

TOWN OF PHILIPSTOWN ZONING BOARD OF APPEALS
Philipstown Town Hall, 238 Main Street, Cold Spring, NY 10516
November 14th, 2022 Minutes

Present

Robert Dee (Chair)
Vinny Cestone
Granite Frisenda
Janice Hogan
Lenny Lim
Adam Rodd (Attorney Drake Loeb PLLC)

Absent

Please note that these minutes were abstracted in summary from the meeting and a taped recording. Chair Dee opened the meeting at 7:33 pm and led the pledge of allegiance.

Approval of Minutes

Chair Dee: Okay, first order business is the minutes from October 3rd.

Chair Dee: I'll make a motion that the minutes be approved.

Mr. Cestone: I'll second.

Chair Dee: All in favor?

Chair Dee: Aye

Vinny Cestone: Aye

Granite Frisenda: Aye

Janice Hogan: Aye

Lenny Lim: Aye

Chair Dee: The minutes are approved.

New Business

Villette, 24 Hickory Ridge, Garrison, NY 10524 TM#60.-2-50

Chair Dee: First order of business is Mr. Villette, 24 Hickory Ridge Garrison New York. Applicant is seeking a variance to build a 2,520 square foot, 42 by 60 garage.

Gianni DiLello: I'm here with the applicant John Villette, I'm the Builder.

Chair Dee: You're the builder. (To the owner) and you give him authority to speak for you?

Mr. Villette: Yes.

Gianni DiLello: We're looking for a variance for I think it's 1,200 square foot over the size allowed which is 1,000 square feet. So, it's a 1,500 square foot variance.

Chair Dee: It's 150% more.

Mr. DiLello: That's correct. The total square footage is 2,520 square feet and the reason being that he's looking to build the garage as big as there's no business coming there just not doing any work out of there, he's strictly just an avid car collector, the whole family is. He's in the process of relocating his business. He currently owns a golf course up behind the Home Depot in Fishkill and he's looking to retire so he's just looking for a place to store his cars, he's an avid GTO collector. So, there's no in and out traffic there's no commercial use for it whatsoever it's just strictly for a hobby.

Chair Dee: Where are his cars parked now?

Mr. DiLello: Currently he has them up at behind the golf course at the garages that he has up there. He's looking to retire.

Chair Dee: I looked at it and what I'm looking at is that you also have a stairway then you have a second floor right?

Mr. DiLello: Correct, it's just a portion of it it's just for storage, strictly just for storage nothing more than that.

Chair Dee: But it's eight foot high.

Mr. DiLello: I think the storage area is eight foot high.

Chair Dee: How much square footage is up there?

Mr. DiLello: That would be approximately probably 600 square feet. It will not be finished; it'll just have a plywood floor that's all.

Mr. Lim: Any water or anything going up there?

Mr. DiLello: No.

Chair Dee: I see the house is approximately 2500 square, it's as big as a house.

Mr. DiLello: Correct.

Chair Dee: You understand it's a big variance?

Mr. DiLello: Oh absolutely.

Chair Dee: There's a two-car garage that's attached to the house?

Mr. DiLello: Correct, that's attached to the house.

Chair Dee: I see there's another CO here for another garage or something like. A 12 x 24 foot accessory building, what's in there? You have a CO for a 12 x 24 accessory building.

Mr. DiLello: That's a shed I'm sorry, it's just lawn mowers and household stuff.

Mr. Lim: Is that big enough to put a car in?

Chair Dee: Okay I see you have another CO issued May 6th, 1985 for at 816 square foot garage where's that?

Mr. Villetto: The garage is attached to my house. The previous owner had done that before me.

Chair Dee: When you bought the house there wasn't a garage there so you had it built?

Mr. Villetto: I didn't build it; they had done it.

Chair Dee: So, you have an 816 square foot garage all right. But your house is about 2500 square feet correct? How many cars are we talking about?

Mr. DiLello: I think we said 26.

Mr. Villetto: 19.

Chair Dee: 19? Do you think they're going to fit?

Mr. Villetto: (inaudible) some cars at his house so we're splitting it up kind of so I'm taking some of his and some of mine and we're just moving it around.

Chair Dee: Are you going to put lifts inside or anything?

Mr. Villetto: I am going to have a lift in there but it's mostly just to have a little more storage for the cars one to go underneath it.

Chair Dee: Just a one more?

Mr. Villetto: Yeah, if we do. That's not a definite.

Chair Dee: So, we're talking about 19 cars, is that what we're talking about, roughly?

Mr. Villetto: Pretty much.

Mr. Lim: How big is the property?

Mr. Villetto: Four acres, I think?

Chair Dee: No, 2 and a half acres.

Mr. Villetto: Oh, mines 2 and a half?

Adam Rodd: I think their survey says 2.523 acres.

Chair Dee: So, it's not a big piece of property. You're not on a big piece of property and you're asking a board for 150% to store 19 cars, but you said it's not a business. You buy and sell these, or no?

Mr. Villetto: No, we've been doing it since I was a kid with my father, they just accumulated over time.

Chair Dee: So, the only reason for this build is to store for your hobby?

Mr. Villetto: I'm going to have my tractor in there.

Chair Dee: No, I'm just trying to say you can put whatever you want in there.

Mr. DiLello: There is zero business, there's zero noise coming out of the building.

Chair Dee: I understand, like I said I'm just telling you that you're not willing to slim it down in any way?

