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

April 11, 2016
7:30 p.m.

Regular Meeting

Pledge of Allegiance

Approval of Minutes:
- March 14, 2016

1.) Robert M. Manzella, **TM# 91.6-2-12** **Appeal # 893**
11 Mountain Drive, Garrison
(seeking a side yard variance of 6' from section 175-26A.1 of the Town Code which requires a a minimum of 20' from the side property line.)

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

March 14, 2016
7:30 p.m.

Regular Monthly Meeting

PUBLIC HEARINGS

NONE SCHEDULED

REGULAR MEETING

1. **JOHN A. & KIMBERLY J. SABATINI: Appeal # 891** for a variance.
   The appellants seek relief from restriction on the type of construction that can be built on slopes greater than 20% (Sec. 175-36B(1) and greater than 35% (Sec. 175-36B(2)). The applicants also seeks relief from the limitation on the maximum amount of impervious surface that exists on a lot. (Location 101 Dick's Castle Road, Garrison) in the RR District. TM #60.-1-11 **RESOLUTION**

2. **James and Melanie Matero: Appeal #892** for a variance.
   A variance to this property approved on October 7, 1996 (Appeal #566) for the encroachment into the setback of the side and rear deck, with condition states "No further enlargement or reconfiguration of the structure is authorized without a building permit and /or Zoning Board approval as needed". The proposed alteration and addition to the rear and side deck will enlarge and reconfigure the existing decks, this will require a variance from the Zoning Board, (Location 32 Hudson River Lane, Garrison) in an R-80 District. TM #89.7-1-6. **RESOLUTION**

3. **REVIEW OF MINUTES:**
   FEBRUARY 23, 2015
   JULY 13, 2015
   SEPTEMBER 14, 2015
   OCTOBER 26, 2015
   JANUARY 11, 2016
   FEBRUARY 8, 2016

4. **NEW BUSINESS:**
   Return escrow for the Friars of the Atonement, Old West Point Road E TM # 82.-2-41.-1

5. **OLD BUSINESS:**
   ZBA Application – reviewed

Robert Dee, Chairman
Zoning Board of Appeals

ZONING BOARD OF APPEALS

March 14, 2016

MINUTES

The Zoning Board of Appeals for the Town of Philipstown held a work session on Monday, March 14, 2016, at the Philipstown Town Hall, 238 Main Street, Cold Spring, New York. The work session was opened by Robert Dee, Chairman, at 7:38 p.m.

PRESENT:	Robert Dee	-	Chairman
	Lenny Lim	-	Member
	Vincent Cestone	-	Member
ABSENT:	Paula Clair	-	Member

****PLEASE NOTE that these minutes were abstracted in summary from the television video. If anyone should seek further clarification, please review the video.**

Robert Dee opened the meeting at about 7:34 p.m. after the Pledge of Allegiance.

Robert Dee – First of all I would like to introduce our new Secretary, Linda Valentino, she was previously working for the Cold Spring Planning Board. So she's got experience and she will be working full time at the Building Department and she will also be working with the Zoning, Planning and Conservation Boards. Correct?

Linda Valentino – Yes.

Robert Dee – Okay. Please welcome Linda. We all talk about consolidation. This is an example. I would like to thank the Town Board, Nancy Montgomery out there, for creating this position. I think it will go a long way in creating an alliance between the Building Department, Zoning, Planning and Conservation because a lot of times one board does not know what the other is doing. This will end that. Linda will be in command of it all. She doesn't realize it but she is.

Lenny Lim - You got the job.

Robert Dee – You took it. You got it, that's what they say. The first thing we'll do is wait for the Attorney because he has the resolutions. So, I notice that Matero's here looking for his resolution so he'll be here soon. What I want to do is review the minutes of the meetings. We are a little behind on

minutes because we haven't had a secretary for a while. We got a few months to review. So instead of asking for motions for each month we are going to see what changes we have to make and then we'll make a motion at the end. Okay.

Vincent Cestone – Okay.

Minutes:

Robert Dee – So we'll start the first one. ***February 23, 2015*** - does anybody have any corrections or changes?

Vincent Cestone – No.

Lenny Lim – No.

Vincent Cestone – I make a motion to accept them.

Lenny Lim – I'll second.

Robert Dee – All in favor. Aye.

Vincent Cestone – Aye

Lenny Lim – Aye.

The February 23, 2015 minutes were unanimously approved as presented.

Robert Dee – Okay, that's one of them. *July …*

Vincent Cestone *- 13.*

Lenny Lim *-13.*

Robert Dee – July 13, 2015 minutes of meeting. Any corrections or changes?

Vincent Cestone – I'll make a motion.

Lenny Lim – I'll second.

Robert Dee – All in favor. Aye.

Vincent Cestone – Aye.

Lenny Lim – Aye.

The minutes of July 13, 2015 were unanimously approved as presented.

Robert Dee – Okay, July is finished. **September 14, 2015**.

Lenny Lim – Yup.

Robert Dee – Any changes for corrections?

Lenny Lim – No.

Vincent Cestone – No.

Robert Dee – Vinny?

Lenny Lim – I'll make the motion to accept.

Vincent Cestone – I'll second.

Robert Dee – All in favor. Aye.

Vincent Cestone – Aye.

Lenny Lim – Aye.

The minutes of September 14, 2015 were unanimously approved as presented.

Robert Dee – Unanimous. Okay, **October 26, 2015**. Any changes or corrections?

Lenny Lim – I have none.

Vincent Cestone – No, I have none. I'll make a motion to accept it as submitted.

Lenny Lim – I'll second.

