here.

23 MR. KEHOE: Mr. Douglas?

24 MR. DOUGLAS: Here.

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MR. KEHOE: Ms. Jacoby?

MS. CRISTIN JACOBY: Here.

MR. KEHOE: Mr. Walsh?

MR. THOMAS WALSH: Here.

MR. KEHOE: Ms. Hunte?

MS. ADRIAN C. HUNTE: Here.

MR. KEHOE: Mr. Martinez?

MR. BENITO MARTINEZ: Here.

MR. KEHOE: Mr. Franco?

MR. FRANK FRANCO: Here.

MR. KEHOE: And Mr. Beloff?

MR. CHRIS BELOFF: Here.

MR. DOUGLAS: First item on the agenda
is the adoption of the minutes for May.

MR. FRANCO: So moved.

MS. HUNTE: Second.

MR. DOUGLAS: All in favor?

MULTIPLE: Aye.

MR. DOUGLAS: Any opposed? Okay, the
minutes from May are adopted. We have one new
public hearing that's case number 2021-7,
application of Robert Gale for an area variance
for a front yard setback for a proposed new

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2 residence located at 35 Shady Brook Lane. Mr.
3 Walsh, this is your case.

4 MR. KEHOE: If you could just go up to
5 the mic. You can leave your drawings if you want.
6 Yeah, that's good. And if you could, just state
7 your name for the record.

8 MS. JOANN GALE: Joann Gale.

9 MR. VICTOR GALE: And Victor Gale.

10 MR. WALSH: Good evening. Thank you so
11 much. This is my case. If you just want to go
12 over and explain what you're doing, what you're
13 proposing and why. I know we talked about the
14 five factors the other night if you want to just
15 go over those with us and then we'll ask our
16 questions after your presentation.

17 MR. GALE: Okay.

18 MS. GALE: We are requesting a variance
19 do to the approved septic system layout. The
20 house is 27 foot from the road, in lieu of the 50
21 foot setback, due to the, again, the approved
22 septic system. We do not believe that the
23 variance will have any adverse effect or impact
24 on the physical or environmental conditions of

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2 the neighborhood. There are several houses on
3 Shady Brook that are closer than the 50 foot
4 setback and also in the surrounding area,
5 neighborhoods, there are also houses that are
6 setback and we show that on our plan, on the
7 photograph below. I think we're touching on all
8 of our key points here.

9 MR. WALSH: I know we spoke on Monday at
10 the work session. Were you able to speak with
11 Cronin Engineering?

12 MS. GALE: Yes, I did. I spoke with Tim
13 today, and Tim said that Westchester Board of
14 Health approval would only accept this layout for
15 this piece of property, that there were no other
16 alternate septic systems that would be acceptable
17 for our piece of property. He said that they are
18 used if you are renovating an existing septic
19 system, but ours being brand new, this is what
20 they wanted, and there wasn't another option.
21 Okay.

22 MR. WALSH: That was my biggest concern
23 with this proposal was just that there was other
24 options for the septic system, and you stated

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2 this is what Westchester County Board of Health
3 has required for this property, so I'm in
4 agreement with that. Also, the properties, you
5 know, I've toured the property and there are
6 other homes in the area that we have granted
7 variances for, for minimum setback requirements,
8 so I have no issues going through this. It is not
9 an undesirable change in the neighborhood,
10 because there are other homes that are already
11 that way. There are no other feasible methods to
12 achieve based on the Westchester County's Board
13 of Health Approval. This is a substantial
14 variance requested, but it is not unfeasible in
15 my mind. It is not going to have a physical,
16 environmental impact, but yes, it is self
17 created, but that is something we just take into
18 consideration, but not the end all be all for me.

19 I know we also had the shed on the
20 property that is your neighbors. That must be
21 addressed either by a letter, I guess Mr.
22 Douglas, to the adjoining property owner to move.

23 MR. DOUGLAS: That's been our past
24 practice, Mr. Walsh.

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2 MR. KEHOE: Mm-hmm. That's right.

