

**TOWN OF STONY POINT  
ZONING BOARD OF APPEALS  
Minutes of June 2, 2022**

**PRESENT:**

Mr. Keegan  
Mr. Anginoli  
Mr. Lynch  
Mr. Strieter  
Mr. Gazzola (absent)  
Ms. Davis  
Chairman Wright

**ALSO PRESENT:**

Dave MacCartney, Attorney  
John Hager, Building Inspector

**Chairman Wright:** Good evening. Welcome to the Stony Point Zoning Board of Appeals. I call this meeting of June 2, 2022, to order. Please rise for the Pledge of Allegiance.

The Pledge of Allegiance was recited, and roll call taken.

---

Chairman Wright begins the meeting with a new application for the request of Phillip Garabo-12 Griffin Place- App. #22-08 (Area Variance)

TWO STORY ADDITION (permit \*amended\* for 8' depth front porch addition)

Chapter 215 Zoning, Article V Bulk Requirements, § 215-15 attachment 16 Bulk Table Part II - Zone R1, use group h.1, column 6 requires 35' minimum front yard set-back.  
Existing front porch provides 18.6' front yard set-back.  
Proposed front porch addition allows for 10.6' front yard set-back.  
VARIANCE required = 24.4' front yard set-back variance.

Section: 15.20                      Block: 1                      Lot: 57                      Zone: R1

Chairman Wright calls for the applicant, or representative, to please come forward. He goes on to explain the purpose of tonight's meeting is to review the application.

Phillip Garabo and Jacqueline O'Kane, 12 Griffin St, Stony Point, NY, addressed the Board. Mr. Garabo explains that they would like to move the entrance to the house, located on the north side of the house, to the front of the house and build a front porch with an overhang.

Chairman Wright asked the Board if anyone had any questions for the applicants. Mr. Anginoli asked if the house had any other variances previously granted. Ms. O'Kane responded with advising the house had been granted a variance for an addition on the back of the house.

**\*\*\*MOTION: Mr. Lynch made a motion to accept the application; seconded by Mr. Anginoli. All in favor; the motion was carried.**

Chairman Wright explains to the applicants that they will be doing a site visit on June 25<sup>th</sup>, and a public hearing date will be set for July 7<sup>th</sup>.

---

Chairman Wright continues the meeting with a new application for the request of Shamsi Fani & Miguel Reynoso Menieur-46 E. Main St-App. #22-07 (Area Variance)

DECK: creating/building deck from kitchen sliding door into backyard approx. 14ft

Chapter 215, Article V Bulk Requirements, Section 215-15 A Bulk Table part II (215 attachment 16), column 6 Required Rear Setback

Minimum rear setback required = 35'  
Rear setback provided = 28'  
Variance necessary = 7'

Section: 20.07                      Block: 3                      Lot: 21                      Zone: R1

Chairman Wright called for the applicant or representative of to please come forward.

The applicant was not present at the time, so Chairman Wright agreed to move onto the next item on the agenda.

---

Chairman Wright calls for the representative for the request of Alexander Properties – 561 Willow Grove Rd-App. #22-05 (Area Variance)

DECK: Chapter 215, Article V Bulk Requirements, Section 215-15 A Bulk Table part IA (215 attachment 15), column 5 Required Side Setback/ Side Setback Total.

Minimum side setback required = 30' - Side setback provided = 17'  
Variance necessary = 13'

Total combined side setback required = 75'  
Combined side setback provided = 27.6'  
Variance necessary = 47.4'

column 6 Required Rear Setback  
Minimum rear setback required = 50'  
Rear setback provided = 32'  
Variance necessary = 18'

GARAGE:

Chapter 215, Article V Bulk Requirements, Section 215-15 A Bulk Table part IA (215 attachment 15), column 4 Required Front Yard Setback  
Minimum front yard setback = 50'  
Front setback provided = 25'  
Variance necessary = 25'

Chapter 215, Article VI Supplementary Yard and Setback Requirements, Section 215-22 General Requirements.

Accessory structures and uses are permitted within the required setback other than the front setback but not within any required yard.

Accessory Garage proposed to encroach 25' into required front yard.  
Variance necessary = Allow accessory garage in required front yard

Section: 19.01                      Block: 1                      Lot: 21                      Zone: RR

**\*\*\*MOTION: Mr. Anginoli made a motion to open the public hearing; seconded by Mr. Lynch. All in favor; the motion was carried.**

Chairman Wright called for the applicant or representative of to please come forward.

