



TOWN OF CORTLANDT

ZONING BOARD OF APPEALS

Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567
914-734-1080

Michael Fleming
Chairman

Wai Man Chin
Vice-Chairman

Chris Beloff
Frank Franco
Michelle Piccolo Hill
Benito Martinez
Thomas Walsh

Town Supervisor
Richard H. Becker, MD

Town Board
James F. Creighton
Cristin Jacoby
Robert Mayes
Joyce C. White

TO JOIN THE MEETING REMOTELY USE THE ZOOM LINK BELOW:

<https://us02web.zoom.us/j/84394323633?pwd=9BIFUiiarUdqrSYPVGyRBDmPP2Jnb.1>

AGENDA.....ZONING BOARD OF APPEALS

Town Hall – 1 Heady Street
Cortlandt Manor, NY 10567

Work Session – Thursday, April 24, 2025 at 6:30 PM

1. Discuss Agenda for the Regular Meeting

Regular Meeting – Thursday, April 24, 2025 at 7:00 PM *

1. Pledge to the Flag and Roll Call
2. Adoption of the Meeting Minutes for March 27, 2025

3. NEW PUBLIC HEARINGS

A. Case No. 2025-5 Application of 77 Montrose Station, LLC for area variances for an accessory structure located in the front yard and for detached building height for a proposed garage located at 77 Montrose Station Rd.

**Regular meeting to begin at conclusion of the work session*

NEXT REGULAR MEETING THURSDAY, MAY 15, 2025

ZONING BOARD OF APPEALS FACT SHEET

ZBA Member Assigned: **Piccolo-Hill**

CASE NO.: 2025-5

Name of Applicant: 77 Montrose Station, LLC
Owner: Same
Address of property: 77 Montrose Station Rd.
Section, Block, Lot: 44.17-1-11
Prior ZBA Case No.: N/A
Zone: R-80
Lot Size: Approximately 8.1 acres

Request: Detached Building Height. 7.0' allowed from eaveline (top of wall) to the roof ridge, 12'-8" proposed requiring a variance for 5'-8".

Accessory Structure not permitted in the Front Yard.

Staff Comments: The Code Enforcement office received a building permit application on September 27, 2024 for a residential remodel/alteration at the subject property for the construction of a proposed garage. The Code Office denied the request on February 25, 2025. The garage is proposed to have a building height of 12.8 feet from the eaveline to the roof ridge, and only 7 ft. is permitted. According to the applicant the increase in height is a better architectural treatment for the garage and is in keeping with the architectural character of the newly renovated house on the subject lot.

In addition, the foundation for the proposed garage has already been partially constructed. Based on the survey location of the existing foundation the garage will be located in the defined front yard to Montrose Station Rd. The existing house is located 583.94 ft. from Montrose Station Road and the garage is proposed to be located 551.94 ft.

Variance(s) Requested: Detached Building Height. 7.0' allowed from eaveline (top of wall) to the roof ridge, 12'-8" proposed requiring a variance for 5'-8".

Accessory Structure not permitted in the Front Yard.

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIANCE</u>	<u>%</u>
Detached building height	7 ft.	12.8 ft.	5.8 ft.	83%
Accessory structure in the Front Yard		NA	NA	NA

SEQR: TYPE II – No further compliance required



TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
CODE ENFORCEMENT DIVISION

Michael Preziosi, P.E.
Director – D.O.T.S

Martin G. Rogers, P.E.
*Director of Code
Enforcement/D.O.T.S.*

Holly Haight
*Assistant Director of Code
Enforcement /D.O.T.S.*

Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567
Main #: 914-734-1010
Fax #: 914-293-0991

Town Supervisor
Richard H. Becker

Town Board
James F. Creighton
Cristin Jacoby
Robert E. Mayes
Joyce C. White

Mark Giordano
1340 Baptist Church Road
Yorktown Heights, NY 10598

February 25, 2025

Re: Proposed Garage
77 Montrose Station Road
Tax ID 44.17-1-11

Mr. Giordano:

I am in receipt of your proposed amendment for Building Permit A-24-749 issued September 27, 2024 for Residential Remodel/Alteration at the above referenced premises.

I must deny this request under the following chapter of the Town of Cortlandt Zoning Code: 307-17 Table of Dimensional Regulations Accessory Residential Structures;

Detached Building Height. Request for a variance from the Code is required. 7.0' allowed from eaveline (top of wall) to the roof ridge, 12'-8" proposed requiring a variance for 5'-8".

Accessory Structures are not permitted in the Front Yard. Section 307-17, 307 Attachment 3, Table of Dimensional Regulations, Residential Districts.

The Zoning Board of Appeals application shall be completed online. If the application is deemed complete additional instructions will follow and then the project will then be placed on the agenda for the next available Zoning Board of Appeals meeting.

