



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/84451635457?pwd=VqlxiTfdbvrvUnQDg6vlggafROJoT.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*



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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. Stedje, 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. Stedje, 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.

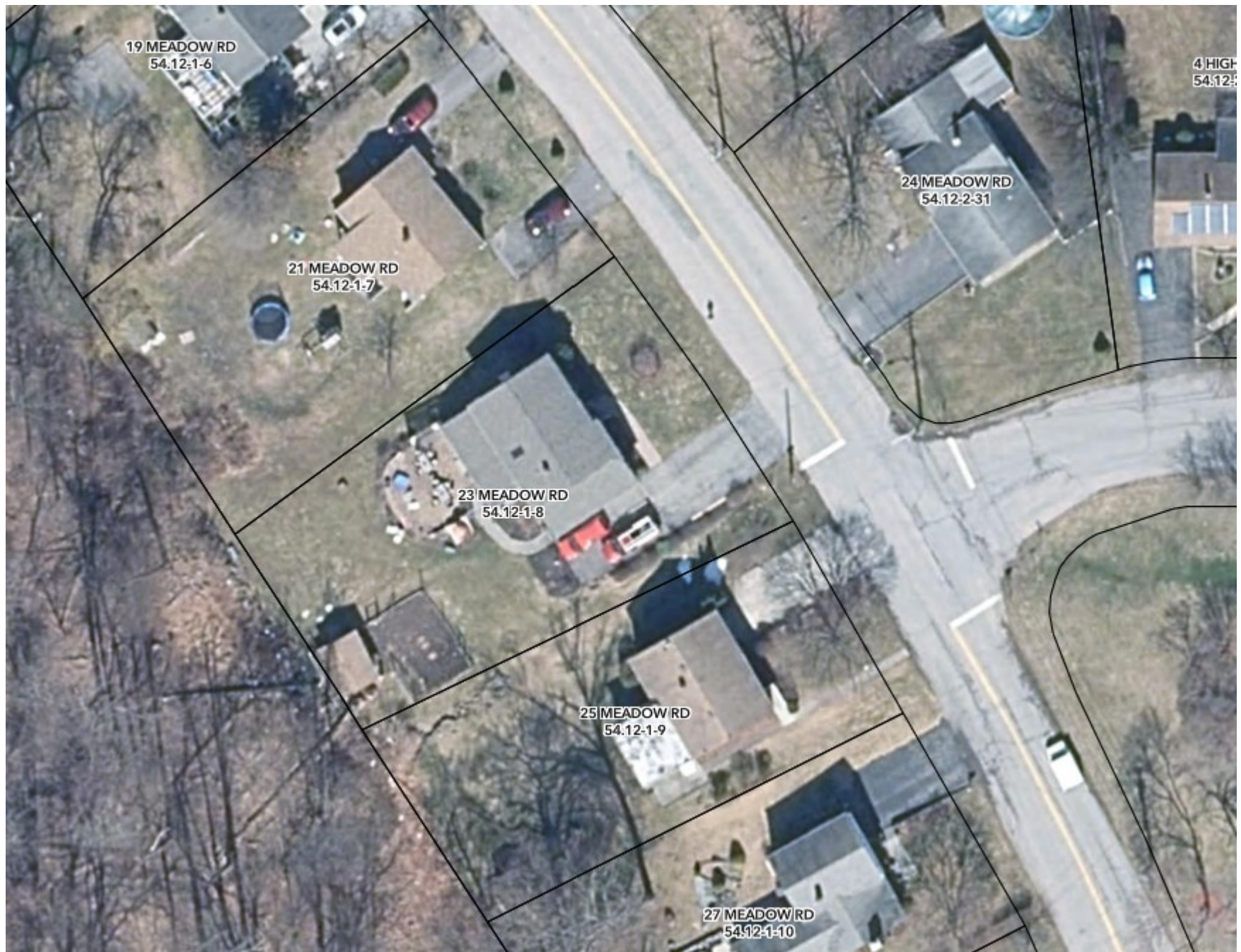
Be advised that the architectural plans and civil site drawings will be completed with comments shared under separate cover. No building permit and certificate of occupancy will be issued until a variance is obtained.

