



TOWN OF CORTLANDT

ZONING BOARD OF APPEALS

Michael Fleming
Chairman

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

Town Supervisor
Richard H. Becker, MD

Wai Man Chin
Vice-Chairman

Chris Beloff
Frank Franco
Michelle Piccolo Hill
Benito Martinez
Thomas Walsh

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/84451635457?pwd=VqlxiTfdbvrvUnQDg6vlbgqafROJoT.1>

AGENDA.....ZONING BOARD OF APPEALS
Town Hall – 1 Heady Street
Cortlandt Manor, NY 10567

Work Session – Thursday, December 18, 2025 at 6:30 PM

1. Discuss Agenda for the Regular Meeting

Regular Meeting – Thursday, December 18, 2025 at 7:00 PM *

1. Pledge to the Flag and Roll Call
2. Adoption of the Meeting Minutes for November 20, 2025
3. Adopt the 2026 Meeting Schedule
4. **NEW PUBLIC HEARINGS**

- A. **Case No. 2025-14 – Application of Building Permit Services for the property of Fausto Rosero and Catalina Rulennys Martinez** for an area variance, front yard setback, for an existing front entrance portico for property located at 23 Meadow Road.

NEXT REGULAR MEETING THURSDAY, JANUARY 16, 2026 **

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

*** Subject to adoption of the 2026 meeting schedule*



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

Tentative Zoning Board Meetings - 2026

1/15/26	12/23/25
2/19/26	1/29/26
3/19/26	2/26/26
4/16/26	3/26/26
5/21/26	4/30/26
6/18/26	5/28/26
7/16/26	6/25/26
8/20/26	7/30/26
9/17/26	8/27/26
10/15/26	9/24/26
11/19/26	10/29/26
12/17/26	11/24/26

ZONING BOARD OF APPEALS FACT SHEET

ZBA Member Assigned: Franco

CASE NO.: 2025-14

Name of Applicant: **Building Permit Services**

Owner: **Fausto Rosero and Catalina Rulennys Martinez**

Address of property: 23 Meadow Rd.

Section, Block, Lot: 54.12-1-8

Prior ZBA Case No.:

Zone: R-15

Lot Size: 12,403 sq. ft.

Request: Area variance under Section 307-17 Attachment 3, Table of Dimensional Regulations, Residential Districts of the Town of Cortlandt Code, for an existing front porch portico in the front yard.

Drawings: *2-page set of drawings entitled "Fausto Residence" prepared by Edward Mauro, AIA latest revision dated 11/4/25.*

Property Survey prepared by Donald R. Stedge, P.L.S dated August 5, 2025

Staff Comments: The applicant was required to legalize construction activity that occurred onsite without permits. Plans were filed to legalize a frame deck around an above ground pool, a front bay window and a front entrance portico. During review it was determined that the existing front entrance portico is shown to be non-conforming to the front yard requirements of the R-15 zone. A denial letter was issued on November 17, 2025.

Variance(s) Requested: An area variance for an existing front porch portico in the front yard.

REQUIRED	PROPOSED	REQUEST	PERCENT
35'	33', 8"	1', 4"	4%

SEQR: TYPE II – No further compliance required



TOWN OF CORTLANDT

DEPARTMENT OF TECHNICAL SERVICES

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

John Schembari
Dir. Code Enforcement

Town Hall, 1 Heady Street
Cortlandt Manor, NY 10567
Main #: 914-734-1060

Town Supervisor
Richard H. Becker, M.D.

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

November 17, 2025

Fausto Rosero
Catalina & Rulennys Martinez
23 Meadow Road
Montrose, NY, 10567

Re: A-25-705 – Application to Legalize Pool Deck, Trellis, Front Portico and Bay Window
23 Meadow Road (Tax ID 54.12-1-8)

Dear Rosero and Martinez Residence,

The Town of Cortlandt Department of Technical Services has reviewed the above referenced application for conformance to the Town's Zoning Code. At this time, the application has been denied under Town Code Ch. 307 – Zoning, Attachment 3, Table of Dimensional Regulations.