Mr. DiLello: I mean we're willing to do whatever we need to do. I know it sounds big and that we know it's big but we're just trying to accommodate, the 19 cars themselves are not all going to fit in there so he's going to be renting a storage unit.

Chair Dee: Probably 12 cars or something like that?

Mr. DiLello: 10 comfortably if you want to be able to walk around them.

Mr. Rodd: You don't have to address it now but at some point, just for the record you should include information about whether the structure will be screened from neighboring properties.

Mr. Villetto: We'll outline all of that.

Mr. Rodd: That's something that you'd want to document on the record when we schedule the public hearing.

Mr. DiLello: It's pretty close to Oak Hollow even though we have the offsets so you know we'll propose some pine trees, some covering this way just to give it a little bit of shelter from Oak Hollow.

Chair Dee: The purpose of this meeting is to see if we have all the information that we need in order to schedule and then what happens is secretary will send out notices to all the surrounding neighbors and they'll be able to come into town and look at the plans if they have any questions and they'll be able to come to the meeting and explain any questions anything else like that. I just want you to understand going in you have one large structure which is 2500 square foot another 2500 square foot on two and a half acres which is not a large piece of property. Anybody have any questions?

Janice Hogan: I'm just curious because I see this (inaudible)

Mr. DiLello: It slopes minor slope from where the front of the garage is to the rear of the garage. I think it's a two foot six of a slope back, so it's not it's not a big topo.

Mr. Cestone: Where's your septic system?

Mr. DiLello: Septic system is directly behind the house so it's to the left of the garage so it will not affect that whatsoever.

Mr. Cestone: So, it's like where that little shed is?

Mr. Villetto: Yeah.

Mr. Cestone: Thank you.

Mr. Lim: How big is it again?

Mr. DiLello: It's 2520 square feet.

Mr. Lim: Why on my thing here is says 2186.

Mr. DiLello: I don't have the plans with me.

Mr. Frisenda: 2186 is the first floor.

Mr. DiLello: Then we've got the upstairs.

Chair Dee: Don't forget he's got so many square feet of storage upstairs.

Mr. DiLello: If we need to eliminate that we have no problem eliminating that.

Chair Dee: Are you willing to eliminate the storage if that becomes an issue?

Mr. Villetto: If that's a problem, for sure.

Chair Dee: Then you'd have to come up with a new plan.

Mr. DiLello: Yep, that's fine.

Chair Dee: Maybe I suggest that you present it at the next meeting the new plan and give us an option, because here we don't have an option.

Ms. Hogan: I have a question for you. Just looking at the plans I see the neighbor's garage which is not fully drawn out on this plan but if it's to scale it seems like it's similar in size to the one, you're proposing, is that so?

Mr. Villetto: Yes.

Ms. Hogan: Can you document that at least in photographs or any other way, or with the neighbor's permission?

Mr. Villetto: Absolutely, that's my father's.

Mr. Lim: Okay, the problem I'm having is on the front page you said the garage is 2186 but on the loft storage area as you say it's 1617. That comes up to 3,800 square feet.

Mr. DiLello: Right, but we're not planning on doing the whole upstairs and he has it drawn as the whole upstairs finished so we will have that addressed for the next meeting, we'll have a new set of drawings.

Chair Dee: I'd just like to give us an option, this way the board can vote on an option. They can vote on both that's what I'm trying to say. I'm not trying to deny you it's just to see what we need for the hearing. But I don't want to say in January and say no then you go back three months later with another plan what I'm trying to make sounds trying to save you time. And the board may vote on the original plan, I don't know that. We won't know that until we have that but at least I have an option and that would be beneficial to you to do that. That would make the building lower and it would appear a little smaller. Anybody have any questions? I think we got everything.

Mr. Lim: This page says loft storage 1617. But this is the line of the exterior wall, what are these lines these aren't the walls?

Chair Dee: He's talking about page 3 sheet 3,4 It says the roof plan and a loft plan

Mr. DiLello: It's because of the way it's a Gambrell roof so it comes down much steeper inside the structure and then flares out. If you look at page four you can see how it will be framed inside because of the way the roof slopes down.

Chair Dee: So, an alternative plan wouldn't have that?

Mr. DiLello: It will not have it, will not we wouldn't need that, correct.

Chair Dee: And you'll have that for us by the next meeting?

Mr. DiLello: Correct.

Chair Dee: Anybody have any other questions? How many neighbors are surrounding there?

Mr. Villetto: I have five on my road well four, including me is five.

Chair Dee: Okay so, they'll have to be notified.

Mr. Lim: any of your neighbors have a garage this big or close to it?

Mr. Villetto: Yes.

Mr. Lim: Bring that in too.

Ms. Hogan: That's what I was asking before just to document that with a photo or measurements.

Mr. DiLello: I built that 20 years ago.

Chair Dee: I make a motion at the application to be accepted as complete.

Mr. Frisenda: I second the motion.

The board voted unanimously to accept the application as complete.

Chair Dee: Your meeting is set for January 9th Monday 2023. If you have any neighbors in favor want to give you a letter or something like it's a great idea or something like that that's fine too. I mean you don't need it I'm just trying to say that anything to help your case and any other plan would help you.

Chair Dee: I make a motion at the meeting be adjourned.

Mr. Cestone: Second.

The board voted unanimously to adjourn the meeting.

The meeting was adjourned at 7:51 pm.

Date Approved: 1/09/23

Respectfully submitted by



Cheryl Rockett
Zoning Board Secretary