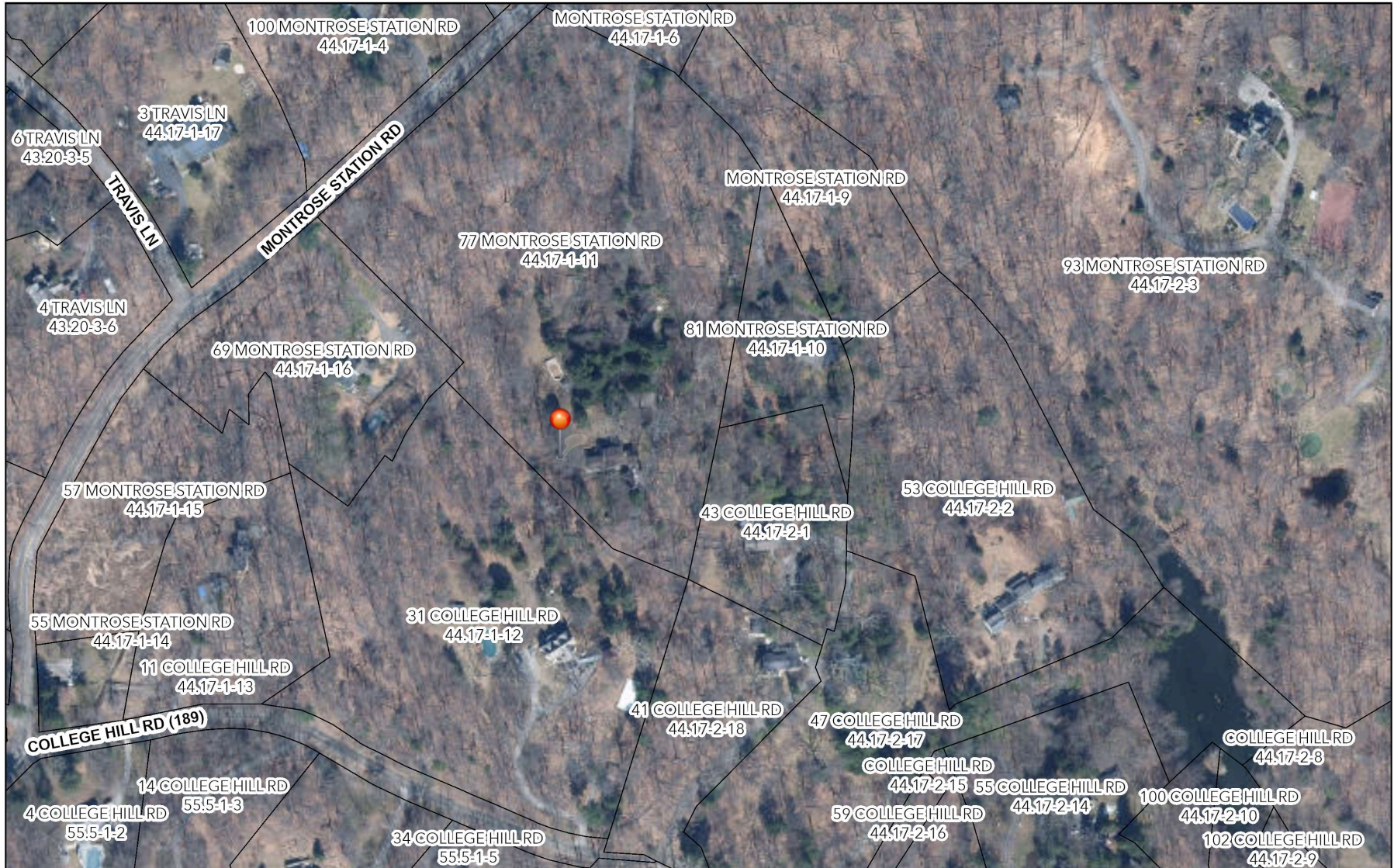
Additional information may be required upon subsequent reviews. Technical comments for the submission may be issued separately. If you have any questions or comments please feel free to contact me by email or at 914-734-1010.

Sincerely,

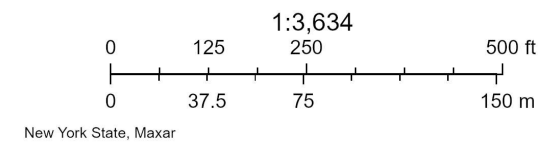
Martin G. Rogers, P.E.
Director of Code Enforcement
Department of Technical Services

Cc: Chris Kehoe, Town Planner

Cortlandt



3/17/2025, 1:53:57 PM





1. DISTURBANCE OF ROCK OUTCROPS SHALL BE BY MEANS OF EXPLOSIVE ONLY IF LABOR AND MACHINES ARE NOT EFFECTIVE AND ONLY IF ROCK BLASTING IS CONDUCTED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS OF THE TOWN OF CORTLANDT AND THE STATE OF NEW YORK.
2. ALL OF THE INFORMATION ON THE PROPOSED HOUSE PLANS IS CONSISTENT WITH THIS SITE DEVELOPMENT PLAN.
3. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS IF BLASTING IS REQUIRED.
4. PRIOR TO ANY EXCAVATION, THE OWNER AND/OR CONTRACTOR SHALL CALL THE UNDERGROUND LINE LOCATION SERVICE (CODE 811/FICA CODE 753). FOR MORE INFORMATION, VISIT "DIAG SAFE NEW YORK" AT WWW.DISAFESAFENEWYORK.COM.