Plans Reviewed:

- Two (2) page drawing entitled "Fausto Residence" prepared by Edward Mauro, AIA dated last revised 11/4/2025
- Property survey prepared by Donal R. Stedge, P.L.S. dated 8/5/2025

Plans have been filed to legalize construction activity that occurred onsite without permits. This includes but is not limited to the frame deck around an above ground pool, front bay window and front entrance portico. The front entrance portico is shown to be non-conforming to the front yard requirements of the R-15 zone.

The minimum front yard setback is **35'-0"**. The front entrance portico is shown to be **33'-8"** from the front property line. Therefore, you will need to seek relief from the Zoning Board of Appeals requesting an area variance for your front yard setback of 1'-4".

Kindly apply online to OpenGov <https://cortlandtny.portal.opengov.com/> to submit the required Zoning Board of Appeals Application.

The existing rear yard frame shed and pool equipment pad shall not be moved, enlarged or altered in anyway. Reconstructing either shall require a building permit with all accessory structures meeting current zoning requirements and setbacks.

Upload this denial letter, the above referenced plans, a copy of the property survey revised to reflect the actual measurement and all required information outlined on the ZBA Application. Please upload .pdfs of all documents, to scale with digital seal and signature of the design professional of record.

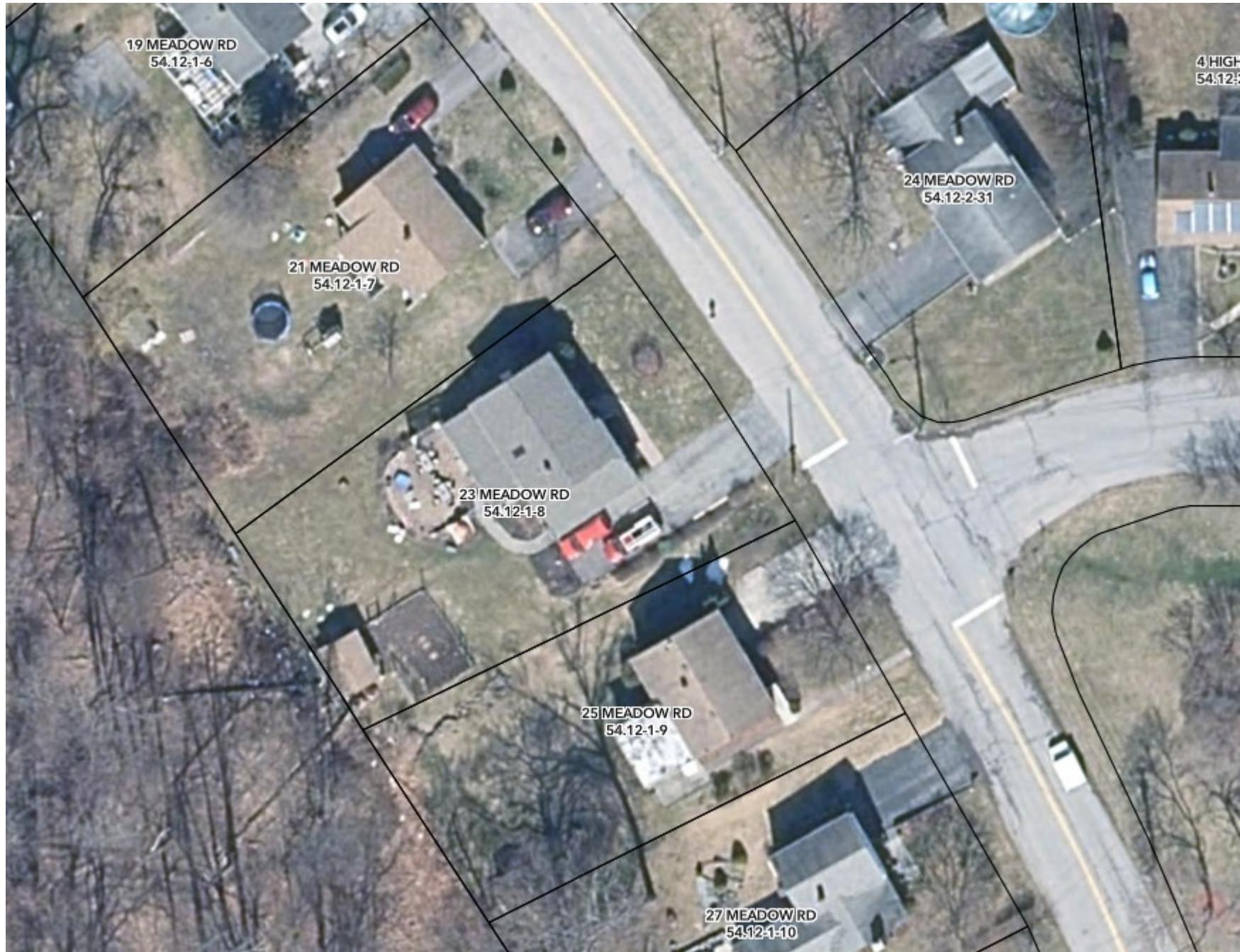
Be advised that the architectural plans and civil site drawings will be completed with comments shared under separate cover. No building permit and certificate of occupancy will be issued until a variance is obtained.

