

**TOWN OF STONY POINT
ZONING BOARD OF APPEALS
Minutes of November 20th, 2025**

PRESENT:

Mr. Keegan
Mr. Anginoli
Mr. Lynch
Mr. Strieter
Ms. Davis
Mr. Veras (absent)
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 November 20, 2025, to order. Please rise for the Pledge of Allegiance.

The Pledge of Allegiance was recited and roll call taken.

Chairman Wright called for the first item on the agenda.

Request of Daniel Cronk – 1 Walter Dr – App. #25-06 (Area Variance)

Residential Addition – add second floor (for storage) to existing detached garage

Town of Stony Point Zoning Code, Chapter 215, Article VII Supplementary Building Requirements, 215-30 C. “For any accessory building having a height in excess of 15 feet, the additional footage in excess of 15 feet shall be added to the rear and side yard requirements.”

Proposed Building height = 23’ (measured to mean height between eaves and ridge)

Minimum side & rear yard depth required = (5’+8’) = 13’

Side yard depth existing/proposed = 5.9’ Variance necessary = 7.1’

Rear yard depth existing/proposed = 8.7’ Variance necessary = 4.3’

Section: 15.03

Block: 3

Lot: 25

Zone: R1

DECISION

BOARD OF APPEALS

TOWN OF STONY POINT, COUNTY OF ROCKLAND

In the Matter of Application #25-06 of Daniel Cronk for a variance from the requirements of the Town Code for the construction of a second floor addition for storage over an existing detached garage with pre-existing side yard depth of 5.9’ and proposed side yard depth of 2.9’, where 13’ is the minimum required by Code, and with pre-existing rear yard depth of 8.7’, with no changes to the rear yard depth proposed, where 13’ is the minimum required by Code on property located at 1 Walter Drive, Stony Point, New York, designated on the Tax Map as Section 15.03, Block 3, Lot 25 in the R1 Zoning District.

WHEREAS members of the Zoning Board of Appeals personally visited the applicants’ property and viewed it and the neighboring properties on or about October 2025; and

WHEREAS this is a Type II Action under the New York State Environmental Quality Review Act; and

WHEREAS a public hearing was held on November 6, 2025; and

WHEREAS all the evidence and testimony were carefully considered and the Zoning Board of Appeals has made the following findings and conclusions:

The applicant is the owner of the subject parcel which is currently improved with a two- story single-family home. The subject parcel is a corner lot, situated on the corner of Walter Drive and Miller Drive. The house faces Walter Drive and is serviced by a driveway that enters the property on the right side of the lot on Walter Drive. The driveway continues past the right side of the house to an existing single-story detached garage on the right rear corner of the property (as viewed from Walter Drive). The existing garage requires a new roof, and the applicant is proposing to take this opportunity to add a second story to the garage for added storage capacity (not for

habitable space). The proposed addition is directly above the garage in the same footprint, but in order to access same, a set of three-foot-wide exterior stairs is required. The applicant proposes to construct the exterior stairway on the right side of the garage, between that side and the right-side property line. The existing garage is 5.9 feet from that right side property line and 8.7 feet from the rear property line. These are both pre-existing, nonconforming conditions as the current code would require 13 feet. The addition of the three-foot stairwell would reduce the side yard depth from an existing 5.9 feet to 2.9 feet in that location and would not change the rear yard depth.

No complaints or objections were received to the relief sought.

WHEREAS, this Board has examined the written documentation and reviewed the testimony with respect to the applicant's request for a variance, and, pursuant to the requirements of section 267-b.3 of the Town Law, hereby finds that on the conditions stated herein, the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety and welfare of the neighborhood or community by such a grant, and has made the following findings and conclusions in that regard:

- (1) No evidence was presented to this Board of any undesirable change in the character of the neighborhood or a detriment to nearby properties. The existing garage has been in that location in that right rear corner of the property for many years without any known complaint or adverse impacts. The modest second story addition for storage only and the small 3-foot-wide staircase servicing it present no foreseeable adverse change in the neighborhood or detriment to nearby properties.
- (2) There was no evidence presented of any other feasible means to achieve the benefit sought without the variance requested.
- (3) The variance is numerically substantial, but not enough to require a denial, all things considered here.
- (4) There was no evidence before this Board of any adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- (5) The alleged difficulty was self-created insofar as the applicant seeks to voluntarily add an addition with the new stairwell knowing that it violates code, but the Board does not feel this factor requires a denial.

NOW, THEREFORE, BE IT RESOLVED that the variances sought are hereby GRANTED on the conditions set forth below:

CONDITIONS:

1. Compliance with the dimensions shown on the survey and plans submitted to this Board as part of the application.
2. Compliance with all representations made to the Board including that the addition is for storage only.
3. Payment of all due fees and compliance with all other applicable laws, rules, codes, and regulations.

The matter is remanded to the Building Inspector for further consideration in compliance with the terms and conditions hereof.

Chairman Wright called for a motion to close the meeting of November 20, 2025.

*****MOTION: Chairman Wright made a motion to read the decision; seconded by Mr. Keegan. All in favor; the motion was carried.**

Upon roll call, a vote to pass the foregoing resolution was as follows:

Keegan – yes; Anginoli – yes; Chairman Wright – yes; Lynch – yes; Davis – yes; Strieter – yes; Veras – absent

Chairman Wright called for a motion to accept the minutes from September 4th and September 18th.

*****MOTION: Mr. Lynch made a motion to accept the minutes from September 4th and September 18th; seconded by Mr. Keegan. All in favor; the motion was carried.**

Chairman Wright called for a motion to close the meeting of November 20, 2025.

*****MOTION: Mr. Strieter made a motion to close the meeting of November 20, 2025; seconded by Mr. Keegan. All in favor; the motion was carried.**

Respectfully submitted,

Nicole Flannigan

Secretary
Zoning Board of Appeals