Robert Dee – All in favor. Aye.

Vincent Cestone – Aye.

Lenny Lim – Aye.

The minutes of October 26, 2015 were unanimously approve as submitted.

Robert Dee – Unanimous Okay. The next one is October 26 right.

Lenny Lim – Did we have two that night? We just did that.

Robert Dee – No, we just did September right?

Lenny Lim – No, we just did October.

Robert Dee – I did October.

Robert Dee – All in favor. Aye.

Lenny Lim – I got two Octobers. I thought the same thing.

Robert Dee – January 11, 2016.

Lenny Lim – I'll make a motion to accept.

Vincent Cestone – I'll second.

Robert Dee – All in favor. Aye.

Lenny Lim – Aye.

Vincent Cestone – Aye.

The minutes of January 11, 2016 were approved unanimously as presented.

Robert Dee – Unanimous. The last one **February 8th.** I have a change here. On Page two you are going to see a name, Michael Carr, I think that is supposed to be John…

Audience member – Michael Monteleone.

Robert Dee – Michael Monteleone. Okay Michael Monteleone, anybody have any idea how to spell that?

Audience member – M-O-N.

Robert Dee – M-O-N.

Audience Member – T-E.

Robert Dee – T-E.

Audience Member – L-E-O-N-E.

Robert Dee – L-E-O-N-E. Got that Linda?

Linda Valentino – Um hum.

Robert Dee – Okay, and that is going to be in a lot of pages. Okay, because the mistake was made so it will be …

Vincent Cestone – Michael Monteleone, okay.

Robert Dee – Right, so anyplace that you see Michael Carr...

Vincent Cestone – Right.

Robert Dee – Just change it to Michael Monteleone through the whole thing. There's a number of them.

Vincent Cestone – Yah.

Robert Dee - Beyond that I don't have any other corrections.

Vincent Cestone – I'll make a motion to accept as corrected.

Lenny Lim – I'll second.

Robert Dee – okay. All in favor. Aye.

Lenny Lim – Aye.

Vincent Cestone – Aye.

The amended minutes of February 8, 2016 were unanimously approved.

Robert Dee – Unanimous. Okay that takes care of that year. So hopefully we'll be caught up and have all the minutes and meetings and everything will be on track. I maze well go through, he's not here yet, so old business there is a return escrow, new business, I'm sorry new business.

New Business: Escrow return

Robert Dee - Friars of the Atonement, Old West Point Road they put in an application, remember several years ago.

Lenny Lim – Oh at least.

Robert Dee -14, I think it was in the beginning of 14.

Lenny Lim – They wanted to rebuild a structure.

Robert Dee – I think they wanted to rebuild a church.

Lenny Lim – Yea, yea.

Robert Dee – Right, right, well there's been no action on it and everything. But, they haven't been here or withdrawn on it. I spoke to the building inspector today and he suggested that we okay to return the escrow to them. If they want to make a new file or application they will have to file a new application. But the time has run out on that. So, at this point in time I make a motion that we Okay to return the escrow for the Friars of the Atonement, Old West Point Road TM # 82.-2-41.-1.

Lenny Lim – I'll second.

Vincent Cestone – I agree with it.

Robert Dee – all in favor.

Lenny Lim - Aye.

Vincent Cestone – Aye.

Robert Dee – Unanimous. Okay.

Linda Valentino – Who moved?

Robert Dee – What?

Linda Valentino – who made the motion?

Lenny Lim -I made the motion.

Vincent Cestone – I seconded.

Old Business: ZBA Application Review

Robert Dee – The ZBA application. The Attorney is not here. We were talking about changing the structure of the ZBA application. There are a few things in there that we would like to change. Like for instance you should have one in there, you should have a package.

Lenny Lim – Like this one?

Robert Dee – Yea, right. try to make it simpler for people to understand. Okay, and the first thing you have is under step 3. The application now from the building department says "Application must be received a minimum of one week prior to a scheduled meeting. We spoke a lot about changing it to two weeks.

Lenny Lim– Right.

Robert Dee - Because it's kind of close by the time you get that and it has to be sent out and everything else like that so change that. Make it two weeks.

Vincent Cestone - So step 3 will be two weeks.

Robert Dee -So make it two weeks.

Vincent Cestone - So change step 3 to two weeks.

Robert Dee - And the other thing is on the number of plans that a person has to file, like that. I know we get like... the last time we get big plans, we get large plans. I think we only need one large set, and the rest will be five or six sets of 11X17 you know the lap size.

Lenny Lim – Okay, you mean as apposed to the engineer stamped. I agree. We don't need the engineers stamped.

Robert Dee – Yea, yea engineers stamp, we'll take one large set of plans.

Lenny Lim – Yea.

Robert Dee – I would think so. We'll have it so to make sure there is no discrepancies or anything like that, but I think when we deal... first to mail it out. It's a pain in the neck to mail out those kind of things something like that in a package.

Lenny Lim – Yea.

Robert Dee – So.

Lenny Lim – My only concern would be the size of the map, because if you have small maps sometimes they are really hard to read.

Robert Dee - You are talking about the survey?

Lenny Lim – Yah.

Robert Dee – I guess we can leave the survey the same.

Vincent Cestone – They can make copies at 11X14 just as easy as 8 1/2 x14. Right.

Robert Dee – Right.

Robert Dee – 11X17 is the lap size. 11X17 I believe is lap size for the plans for the plans for the building plans and forth. So I guess we can keep that all the same. If we kept it all 11X17 or would you want it full.

Lenny Lim - 11X17 is protocol.