Sincerely,

Michael Preziosi, P.E.

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

Cc: Chris Kehoe – Community Development and Planning
Michael Cunningham, P.E. – Deputy Town Attorney Town Board
John Schembari – Director of Code Enforcement
Nora Hildinger – Applicant's Proxy / Representative
A-25-705





Building Permit Services
PO Box 744
Verplank, NY 10596

December 10, 2025

Town of Cortlandt
Zoning Board Appeals
1 Heady St.
Cortlandt Manor, NY 10567

Re: 23 Meadow Rd, Montrose, NY

Dear Chairman and Members of the Board:

We are here today regarding the Fausto Residence located at 23 Meadow Road Montrose, NY. Rosero Fausto constructed a 7 feet x 5 feet or 35 SF portico over a grade level stoop in approximately 2022 or 2023.

The minimum front yard setback is 35 feet.

The front entrance portico is shown to be 33 feet 8 inches from the front property line.

Therefore, we seek relief from the Zoning Board of Appeals requesting an area variance for a front yard setback of 1 foot 4 inches.

The following are the five factors:

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

There will be no undesirable change to the neighborhood. The portico is attractive and fits with the neighborhood. It is unobtrusive and only 35 SF.

Building Permit Services
PO Box 744
Verplank, NY 10596

December 10, 2025

2. Whether the benefit sought by the application can be achieved by some method, feasible for the applicant to pursue, other than a variance:

There is no other way to achieve the goal besides removal of the portico.

3. Whether the requested variance is substantial:

The variance is not substantial. 35-foot front yard setback is required. We are requesting 1 foot 8-inch area variance.

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare:

If the variance is granted, it will have no adverse effect on the neighborhood. But if it is not granted it would cause considerable hardship for the owner having to remove the portico. The small portico provides shelter from the elements for owner and visitors alike. It is unobtrusive and attractive. It looks like it belongs with the character of the neighborhood,