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,

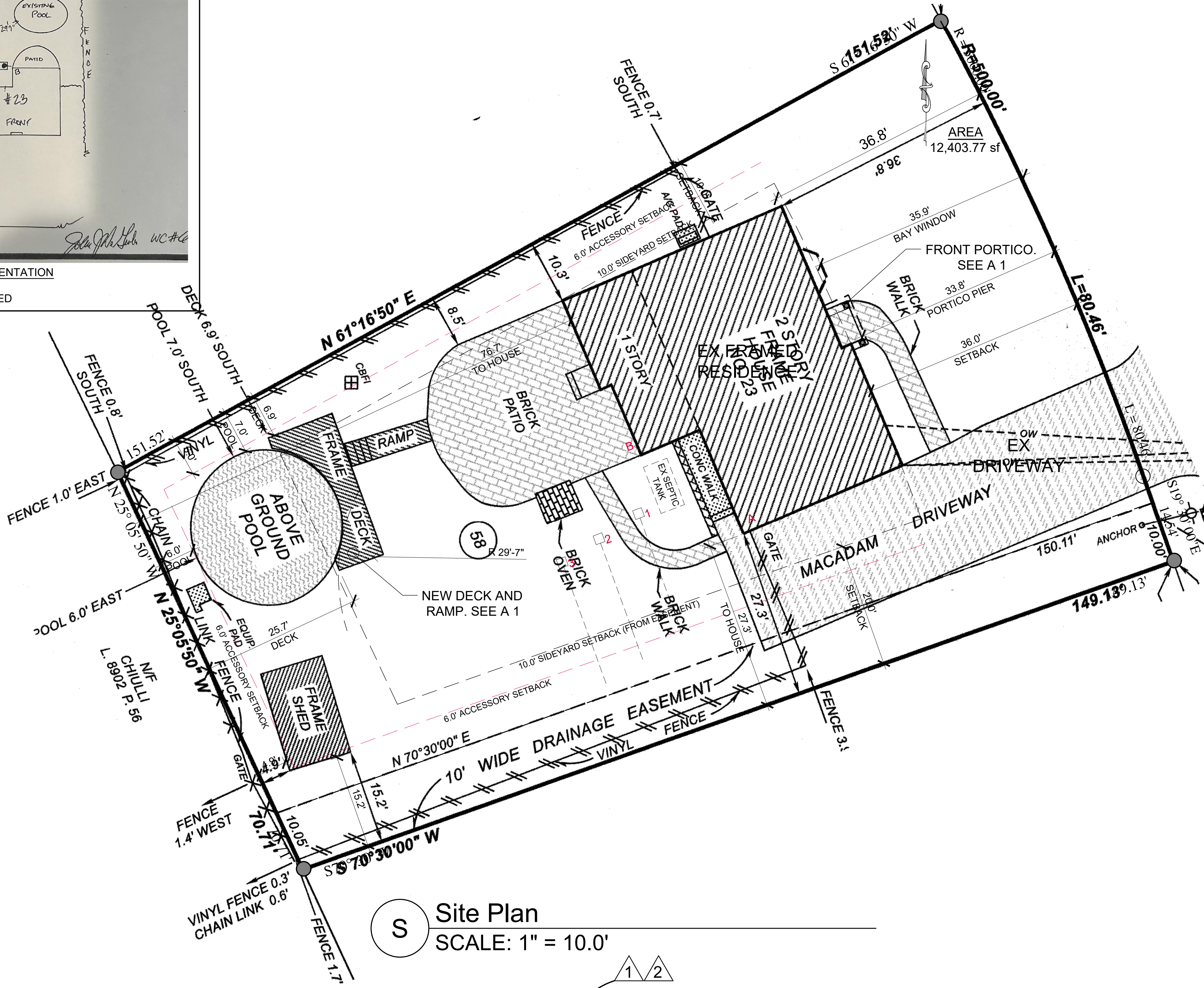
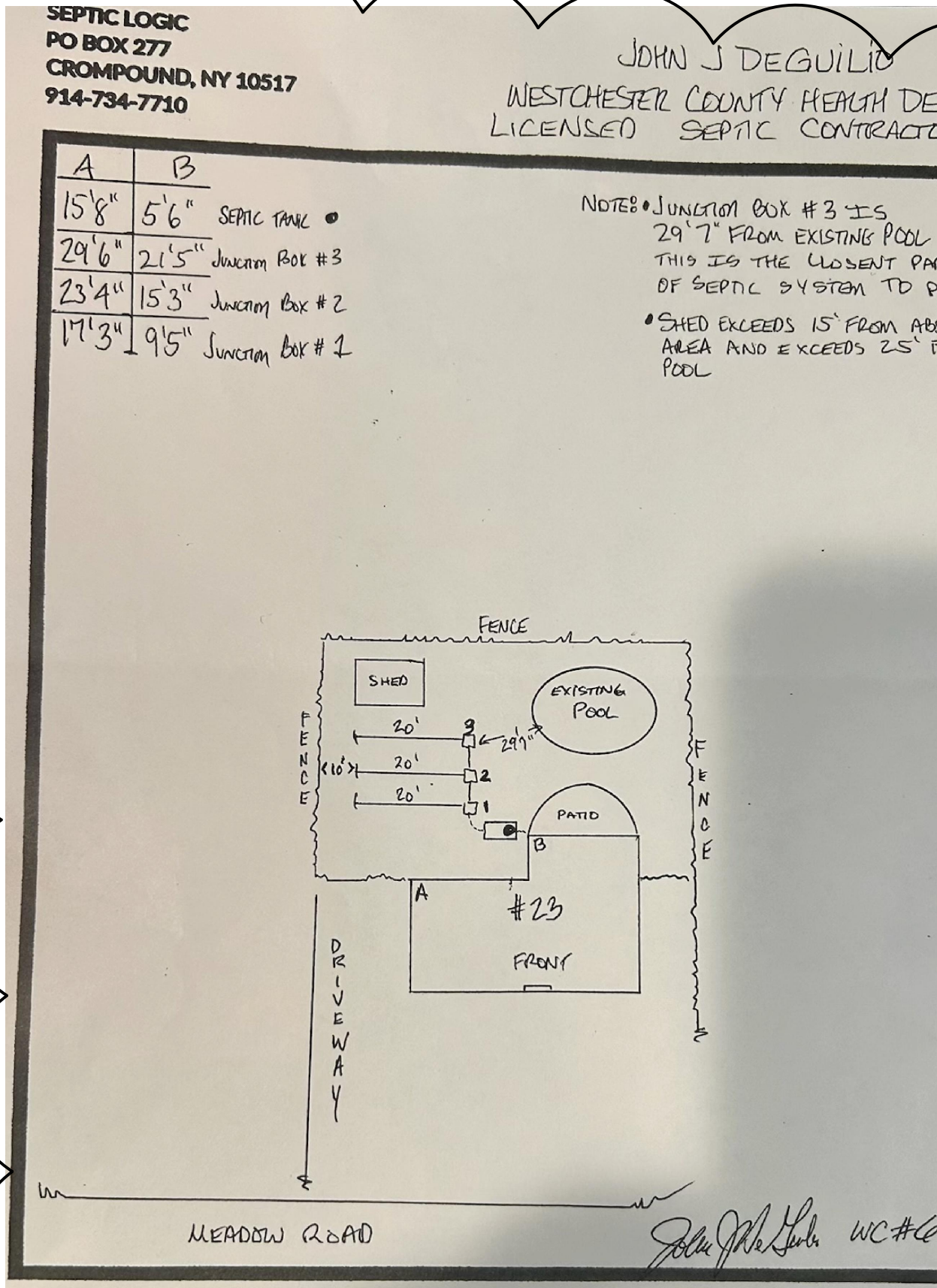
Building Permit Services
PO Box 744
Verplank, NY 10596