Robert Dee -Okay. We are not passing anything tonight. This is just to try to have the attorney work on it. This is just open for discussion to have the attorney work on it to see what we can come up with. Okay, so you prefer the full size but you wouldn't be against the 11X17 for the building plans.

Lenny Lim - Oh no, not all.

Robert Dee – Okay.

Lenny Lim - You know, I think we need the full size to see everything that is going on.

Robert Dee – Now the other thing here is, I got a note here, I spoke with Kevin and he said that he would like the attorney to look at the application for supplements. Three different stuff he wants. Interpretation, area variance and use variance to separate them. So that is something we will talk to the Attorney about. It would be like addendum's added on to this. So If you were applying for an interpretation you would get that addendum. If you were applying for an area variance you would get that addendum so it would make it a little clearer.

Lenny Lim – Okay, if it helps anybody out.

Vincent Cestone - So what does that do for them?

Robert Dee – I think it makes it easier for the applicant.

Vincent Cestone - I'm trying to think about how that would be.

Robert Dee – well.

Vincent Cestone - I don't know if it would be. What I'm thinking, let me just tell you what I'm thinking.

Robert Dee – Sure.

Vincent Cestone - I'm thinking with three different ways of doing this it's very easy for someone to grab the wrong one and do it. It would be wrong as apposed to having one application that has all three of them on them and they can check off the one they want as apposed to having separate documents. Just have a check box.

Robert Dee – Okay.

Vincent Cestone - You know and that check box can be checked off by us when we get it. Ex. "oh your asking for an interpretation of an area variance".

Robert Dee – Okay.

Lenny Lim - That's a good idea.

Robert Dee – This is one of the things we are going to get the Attorney to work out. Were not going to have it come out off the top of our heads.

Lenny Lim - We make the determination. We make the determination.

Robert Dee –Yea, right right. Okay and another thing he got here is attach a section of the law for the variance applicant is applying for. The Building Department would have to do that, right, that wouldn't be us.

Vincent Cestone – Right.

Robert Dee – Yea, that wouldn't be us. Kevin would have to do that.

Vincent Cestone - Right the Building Department.

Robert Dee – So I think it's trying to make it easier for the person to understand what that person is going for what laws they have to follow besides the application and what law applies to that variance or land use whatever.

Vincent Cestone - Generally the rule of thumb is the Building Department denies based on the section of the code and it will be so much easier for them to right down the code and the reason why they were denying it.

Robert Dee – Correct, and they can supply the section of the law that contains the section the person is looking for.

Vincent Cestone – Right.

Robert Dee – In fact what I'm going to have to do is call the Attorney because he is not here but what I'm going to do...

Nancy Montgomery – If you have his number, I would call him.

Robert Dee – Yah I got it I got it. But, What I'm going to do is if for some reason he doesn't show up I'm not going to hold you up. what I will do is ask the board members, because we already voted on this last month okay, if they will allow me to have it sent to the Town Clerk, or to Linda I'm sorry, Linda is the secretary now the secretary and she'll call me up at home and I will sign it. Because I don't know why he is not here.

Lenny Lim - Hopefully everything's Okay.

Robert Dee – I' Sorry.

Lenny Lim - Hopefully everything is okay.

Robert Dee – Yea so lets take a two minute break.

Lenny Lim – I make a motion for a five minute break.

Vincent Cestone – Second.

Robert Dee - I agree. All in favor.

(The Board took a five minute break at 7:51 p.m.)

Lenny Lim – I Make a motion to come out of a five minute break.

Vincent Cestone - I second.

Robert Dee - I agree.

(The Board went back into session at 7:54 p.m.)

Resolutions:

Robert Dee - I called the Attorney unfortunately it goes right to voice mail. I don't know what happened. We have two resolutions that we are doing tonight.

a. The first one is for **John and Kimberly Sabatini** that was for a variance for a relief of type of construction to be built on greater slopes greater than 20% and greater than 35%. We had reviewed the application and we had a public hearing and we closed the public hearing and we voted to approve that resolution. So I'm asking the board members not to hold up anybody for another month, because we are not going to meet for another month, that is to give me the authority, vote for the authority that when I get the resolution in I will sign it.

Vincent Cestone - I'll vote in favor.

Lenny Lim - I don't have a problem with that.

Robert Dee - You don't have a problem with that and I'm in favor so here's what we'll do, I'll have him over night it okay. I'll get in touch with him tomorrow, so over night-ed, it probably won't get here until Wednesday. Oh the second one, the second one is for James and Melanie Matero.

James Matero – you didn't even get to me yet.

Robert Dee -I'm still thinking about the five pages I had to deal with last time.

b. **James and Melanie Matero** Appeal #892. A variance to this property was approved on October 7, 1996 (Appeal # 566) for the encroachment into the setback of the side and rear deck,

with condition states "No further enlargement or reconfiguration of the structure is authorized without a building permit and/or Zoning Board approval as needed. So they want, basically they are not going out of the footprint. They are not changing the structure. To bring the equipment up there, the boiler and stuff from down stairs so they don't get flooded. They are on the river and stuff like that. There again, we reviewed the appeal. We had a public hearing, closed the public hearing and we voted to approve this resolution also, there again, I want to make the same motion. If I can get a motion that it's alright that I have the attorney send it over so I can sign it.

Lenny Lim – I'll move, I'll make the motion to approved.

Vincent Cestone - I'll second it.

Lenny Lim – Aye.

Vincent Cestone – Aye.