1. ALL TREES TO BE REMOVED SHALL BE TAGGED BY THE APPLICANT AND INSPECTED BY THE TOWN OF CORTLANDT PRIOR TO CUTTING AND A BUILDING PERMIT BEING ISSUED.
2. ALL PROPOSED OR DISTURBED SLOPES 1V:3H OR GREATER SHALL BE STABILIZED BY AN EROSION CONTROL BLANKET, (SEE PLAN FOR MANUFACTURER AND TYPE WHERE APPLICABLE).
3. CONSTRUCTION BEYOND THE FOUNDATION MAY NOT CONTINUE UNTIL AN "AS-BUILT" FOUNDATION SURVEY WHICH INDICATES THE FOUNDATION DIMENSIONS AND THE ELEVATION OF THE TOP OF FOUNDATION IS SUBMITTED AND APPROVED BY THE TOWN OF CORTLANDT.
4. NO BUILDING PERMIT FOR THE PARCEL WILL BE ISSUED UNTIL SUCH TIME THERE IS MUNICIPAL WATER AND SEWER SERVICE AVAILABLE OR A WELL AND SEPTIC PERMIT HAVE BEEN APPROVED FOR THE PARCEL.
5. THE ROOF LEADERS AND FOOTING DRAINS SHALL BE SEPARATE PIPES.
6. THERE SHALL BE A MINIMUM 1' SEPARATION BETWEEN THE WATER SERVICE AND THE SEWER SERVICE.
7. NO RECYCLED MATERIAL, (C & D) IS PERMITTED TO BE UTILIZED ON-SITE. IF RECYCLED ITEM 4 IS PROPOSED IT SHALL BE TESTED AND A CERTIFICATION LETTER PROVIDED TO THE TOWN AND ACCEPTED PRIOR TO PLACING THE MATERIAL.
8. FILL TO BE IMPORTED TO THE SITE SHALL MEET THE NYSDEC STANDARDS OF UNRESTRICTED FILL AND BE DEEMED SUITABLE FOR RESIDENTIAL USE.
9. ANY EXCESS MATERIAL REMOVED FROM THE SITE SHALL BE DISPOSED OF OFF SITE IN A LAWFUL MANNER.
10. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND. ELECTRIC & GAS AND OTHER COMMUNICATIONS SHALL BE PER THE REQUIREMENTS OF THE INDIVIDUAL UTILITY COMPANY.
11. PRIOR TO THE BACKFILLING OF ANY STORM WATER BEST MANAGEMENT PRACTICE, TOWN PLANNING BOARD ENGINEER SHALL BE NOTIFIED TO PERFORM AN INSPECTION.
12. ALL REQUIRED FIELD CHANGES SHALL BE REVIEWED AND ACCEPTED BY THE TOWN OF CORTLANDT AND SHOWN ON THE AS-BUILT SURVEY AND/OR AMENDED SITE PLAN AT THE COMPLETION OF CONSTRUCTION.
13. THE APPLICANT IS AWARE THAT THE ENTIRE SITE MUST BE 100% STABILIZED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. DISTURBED AREAS SHALL BE RESTORED AND STABILIZED APPROPRIATELY AND IN A TIMELY MANNER. THE APPLICANT SHALL SUBMIT A NOTICE OF TERMINATION FOR THE SPOES GENERAL PERMIT, IF APPLICABLE.
14. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE ENGINEER/ARCHITECT SHALL SUBMIT A CERTIFICATION ADDRESSED TO "THE TOWN OF CORTLANDT PLANNING BOARD ENGINEER" STATING THAT THE COMPLETED SITE WORK AND DRAINAGE IMPROVEMENTS WILL NOT CAUSE AN ADVERSE IMPACT ON ADJOINING OR DOWNSTREAM PROPERTIES AND HAVE BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS ON FILE WITH THE TOWN.
15. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY/COMPLIANCE, AN AS-BUILT DETAIL OF ALL RETAINING WALLS SHALL BE SUBMITTED ALONG WITH CERTIFICATION BY THE DESIGN PROFESSIONAL THAT ALL FACTORS OF SAFETY HAVE BEEN IN ACCORDANCE WITH THE APPROVED PLANS ON FILE WITH THE TOWN.
16. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY AN "AS-BUILT" SURVEY PREPARED BY A LICENSED PROFESSIONAL LAND SURVEYOR OR A PROPERTY SHALL BE SUBMITTED TO THE DEPARTMENT OF TECHNICAL SERVICES AND THE TOWN PLANNING BOARD ENGINEER FOR REVIEW.

1. WHEN NECESSARY, PERMITTEE IS TO ESTABLISH A WORK ZONE, SUPPLY AND MAINTAIN APPROPRIATE SIGNS, CONES, LIGHTS AND FLAG PEOPLE IN ACCORDANCE WITH SECTION 104 OF THE HIGHWAY LAW.
2. ROAD CLOSURES ARE NOT ALLOWED.
3. STONE CURBLES ARE THE OWNER'S RESPONSIBILITY TO MAINTAIN.
4. OVERNIGHT EXCAVATIONS WILL NOT BE PERMITTED.
5. SIGNS, MASONRY, CONCRETE, STONE WALLS, FENCES, BUSH, PLANTINGS AND/OR TREES ARE NOT ALLOWED WITHIN THE RIGHT-OF-WAY. MASONRY, CONCRETE, STONE WALLS, STRUCTURES WILL NOT BE PERMITTED. WOODEN MAILBOX POSTS ARE NOT RECOMMENDED. A STANDARD U.S. MAILBOX SHALL BE UTILIZED.

1. THE APPLICANT SHALL BE REQUIRED TO FILE OUT AND SUBMIT AN APPLICATION FOR A BUILDING PERMIT WITH FEE.
2. THE APPLICANT SHALL CONTACT THE TOWN OF CORTLAND DEPARTMENT OF ENVIRONMENTAL SERVICES, HIGHWAY DIVISION AT 914-737-0047 AS TO THE INFORMATION REQUIRED TO ACQUIRE A UTILITY PERMIT FOR WORK WITHIN THE TOWN RIGHT OF WAY.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE TOWN OF CORTLAND WATER DEPARTMENT BUSINESS OFFICE, ENGINEERING DIVISION AND DIVISION OF CODE ENFORCEMENT A MINIMUM OF 24 HOURS PRIOR TO REQUESTING A CONSTRUCTION INSPECTION.
4. ROUGH GRADING FOR THE DRIVEWAY MUST BE COMPLETED AND BEFORE WORK CAN CONTINUE, AN "AS-BUILT" SURVEY WHICH SHOWS SPOT ELEVATIONS MUST BE APPROVED BY TOWN PLANNING BOARD ENGINEER.

