

**(Tape recorder did not tape meeting. Following are notes that were taken.)**

**TOWN OF STONY POINT  
Zoning Board of Appeals  
Minutes June 19, 2014**

**PRESENT:**

Mr. Anginoli  
Mr. Keegan  
Mr. Casscles  
Mr. Vasti  
Mr. Fox  
Mr. Porath

**ALSO PRESENT:**

Brian Nugent, Attorney  
Dan Sullivan, Attorney  
William Sheehan, Building Inspector

Chairman Wright (absent)

**Acting Chairman Vasti:** Good evening. I will be Chairing for the Board. Mr. Wright is not here this evening. On our agenda tonight we have four (4) items. We will be switching the agenda around; therefore, the first item will be the request of BHS Associates, LLC, for a Public Hearing.

Is there anyone here representing the applicant?

**Ira Emanuel – attorney  
4 Laurel Road  
New City, New York**

Mr. Emanuel answered questions from the Board and explained more about the project.

**Acting Chairman Vasti:** Is there anyone else wishing to speak?

**William Sheehan, Building Inspector**

**Acting Chairman Vasti:** Mr. Sheehan, “Is the testimony you are about to give, truthful?”

**Mr. Sheehan:** Yes. Mr. Sheehan answered questions from the Board and explained how the Board has to meet the criteria for a use variance.

**Acting Chairman Vasti:** Is there anyone in the audience who would like to speak?

**George Potanovic  
418 Gate Hill Road  
Stony Point, New York**

**Acting Chairman Vasti:** Mr. Potanovic, “Is the testimony you are about to give, truthful?”

**Mr. Potanovic:** Yes.

Mr. Potanovic asked many questions about the application and who the applicant is. He was against the school being at this location.

**Acting Chairman Vasti**: Is there anyone else that would like to speak?

**Karl Javenes – town resident  
2 Ridgetop  
Tomkins Cove, New York**

**Acting Chairman Vasti**: Mr. Javenes, “Is the testimony you are about to give, truthful?”

**Mr. Javenes**: Yes.

Mr. Javenes, as a Town resident, expressed his concern placing a school in this location - “Light Industrial”.

**Acting Chairman Vasti**: Is there anyone else that would like to speak?

**Geoff Finn – Town resident  
37 Buckberg Road  
Tomkins Cove, New York**

**Acting Chairman Vasti**: Mr. Finn, “Is the testimony you are about to give, truthful?”

**Mr. Finn**: Yes.

Mr. Finn, as a Town resident, expressed his concern placing a school in this location – “Light Industrial”. He has no objection to the school just doesn’t feel where they are looking to place the school is a good location.

**Acting Chairman Vasti**: Is there anyone else that would like to speak?

**(no response)**

**Acting Chairman Vasti**: At this time I will close the Public Hearing.

**\*\*\*MOTION**: Mr. Casscles made a motion to close the Public Hearing; seconded by Mr. Fox. Hearing all in favor; the motion was carried.

**Upon roll call, the vote was as follows: Mr. Anginoli, yes; Mr. Keegan, yes; Mr. Casscles, yes; Mr. Fox, yes; Mr. Porath, yes; Chairman Wright, absent; and Acting Chairman Vasti, yes.**

**Acting Chairman Vasti**: At this time I am going to make a motion to be the “Lead Agency” for this application.

**\*\*\*MOTION**: Mr. Porath made a motion for the Zoning Board of Appeals to be the lead agency for this application; seconded by Mr. Keegan.

**Upon roll call, the vote was as follows: Mr. Anginoli, yes; Mr. Keegan, yes; Mr. Casscles, no; Mr. Fox, yes; Mr. Porath, yes; Chairman Wright, absent; and Acting Chairman Vasti, yes.**

**With a vote of four (4) yes, two (2) nays and one (1) absent the motion was carried.**

**Acting Chairman Vasti:** Next on the agenda, we have the request of Matt Anderson.

**Request of Matt Anderson – App. #14-06**

A variance from the requirements of the Town of Stony Point Zoning Code Chapter 215, Article V, Section 15Ah.4-4: Less than required front yard/setback - required 25 feet, provided 14 feet; and Chapter 215, Article V, Section 15Ah.4-6: Less than required rear setback – required 25 feet, provided 20 feet, for a 2-family residence, located at 16 River Road, Stony Point, New York.