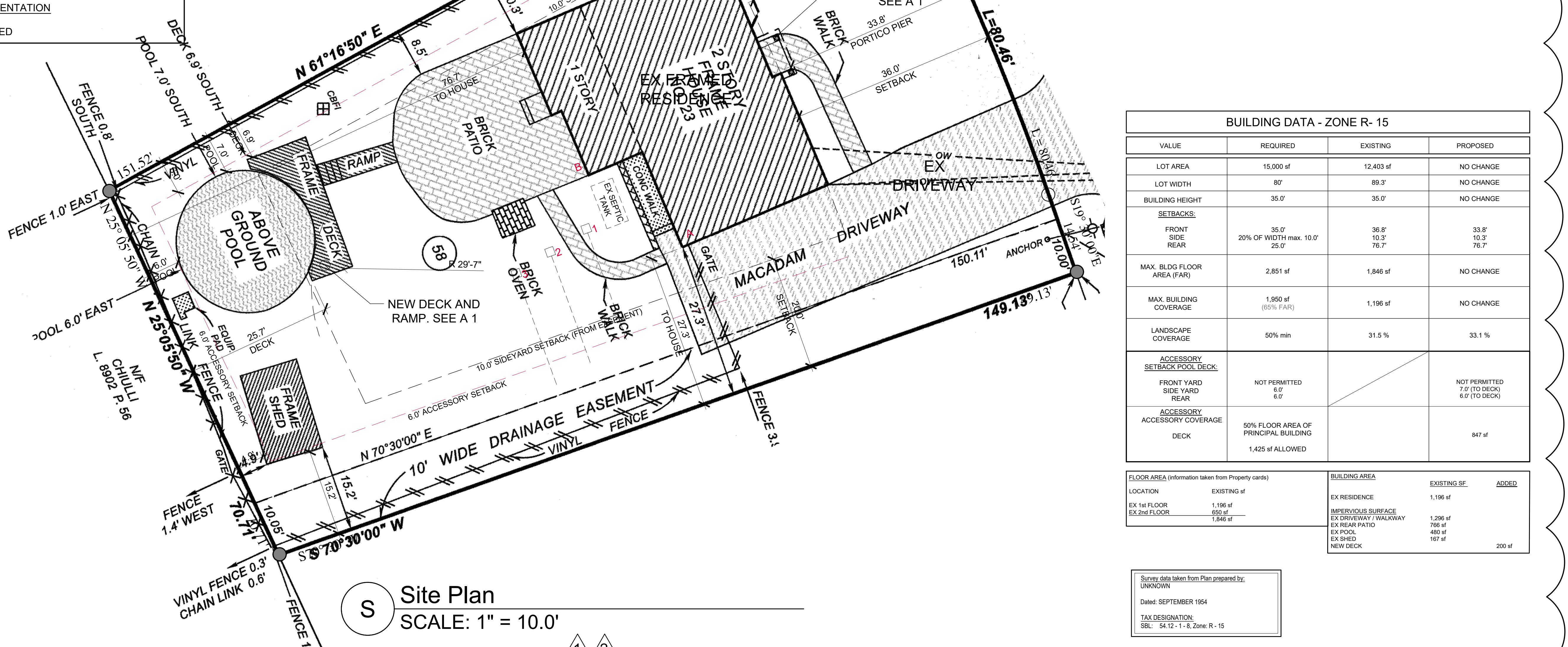
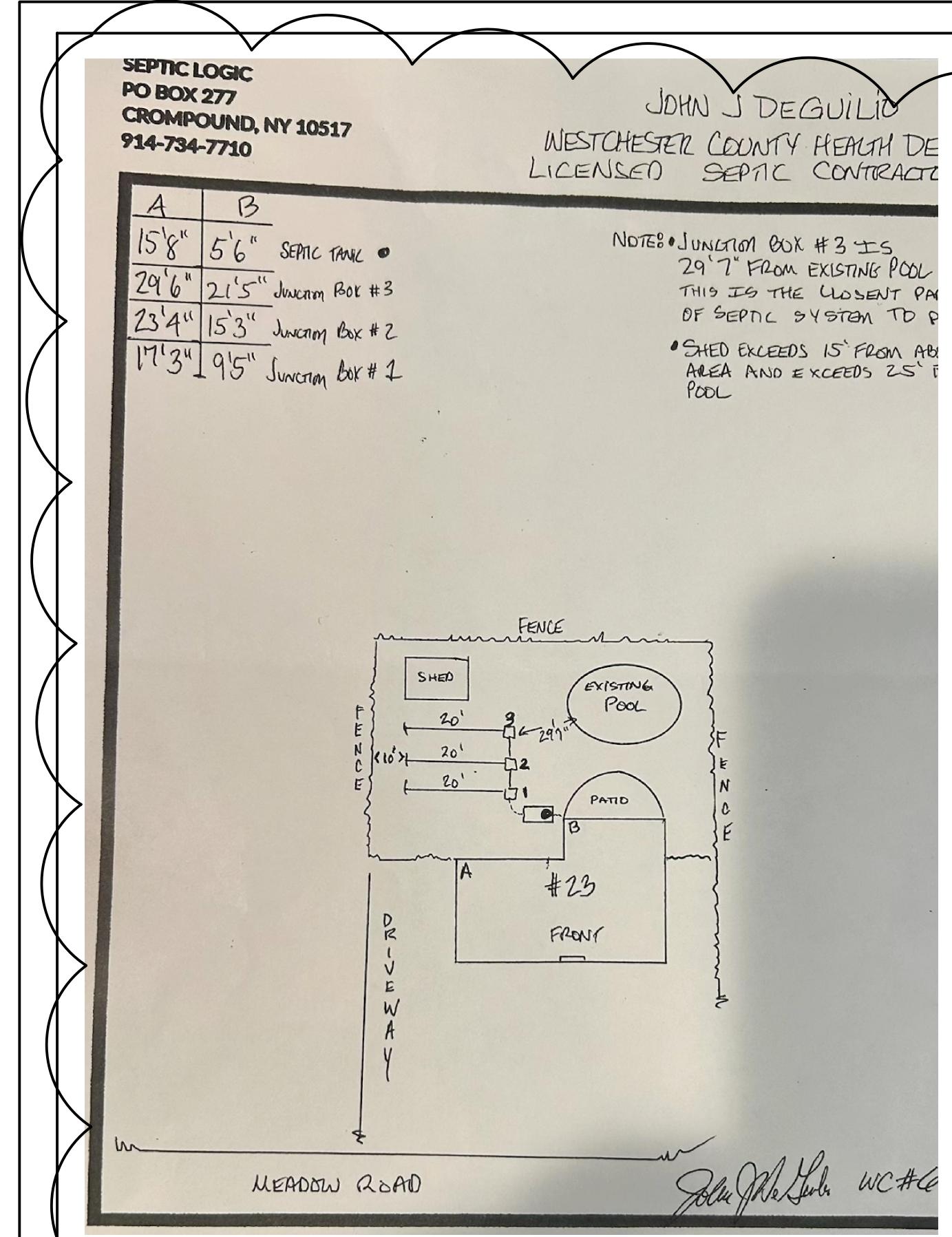
Building Permit Services
PO Box 744
Verplank, NY 10596

