

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER

OF

RICHARD H. AND SANDRA L. KATT

- - - - - X

Town of Stony Point  
RHO Building  
5 Clubhouse Lane  
Stony Point, New York  
July 22, 2021  
7:01 p.m.

BEFORE:

THOMAS GUBITOSA, CHAIRMAN  
KERRI ALESSI, BOARD MEMBER  
MICHAEL FERGUSON, BOARD MEMBER  
MARK JOHNSON, BOARD MEMBER  
EUGENE KRAESE, BOARD MEMBER  
JERRY ROGERS, BOARD MEMBER

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Proceedings

CHAIRMAN GUBITOSA: All right. We'll go with the new application. This is Richard H. and Sandra L. Katt. Site plan, it's a conditional use located on the north side of East Main Street, on the west side of Wood Avenue. It's a new application. Thanks, Dave.

MR. ZIGLER: Hi, I'm Dave Zigler from Atzl, Nasher and Zigler. I'm really a lot taller than I am on Zoom. I'm really a lot taller than I am on Zoom. If I can get this bad boy to work.

The project we're talking about is on East Main Street, the corner of Wood. So if you're going from 9W down to the river, this is the last street on your left. And this house is the red house that was recently for sale.

The house is sitting pretty close to the road, much closer than the ones preceding it. And then you have a garage in the back. And there used to be a barn over here, but that's gone.

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Back in the 70s, this house went to the ZBA to become a two-family house. And it received all the variances. But unfortunately, it was never executed. They never drew a building permit, and they never received a C of O. So it was kind of lost.

It went from, over the years, from a two-family to a four-family. And then just recently, with it being for sale, it was found out, and it now converted it back to a two-family. So there's no apartments in this garage. And there's two apartments in the house.

That requires two things. It requires a special permit by this Board on a site plan, and this process also requires ZBA. John still has to make the -- where is he, over there -- still has to look at the variances. But we're looking at variance for overall area; variances for the two sheds; and probably go for variances for these structures, even though they're way older than the code.

There's no proposed paving. No proposed

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2 addition. No, no construction. It's just a  
3 plan as it sits today. So if you go out and  
4 drive past this, there's nothing else going  
5 to be added.

6 There's plenty of parking. There's one  
7 space in the garage. And there's two, two to  
8 three spaces here, then two over here. We  
9 don't count these because they wouldn't be  
10 legal. But in reality, they do park there.

11 We had comments from the County. And we  
12 agreed to all of them. And I changed this  
13 garage. I added this to the two parking  
14 spaces. I changed it to one. And the other  
15 comments, we agree. So we're not asking for  
16 an override.

17 What I would ask you to do is if you  
18 want to set a site visit, or that's up to  
19 you. But we would ask you also to send us to  
20 the ZBA because I have to get variances. And  
21 if I don't get the variances, we really don't  
22 need the site plan because that's the  
23 protocol for a two-family. And that would be  
24 it, unless you have questions.

25 CHAIRMAN GUBITOSA: All right. John, I

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2 know we talked about this today. You had  
3 some comments.

4 MR. HAGER: At the last meeting, it  
5 seemed that the Board wanted the Building  
6 Department to make a visit there and do an  
7 inspection, kind of get an inventory of what  
8 the existing conditions are. I haven't had a  
9 chance to write up a report on that. I can  
10 verbalize what myself -- John Hager is my  
11 name, the Building Inspector -- and my  
12 assistant building inspector, Tom Larkin, we  
13 visited there two days ago. I believe it was  
14 Tuesday.

15 And we met with Mrs. Katt, the owner.  
16 And she showed us the premises. She showed  
17 us what the intentions are for how the house  
18 will now be used as two families. The  
19 previously owner cut up the garage into,  
20 looks like had been two dwelling units. The  
21 intention now is for both of those dwelling  
22 units to -- they're currently unoccupied and  
23 they're going to return to accessory space,  
24 storage, non habitable space. The -- so that  
25 was two of the four apartments.