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.



S Site Plan
SCALE: 1" = 10.0'

Warning: 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

BUILDING DATA - ZONE R- 15			
VALUE	REQUIRED	EXISTING	PROPOSED
LOT AREA	15,000 sf	12,403 sf	NO CHANGE
LOT WIDTH	80'	89.3'	NO CHANGE
BUILDING HEIGHT	35.0'	35.0'	NO CHANGE
SETBACKS:			
FRONT	35.0'	36.8'	33.8'
SIDE	20% OF WIDTH max. 10.0'	10.3'	10.3'
REAR	25.0'	76.7'	76.7'
MAX. BLDG FLOOR AREA (FAR)	2,851 sf	1,846 sf	NO CHANGE
MAX. BUILDING COVERAGE	1,950 sf (65% FAR)	1,196 sf	NO CHANGE
LANDSCAPE COVERAGE	50% min	31.5 %	33.1 %
ACCESSORY SETBACK POOL DECK:			
FRONT YARD	NOT PERMITTED		NOT PERMITTED
SIDE YARD	6.0'		7.0' (TO DECK)
REAR	6.0'		6.0' (TO DECK)
ACCESSORY COVERAGE DECK	50% FLOOR AREA OF PRINCIPAL BUILDING		847 sf
	1,425 sf ALLOWED		

FLOOR AREA (information taken from Property cards)		BUILDING AREA	
LOCATION	EXISTING sf	EXISTING SF	ADDED
EX 1st FLOOR	1,196 sf	EX RESIDENCE	1,196 sf
EX 2nd FLOOR	650 sf	IMPERVIOUS SURFACE	1,296 sf
	1,846 sf	EX DRIVEWAY / WALKWAY	766 sf
		EX REAR PATIO	480 sf
		EX POOL	167 sf
		EX SHED	
		NEW DECK	200 sf

Survey data taken from Plan prepared by:
UNKNOWN

Dated: SEPTEMBER 1954

TAX DESIGNATION:
SBL: 54.12 - 1 - 8, Zone: R - 15



Edward Mauro, Architect
Tomorrow's, plc
1173 NOXON ROAD
LAGRANGEVILLE, NY 12540
PHONE - TEXT: 845.728.8751
TOMORROWSARCHITECTURE@GMAIL.COM