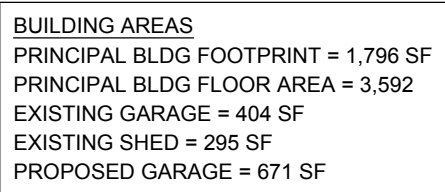
1. ANY MODIFICATIONS TO THE EXISTING WATER SERVICE WILL NEED TO BE INSPECTED BY THE TOWN. THE METER AND RADIO HEAD WILL NEED TO BE REPLACED.
2. A DOUBLE CHECK VALVE SHALL BE INSTALLED TO PREVENT BACKFLOW TO THE PUBLIC WATER SUPPLY IN ACCORDANCE WITH NYS UNIFORM FIRE PREVENTION AND BUILDING CODE.

1. THE TOWN OF CORTLANDT IS REMINDING ALL RESIDENTS THAT IT IS GOOD PRACTICE AND RECOMMENDED TO HAVE YOUR SURFACE SANITARY SYSTEM VISUALLY INSPECTED AND PUMPED EVERY FIVE YEARS OR MORE FREQUENTLY AS RECOMMENDED BY A LICENSED SANITARY HAULER OR ENGINEER.
2. THE TOWN IS REQUESTING THAT PROPERTY OWNER'S UPLOAD PROOF OF INSPECTION AND CLEAN-OUT TO PERMIT APPLICATIONS. ACCEPTABLE PROOF MAY BE IN THE FORM OF A RECEIPT, WASTE TRANSPORTER LOG, OR SIMILAR DOCUMENT.
3. IF YOU HAVE NOT HAD YOUR SEPTIC SYSTEM INSPECTED WITHIN THE LAST FIVE YEARS, WE ENCOURAGE YOU TO DO SO IMMEDIATELY. IF YOU CANNOT FIND A RECORD, WE ASK THAT YOU MAKE EFFORT TO CONTACT YOUR SEPTIC CONTRACTOR FOR A COPY.

1. RECENTLY CONSTRUCTED AND/OR MODIFIED STONE WALLS ARE SHOWN APPROXIMATE BASED ON A FIELD INSPECTION BY THIS OFFICE ON SEPTEMBER 23, 2024. WALL HEIGHTS VARY BUT ALL WALLS SHALL BE LESS THAN 3'-0" FOLLOWING FINAL CONSTRUCTION AND GRADING.

- 1) CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL SEDIMENT AND EROSION CONTROL PRACTICES. THE SEDIMENT AND EROSION CONTROL PRACTICES ARE TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCES, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
- 2) TIMELY MAINTENANCE OF SEDIMENT CONTROL STRUCTURES IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL STRUCTURES SHALL BE MAINTAINED IN GOOD WORKING ORDER AT ALL TIMES. THE SEDIMENT LEVEL IN ALL SEDIMENT TRAPS SHALL BE CLOSELY MONITORED AND SEDIMENT REMOVED PROMPTLY WHEN MAXIMUM LEVELS ARE REACHED OR AS ORDERED BY THE ENGINEER. ALL SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED WEEKLY, PRIOR TO EXPECTED RAIN EVENTS, AND AFTER EACH HEAVY RAIN TO INSURE PROPER OPERATION AS DESIGNED. AN INSPECTION SCHEDULE SHALL BE SET FORTH PRIOR TO THE START OF CONSTRUCTION.
- 3) THE LOCATIONS AND THE INSTALLATION TIMES OF THE SEDIMENT CAPTURING STANDARDS SHALL BE AS ORDERED BY THE ENGINEER, AND IN ACCORDANCE WITH ACCEPTED STANDARDS.
- 4) ALL TOPSOIL NOT TO BE USED FOR FINAL GRADING SHALL BE REMOVED FROM THE SITE IMMEDIATELY AND PLACED IN A STABILIZED STOCKPILE OR FILL AREA. ALL TOPSOIL REQUIRED FOR FINAL GRADINGS AND STORED ON SITE SHALL BE LIMED AND FERTILIZED WITHIN 21 DAYS.
- 5) ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 21 DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC SHALL IMMEDIATELY RECEIVE TEMPORARY SEEDING. MULCH SHALL BE USED IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER. DISTURBED AREAS SHALL BE LIMED AND FERTILIZED PRIOR TO TEMPORARY SEEDING.
- 6) ALL DISTURBED AREAS WITHIN 500 FEET OF AN INHABITED DWELLING SHALL BE WETTED AS NECESSARY TO PROVIDE DUST CONTROL.
- 7) THE CONTRACTOR SHALL KEEP THE ROADWAYS WITHIN THE PROJECT AREA CLEAR OF SOIL AND DEBRIS AND IS RESPONSIBLE FOR ANY STREET CLEANING NECESSARY DURING THE COURSE OF THE PROJECT.
- 8) SEDIMENT AND EROSION CONTROL STRUCTURES SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED BY PERMANENT MEASURES.
- 9) SOIL SEEDING AND FERTILIZER AMENDMENTS SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".
- 10) ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".