Robert Dee - Okay I'm in favor so its unanimous. So they're all approved and like I said I'll call tomorrow and have them overnight-ed. Lets see today is Monday.., Tuesday so I would say Wednesday or Thursday you can come in and get a building permit because I know that you are anguish to get started. If not, Wednesday afternoon, I'll call tomorrow. Let's see what else we have. We did that, We did that. Any New Business besides the escrow any old business.

Lenny Lim – Nope.

Robert Dee - You guys are alright.

Lenny Lim - I make the motion to adjourn.

Vincent Cestone - I second.

Robert Dee -Wait wait wait I got to find when the next meeting is your running away on me. The next meeting is April 11 at 7:30. Now does someone want to make a motion to adjourn?

Vincent Cestone – I'll move.

Lenny Lim - I'll second.

Robert Dee - All in favor.

Vincent Cestone – Aye.

Lenny Lim – Aye.

Robert Dee - That's it.

(All present Board members are in favor. The meeting adjourned at 7:49 p.m.)

NOTE: These Minutes were prepared for the Zoning Board of Appeals and are subject to review, comment, emendation and approval thereupon.

DATE APPROVED: _____

Respectfully submitted,
Linda Valentino
Secretary

APPEAL #_____ Tax Map # 91.6-2-12

Final hearing date_____ Zoning Board decision APPROVED / DENIED

Date application submitted 3-29-16

Application fee $ 100- Escrow $ _____ Received by_____

To the Zoning Board of Appeals, Town of Philipstown, New York:

I (we), Robert M. Manzella

residing at 11 Mountain Drive, Garrison N.Y. 10524

Telephone: home 914-419-9587 business N/A

HEREBY appeal the decision of (name and title)_____

whereby he/she

GRANTED____ DENIED_____ a BUILDING PERMIT____ a CERTIFICATE OF OCCUPANCY____

For_____

To_____

of_____

For property at tax map #_____ in zoning district _____

WHEN FILLING OUT APPLICATION, ATTACH ADDITIONAL PAGES AS NECESSARY TO ANSWER QUESTIONS.

1. LOCATION OF PROPERTY: (Give 911 address and a map and detailed narrative giving directions to the property using road names, such as Route 9 or 9D, Old Albany Post Road, East Mountain Road South, etc. and landmarks such as Garrison School, North Highlands Fire House, Highlands Country Club, etc:

2. NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS (Include those opposite on streets/highways. Use additional sheets if necessary. This information may be obtained in the Town assessor's office)

3. PROVISIONS OF ZONING CODE INVOLVED (give Article, Section, Sub-section, paragraph by number, Do not quote text of code)

VARIANCE

4. PREVIOUS APPEAL (If there have been any previous appeals for this property or any portion thereof, set forth the appeal number, date, relief sought and the ZBA decision resulting)

TYPE OF APPEAL:

_____ an INTERPRETATION of the Zoning Code or Maps

__X__ a VARIANCE from the Zoning Code

_____ a SPECIAL USE PERMIT under the Zoning Code

5. DETAILS OF APPEAL (Complete only that section which applies to the appeal you are submitting)

(a) INTERPRETATION of the Zoning Code is requested

(1) An exact statement of the interpretation requested is:

STATE OF NEW YORK, COUNTY OF PUTNAM _____

being duly sworn, says: I have read the foregoing appeal and papers attached; that the statements and representations made therein are true to the best of my knowledge and belief.

_____
Signature of applicant or agent

Sworn before me this 29th day of March ~~2000~~ 2016

Notary _____ County. Putnam

Tina M. Merando

TINA M. MERANDO
NOTARY PUBLIC, STATE OF NEW YORK
REG 01ME5079624
QUALIFIED IN PUTNAM COUNTY
COM EXPIRES JUNE 9 2019

SUBMISSION REQUIREMENTS: (1) For a VARIANCE or INTERPRETATION please submit (7) individual packets
(2) For a SPECIAL USE PERMIT please submit (19) individual packets

each packet containing one each of the below listed items. These items are very specific and MUST be complied with exactly

1. Completed appeal form
2. Deed to property
3. Denied application for Building Permit or Certificate of Occupancy
4. Building plans with ONE ORIGINAL professional seal and signature
5. Survey prepared by NYS licensed surveyor, showing all property lines, structures and dimensions to property lines. One survey with ORIGINAL professional seal and signature
6. Certificates of Occupancy for any existing structures
7. Contour maps as required by conditions

(b) a VARIANCE from the Zoning Code is requested:

(1) An exact statement of the details of the variance requested is:

VARIANCE is requested to build a detached 14' x 22' garage on the property KNOWN AS 11 MOUNTAIN DRIVE, GARRISON N.Y. The garage will be manufactured in PENNA and delivered by trailer and installed on a railroad tie foundation - see Exhibit #1

(2) The grounds on which this variance should be granted are:

11 MOUNTAIN DRIVE is relatively isolated, as per the attached exhibit. No sight lines will be affected by the garage. - see Exhibit #2

(c) a SPECIAL USE PERMIT is requested:

(1) The reason the permit is requested:

(2) An exact statement of use for which the permit is requested:

(3) The facts showing the use is permitted as a SPECIAL USE under the code and the ability of the applicant to comply with all requirements of the code for granting of a special use permit:

5/95

PHILIPSTOWN ZONING BOARD OF APPEALS
SUPPLEMENTAL WORKSHEET FOR AREA VARIANCE APPLICANTS

In accordance with state law, the Zoning Board must grant or deny an area variance based on specified factors and a balancing of "the benefit to the Applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community". We have developed this Supplement to assist you with preparing, submitting and presenting your case to the Zoning Board. Please complete the factors 1a – 5 below and submit with your application (attach additional pages if necessary). We have provided suggested questions which will assist you in answering each factor and in preparing for the Board's review. It is strongly suggested that you structure your presentation at the hearing in accordance with the factors. Provide facts and proof to support each factor.