December 10, 2025

5. Whether the alleged difficulty was self-created.

The need for a variance was self-created. Ignorance of the law is not an excuse, but the owner was unaware that the portico needed a building permit and was being built in the front yard setback.

Thank you for your consideration of our 1-foot 8-inch area variance request.



Warning: It is a violation of the NYS Education law Part 69, Architecture section 205.03 for an architect to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

CODE BOOK USED FOR THIS PROJECT
2015 INTERNATIONAL RESIDENTIAL CODE WITH 2017 NEW YORK STATE UNIFORM CODE SUPPLEMENT

Edward Mauro, Architect
Tomorrow's Architecture, p.l.c.
1173 NOKON ROAD
LAGRANGEVILLE, NY 12540
PHONE: TEXT: 845-728-8751
TOMORROWARCHITECTURE@GMAIL.COM

REV	DATE	DESCRIPTION
1	11.04.25	PER MODIFICATIONS
2	11.20.25	FURTHER INFORMATION

DRAWING NAME: SITE PLAN
ZONING TABLE

RESIDENCE OF: FAUSTO RESIDENCE
23 MEADOW ROAD
CORTLAND MANOR, NY
SBL: 54-12-1-8, Zone: R-15

ISSUE DATE: 07.22.2025
SCALE: AS NOTED
JOB NO.:
SHEET NO.: SP

EDWARD MAURO, Architect
P.L.C.
REGISTERED ARCHITECT
STATE OF NEW YORK
EXPIRATION: 12.31.2026

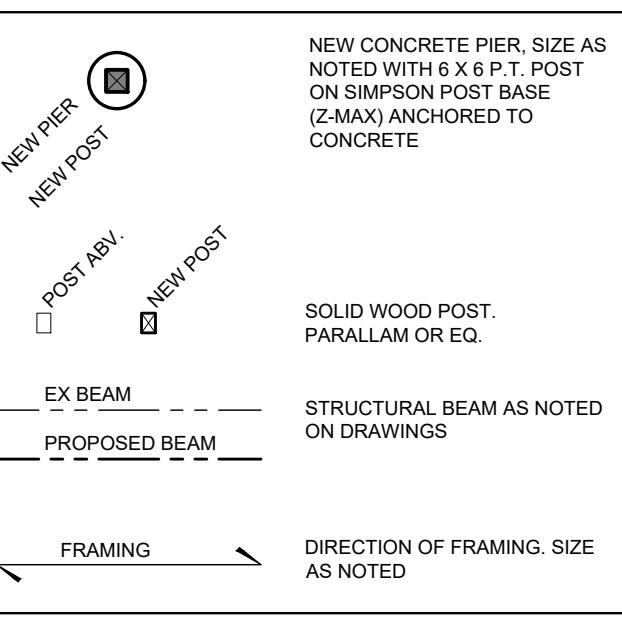


It is a violation of the NYS Education law Part 69, Architecture section 69.5 (b) for any person, unless acting under the direction of a licensed architect, to alter an item in any way. If an item bearing the seal of an architect is altered, the altering architect shall affix to his item the seal and the notation "altered by" followed by his signature and the date of such alteration, and a specific description of the alteration.

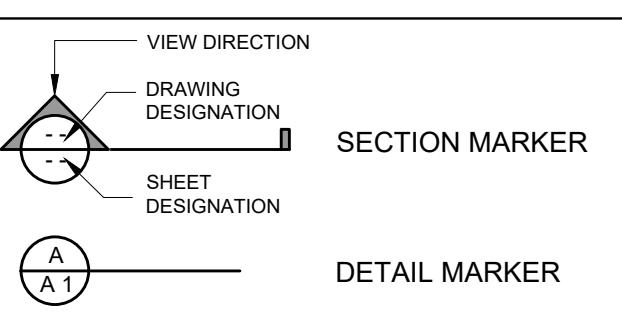
CODE BOOK USED FOR THIS PROJECT

2015 INTERNATIONAL RESIDENTIAL CODE WITH 2017 NEW YORK STATE UNIFORM CODE SUPPLEMENT

STRUCTURAL PLAN KEY



SYMBOL KEY



DESIGN LOADING:

UNDATION DESIGNED FOR SOIL BEARING CAPACITY OF
500 PSF

ASIC WIND SPEED: 120mph

ROUND SNOW LOAD: 30psf

ECK LIVE LOAD: 40psf

ECK DEAD LOAD: 15psf

EFLECTION: I/360

DRAWING NAME:	EXISTING DECK PLANS AND ELEVATIONS SCHEDULES AND LEGENDS
RESIDENCE OF:	FAUSTO RESIDENCE
ISSUE DATE	07.22.2025
SCALE	AS NOTED
AS NOTED	JOB NO.
SHEET NO.	A 1
REV	DATE
1	11.04.225
2	11.20.25
	PER MODIFICATION
	FURTURE INFORMATION

EXISTING 54" ABOVE GROUND SWIMMING POOL

3' - 0" EX RAILING

NEW 4 x 4 PT GATE POST UNLESS OWNER DECIDES OTHERWISE FOR A WIDER GATE. NEW POST TO BE BOLTED INTO DECK FRAMING STRUCTURE, PROVIDE PROPER BLOCKING.

1

3 SOUTH ELEVATION (NORTH SIMILAR)
SCALE: 1/4"=1'-0"

1

NEW 4 x 4 PT GATE POST UNLESS OWNER DECIDES OTHERWISE FOR A WIDER GATE. NEW POST TO BE BOLTED INTO DECK FRAMING STRUCTURE, PROVIDE PROPER BLOCKING.

EX RAILING

NEW POOL GATE:

- MUST BE SELF-CLOSING
- SWING OUTWARD FROM POOL
- GATE: 36" MIN WIDE BY 48" TALL
- MAGNALATCH OR EQUAL TOP PULL CHILD & POOL SAFETY GATE LATCH WITH KEY.
- TOP OF PULL LATCH SET AT 54" min.

EX RAILING SYSTEM:

- GRASPABLE TOP RAIL
- BALUSTERS WITH OPENINGS THAT DO NOT ALLOW THE PASSAGE OF A 4" dia. SPHERE
- BOTTOM RAIL SUPPORT

ADD: GALV. MTL POST CAPS AT ALL BEAM CONNECTIONS

EX PT POST ON 10" CONCRETE PIER DN 42" BELOW FINISH GRADE

EX PT POST ON 10" CONCRETE PIER DN 42" BELOW FINISH GRADE

4 EAST ELEVATION
SCALE: 1/4"=1'-0"

1

NEW 4 x 4 PT GATE POST UNLESS OWNER DECIDES OTHERWISE FOR A WIDER GATE. NEW POST TO BE BOLTED INTO DECK FRAMING STRUCTURE, PROVIDE PROPER BLOCKING.