*VARIANCE REQUIRED
1. PROPOSED GARGAGE IS 32' OVER FRONT YARD LINE, SET BACK 552' FROM PROPERTY LINE. VARIANCE REQUIRED
EXISTING GARAGE IS 88' OVER FRONT YARD LINE AND IS PRE-EXISTING NON-CONFORMING

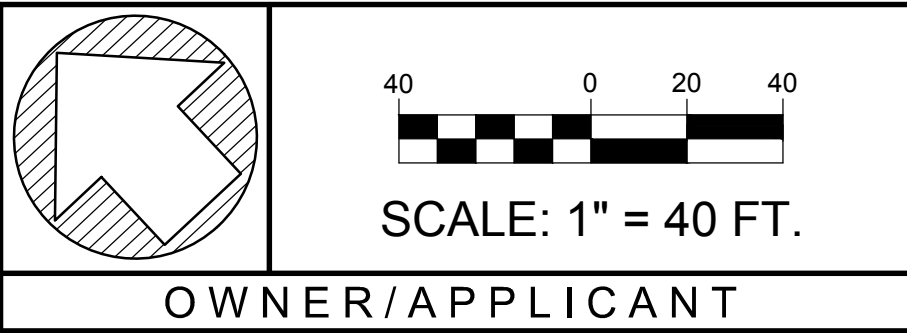


1. PARCEL TAX MAP DESIGNATION: SECTION: 44.17, BLOCK: 1, LOT(S): 6 & 11
2. TOTAL AREA OF EXISTING LOT 6: 44,529 (1.02 ACRES) LOT 11: 381,881 SQ. FT. (8.77 ACRES).
3. SURVEY INFORMATION SHOWN HEREON IS BASED ON A SURVEY PREPARED BY TC MERRITT'S LAND SURVEYORS, INC. ENTITLED "PRELIMINARY MAP PREPARED FOR STEVE GIORANDO BUILDERS, INC." DATED JULY 12, 2024, LAST UPDATED DECEMBER 6, 2024.
4. TOPOGRAPHY SHOWN HEREON IS BASED ON DATA DOWNLOADED FROM THE WESTCHESTER COUNTY GIS WEBSITE.
5. PARCEL IS LOCATED IN THE TOWN OF CORTLANDT R-80 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT.
6. PARCEL IS LOCATED IN THE PEEKSKILL & HAVERSTRAW BAY BASIN.

1. THERE SHALL BE NO MODIFICATION TO ANY ASPECT OF THIS PLAN WITHOUT CONTACTING THE DESIGN ENGINEER.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL CODES, RULES & REGULATIONS.
3. IT IS THE OWNERS RESPONSIBILITY TO INSURE THAT ALL IMPROVEMENTS ARE PLACED ON MATERIAL WITH A SUITABLE BEARING CAPACITY.
4. CONTRACTOR TO VERIFY DEPTH & LOCATION OF ALL UTILITIES INCLUDING WATER, SEWER, DRAINAGE, GAS, TELEPHONE, ELECTRIC & CABLE PRIOR TO START OF WORK.

1. THE DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR THE MEANS AND METHODS NEEDED TO PERFORM THE CONSTRUCTION/EXCAVATION, ET AL., OPERATIONS SHOWN HEREON. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE A SAFE WORKING ENVIRONMENT AND PROVIDE THE MEANS AND METHODS TO PERFORM THE NECESSARY TASKS. NOTHING ON THESE PLANS SHALL OBLIGATE THE DESIGN ENGINEER AS TO THE MEANS AND METHODS TO PERFORM THE TASKS ASSOCIATED WITH THE APPROVED DESIGN PLANS. THOSE OBLIGATIONS AT ALL TIMES REMAIN WITH THE CONTRACTOR(S).

1. EROSION CONTROL MATTING TO BE PROVIDED OVER ALL DISTURBED SOIL AREAS WITH SLOPE GREATER THAN 25%.
2. ALL DISTURBED AREAS TO BE STABILIZED SHALL RECEIVE 3-4 INCHES OF TOPSOIL, SEED AND MULCH, OR 3-4 INCHES OF TOPSOIL AND HYDROSEED.
3. CONTRACTOR SHALL PROVIDE EROSION & SEDIMENTATION CONTROL CERTIFICATE AND EXCAVATOR LICENSE PRIOR TO PERFORMING SITE WORK.
4. THE EXISTING HOUSE CONTAINS 3 BEDROOMS.
5. IT APPEARS THE EXISTING SEPTIC SYSTEM HAS BEEN FUNCTIONING WITHOUT FAILURE. THERE IS NO INFORMATION ON FILE AT THE WESTCHESTER COUNTY DEPARTMENT OF HEALTH REGARDING THE EXISTING SEPTIC SYSTEM.
6. A SITE EVALUATION REQUEST HAS BEEN SUBMITTED TO THE WESTCHESTER COUNTY DEPARTMENT OF HEALTH FOR THE INSPECTION OF DEEP TEST HOLES IN THE AREA DEPICTED ON THE SITE PLAN FOR A CODE COMPLIANT 4 BEDROOM SYSTEM INCLUDING PRIMARY AREA & 100% EXPANSION AREA.