FACTORS TO BE CONSIDERD BY THE BOARD

1a. What possible detriment would the variance have on nearby properties?
How close are nearby structures? – Will your structure be visible to others or will it block a view? – Do you propose exterior lights?

As per Attached exhibit no detriments will be caused. The structure will be visable but will not block any views No Exterior lighting is proposed

1b. What impacts would the variance have on the character of the neighborhood?
Have others in the neighborhood received similar variances? – Does the Neighborhood contain similar structures with similar setbacks/heights etc.?
Is your property similar to or different from others in the area? – If several of your neighbors were to receive variances in the future similar to the one you now request, would the neighborhood be changed?

The detached garage will be only 14' x 22', it will be attractive + shrubs will be placed near it - (see Exhibit #1)

2. If you didn't get the variance, how else could you build what you want or accomplish your goal?
For example: different location or design; shorter fence;smaller deck; smaller overhang or addition?

without variance we wont have A garage and would probably have to re-locate in a few years, We like our house and are trying to improve it and encourage others around us to do likewise. (Currenty there are two vacant homes for sale on our street

3. What is Code requirement you seek to vary? Building too close to Property line

How large of a variance do you seek? just for the 14' x 22' structure

4. What impact or effect will the variance have on the current physical and environmental conditions in the area? Is there grading (or blasting) proposed? - Will you be paving previously unpaved surfaces? – Are you proposing to remove any vegetation? – Are there wetlands or other watercourses on site? – Will normal drainage patterns be affected? - How close are the nearest wells and septic systems? – Will the proposed use or activity produce emissions (noise or odors)? – Will traffic be increased? – Is the area considered scenic?

I will install the necessary railroad ties or concrete flooring on our flat property. there should be no effect on the environment

5. Is the variance requested as a result of a "self-created hardship"? Was there a need for the variance when you purchased the property? – How long ago did you purchase the property? – Did you build the structure without a permit? Is the need for a variance as a result of someone's mistake? Describe

I did not realize how much I needed a garage and since my son was born we need two cars and more space.

ZBA APPLICATION, MEETING AND APPROVAL PROCEDURES

When applying to the Zoning Board of Appeals, there is generally a regular set of steps that will be followed, hopefully ending in the approval of your application.

Step 1. Obtain the application form from the Code Enforcement Department
Step 2. Fill out the form to the best of your ability. The Department will assist you as necessary.
Step 3. Return all required documents for your application, the application fee and the escrow fee to Code Enforcement. Application must be received a minimum of one week prior to a scheduled meeting.
Step 4. Code Enforcement will forward you application to the ZBA.
Step 5. You will receive correspondence from the ZBA informing you of your **first** meeting date. Meetings are held on the second and fourth Monday of each month, at Town Hall, second floor, at 7:30pm, unless otherwise stated. This **first** meeting will be for the ZBA to review your application for completeness only. ***It is strongly recommended that you attend this meeting to insure all documentation has been submitted and is in order.***
Step 6. If the ZBA deems your application complete, they will schedule your **second** meeting, which will be your actual public hearing. At the **second** meeting, you will explain your case to the ZBA and answer any questions they may have.
Step 7. The ZBA may require more than one public hearing to decide you case. If so, you will be advised of any further public hearings.
Step 8. When the ZBA is satisfied that it has all necessary information, they will close the public hearings and take a vote on your case, whether to approve or deny your application.
Step 9. After your final vote is taken by the ZBA you should return to the Code Enforcement Department for further instructions and assistance

NOTICE TO APPLICANTS

READ ALL INFORMATION ON THIS APPLICATION CAREFULLY. WE WILL ASSIST YOU AS MUCH AS POSSIBLE, BUT IT IS NOT OUR RESPONSIBILITY TO GATHER INFORMATION, MAKE COPIES OR ASSEMBLE APPLICATION PACKAGES.

All submissions to the Zoning Board of Appeals must be submitted a minimum of two calendar weeks prior to being placed on the agenda for review.

The initial review of the application by the Board will be to insure completeness of the application only. If the application is deemed complete, a public hearing date will be set and the applicant will be so notified. If the application is deemed incomplete for any reason, the applicant will be notified of the additional requirements of the Board.

The application must contain detailed directions to the property to enable the Board members to make site visits as required. The property must also be properly posted with the correct 911 address as required by the town code.

A copy of the Zoning Code and Zoning Map is available in the office of the Town Clerk.

Be prepared to present facts and any additional information the Board may need at the time of the public hearing.

All applications for a SPECIAL USE PERMIT must also be referred to the Town Planning Board. This will be done by the clerk of the Zoning Board.

FEES: payable at time of application – Variance - ~~$200.00~~ 100 – No Escrow

Interpretation - $200.00

Special Use Permit - $ 500.00

ESCROW: $ 1000.00

Payable at time of application;

Returnable after adoption of final ZBA resolution and payment of any consulting fees incurred

by the CODE ENFORCEMNET OFFICER within sixty (60) days of the date on this letter. An application for the Zoning Board of Appeals is enclosed.

If you have any question you may contact may office at (845) 265-520.