EX ABOVE GROUND POOL
54" ABOVE GRADE

EX DECK

EX RAIL POSTS 3'-6"

EX RAILING SYSTEM

EXISTING PT DECKING

EX RAIL POSTS 7'-4"

EX RAIL POSTS 7'-4"

EX RAIL POSTS 4'-2"

EX RAIL POSTS 4'-10"

EX DECK TO GRADE: 5'-6"

EX DECK TO GRADE: 2'-9"

EX DECK TO GRADE: 1'-7"

EX RAILING SYSTEM

EX STAIR:
• RISER = 7-12", CLOSED
• TREAD = 11" WITH NOSING

EX 4 x 4 SOLID RAIL POST TO REMAIN
ADD:
4 SIMPSON STRONG - DRIVE SDWS
FRAMING SCREWS PER RAIL POST
LOCATION (SEE DETAIL)

EX RAILING SYSTEM TO REMAIN WITH
BALUSTERS THAT DO NOT ALLOW THE
PASSAGE OF A 4" dia. SPHERE

EX DECK 11'-8"

EX DECK 24'-2"

EX RAILING SYSTEM

EX RAILING SYSTEM

EX DECK TO GRADE: 5'-6"

EX STAIR:
• MUST BE SELF-CLOSING
• SWING OUTWARD FROM POOL
• GATE: 36" MIN WIDE BY 48" TALL
• MAGNALATCH OR EQUAL TOP
PULL CHILD & POOL SAFETY
GATE LATCH WITH KEY.
• TOP OF PULL LATCH SET AT
54" min.

EX MASONRY PATIO TO REMAIN

EX RAMP/STAIR 3'-6"

DECK AREA
DECK, STAIRS AND RAMP 200 sf

1

2 DECK PLAN
SCALE: 1/4"=1'-0"

EX PT DECKING

EX DECK JOISTS

SEE PLAN

EX P.T. POST

ASSUMED GRADE

EX CONCRETE PIERS 3'-6" BELOW FINISH GRADE

EX COMPOSITE WRAP OVER 4 x 4 POST

EX RAILING SYSTEM:

- GRASPABLE TOP RAIL
- BALUSTERS WITH 1 1/2" DIAMETER THAT DO NOT ALLOW A 4" PASSAGE
- BOTTOM RAIL SUPPORTS

ADD:
SIMPSON H2.5A HURRICANE
TIE CLIPS WITH ZMAX
COATING EVERY OTHER
JOIST (TYP)

ADD:
GALV. MTL POST CAPS AT ALL
BEAM CONNECTIONS

PIER, GIRDER, RAILING DETAIL

SCALE: 3/4" = 1'-0"

Architectural drawing of a front portico (5) showing dimensions, materials, and structural details. The portico is supported by two 10" concrete piers wrapped in field stone, set 48" below finish grade. The pier on the left is labeled 'EX DOOR'. The portico has a roof assembly with asphalt shingles, 2 x 6 rafters at 12" on center, and a (2) 2 x 6 girder. The roof is supported by a (2) 2 x 6 girder. The portico is connected to an 'EXISTING HOUSE WALL'. The drawing includes a scale of 1/2" = 1'-0".

FRONT PORTICO

EX DOOR

EXISTING HOUSE WALL

DN

2 x 6 @ 12" oc RAFTERS

2 x 6 @ 12" oc RAFTERS

(2) 2 x 6 GIRDERS

10" CONCRETE PIER WRAPPED IN FIELD STONE. PIER SET 48" BELOW FINISH GRADE PER HOMEOWNERS CONVERSATION WITH 8" POLY CLASSIC STRUCTURAL POST

EX BRICK LANDING / WALKWAY

1

5

2'-4"

1'-0"

1'-0"

7'-6"

SCALE: 1/2"=1'-0"

ROOF ASSEMBLY:

- ASPHALT SHINGLES WITH DRIP
- 2 x 6 @ 12" RAFTERS WITH PLYWOOD SHEATHING
- PVC SOFFIT

A 1

