

# ZONING BOARD OF APPEALS

238 Main Street, Cold Spring, New York 10516

January 10, 2011

7:30 p.m.

## PUBLIC HEARING

None Scheduled

## REGULAR MEETING

- 1) **REVIEW OF MINUTES:** November 8, 2010
- 2) **KYLE GOOD: Appeal #871 for a Variance.** Applicant seeks to construct an addition to residence. As planned, the northeast corner of the addition will be lacking 5' 1-7/8" (5.15 feet) of the required front setback as calculated for a narrow street under Section 175.32D. The southeast corner will be lacking 10-3/8" (0.87 feet) of the required side setback under Section 175-32, Schedule B, Line 7. Applicant seeks variances of 5' 3" (5.25 feet) and 1' 0" (1.00 feet), respectively, which will allow construction of the planned addition with an allowance of less than 2 inches for possible differences in the opinion of surveyors. (Located 85 Lower Station Road, Garrison) in an R-40 District. TM #71.5-1-3 **RESOLUTION**
- 3) **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 PUBLIC HEARING PLACEMENT**
- 4) **MARY DAWN, INC.: Appeal #872 for an extension.** This application does not seek interpretation, variance or special use permit, but seeks a further 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). TM #27.12-1-13. **REVIEW FOR COMPLETENESS**
- 5) **DEAN ANDERSON and JOSEPH LIBONATI: Appeal #873 for a Variance.** Applicants seek to subdivide the property they co-own. The property is to be subdivided into two lots. Lot 1 of the proposed subdivision, the larger part of which lies within the R-40 Zoning District will conform to the current R-40 requirements. Lot 2 of the proposed subdivision, the larger part which lies within the R-80 Zoning District, cannot be made to conform to the current R-80 zoning requirements due to the recent changes in zoning requirements that place environmental restrictions on some of the area. Applicants seek relief from either Section 175-30B(2) to allow the wetland to be part, 16.6% of the required square; or, alternatively, applicants seek relief from Section 175-30A to reduce the size of the required square from 200 feet to 132 feet or a 34% reduction. (Located 4 Dale Lane, Garrison) in an R-40 and R-80 District. TM#71.-1-22 **REVIEW FOR COMPLETENESS**
- 6) **OLD BUSINESS/NEW BUSINESS**

Vincent Cestone  
Chairman

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