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2 The house itself had been used for three  
3 apartments at one point. The third floor  
4 attic space being one of them. Improvements  
5 were made at some point for separate  
6 staircase. There is actually I think three  
7 means of egress to the attic, one being a  
8 fire escape, two being stairs.

9 However, the current owner intends to  
10 return that space to unoccupied attic space.  
11 So you'll end up with two dwelling units  
12 within the house split over the two floors.  
13 It doesn't look like it will take much work  
14 to make those changes permanent. So that  
15 would be handled on the building permit if  
16 the Board does authorize the site plan.

17 CHAIRMAN GUBITOSA: All right. Thank  
18 you, John.

19 MR. HAGER: You're welcome.

20 CHAIRMAN GUBITOSA: Other John, you have  
21 any comments?

22 MR. O'ROURKE: No. We reviewed this at  
23 the, at the TAC meeting because there's no  
24 exterior work really being done. It's really  
25 got to go to the ZBA. He's correct. It's a

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2 four, four unit going back down to a two  
3 unit.

4 CHAIRMAN GUBITOSA: All right. Max,  
5 anything?

6 MR. STACH: Yeah. Again, as John said,  
7 we reviewed this at the TAC. The only, the  
8 only outstanding concern I had was about the  
9 driveway access and sort of the drop curve  
10 along the road. I guess when it was occupied  
11 by four structures, there was parking all  
12 over the place. And I had suggested if they  
13 could provide shrubs or something to control  
14 that along the road so we know people aren't  
15 going to park on the side like, like they  
16 were in the past.

17 CHAIRMAN GUBITOSA: Thanks, Max. All  
18 right. Does the Board have anything?

19 BOARD MEMBER KRAESE: I make a motion to  
20 send to the ZBA.

21 CHAIRMAN GUBITOSA: All right. Then  
22 we'll set a site visit. All right, if the  
23 Board doesn't have -- I'll take a motion to  
24 send the applicant to the ZBA.

25 BOARD MEMBER ALESSI: I'll make the

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2 motion.

3 CHAIRMAN GUBITOSA: Kerri made the  
4 motion. I need a second.

5 BOARD MEMBER FERGUSON: I'll second.

6 CHAIRMAN GUBITOSA: Jerry seconded.  
7 Mike seconded. We'll do Jerry, second. I  
8 got a motion, second. Any questions on it?  
9 All in favor?

10 (Response of aye was given.)

11 CHAIRMAN GUBITOSA: Opposed? Motion  
12 carries. All right, we'll send you to the  
13 ZBA.

14 Site visit. Just, do you guys want to  
15 go on your own or you want to go as a group?  
16 All right, what's a good date? The next TAC  
17 meeting will be August 12th. Want to do the  
18 7th?

19 BOARD MEMBER ROGERS: August 7th?

20 CHAIRMAN GUBITOSA: That Saturday,  
21 August 7th? 8:00?

22 BOARD MEMBER KRAESE: Make it 8:30.

23 CHAIRMAN GUBITOSA: 8:30.

24 BOARD MEMBER KRAESE: No, 8:00.

25 CHAIRMAN GUBITOSA: 8:00. All right,



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August 7. Make a motion that we do a site visit 8:00, August 7th.

BOARD MEMBER ROGERS: I'll make that motion, Mr. Chair.

CHAIRMAN GUBITOSA: Jerry made the motion. Second? I'll second. All in favor?

(Response of aye was given.)

CHAIRMAN GUBITOSA: Opposed? All right, motion carries. We're going to -- August 7th will be the site visit. Good?

MR. ZIGLER: Yes.

CHAIRMAN GUBITOSA: All right.

MR. ZIGLER: One other thing. Does this have to go to the ARB? Because for site plan, you need ARB approval but -- no?

MR. HAGER: It's not a new structure.

MR. ZIGLER: Okay. Thank you very much.

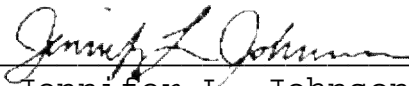
(Time noted: 7:09 p.m.)

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THE FOREGOING IS CERTIFIED to be a true  
and correct transcription of the original  
stenographic minutes to the best of my ability.

  
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Jennifer L. Johnson