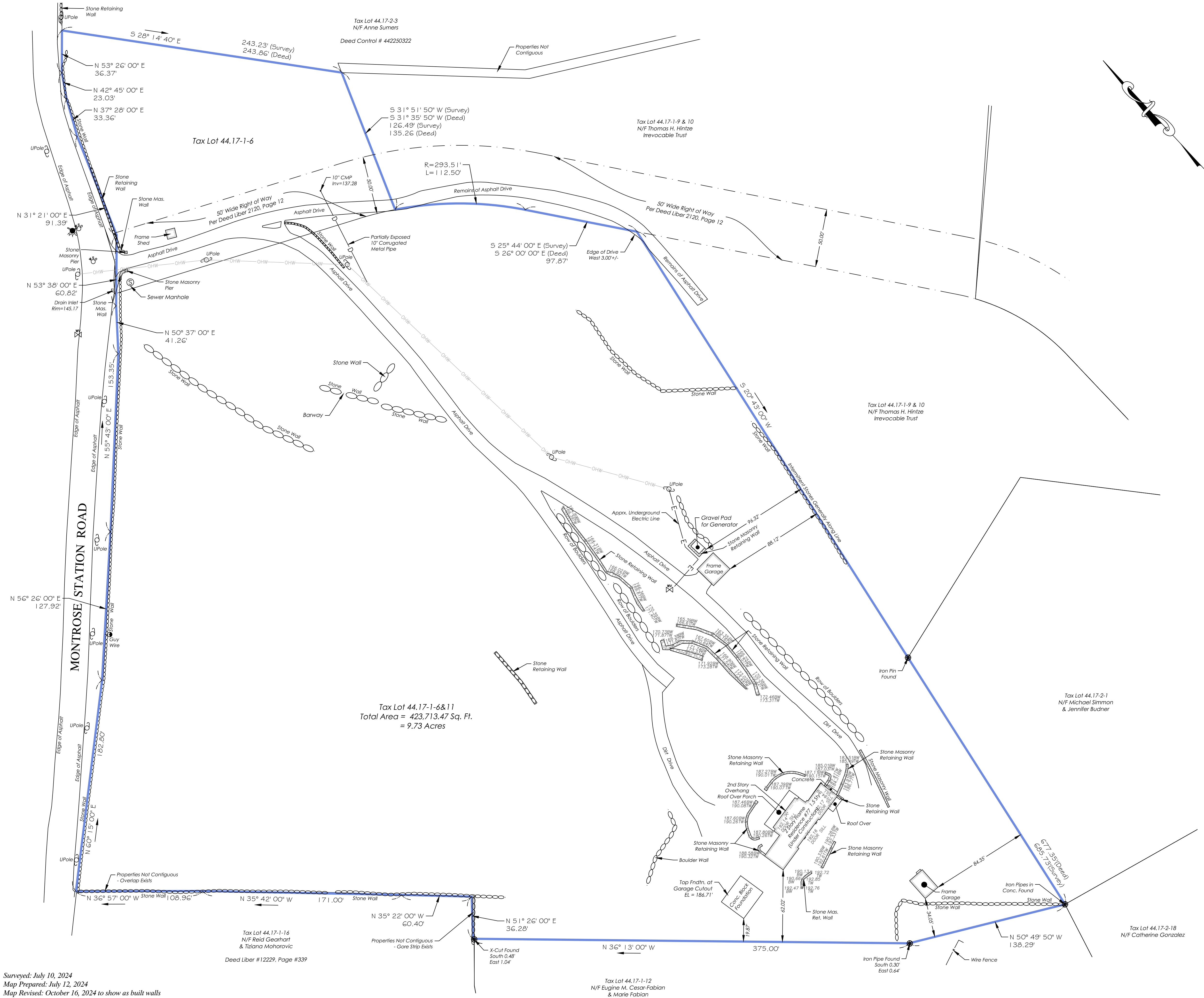


- UNDER NEW YORK STATE EDUCATIONAL LAW ARTICLE 145, SECTION 7209 (2), IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY ITEM ON THIS DRAWING, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF ANY ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.
- COPYRIGHT "2025" BY CRONIN ENGINEERING, P.E., P.C. ALL RIGHTS RESERVED.



LOCATION:
77 MONTROSE STATION ROAD
TOWN OF CORTLANDT, NEW YORK

SHEET 1 OF 1 | SP-1.1



Only copies from the original of this survey marked with an original of the Land Surveyors embossed seal or red colored seal shall be considered to be true, valid copies.

Said certifications shall run only to the person for whom this survey is prepared and on his/her behalf to the title company, governmental agency and lending institutions listed hereon. Certifications are not transferable to additional institutions or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyors seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

Possession only where indicated.

Adjacent property lines and easements not surveyed or certified. Access to adjacent rights of way, easements and public or private lands not guaranteed or certified.

Underground utilities shown hereon are approximate and should be verified before excavating. Additional underground utilities are not shown or certified. Encroachments and structures below grade, if any, not shown or certified.

Subject to covenants, easements, restrictions, conditions and agreements of record.

Elevations shown hereon generally in accordance with North American Vertical Datum 88.

Surveyed in accordance with Deed Liber 11186, Page 287.

Premises shown hereon designated on the Town of Cortlandt Tax Maps as: Section 44.17, Block 1, Lot 6 & 11.

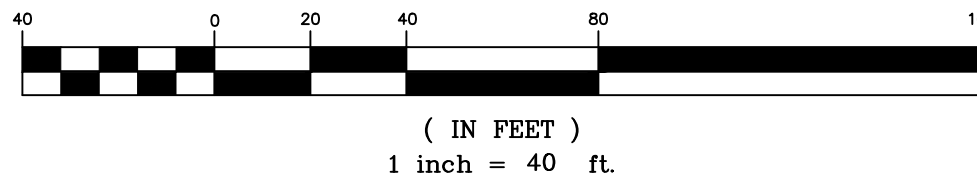
Property Address: 77 Montrose Station
Montrose, NY 10548

THIS MAP IS FOR BUILDING DEPARTMENT PURPOSES ONLY.
MAP IS NOT TO BE USED FOR TITLE TRANSFER PURPOSES.
MAP MAY NOT BE CERTIFIED TO TITLE COMPANIES AND/OR BANKS.