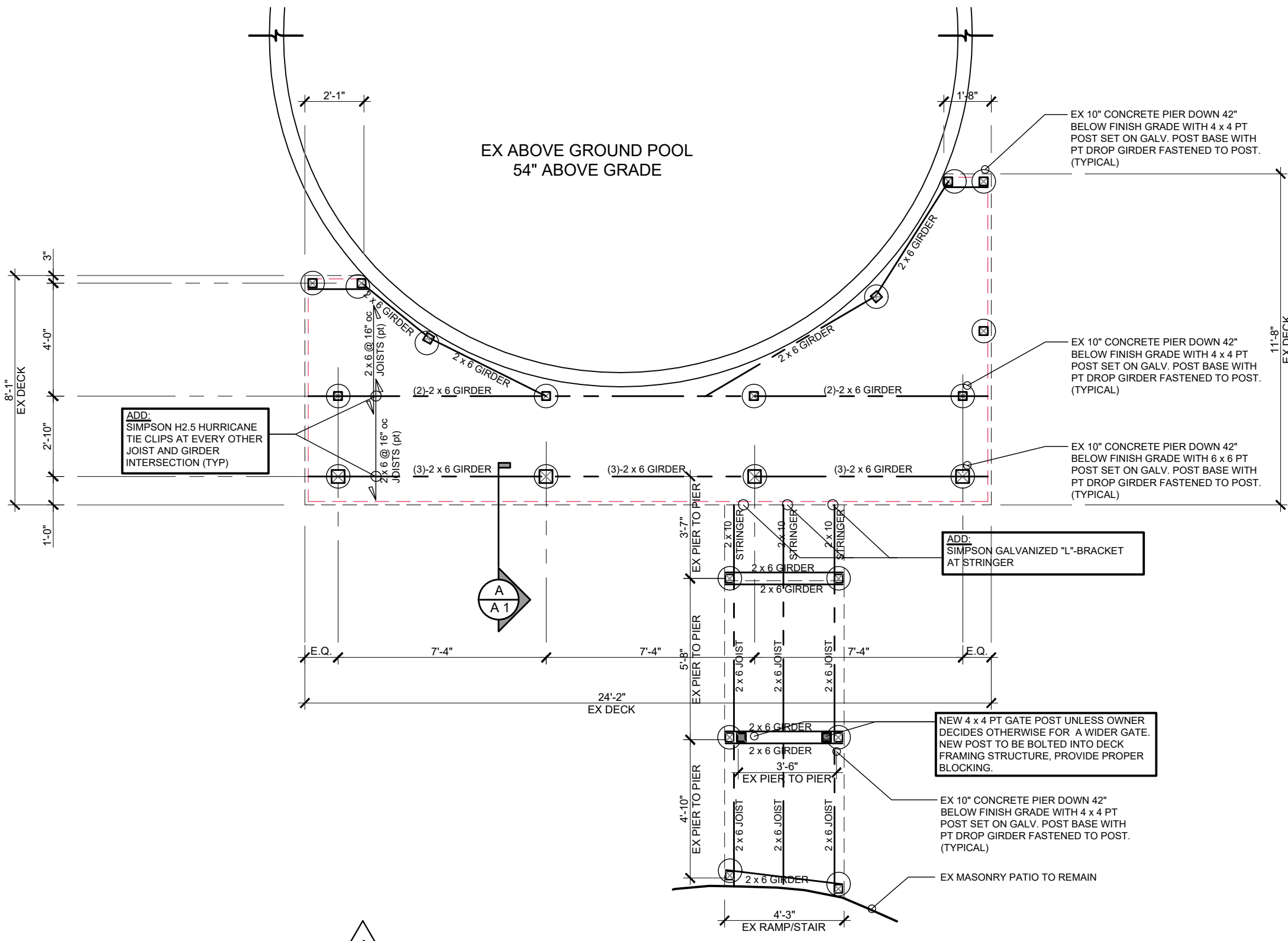
REV	DATE	DESCRIPTION
1	11.04.25	PER MODIFICATIONS
2	11.20.25	FURTURE INFORMATION