Hershey Friedman, \*inaudible address\* addressed the Board. He goes on to explain that the application is to build a deck in the rear, off the sliding door of the kitchen. The modular garage will be placed on the side yard. Mr. Friedman continues explaining that the site was staked out for the site visit, and he hopes the Board had a chance to come out and look at it. He says he prepared the bulk table with the purposed variance, showing the additional arrows showing 32 feet for the deck. He also included perpendicular lines for the set back. For the garage, it shows the 25 feet from the front set back. Mr. Friedman asked if anyone has any question he can help.

Chairman Wright asks if Mr. Friedman had received a copy of the county letter. Mr. Friedman responds that he was not aware that the county sent back a letter. Mr. Anginoli asks Mr. MacCartney if there is something we could do to ensure that the county advises the property owners when a response letter is sent out. Mr. MacCartney advised that they are supposed to have the contact information at the county office, but we cannot institute a policy. Mr. MacCartney asked Mr. Friedman to confirm the setbacks requested for the variance. Mr. Friedman approaches Mr. MacCartney to show him where the setbacks are on the survey. Mr. MacCartney asks the Board if they follow the updated survey. No questions were asked from the Board. Mr. MacCartney ensures with Ms. Pechin that the proper agencies that needed to be notified of the public hearing. Ms. Pechin verifies that the referrals were mailed out on May 6<sup>th</sup>, 2022, to Rockland County Drainage, Town of

Haverstraw, and the Palisades Park Commission. Mr. MacCartney mentions that the time has not expired yet for them to give comments. Mr. MacCartney recommends that the public hearing stay open to allow for further comments to be submitted and to check off some of the requests made by Rockland County Planning. Mr. Friedman offers to shrink the depth measurements to 10x10 rather than 12x10. Mr. Anginoli agrees that this is a substantial request therefore making it smaller would allow for some relief to be considered. Mr. Friedman acknowledges the changes to be made and will return to the next meeting with the updated site plans.

---

Chairman Wright calls for the representative for the request of request of Salvatore Fiola-8 Brooks Dr-App. #22-06 (Area Variance)

GARAGE:

Chapter 215, Article V Bulk Requirements, Section 215-15 A Bulk Table part II (215 attachment 16),

Column 5 Required Side Setback/ Side Setback Total.

Minimum side setback required = 15'

Side setback provided = 5.9'

Variance necessary = 9.1'

Total combined side setback required = 40'

Combined side setback provided = 19.1'

Variance necessary = 20.9'

Section: 20.06

Block: 2

Lot: 13

Zone: R1

Chairman Wright calls for the applicant, or representative, to please come forward. He goes on to explain the purpose of tonight's meeting is to review the application.

**\*\*\*MOTION: Mr. Anginoli made a motion to open the public hearing; seconded by Ms. Davis. All in favor; the motion was carried.**

Salvatore Fiola, 8 Brooks Drive, Stony Point, addressed the Board. He explains his need for an attached one car garage to be added to his newly purchased home and the variance needed to construct the request. He would like to use this addition for visiting family, as well as using it to level the living space to one floor for the convenience of their needs.

Chairman Wright asks Mr. Fiola if he's had an opportunity to review the Rockland County Planning letter in response to the application. Mr. Fiola expresses concern as to why the county must have input in his application, and Mr. MacCartney explains it is the process we must follow, and the agencies are contacted if within 500ft. of a county road. Mr. Fiola continues to express disagreement with the response letter from the county. He explains that the county letter says there is a front yard setback, however he is only looking for the side yard setback. Mr. Hager added that the plan for the addition should line up with the pre-existing non-conforming home therefore it does not require a variance for the front yard setback.

Chairman Wright asked the Board if they had any further questions for the applicant.

Chairman Wright asked the public if they have any questions or comments for the applicant. Steve Porath, 28 JFK Drive, Stony Point, addressed the Board.

Mr. Porath was asked to speak on behalf of his mother-in-law, Margaret Coyle, who resides at 10 Brooks Drive. He goes on to say that Mrs. Coyle has living in her home for about 50 years, and she does not disapprove of the project, she does not approve of the location of the addition. He expressed the objections she had asked him to address are that this would impact her quality of life, due to the location of the project, she will have obstructed view from her kitchen, it would have devalue her home should she want to sell her property in the future, and lastly, he asks the Board to find viable alternatives to the location and to consider putting the addition further into the backyard as other properties have done in the neighborhood. Mr. Porath asked the Board if they have any questions. No questions were asked by the Board.