AS BUILT SURVEY
PREPARED FOR
STEVE GIORDANO BUILDERS, INC.
SITUATE IN THE
TOWN OF CORTLANDT
WESTCHESTER COUNTY, NEW YORK

SCALE: 1" = 40'

GRAPHIC SCALE



Surveyed: July 10, 2024
Map Prepared: July 12, 2024
Map Revised: October 16, 2024 to show as built walls
Map Revised: October 19, 2024
Map Revised: December 6, 2024 to show asbuilt new improvements

By: *Daniel T. Merritt*
New York State Licensed Land Surveyor No.050604



TC MERRITTS LAND SURVEYORS

394 BEDFORD ROAD • PLEASANTVILLE • NY 10570
(914) 769-8003 • survey@tcmeritts.com

Project:
24-188
Reference:
NA
Field Survey By:
PRJC/BFC
Drawn By:
BJC/BFC/CP
Checked By:
BFC

P-Manager:
BFC

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ALL RIGHTS RESERVED. UNAUTHORIZED DUPLICATION OR
ELECTRONIC TRANSMISSION WITHOUT PRIOR PERMISSION
IS A VIOLATION OF APPLICABLE LAWS.





1
AR-1

Architectural Rendering (17' Garage Height)

Scale: 3/16" = 1'-0"



2
AR-1

Architectural Rendering (21' Garage Height)

Scale: 3/16" = 1'-0"

GIORDANO RESIDENCE GARAGE

Justin Giordano, Owner
77 Montrose Station Road
Montrose, New York 10543
S-B-L: 44.17-1-11
Town of Cortlandt - Westchester County

FOR PERMIT AND CONSTRUCTION

Date: November 1, 2024

Revisions:	
△	November 22, 2024
△	December 13, 2024
△	February 6, 2025
△	
△	

AR-1



1 Architectural Rendering (17' Garage Height)
AR-1 Scale: 3/16" = 1'-0"



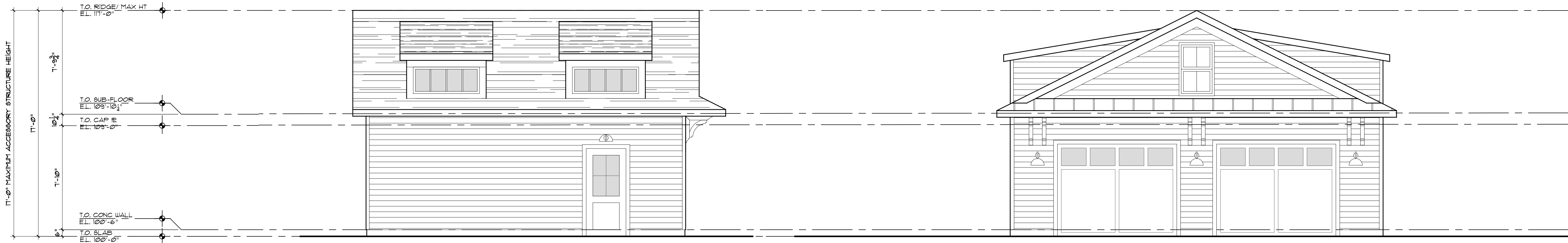
2 Architectural Rendering (21' Garage Height)
AR-1 Scale: 3/16" = 1'-0"



1 East Elevation (17' Garage Height)
SK-1 Scale: 3/16" = 1'-0"

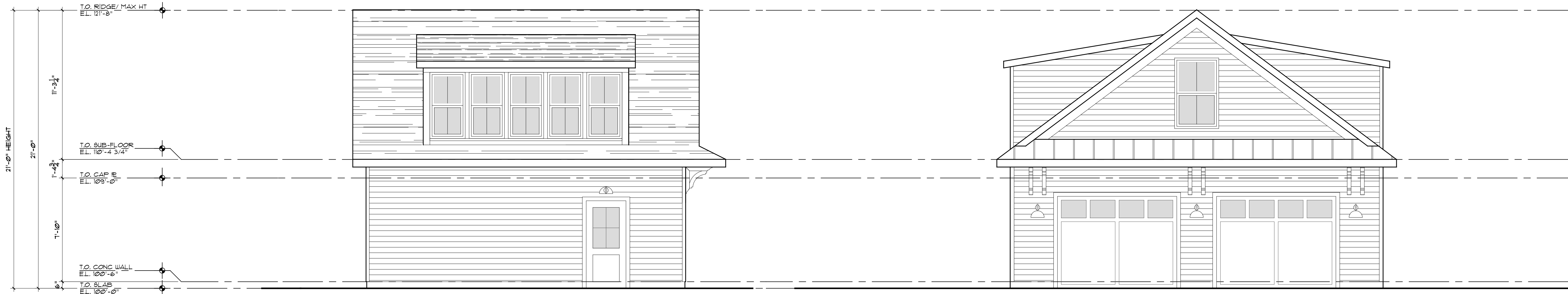


2 East Elevation (21' Garage Height)
SK-1 Scale: 3/16" = 1'-0"



1 Garage North Elevation (17' Height)
SK-2 Scale: 1/4" = 1'-0"

2 Garage East Elevation (17' Height)
SK-2 Scale: 1/4" = 1'-0"



3 Garage North Elevation (21' Height)
SK-2 Scale: 1/4" = 1'-0"

4 Garage East Elevation (21' Height)
SK-2 Scale: 1/4" = 1'-0"

To: **Town of Cortlandt Zoning Board of Appeals**

Town Hall

1 Heady Street

Cortlandt Manor, New York 10567

Attn: **Chair Fleming & Zoning Board of Appeals Members**

Date: March 20, 2025

RE: **PROJECT NARRATIVE- GIORDANO RESIDENCE GARAGE HEIGHT VARIANCE**

77 Montrose Station Road, Cortlandt Manor, New York 10567

S-B-L: 44.17-1-11

Our office is pleased to present a proposal for a new garage accessory structure to be constructed at 77 Montrose Station Road. The accessory structure is planned to support the existing single-family residence on the property that is currently receiving significant restoration and renovation efforts. The property is located in a R-80 Single-Family Residential Zone.



