

ZONING BOARD OF APPEALS

238 Main Street, Cold Spring, New York 10516

February 13, 2006

7:30 p.m.

PUBLIC HEARING

- 1) **MATTHEW A. NOVIELLO 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, June 6, July 18, and November 7, 2005. (Located 996 Old Albany Post Road, Garrison) in an R-80 District. TM #50-2-50.
- 2) **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, and January 23, 2006. (Located 1924 Route 9, Garrison) in an R-80 District. TM #71-3-

REGULAR MEETING

- 3) **REVIEW OF MINUTES:** January 23, 2006
- 4) **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 Applicants are seeking reinstatement of Building Permit #6371 which was revoked by the Zoning Administrative Officer on July 30, 2004.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 **REVIEW DRAFT RESOLUTION**
- 5) **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 **REVIEW DRAFT RESOLUTION**
- 6) **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**
- 7) **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**

- 8) **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**
- 9) **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 **REVIEW DRAFT RESOLUTION**
- 10) **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**
- 11) **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**
- 12) **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**
- 13) **ALBURN ELVIN and JANET SANTORO:** **Appeal #791** for a Variance. Applicants request a setback variance of 29.7' from Deer Hill Road for a storage shed. (Located 27 Knollwood Lane, Cold Spring) in an R-40 District. TM #16.16-1-1 **REVIEW FOR COMPLETENESS**
- 14) **JOANN DARBY:** **Appeal #792** for a Variance. Applicant requests setback variances for structures previously built without building permits by previous owner. Shed variance 5.3' rear and 8' right side. Gazebo variance 15.6' right side. (Located 3 Ridgewood Road, Cold Spring) in an R-40 District. TM #16.20-1-2 **REVIEW FOR COMPLETENESS**
- 15) **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.