

TOWN OF STONY POINT
ZONING BOARD OF APPEALS
Minutes of March 6th, 2025

PRESENT:

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

ALSO PRESENT:

Chris Pavlacka, Attorney
John Hager, Building Inspector

Acting Chairman Anginoli: Good evening. Welcome to the Stony Point Zoning Board of Appeals. I call this meeting of March 6, 2025, to order. Please rise for the Pledge of Allegiance.

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

Acting Chairman Anginoli called for the first item on the agenda.

Request of Galo Barros – 10 Major Andre Dr – App. #25-02 (Area Variance)

New 1-Family dwelling and appurtenances (replacing former 1-Family)
(former noncomplying house demolished, except foundation)

Town of Stony Point Zoning Code Article III Districts, Map
Section 215-9 Compliance Required:

F. “No building permit or certificate of occupancy or certificate of use shall be granted for any use unless the Building Inspector shall find that the use shall conform to the standards set forth in this chapter.”

Town of Stony Point Zoning Code Article XIV Noncomplying Uses and Noncomplying Bulk
Section 215-95 Additional requirements:

E. “Damage and destruction. A building or structure... noncomplying as to bulk, damaged by fire or other causes to the extent of 75% of last full value as shown in the records located in the Town Assessor's office, excluding the assessed valuation of the land thereof, shall not be repaired or rebuilt except in conformity with the requirements of this chapter. Any building, structure or any part thereof... noncomplying as to bulk which is damaged to an extent less than 75% of last full value as shown in the records located in the Town Assessor's office, excluding the assessed valuation of the land, may be repaired, provided that a building permit is obtained within one year after such damage; otherwise, such building, structure or part thereof shall thereafter... comply with the bulk requirements of this chapter.”

Section: 20.15

Block: 1

Lot: 24

Zone: R1

Acting Chairman Anginoli asked for the applicant or representative to please come forward. John Perkins, representative and architect (18 Skahen Dr, Stony Point), addressed the Board. Acting Chairman Anginoli provided his understanding that the applicant is seeking a variance because they went beyond the year allotted to stay in the non-conforming status. Mr. Perkins confirmed that this is correct. Mr. Perkins explained the details of the project and what will still comply. John Hager explains that the variance they are seeking is due to the timeline of the project. He also suggests that the application needs to be amended to show they are seeking the floor area ratio as well.

Acting Chairman Anginoli called for a motion to accept the application.

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

Acting Chairman Anginoli called for a motion to hold the public meeting at the meeting of April 3, 2025.

*****MOTION: Mr. Lynch made a motion to continue the public meeting to the meeting of March 6, 2025; seconded by Mr. Keegan. All in favor; the motion was carried.**

Acting Chairman Anginoli called for the next item on the agenda.

Request of Richard Steinberg – 7 Highview Avenue – App. #24-11 (Area Variance)

1 FAMILY DETACHED DWELLING - construct new 2-story house & appurtenances

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

Justin Steinberg, representative of the applicant (523 Gair St, Piermont, NY), emailed in a request to adjourn to the next meeting, as there are no updates on this application at this time.

Acting Chairman Anginoli asked if there were any members of the public that would like to speak. No response was given.

Acting Chairman Anginoli called for a motion to continue the public meeting to the meeting of March 20, 2025.

*****MOTION: Mr. Lynch made a motion to continue the public meeting to the meeting of March 20, 2025; seconded by Ms. Davis. All in favor; the motion was carried.**

Acting Chairman Anginoli called for the next item on the agenda.

Request of Alex Goldberger – 117 W. Main St – App. #24-07 (Interpretation/Appeal)

In response to your August 19, 2024 letter, related to applicability of previously granted zoning variances and applicability of recently adopted zoning code changes to section 215-92.2, the following interpretations have been determined by the Building Inspector:

1. According to zoning code section 215-25 F, “Any relief granted by the Board of Appeals shall expire 18 months after the Board of Appeals actually votes to grant such relief, irrespective of the date such approval has been reduced to writing, unless a building permit, certificate of occupancy or certificate of use relating to such relief has been issued”
2. A review of the subject parcel’s Building Department files produced no evidence of a Building Permit having been issued for a project related to the variances granted in March of 1992.
3. Since no Building Permit was issued, the variances granted in March of 1992 expired in August of 1993. Variances would only “run with the land” if the proposal at the time (a medical arts center) had been made permanent through issuance of a Building Permit and completion of the project.
4. Zoning Code section 215-92.2 regarding Residential Mixed-Use Developments in the BU Zoning District was amended by Local Law #3 of 2024 which was adopted/enacted March 12, 2024.
5. The language of the adopted amendments to 215-92.2 mentions no provisions to allow the previous version of the code to apply to new applications or to applications pending before one of the Town’s review boards.
6. There was no Conditional Use or other permit approved or issued, for the currently proposed concept, prior to the enactment of the 2024 code amendment. The 2024 code amendments apply, not the prior version of the code.

Section: 15.19

Block: 1

Lot: 48

Zone: BU

Kevin Conway of 60 South Main Street, Ste 11, New City, NY, representing the applicant, addressed the Board. Mr. Conway requested that they come back for the next meeting on March 20th, as the architect for the project got caught up at another meeting.

Acting Chairman Anginoli called for a motion to keep the public hearing open.

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

Acting Chairman Anginoli called for a motion to accept the minutes of February 20, 2025.

*****MOTION: Ms. Davis made a motion to accept the minutes of February 20, 2025; seconded by Mr. Keegan. All in favor; the motion was carried.**

Acting Chairman Anginoli called for a motion to close the meeting of March 6, 2025.

*****MOTION: Mr. Lynch made a motion to close the meeting of March 6, 2025; seconded by Ms. Davis. All in favor; the motion was carried.**

Respectfully submitted,
Nicole Flannigan
Secretary
Zoning Board of Appeals