Figure 1. Proposed Accessory Dwelling Unit Rendering

To support the new garage structure as proposed, this application is requesting consideration from the Zoning Board of Appeals for relief from the following Zoning Code Sections:

- Height- Maximum accessory structure height from top of eave to top of ridge as per Town of Cortlandt Zoning Code 307 Attachment 3 Table of Dimensional Regulations:

Permitted	Proposed	Area Variance Required
7'-0" (17' Total Height)	12'-8" (21' Total Height)	5'-8"

- Location- Accessory structures are not permitted in the front yard as per Town of Cortlandt Zoning Code 307 Attachment 3 Table of Dimensional Regulations, 207 Attachment 3.

In the review of a request for area variances, there are five factors that are typically considered as part of determining if the benefit to the applicant outweighs potential for adverse impact:

Height Variance Request

1. Whether an undesirable change will be produced in the character of the neighborhood, or if a detriment to nearby properties will occur:

We do not believe the increase in height of the structure will have an adverse impact to the neighboring properties nor the character of the neighborhood. The parcel is 9.73 Acres with significant vegetation along all property lines buffering the visual impact of the subject structure. The structure is set back over 550' from the road. Please find renderings depicting the visual difference between a zoning compliant 17' height structure and the proposed 21' height structure below for review:



Figure 2. Proposed Accessory Dwelling Unit Rendering- Permitted 17' Height



Figure 3. Proposed Accessory Dwelling Unit Rendering- Proposed 21' Height

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:

The garage would allow for storage of vehicles and is seeking an increased height beyond the maximum allowed by zoning in order to provide an attic space capable to supporting needed storage space as the existing home does not have the ability to accommodate storage in either the existing attic nor basement. The existing topography on the property makes planning of another reasonably accessible accessory structure for storage purposes difficult to accomplish and would result in a greater impact to the neighboring properties to the rear.

3. Whether the requested variance is substantial:

Since the height dimension is measured to the peak of the ridge of a sloped roof, we do not believe the visual impact of the height increase to be substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

We do not believe the increase in height of the structure will have an adverse impact to the physical or environmental conditions of the neighboring properties nor the character of the neighborhood. The parcel is 9.73 Acres with significant vegetation along all property lines buffering the visual impact of the subject structure. The structure is set back over 550' from the road.

5. Whether the alleged difficulty was self-created:

While the action taken is self-created, the existing limitations of the primary structure and property that create the need to accommodate additional storage space are not. The existing residence is vintage construction that does not provide for a storage attic nor full basement area that newer construction would typically offer and the challenges the property topography presents limits the amount of reasonably buildable area. Sub-surface rock also limits the ability to construct basement spaces in both the original residence and any new accessory structures.

Location Variance Request

1. Whether an undesirable change will be produced in the character of the neighborhood, or if a detriment to nearby properties will occur:

We do not believe the location of the structure will have an adverse impact to the neighboring properties nor the character of the neighborhood. The parcel is 9.73 Acres with significant vegetation along all property lines buffering the visual impact of the subject structure. The structure is set behind the plane of the front façade of the

primary residence and the new structure is proposed to have a front yard setback of over 550' from the road.

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:

The challenges the property topography presents limits the amount of reasonably buildable area. The proposed location is the only reasonably suitable location to construct the garage in close proximity to the primary residence without the need for significant re-grading, rock removal and disturbance of the property.

3. Whether the requested variance is substantial:

Proposed garage is located behind the plane of the primary residence. However, based on the geometry of the property and orientation of the existing residence to the road, the proposed garage placement has a front yard setback that is less than that of the primary residence:

Existing Residence Front Yard Setback	Accessory Structure Front Yard Setback
583.94'	551'

Since the front yard setback of the structure is proposed to be over 550', we do not believe the variance request to be substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

We do not believe the location of the structure will have an adverse impact to the physical or environmental conditions of the neighboring properties nor the character of the neighborhood. The parcel is 9.73 Acres with significant vegetation along all property lines buffering the visual impact of the subject structure. The structure is set behind the plane of the front façade of the primary residence and the new structure is proposed to have a front yard setback of over 550' from the road.

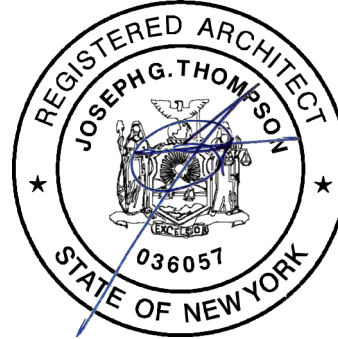
5. Whether the alleged difficulty was self-created:

While the action taken is self-created, the existing limitations property are not. The challenges the property topography presents limits the amount of reasonably buildable area. The proposed location is the only reasonably suitable location to construct the garage in close proximity to the primary residence without the need for significant re-grading, rock removal and disturbance of the property.

We respectfully request that the board consider these variance requests as we believe the benefit to the applicant outweighs any potential for adverse effect. We look forward to further reviewing this application with the Board. Please contact me should you have any questions or should any further information be required.

Respectfully Submitted,

Joseph G. Thompson, RA, M. Arch, NCARB, LEED AP, CSBA, CDT
NYS Registered Architect



Attachments:

1. Photographs of current existing conditions taken March 19, 2025 (2 Images)



Figure 4. Photograph of Current Existing Conditions taken on March 19, 2025



Figure 5. Photograph of Current Existing Conditions taken on March 19, 2025