

# ZONING BOARD OF APPEALS

238 Main Street, Cold Spring, New York 10516

January 23, 2006

7:30 p.m.

## PUBLIC HEARING

- 1) **KERRY M. WALLIS:** **Appeal #780** for a Variance. Applicant is requesting a 19.5' variance on the southeast property line. This is a continuation of a public hearing held on November 7, 2005. (Located 9 Mountain Drive, Garrison) in an R-80 District. TM #91.6-2-11
  - 2) **JANINE and MATTHEW MASTRANTONE:** **Appeal #775** for Variances 1) Addition on northerly side does not meet setback requirements 2) proposed addition on southerly side. This is a continuation of a Public Hearing held on October 17, and November 7, 2005. (Located 1862 Route 9, Garrison) in an R-80 District. TM #71-3-11
  - 3) **DIANE and JOHN UHLE:** **Appeal #786** for a Variance. Existing building is in violation of front setback. Variance required for open wood deck encroaching within front yard setback. (Located 8 Ryder Court, Garrison) in an R-40 District. TM #90.12-1-2
  - 4) **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. This is a continuation of a public hearing held on November 7, 2005. (Located 1924 Route 9, Garrison) in an R-80 District. TM #71-3-
  - 5) **ALVIN FRIEDMAN-KIEN:** **Appeal #779** for an Interpretation. Applicants are seeking reinstatement of Building Permit #6371 which was revoked by the Zoning Administrative Officer on July 30, 2004. This is a continuation of a Public Hearing held on October 17, and November 21, 2005. (Located Cloud Bank Road, Garrison) in an R-80 District. TM #82.-1-24
  - 6) **JAMES M. COPELAND dba Hudson Design:** **Appeal #764** for a Special Use Permit. The owners of the Walter Hoving Home, Inc., would like to modify their existing facilities to create the following: 1) more room for recreational and educational functions 2) a modern food service facility and 3) additional staff housing. This is a continuation of a public hearing held on November 21, 2005. (Located 10 Walter Hoving Home Road, Garrison) in an R-80 District. TM #60-2-24
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REGULAR MEETING

- 7) **REVIEW OF MINUTES:** January 9, 2006
- 8) **MARY ANN WHEATON-ZELNIK:** **Appeal #784** for a Variance. Applicants presently have an application before the Philipstown Planning Board for a Minor 2 Lot Subdivision. The Subdivision Application requires a variance from Section 175-30(B)(4) prior to being further considered for subdivision approval. Subdivision Lot No. 2 formerly known as Lot No. 45 meets the Section 175(B)(4) criteria. However, Subdivision Lot No. 1 formerly known as Lot No. 44 only meets the 6000 sq ft requirement but does not meet the minimum 60' dimension requirement. (Located 1524 Route 9D, Garrison) in an R-80 District. **TM #49-1-44 REVIEW OF DRAFT RESOLUTION**
- 9) **JOSEPH M. & RUTH A. CARAGINE:** **Appeal #785** for Variances. Applicants would like to construct a second floor addition on their home with an extension of the first floor to the right for a small garage. The left rear corner of the existing structure is 7' from the property line and therefore the second floor addition on this corner would be in the setback. On the right front corner the proposed garage & second floor above the garage are proposed to be located approximately 6" within the right side set back. (Located 3 Brant Terrace, Garrison) in an R-10 District. **TM #91.5-2-23 REVIEW OF DRAFT RESOLUTION**
- 10) **PAUL D. MUSCARIELLO:** **Appeal #782** for a Variance for a 10x12 shed located 5' from southern property line and 20' from the front surveyor's pin. (Located 312 Sprout Brook Road, Garrison) in an R-20 District. **TM #91.5-3-22 REVIEW OF DRAFT RESOLUTION**
- 11) **ADAM & DIANA HIRD:** **Appeal #787** for a Variance. Applicant wishes to tear down and rebuild house on top of existing foundation and staying within existing footprint. However, the existing building is over the required 20 foot rear yard setback (14.1 ft from property line at closest point). (Located 63 Horton Road, Cold Spring) in an R-40 District. **TM #17.-1-68 REVIEW FOR COMPLETENESS**
- 12) **OPEN SPACE INSTITUTE, INC.:** **Appeal #788** for a Special Use Permit. Applicant seeks permission to locate a satellite office for its Mid-Hudson Land Steward and support staff if required in the 2 ½ story frame grist mill that is located at the north end of the property at the Highlands Country Club. The applicant also seeks permission to conduct tours of the grist mill for educational purposes. Both of the proposed uses are permitted in an R-80 District. Specifically, Section 175-25, Schedule A (Permitted Uses), Paragraph 12 of the Philipstown Code allows "...educational...and charitable institutions" in an R-80 district subject to securing a Special Use Permit. (Located 955 Route 9D, Garrison) in an R-80 District. **TM #71.-1-14.1 REVIEW FOR COMPLETENESS**
- 13) **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**
- 14) **OMNIPOINT:** **Appeal #789** for a Special Use Permit. Applicant wishes to co-locate on new stealth monopole that American Tower Corp Appeal #768 has proposed. (Located Garrison Volunteer Fire Department, 71 Upper Station Road, Garrison) in an R-40 District. **TM #60.18-1-3 REVIEW FOR COMPLETENESS**
- 15) **CINGULAR:** **Appeal #790** for a Special Use Permit. Applicant wishes to co-locate on new stealth monopole that American Tower Corp Appeal #768 has proposed. (Located Garrison Volunteer Fire Department, 71 Upper Station Road, Garrison) in an R-40 District. **TM #60.18-1-3 REVIEW FOR COMPLETENESS**
- 16) **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.**