Next to speak is James Coyle, 5 Lakeview Drive, Tomkins Cove, addressed the Board. Mr. Coyle introduced himself as the son of Mrs. Coyle of 10 Brooks Drive. Mr. Coyle reiterated that they are not opposed to the project as a whole, but they object the location of the addition. He goes on to express his concerns the safety issues he feels could be a hazard to his mother and her home. Mr. Coyle explains that if there was a fire on either property, the distance is concerning because wind could cause both homes to become damaged or destroyed. Mr. Streiter followed up with a question. He asked how far the driveways are apart from one another. Mr. Coyle said they 'pretty much touch, separated by a bush of hedges, side by side.'

Mr. Fiola asks if he could respond to the comments and questions addressed. Chairman Wright invites Mr. Fiola back to the podium.

Mr. MacCartney adds that Mr. Lynch has some photos to put into evidence, which are currently on his phone. Mr. Lynch shows the photos to Mr. Fiola, and then to the public and the Board. The photos were taken at the site visit, which show the project 'staked out'.

Mr. Fiola explained he is not looking to put an 'apartment' into the home, but rather a 12x15ft single bedroom for visiting family. He confirmed that it is all flat land so there will not be any water runoff due to the addition. Mr. Fiola also addressed the concerns for the view of the addition from 10 Brooks Drive. He goes on to say that there will be 8ft of distance from the property line, and her home to the addition will be approx. 25ft away, therefore this will not negatively impact the value of her home.

Chairman Wright asked if anyone had any other questions or concerns to discuss.

**\*\*\*MOTION: Mr. Anginoli made a motion to close the public hearing; seconded by Mr. Streiter. All in favor; the motion was carried.**

---

Chairman Wright continues with the request of Shamsi Fani & Miguel Reynoso Menieur-46 E. Main St-App. #22-07 (Area Variance)

DECK: creating/building deck from kitchen sliding door into backyard approx. 14ft

Chapter 215, Article V Bulk Requirements, Section 215-15 A Bulk Table part II (215 attachment 16), column 6 Required Rear Setback

Minimum rear setback required = 35'

Rear setback provided = 28'

Variance necessary = 7'

Section: 20.07

Block: 3

Lot: 21

Zone: R1

Shamsi Fani, 46 E. Main St, Stony Point, NY approached the podium to address the Board. She introduced herself and explained the purpose for her application is to request to build a deck off the sliding kitchen doors as they currently do not have one. She also explains that the variance request is for 7 feet.

Mr. MacCartney follows up with the application by ensuring he has the correct measurements. He asks if there are any plans for the project, and Ms. Pechin responds that the plans were submitted but were mistakenly left at the office. Ms. Pechin adds that this application was submitted only a few days ago, but all documents could be provided to the Board as soon as possible. Mr. Anginoli recommends that the applicant come back to the next meeting on June 16<sup>th</sup> when the Board has had time to review the plans for the application.

The application has not been accepted or denied at this meeting.

---

The meeting continues with discussion regarding the request of 21 Blanchard Rd.

Mr. MacCartney explains the discussion is to get an idea of where the Board stands on a resolution for this application. Mr. Lynch expresses his concerns from the numerous site visits, explaining that he was displeased by the results of the requests from the Board.

Mr. MacCartney addresses the concerns that the Board has regarding the county's response to the application, and that this could conflict with being a 'contractor storage yard' under the definition of the code. He goes on to say, "the very nature of the use that this applicant is putting the property to renders as a contractor storage yard under the definition of the code".

Mr. Keegan addresses his concerns about the environmental impact this area variance could have, as well as the alteration of the characterization of the neighborhood. Mr. Lynch added that the topography of the property had significantly changed, and it was self-created.

Ms. Davis mentions that Action Metal was brought up by the applicants professional, David Zigler, however that side of Willow Grove Road is under the jurisdiction of Haverstraw.

---

Mr. Lynch makes a motion to adjourn the meeting of June 2, 2022.

**\*\*\*MOTION: Mr. Lynch made a motion to adjourn the meeting of June 2, 2022; seconded by Ms. Davis. All in favor; the motion was carried.**

Respectfully submitted,

*Nicole Pechin*

Secretary  
Zoning Board of Appeals