**Section 21.09                      Block 1                      Lot 18                      Zone RW**

**\*\*\*MOTION:** Mr. Casscles made a motion to place Application #14-06 on the July 3, 2014, agenda for a Public Hearing; seconded by Mr. Fox. Hearing all in favor; the motion was carried.

**Acting Chairman Vasti:** Is there anyone in the audience representing the applicant?

**John Perkins – Architect  
18 Shaken Drive  
Stony Point, New York**

**Acting Chairman Vasti:** Mr. Perkins, “The testimony you are about to give, truthful?”

**Mr. Perkins:** Yes.

At this time Mr. Perkins explained what the Andersons will be doing – making a one-family into a two-family. Mr. Perkins showed sketches and explained what is going to be done.

**Acting Chairman Vasti:** A site visit of the property will be on Sunday, June 29, 2014.

**Acting Chairman Vasti:** Next on the agenda we have the request for Peter and Judy Cairo.

**Request of Peter and Judy Cairo – App. #14-07**

A variance from the requirements of the Town of Stony Point Zoning Code Chapter 215, Article V, Section 15Ah.1-6: Less than required rear setback, required 25 feet, provided 23 feet, for replacing and enlarging existing deck and landing, at 5 Cartwright Road, Stony Point, New York.

**Section 20.05                      Block 2                      Lot 3                      Zone R1**

**Acting Chairman Vasti:** Is there anyone in the audience representing the applicant?

**Judy and Peter Cairo  
5 Cartwright Road  
Stony Point, New York**

**Acting Chairman Vasti:** Judy and Peter Cairo, “Is the testimony you are about to give, truthful?”

**Mr. and Mrs. Cairo:** Yes.

Mr. and Mrs. Cairo explained to Board that they would like to replace and extend their existing deck. The variance is for an additional 2 feet.

**\*\*\*MOTION:** Mr. Fox made a motion to place Application #14-07 on the July 3, 2014, agenda for a Public Hearing; seconded by Mr. Porath. Hearing all in favor; the motion was carried.

**Acting Chairman Vasti:** Next on our agenda is the request of James Coyle.

**Request of James Coyle – App. #14-04**

A variance from the requirements of the Town of Stony Point Zoning Code Chapter 215, Article V, Section 15 A d.1-7: Less than required side yard – required 10 feet, provided 3.5 feet; and Chapter 215, Article V, Section 15 A d.1-7: Less than required rear yard – required 10 feet, provided 1.0 feet, for a detached garage, located at 5 Lakeview Drive, Tomkins Cove, New York.

**Section 10.01                      Block 1                      Lot 51                      Zone RR**

**Acting Chairman Vasti:** Is there anyone in the audience representing the applicant?

**James Coyle  
5 Lakeview Drive  
Tomkins Cove, New York**

**Acting Chairman Vasti:** Mr. Coyle, “The testimony you are about to give, truthful?”

**Mr. Coyle:** Yes.

Mr. Coyle explained that he went to his architect with reference to making his garage shorter. His architect explained to him that she could do it, but it would not balance out the lay-out. At this time Mr. Coyle expressed that he wished to keep the sketch the way it was and hoping the Board will grant him the variance.

**Acting Chairman Vasti:** At this I will make a motion to close the Public Hearing.

**\*\*\*MOTION:** Mr. Anginoli made a motion to close the Public Hearing; seconded by Mr. Vasti. Hearing all in favor; the motion was carried.

**Acting Chairman Vasti:** Mr. Coyle, we will be making a decision at our July 3, 2014, meeting.

**\*\*\*MOTION:** Mr. Anginoli made a motion at 8:13 PM to go into Executive Session, for pending litigation; seconded by Mr. Fox. Hearing all favor; the motion was carried.

**\*\*\*MOTION:** Mr. Keegan made a motion at 8:32 PM to reconvene to regular Zoning Board of Appeals meeting; seconded by Mr. Casscles. Hearing all in favor; the motion was carried.

**\*\*\*MOTION:** Acting Chairman Vasti made a motion to adjourn the meeting of July 3, 2014; seconded by Mr. Anginoli. Hearing all in favor; the motion was carried.

Respectfully submitted,

**Kathleen Kivlehan  
Secretary  
Zoning Board of Appeals**