RESIDENCE OF:
FAUSTO RESIDENCE
23 MEADOW ROAD
CORTLANDT MANOR, NY
SBL: 54.12 - 1 - 8, Zone: R - 15

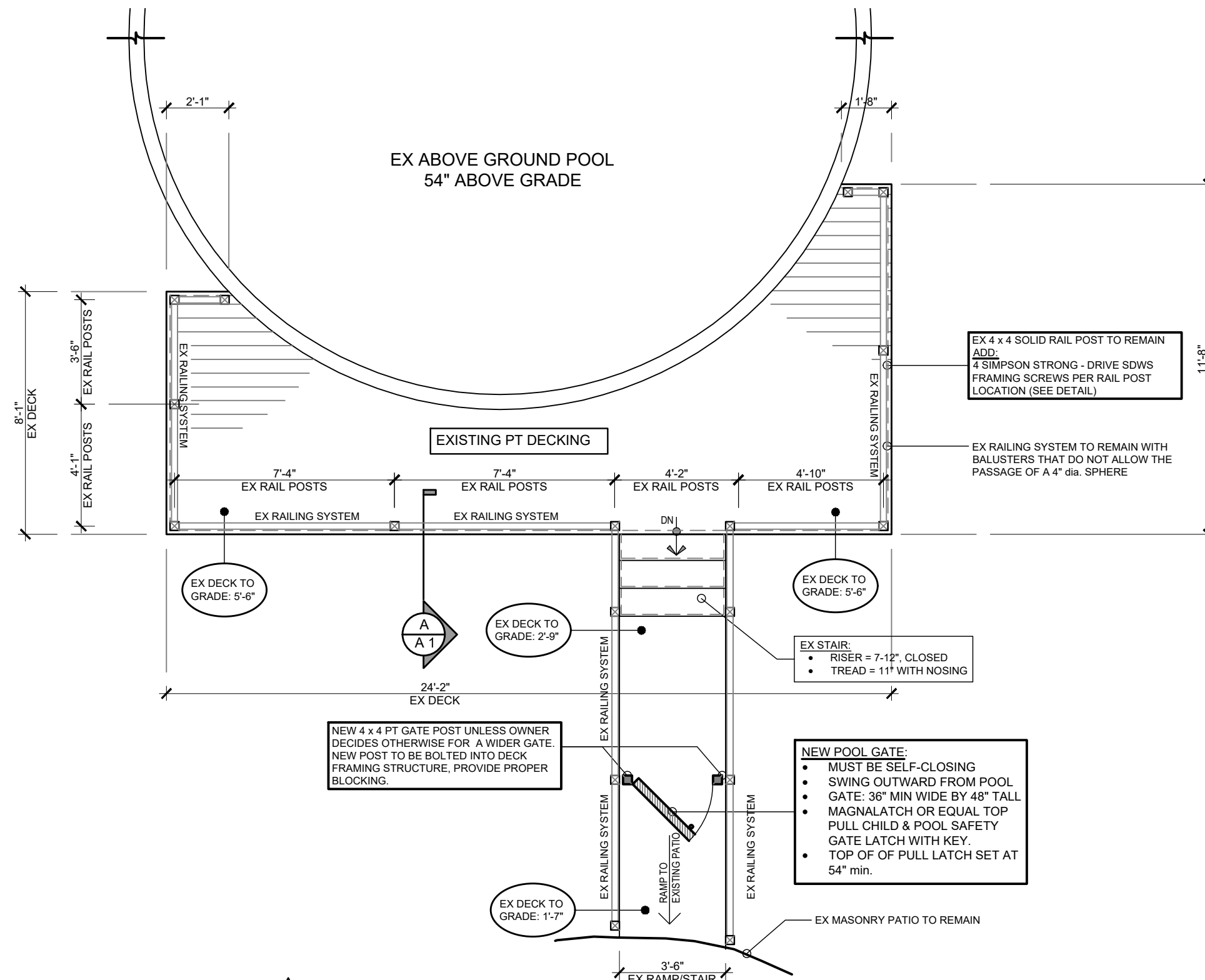
DRAWING NAME:
SITE PLAN
ZONING TABLE

ISSUE DATE
07.22.2025
SCALE
AS NOTED
JOB NO.

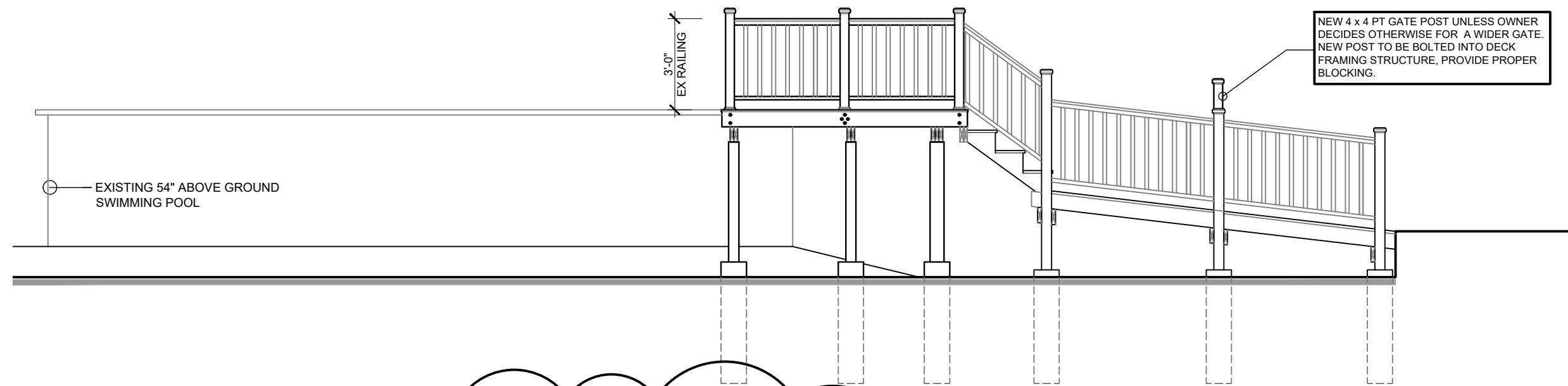
SHEET NO.



