

ZONING BOARD OF APPEALS
238 Main Street, Cold Spring, New York 10516

July 18, 2005
7:30 p.m.

PUBLIC HEARING

- 1) **GENERAL DYNAMICS NETWORK SERVICES, INC., AS AGENT FOR NEXTEL OF NEW YORK, INC. d/b/a NEXTEL COMMUNICATIONS:** Appeal #743 for a Special Use Permit to co-locate a wireless telecommunications facility on a monopole designed as a stealth pine tree, owned by Sprint. This is a continuation of a public hearing held on May 16, and June 6, 2005. (Located 1924 Route 9, Garrison) in an R-80 District. TM # 71-3-2
- 2) **MATTHEW A. NOVRELLO on behalf of Joseph Tuana:** Appeal #761 for a Variance. Property was subdivided by Deed by prior owner with the review and approval of the Building Department. No one noticed that the side yard setback for the studio was less than Code. Currently the current lot and neighboring lots cannot be reconfigured to avoid the need for other variances. This is a continuation of a Public Hearing held on April 4, April 18, May 16, and June 6, 2005. (Located 996 Old Albany Post Road, Garrison) in an R-80 District. TM #50-2-50.

REGULAR MEETING

- 3) **REVIEW OF MINUTES:** July 11, 2005
- 4) **JAMES SHELLEY:** Appeal #737 for a Variance for a proposed 3-car garage with attic storage with an 18' right side set back. As a 30' set back is required, a variance of 12' is required. This is a continuation of a public hearing held on May 17, and June 21, 2004. (Located 412 Sprout Brook Road, Garrison) in an R-80 District. TM #83.17-2-14 **PUBLIC HEARING PLACEMENT**
- 5) **JOHN PIELMEIER, IRENE O'GARDEN and KAREN SOUTHARD:** Appeal #758 for an Interpretation. Applicants request to revoke and nullify permit issued for a commercial structure that permittee intends and has been told he is permitted to use for commercial purposes which are not permitted in the R-80 District. (Located 5 Fox Glove Lane, Garrison) in an R-80 District. TM #60.-2-37 **REVIEW DRAFT RESOLUTION**
- 6) **GARRISON HIGHLANDS, LLC:** Appeal #762 for a Special Use Permit to allow infrastructure improvements at the Highlands Country Club. (Located 955 Route 9D, Garrison) in an R-80 District. TM #71.-1-14.1 **DISCUSSION & RESOLUTION**
- 7) **DOROTHEA M. LANG:** Appeal #767 for a Variance to replace a shed which was damaged by large fallen tree in the southeast corner of property using the exact location of the old shed which existed on the location since 1951. This is a continuation of a Public Hearing held on June 6, 2005. (Located 36 Hudson River Lane, Garrison) in an R-80 District. TM #89.7-1-4 **REVIEW DRAFT RESOLUTION**
- 8) **AMERICAN TOWER CORPORATION:** Appeal #768 for a Special Use Permit to install a new stealth monopole whereon Cingular and Omnipoint will locate antennas and the installation of associated equipment at grade within a secure fenced compound. (Located Garrison Volunteer Fire Department, 71 Upper Station Road, Garrison) in an R-40 District. TM #60.18-1-3 **REVIEW FOR COMPLETENESS**
- 9) **STEPHEN SMITH on behalf of Jack Hruska:** Appeal #769 for a variance. The Town allowed 2 building permits to be granted along with Certificate of Occupancies when the entire time the shed was about 2' too close to the property line. (Located 122 Jaycox Road, Cold Spring) in an R-40 District. TM #38-2-28 **REVIEW DRAFT RESOLUTION**
- 10) **PETER & MARILYM GATES:** Appeal #771 for a 2' Variance from the 40' setback requirement from town road. Current frontage is 38'. Dwelling has existed since late 1800's. Variance is required for carport built in 1963. (Located 60 Nelson Lane, Garrison) in an R-80 District. TM #71.2-95-1 **REVIEW FOR COMPLETENESS**
- 11) **OMNIPOINT COMMUNICATIONS INC.:** Appeal #772 for a Special Use Permit for co-location of a wireless communication facility on an existing structure. Applicant proposes a public utility wireless communication facility consisting of small panel antennas on the existing stealth tree monopole with related equipment at the base thereof. (Located 1924 Route 9, Garrison) in an R-80 District. TM #71-3-2 **REVIEW FOR COMPLETENESS**
- 12) **AMERICAN TOWER CORPORATION:** Appeal #773 for a Special Use Permit to install a new monopole and associated wireless equipment at the base thereof. (Located 2661 Old Albany Post Road, Garrison) in an R-40 District. TM #38 & 49-4-19 **REVIEW FOR COMPLETENESS**
- 13) **OLD BUSINESS/NEW BUSINESS**

Vincent Cestone, Chairman
Philipstown Zoning Board of Appeals

NOTE: Items may not be called in order shown. Not all items may be called.