3 MR. WALSH: Okay.

4 MR. DOUGLAS: They write a letter and
5 request its removal and then we can proceed.

6 MR. WALSH: Okay. I have no other
7 questions, does anybody else on the Board have
8 questions?

9 MR. CHIN: No, I have no problem with
10 this based on the site plan of the area. There
11 are buildings a lot closer than what they're
12 asking for. On [unintelligible] [00:05:44],
13 there's ones are almost right on the road nearly,
14 and so forth and most of those houses are built
15 prior to zoning and since the zoning was changed
16 with the 50 foot setback, it's not unreasonable
17 for what they're asking.

18 MS. JACOBY: I'm okay with it as well.

19 MS. HUNTE: I've visited the properties
20 and in the neighborhood, there are varying
21 setbacks, some closer, some farther away, so I
22 don't have an issue with this as well.

23 MR. WALSH: Anybody else on the board?
24 Anybody else from the public? Good. I'd like to

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2 make a motion in case number 2021-7 for 25 Shady
3 Brook Lane for a area variance, let's see here,
4 for required 50 feet, proposed 27 feet for a
5 variance of 23 feet, 46 percent. Motion to close
6 the public hearing.

7 UNIDENTIFIED MALE: Second.

8 MR. DOUGLAS: All in favor?

9 MULTIPLE: Aye.

10 MR. DOUGLAS: Any opposed? Public
11 hearing is closed.

12 MR. WALSH: Case number 2021-7 for 35
13 Shady Brook Lane, required area variance, front
14 yard setback for proposed new house required 50
15 feet, proposed 27 feet for a variance of 23 feet,
16 which is 46 percent. This is a SEQR Type II, no
17 further compliance is required.

18 UNIDENTIFIED MALE: Second.

19 MR. DOUGLAS: All in favor?

20 MULTIPLE: Aye.

21 MR. DOUGLAS: Any opposed? Okay. The
22 variance is granted, and is there any steps they
23 need to take?

24 MR. KEHOE: No, just briefly I have to

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2 formalize this in a document called a decision
3 and order. You will receive that in the mail. I
4 can also e-mail you a copy of it. I'll provide
5 that to the building department because they need
6 that in order to continue to work with you on
7 your building permit and that will be done in the
8 next day or two.

9 MS. GALE: Beautiful, thank you so much.

10 MR. WALSH: You're welcome.

11 MR. DOUGLAS: Have a nice night.

12 MR. GALE: Thank you very much.

13 MR. DOUGLAS: We have one item of old
14 business. This is case number 2016-24, with
15 respect to the application of Hudson Ridge
16 Wellness Center. I'll just note that we've had
17 certain members that have recused themselves from
18 this, so Mr. Franco and Mr. Walsh and Mr. Beloff
19 are not participating in this case. You don't
20 have to physically leave the room, because all
21 I'm going to say is as an involved agency and as
22 part of the coordinated review, we're in the
23 process of preparing a memorandum to the lead
24 agency, which is the planning board, to assist

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2 them, and we will be getting that to the planning
3 board relatively shortly.

4 MR. KEHOE: And just for the record, the
5 planning board is continuing their public hearing
6 on this case on July 6th.

7 MR. DOUGLAS: So we will endeavor to get
8 them something prior to then. Okay. Those are the
9 only items on the agenda for this month, so
10 anybody -- well, actually before we lose the
11 meeting, I forgot when I was busy fumbling around
12 at the beginning, Benito Martinez, this is his
13 first actual meeting. I think last month, I
14 welcomed you saying you would be joining, but now
15 officially welcome, I'm sorry I didn't do it at
16 the beginning, you know, when I screwed up and
17 forgot what month it was and why we were here.

18 MR. MARTINEZ: [unintelligible]
19 [00:09:08].

20 MS. HUNTE: Welcome, Benito.

21 MR. CHIN: Welcome.

22 MR. MARTINEZ: Okay. Thank you.

23 MR. DOUGLAS: Somebody want to make a
24 motion to adjourn?

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MR. FRANCO: So moved.

MS. HUNTE: Second.

MR. DOUGLAS: All in favor?

MULTIPLE: Aye.


MR. DOUGLAS: Any opposed? Okay, the meeting is adjourned.

(The public board meeting concluded at 7:10 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the board meeting of the Town of Cortlandt on June 16, 2021 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: August 13, 2021

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