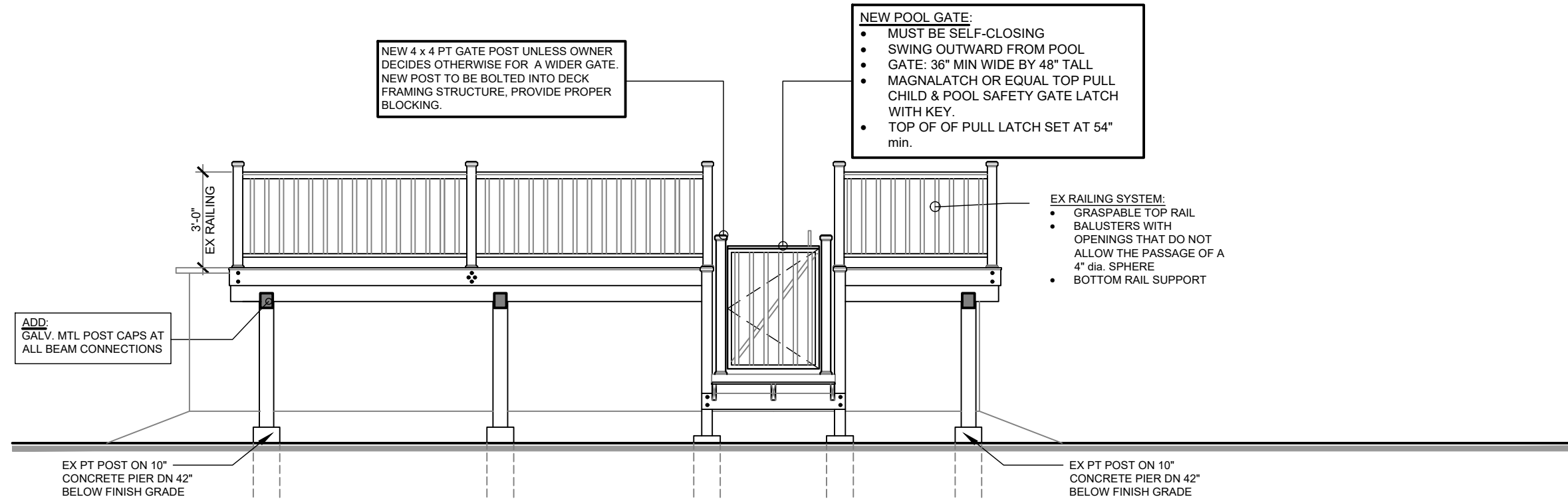
1 FOOTING / FOUNDATION PLAN
SCALE: 1/4"=1'-0"



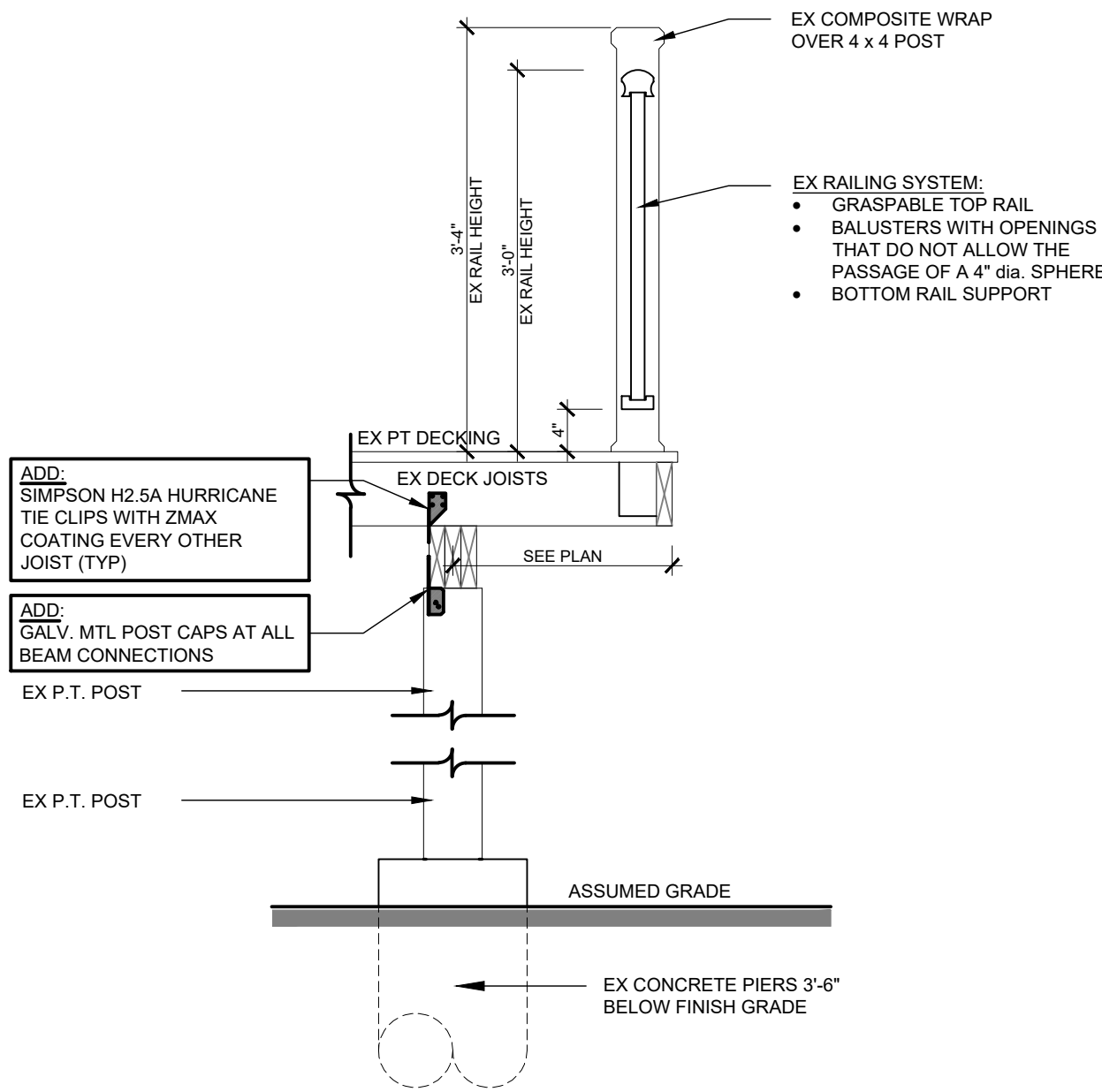
2 DECK PLAN
SCALE: 1/4"=1'-0"



