

# ZONING BOARD OF APPEALS

238 Main Street, Cold Spring, New York 10516

October 27, 2008

7:30 p.m.

## PUBLIC HEARING

- 1) **RIBEIROS CONSTRUCTION: Appeal #827** for a Variance for construction of a single family residence. Due to the Department of Health requirements for septic system, the house must be located as proposed to ensure proper distances from septic fields and brook. There is no other viable location for a house on this property. Continued from a Public Hearing held on March 24, April 28, June 9, July 14, and September 8, 2008. (Located 65 Steuben Road, Garrison) in an R-10 District. TM #91.5-1-26
- 2) **MICHAEL GREXA: Appeal #834** for a Variance to construct a new one family frame dwelling with a front yard setback on one end of 23'7" where 35' is required and on the other end of 37' where 35' is required. Relief of 11'3" is requested. In the rear, the setback is 8' where 10' is required. Relief of 2' is requested. (Located 4 Birch Lane, Garrison) in an R-10 District. TM #91.5-2-35
- 3) **NOEL and CAROL O'REILLY: Appeal #835** for a Variance. Applicants wish to construct a two car garage including unfinished storage space above with a setback of 8.8' from proposed property line where a 20' setback is required [175.32(B)(7)]. Proposed garage will straddle a zoning district boundary and be 1.2 feet into the residential R-80 zone where a 35 foot setback is required [175.32(B)(8)]. (Located 1192 Route 9D, Garrison) in an R-40 District.
- 4) **MARY DAWN, INC.: Appeal #836** Applicant does not seek an interpretation, variance or special use permit, but seeks an extension of the two year period for completion of reconstruction after fire loss for good cause shown pursuant to Town Law Section 175-87(A). (Located 3154 Route 9, Cold Spring) in an \_\_\_ District. TM #27.12-1-13.

## REGULAR MEETING

- 5) **REVIEW OF MINUTES:** September 8, 2008
- 6) **CHARLES W. CHIGAS: Appeal #837** for a Variance. Applicant seeks a variance of the height restriction for an existing fence from 6 feet to 8 feet. (Located 433 Lane Gate Road, Cold Spring) in a \_\_\_ District. TM #89/38.-3-5 **REVIEW FOR COMPLETENESS**
- 7) **ROBERT and ANNA GARRAMONE: Appeal #838** for a Variance for an existing above ground pool and decking 18'1" from property line where a side setback of 30' is required. (Located 16 Old Albany Post Road, Garrison) in an R-80 District. TM #83.13-1-24 **REVIEW FOR COMPLETENESS**
- 8) **MICHAEL and LORI POWERS: Appeal #839** for a Variance. Applicant's request a Variance to add an addition to existing house. Requesting 4.5 foot exception to allow 15.5 foot side yard setback where 20 feet is required and 15 foot exception to allow 24 foot front yard setback where requirement is 40 feet. (Located 133 Barrett Pond Road, Cold Spring) in an R-40 District. TM #16.19-1-1 **REVIEW FOR COMPLETENESS**
- 9) **LYONS REALTY COMPANY: Appeal #840** for a Special Use Permit. The applicant proposes a Soil Mine on properties located on the east side of US Route 9 between Mill Road and East Mountain Road North in the Town of Philipstown. The project site is currently a wooded area. Applicant owns a 136.9 acre parcel of which 32.6 acres will be disturbed for the mine and a proposed road. The mining operations will be confined to an 18.8 acres area. (Located 3175 Route 9, Cold Spring) in an Industrial and R-40 District. TM #17.-1-76.11 **REVIEW FOR COMPLETENESS**
- 10) **OLD BUSINESS\NEW BUSINESS**

Vincent Cestone  
Chairman

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