Kevin Donohue

Kevin Donohue, CFM
Code Enforcement Officer

Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

Received 3-30-16

March 30, 2016

Robert M. Manzella
11 Mountain Drive
Garrison, NY 10524

Re: Building Permit Application for a 14 x 24 Garage
Location: 11 Mountain Drive
Tax Map: #91.6-2-12

A Building and Zoning Permit Application for a 14 x 24 Garage was received on March 29, 2016 and includes the following information;

1. Application for Building and Zoning Permit
2. Two plan pages for 14 x 24 Garage
3. Site plan locating the 14 x 24 Garage on the property with setbacks from property lines.

The site plan scale of the property measures 80 feet x 496 feet revealing the area to be 39, 680 square feet. The property being in existence and less than 40,000 square feet, the Town of Philipstown Zoning Code section 175-26 A. 1) states; "in the case of lots of 40,000 square feet or less, the minimum side and rear setbacks shall be 20 feet for the principal building and five feet for accessory structures up to 150 square feet;"

> A. The use, building, or other structure conforms to all other requirements of this chapter, except that: 1) in the case of lots of 40,000 square feet or less, the minimum side and rear setbacks shall be 20 feet for the principal building and five feet for accessory structures up to 150 square feet; and 2) in the case of lots between 40,000 square feet and three acres, the minimum side and rear setback for the principal building shall be 30 feet;

Since the propose garage is located 14 feet from the side property line, The Building and Zoning Permit for a 14 x 24 Garage is hereby **DENIED** for nonconformance with section 175-26 A. 1) which requires a minimum of 20 feet from the side property line..

If YOU ARE AGRIEVED THIS DECISION you may submit an application to the Zoning Board of Appeals, pursuant to the provisions of Article IV of the Code of the Town of Philipstown, to appeal from and review any order, requirement, decision or determination made

Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516
Office (845) 265- 5202 Fax (845) 265-2687

091211

APPLICATION FOR BUILDING AND ZONING PERMIT

Tax Map # 91.6-2-12 Date Received: 3/29/16

Construction Located at: 11 Mountain Drive Garrison ~~or Cold Spring~~

Owner: Robert M. Manzella Phone Number: 914-419-9587

Mailing Address 11 Mountain Drive, Garrison, N.Y. 10524

Authorized Agent: None Phone Number:

Mailing Address

Description of Work: installation of 14'x24' pre-built Garage to be delivered to property Accessory Structure

Occupancy Classification: R3 Construction Classification: VB Number of Stories: 1 Building Area: 308 sqft

New Const: ____ Addition: ✓ Repair/Replacement: ____ Alteration: ____ Change in Use: ____ Demolition: ____

Heating Appliance: N/A Electrical, Mechanical, Plumbing: N/A Wood Stove: N/A Oil or LP Tank: N/A

Zoning District: SR Located within Special Flood Hazard Zone: NO Located within 100feet Wetland/Watercourse: NO

Area of Land Disturbance: 400 ft sq.ft. Estimated Value of Construction $

Putnam County Licensed # for Home Improvement, Plumbing, HVAC, LP Gas and Electrical Contractor only (PCL#)

Design Professional: Phone

General Contractor: Phone PCL#

Subcontractor: Phone PCL#

Subcontractor: Phone PCL#

I hereby make application for a permit and all information entered above is true and accurate. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of this application for a permit. I understand that as the permit holder, I shall immediately notify the Code Enforcement Official of any change occurring during the course of the work and further understand that if the Code Enforcement Official determines that such change warrants a new or amended permit, such change shall not be made until and unless a new or amended permit reflecting such change is issued.

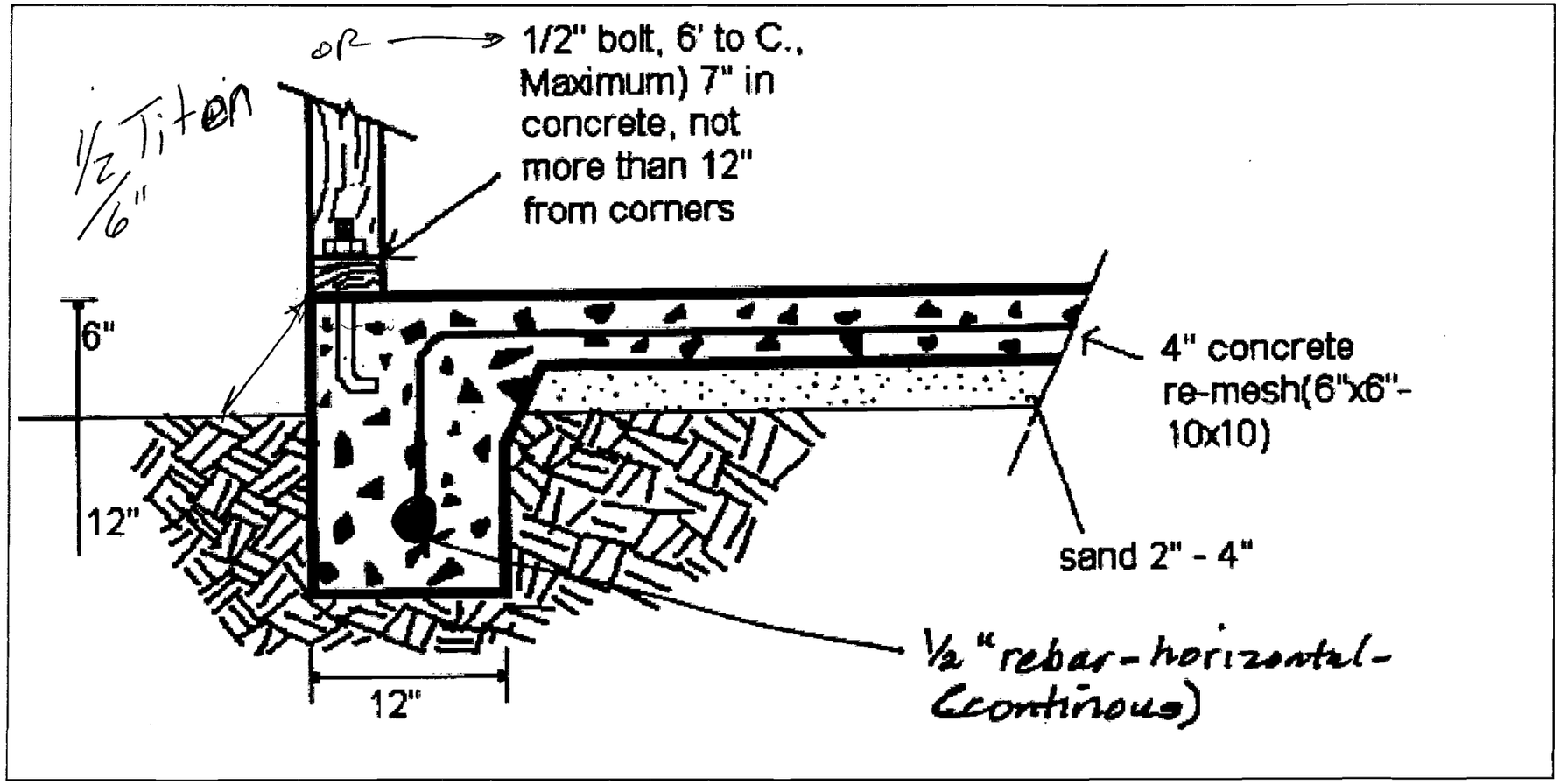
Owner/Authorized Agent Signature 3/29/16 Date