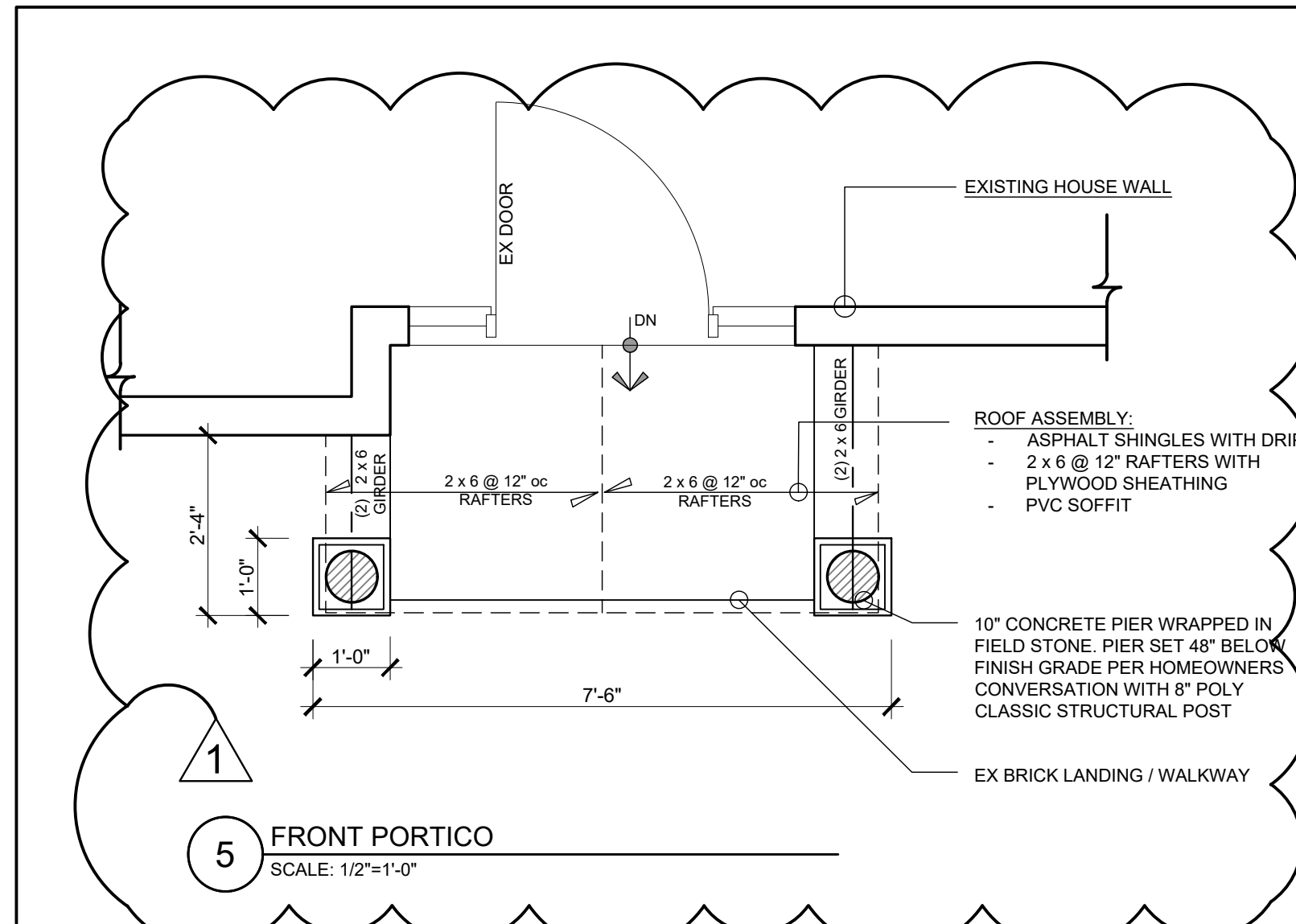
3 SOUTH ELEVATION (NORTH SIMILAR)
SCALE: 1/4"=1'-0"



