

**TOWN OF STONY POINT  
ZONING BOARD OF APPEALS  
Minutes of July 20<sup>th</sup>, 2023**

**PRESENT:**

Mr. Keegan  
Mr. Anginoli  
Mr. Lynch  
Mr. Strieter  
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 July 20, 2023, to order. Please rise for the Pledge of Allegiance.

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

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Chairman Wright called for the first item on the agenda, a new application.

**Request of Jack Lieberman - 111 S. Liberty Drive – App. # 23-02 (Area Variance)**

**North Parking**

Chapter 215 Article V Section 215-15A, attachment 16 Table of Bulk Requirements part II – use group ‘H’, column 7 requires minimum side yard of 20’. Proposed side yard = 5.4’. VARIANCE necessary = 14.6’.

**West Side Driveway**

Chapter 215 Article V Section 215-15A, attachment 16 Table of Bulk Requirements part II – use group ‘H’, column 7 requires minimum side yard of 20’. Proposed side yard = 6. VARIANCE necessary = 14’.

**North retaining wall height**

Chapter 215 Article VI Section 215-24C requires fence/wall setback equal to 2/3 the fence height where fence height exceeds 6’. Proposed wall = 8’ high (requires 5.4’ setback), 3’ setback provided, VARIANCE necessary = 2.4’

**Section: 20.11**

**Block: 2**

**Lot: 29**

**Zone: BU**

Chairman Wright begins with advising the public that there is no discussion about this application tonight. The Zoning Board is scheduled to do another site visit, as well as no determination from the Planning Board regarding the SEQRA process at this time.

Chairman Wright called for a motion to continue the public hearing to September 7, 2023.

**\*\*\*MOTION: Mr. Streiter made a motion to continue the public hearing to September 7, 2023; seconded by Ms. Davis. All in favor; the motion was carried.**

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**Request of Samara Bibi – 191 W. Main St – App #23-05 (Use Variance)**

Town of Stony Point Zoning Code Chapter 215, Article III. Districts; Maps  
215-9 Compliance Required, A.

“No building shall be ... used for any purpose in any manner except in compliance with this chapter and all other applicable laws, together with all rules, requirements and restrictions appurtenant thereto”.

Previous use = (pre-date) mixed use, commercial on first floor with residence use on second floor

Existing use = (nonconforming) unlawful 3-family residential dwelling

Proposed use = (nonconforming) lawful 3-family residential dwelling

Variance necessary = Use Variance for Multi-family residential use

Chairman Wright asked the applicant to briefly describe the relief they are seeking. Walter J. Sueldo addressed the Board as the representative of the applicant.

Mr. Sueldo explains the application is to turn the bottom floor of the building on this property into apartments, making it a multi-family residence.

Chairman Wright asked Mr. Sueldo if the applicant is aware of the threshold for granting a use variance. Mr. Sueldo replied, “no”. Chairman Wright adds that he suggests that the applicant seek

council due to the substantial request of this variance. Mr. Sueldo explains they are currently looking to retain a land use attorney but are not finding much success.

Chairman Wright decides to hold off on accepting the application at this time. He suggests, again, that the applicant seek council before moving forward.

Chairman Wright called for a motion to rest on the application as submitted.

**\*\*\*MOTION: Mr. Keegan made a motion to rest on the application as submitted; seconded by Mr. Lynch. All in favor; the motion was carried.**

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Chairman Wright calls for the final item on the agenda – continued public hearing.

**Request of Richard Steinberg – 7 Highview Avenue – App. #23-04 (Area Variance)**

**1 Family Detached Dwelling – construct new 2 story house & appurtenances.**

Chapter 215-94 (D) Noncomplying Lots

"For all residential lots having less than 100 feet of lot width, the following minimum requirements shall apply:

(d) The minimum lot width and lot frontage shall be 75 feet."

Existing lot width = 50'

Proposed lot width = 50'

Variance necessary = 25' (width)

Existing lot frontage = 50'

Proposed lot frontage = 50'

Variance necessary = 25' (frontage)

**Section: 20.07**

**Block: 3**

**Lot: 72**

**Zone: R1**

Chairman Wright calls the representative of the applicant to the podium. Richard Steinberg addresses the Board.

Mr. Steinberg presents the Board an updated revised plans showing the parking being moved to the side yard, rather than the front yard. He advised this is just another alternative for parking to relieve the concerns of neighboring properties.

Chairman Wright called for a motion to continue the public hearing to the September 7<sup>th</sup> meeting pending Mr. Hager's interpretation of the County letter.

**\*\*\*MOTION: Mr. Anginoli made a motion to continue the public hearing to the September 7<sup>th</sup> meeting; seconded by Ms. Davis. All in favor; the motion was carried.**

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Chairman Wright called for a motion to approve the minutes for the 111 S. Liberty Drive application from the July 6<sup>th</sup> meeting.

**\*\*\*MOTION: Mr. Anginoli made a motion to approve the minutes for the 111 S. Liberty Drive application from the July 6<sup>th</sup> meeting; seconded by Mr. Lynch. All in favor; the motion was carried.**

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Chairman Wright called for a motion to adjourn the meeting of July 20, 2023.

**\*\*\*MOTION: Ms. Davis made a motion to adjourn the meeting of July 20, 2023; seconded by Mr. Keegan. All in favor; the motion was carried.**

Respectfully submitted,

*Nicole Pechin*

Secretary  
Zoning Board of Appeals