Make Checks Payable To: **Town of Philipstown** **(Office Use)**
Chargeable footage: 308 + CO sqft. FEE$ 213.00 **Received Date** 2011

When the application for permit has been examined and the proposed work is deemed in compliance with the applicable requirements of the Uniform Code, Energy Code and the Code of Town Philipstown, the Code Enforcement Official shall endorse this application by signature and date which herby authorizes the issuance of said permit when payment of FEES are received and duly recorded.

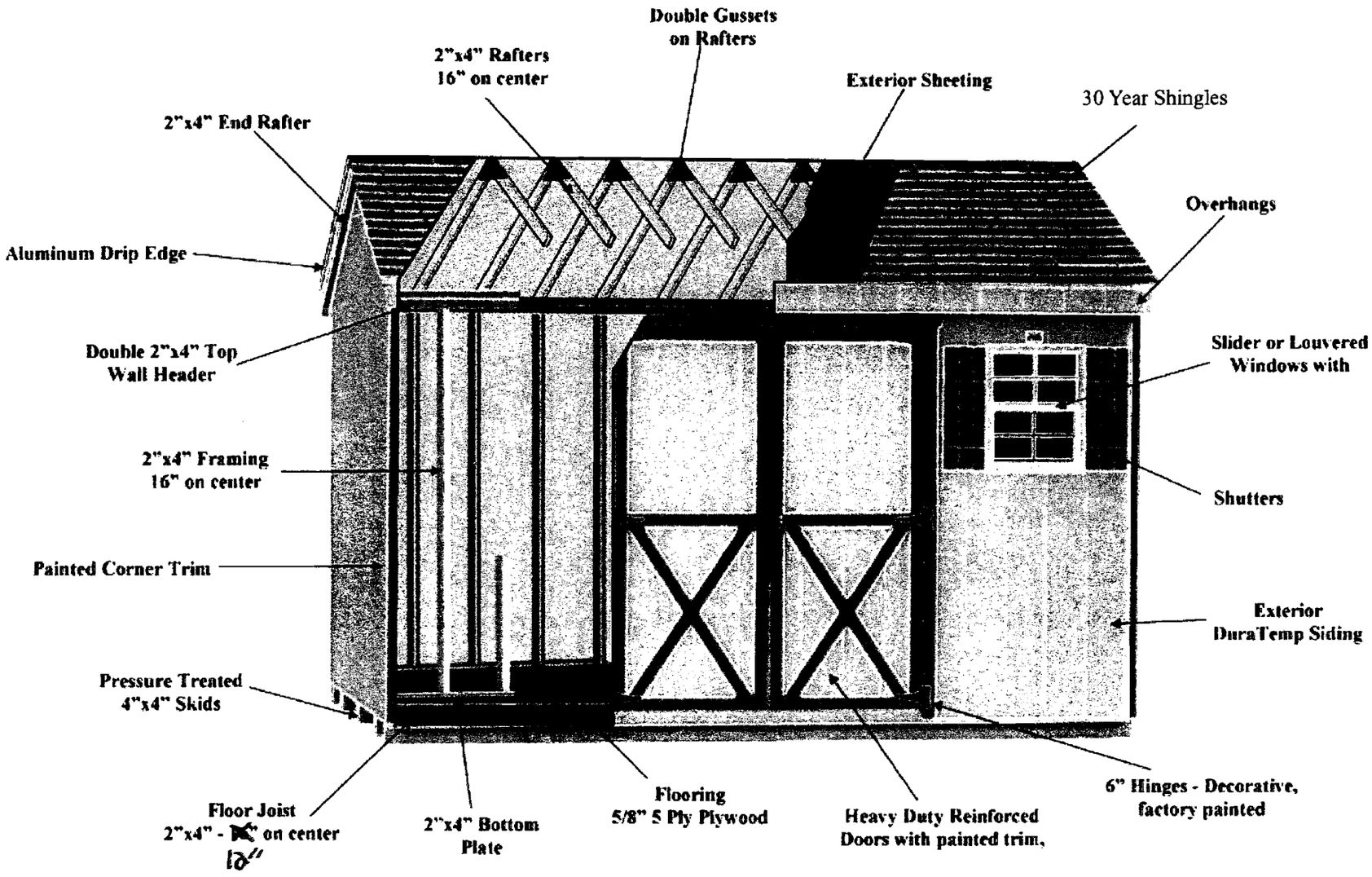
Code Enforcement Officer Signature Date **BUILDING PERMIT NUMBER:**