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



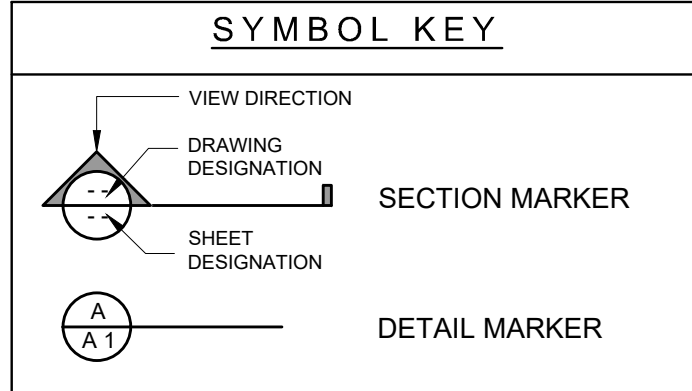
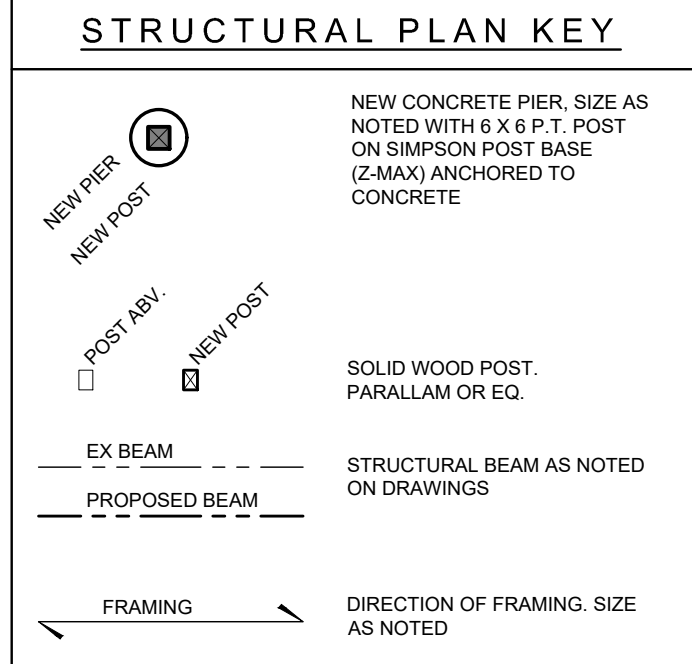
A PIER, GIRDER, RAILING DETAIL
SCALE: 3/4"=1'-0"



5 FRONT PORTICO
SCALE: 1/2"=1'-0"

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



DESIGN LOADING:

FOUNDATION DESIGNED FOR SOIL BEARING CAPACITY OF 2,500 PSF	
BASIC WIND SPEED:	120mph
GROUND SNOW LOAD:	30psf
DECK LIVE LOAD:	40psf
DECK DEAD LOAD:	15psf
DEFLECTION:	1/360



Edward Mauro, Architect
Tomorrow's
Architecture, PLLC
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LAGRANGEVILLE, NY 12540
PHONE - TEXT: 845.728.8751
TOMORROWSARCHITECTURE@GMAIL.COM

RESIDENCE OF:
FAUSTO RESIDENCE
23 MEADOW ROAD
CORTLANDT MANOR, NY
SBL: 54.12 - 1 - 8, Zone: R - 15

REV	DATE	DESCRIPTION
1	11.04.2025	PER MODIFICATIONS
2	11.20.25	FURTURE INFORMATION

DRAWING NAME:
EXISTING DECK PLANS AND ELEVATIONS
SCHEDULES AND LEGENDS
DETAIL
FRONT PORTICO

ISSUE DATE
07.22.2025
SCALE
AS NOTED
JOB NO.

SHEET NO.
A 1



59
N/F
MATTHEWS
CNTRL# 54125 3159

57
N/F
ZULLA
CNTRL# 63282 3040

58

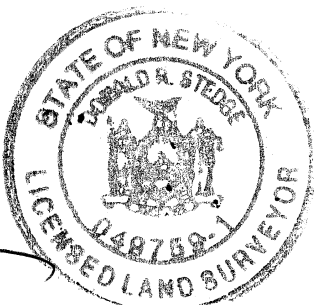
N/F
CHIULLI
L. 8902 P. 56

NOTES:

- TAX LOT: 54.12-1-8
- RECORD DEED: CONTROL NUMBER 61354 3321
- AREA: 12,538 S.F. = 0.288 ACRE
- SUBJECT TO THE FINDINGS OF AN UP TO DATE ABSTRACT OF TITLE
- UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S EMBOSSED SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW
- ONLY COPIES OF THIS MAP BEARING THE LICENSED LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID, TRUE COPIES

I HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON AUGUST 5, 2025 AND WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC.

- FAUSTO ROSERO
- CATALINA MARTINEZ
- RULENNYS MARTINEZ



DONALD R. STEDGE, L.S., NYS LIC. NO. 49759

NOTES:

-UNDERGROUND UTILITIES SUCH AS SEWERAGE DISPOSAL SYSTEMS, DRAINAGE, WATER, GAS, AND/OR ELECTRIC LINES, ETC..., ARE NOT SHOWN AND ARE NOT CERTIFIED TO

REFERENCES:

- BEING LOT 58 AS SHOWN ON A MAP ENTITLED "SUBDIVISION MAP OF KINGS FERRY", FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON JANUARY 13, 1954 AS MAP NO. 8812
- DEEDS AS NOTED

REVISED 9/23/25- POOL, DECK AND FENCE RELOCATION

SURVEY OF PROPERTY PREPARED FOR

**FAUSTO ROSERO,
CATALINA MARTINEZ &
RULENNYS MARTINEZ**

TOWN OF CORTLANDT

WESTCHESTER COUNTY
SCALE: 1" = 20'

NEW YORK
AUGUST 5, 2025

DONALD R. STEDGE, P.L.S.
112 MURRAY AVENUE
GOSHEN, NY 10924
(845) 325-9734

JOB NO.
2255