175-26 40,000 ft² > = 20'
Side/Rear


or
1/2" bolt, 6' to C., Maximum) 7" in concrete, not more than 12" from corners
1/2 Titen
6"
6"
12"
12"
4" concrete re-mesh(6"x6"-10x10)
sand 2" - 4"
1/2" rebar - horizontal - (continous)

TM# 91.6-2-12

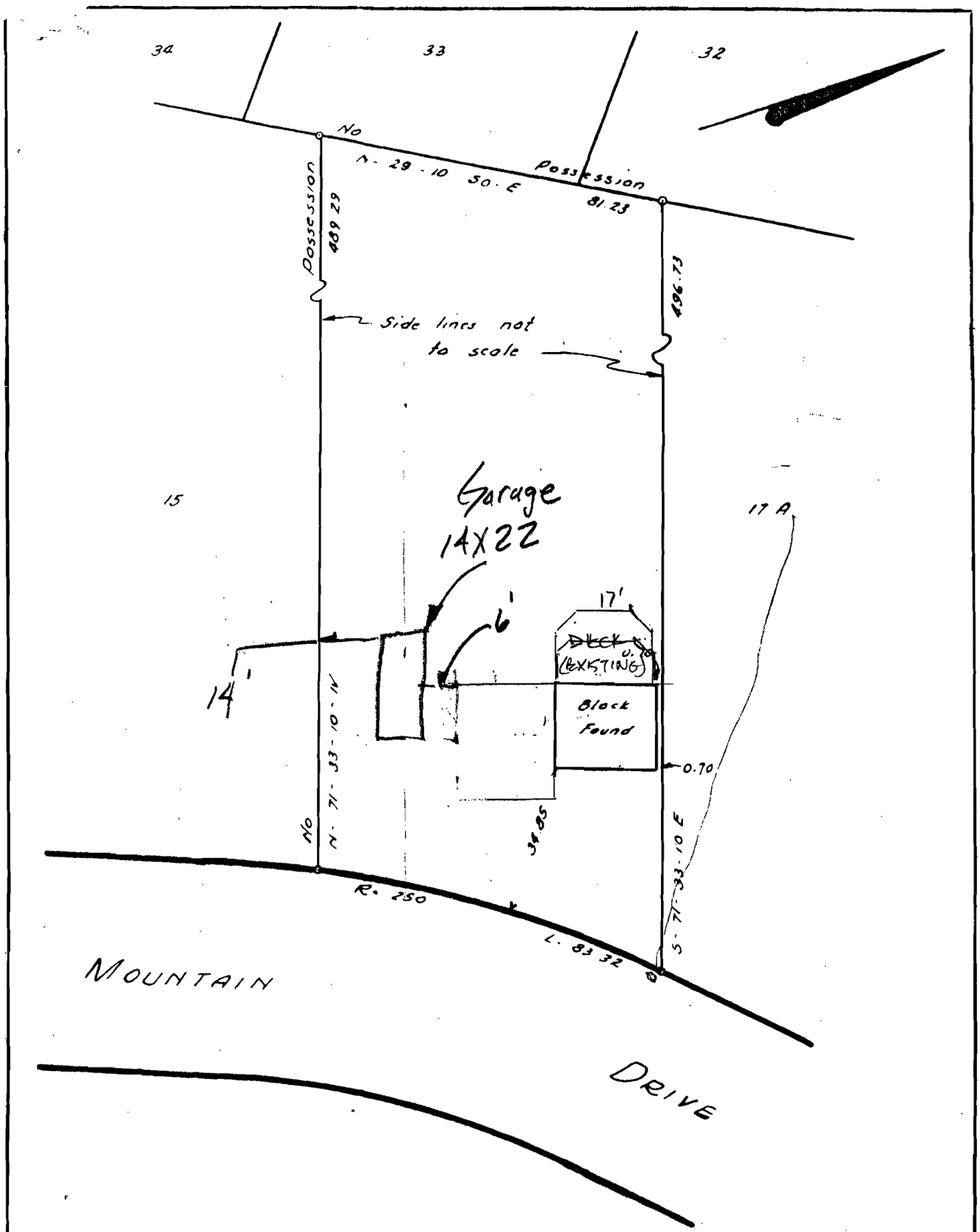
Shed Specifications 14X22



Approximate Shed Height

Robert Manzella

TM# 91.6-2-12
11 Mountain Drive



SURVEY OF

LOT 16 **, BLOCK** 7B **, MAP** 7 Amend

OF

CONTINENTAL VILLAGE

TOWN OF PHILIPSTOWN

PUTNAM COUNTY, N. Y.

SCALE: 1" = 30' DATE: June 19 - 54

J. HENRY CARPENTER & CO.
CIVIL ENGINEERS & LAND SURVEYORS
YORKTOWN HEIGHTS, N. Y.

H. E. Frommholz

H. E. FROMMHOLZ, P. E. & L. S. 12400