

TOWN OF STONY POINT
ZONING BOARD OF APPEALS
Minutes of July 3rd, 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 July 3, 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 item on the agenda.

Request of Erickson Hernandez – 39 Nordica Circle – App. #25-04 (Area variance)

Residential Addition - proposed two-story addition to existing single-family residence

Town Zoning Code chapter 215-A Bulk Table, attachment 16 part II

Use group h.1, column 6, Required rear setback:

Minimum rear yard setback required = 35’

Existing rear yard setback = 42.3’

Proposed rear yard setback = 15’

Rear yard setback variance required = 20’

Section: 15.04

Block: 5

Lot: 57

Zone: R1

Chairman Wright called for the applicant, or their representative, to please come forward. Shenice Bernard from George Hodosh Associates-Architects, P.C. addressed the Board as the applicant’s representative. Chairman Wright asked Ms. Bernard for a brief overview of the application. Ms. Bernard explained that her client, the homeowner/applicant, has a total of (5) members in his family and the house currently has (3) bedrooms. The addition would allow for a total of (6) bedrooms – (1) for him and his wife, and (1) for each of his (4) children and (1) would be a smaller guest bedroom. They are also looking to replace the garage the 1-car with a 2-car to accommodate off-street parking. She also adds that this project is being done to prevent them from having to move into a bigger home.

Chairman Wright scheduled a site visit for July 26th, and the public hearing date of September 4th, 2025.

Chairman Wright called for a motion to accept the application.

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

Chairman Wright called for a motion to set the public hearing for September 4th.

*****MOTION: Mr. Anginoli made a motion to set the public hearing for September 4th; seconded by Ms. Davis. All in favor; the motion was carried.**

Chairman Wright called for the item on the agenda.

Request of Isaack Goldberg – 2 Timmel Lane – App. #25-03 (Appeal)

Chapter 215, Article III Districts; Map

Section 215-9 Compliance required,

215-9 D Uses identified as special permit uses, or conditional uses shall be deemed prohibited unless a valid special permit shall be issued by the Town Board, therefore, appropriate conditional approval granted by the Planning Board.

This application requires Planning Board review and approval of a Conditional Use permit

Chapter 215, Article IV Use Requirements,
Section 215-11 Use Table,
(215 attachment 9) Table of General Use Requirements Part I Residential Districts RR District,
Column ‘C’ Conditional Uses by Planning Board (subject to Article XI and XII)
#4) 1-family detached residences with municipal sewer and water and located in an area having slight or moderate development limitations

This application is for construction of a 1-family residence with municipal sewer and water

Chapter 215, Article IV Use Requirements,
Section 215-12 Utilization of Use Table
215-12 C...All uses listed in Column C are permitted only upon approval of the Planning Board and are conditional thereon pursuant to § 274-a of the Town Law. ... All special permit uses and conditional uses also require site development plan approval by the Planning Board in accordance with Article X.

This application requires Planning Board review and approval of site-plan and Conditional Use permit

Section 215 Article XII Conditional Use and Approval by Planning Board
Section 215-73 General requirements,
The uses listed in Use Table, Column C, are conditional uses permitted only upon approval by the Planning Board in accordance with the procedures and standards herein. After approval, such uses shall be deemed permitted uses in the districts wherein located, subject to any conditions attached thereto.

This application requires Planning Board review and approval of site-plan and Conditional Use permit

Section: 19.02 Block: 4 Lot: 67 Zone: RR

Chairman Wright called for a motion to open the public hearing.

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

Chairman Wright called for the applicant, or their representative, to please come forward. Bill Sheehan, the representative for the applicant, addressed the Board. He explained that the homeowner is looking to expand their living space, and he believes there is enough space to do so, however, they disagree that this project needs Planning Board review. John Lynch asked Mr. Hager why the building permit application was denied. Mr. Hager responded by explaining that his interpretation was that the house was being replaced, not enlarged. He goes on to explain that he checked the code for the uses allowed in this district, and the fact that this one happens to be connected to municipal water and sewer, triggers the need for a Planning Board review as a conditional use. Mr. Sheehan agreed that the original application was to enlarge the house, but after speaking with the applicant and their architect, they decided it would be more efficient to remove the house and replace it. Mr. MacCartney asked Mr. Sheehan to confirm that this application is strictly regarding his disagreement with Mr. Hager’s determination that this application needs site plan review by the Planning Board, and not for any variances or relief sought. Mr. Hager confirmed that Mr. MacCartney is correct, and Mr. Sheehan agreed. Mr. Sheehan presented the Board with a list of other homes on sewer and municipal water that did not need Planning Board approval in the past (3) years. He argues that in the past 40 years he has not seen a single application that needed Planning Board approval with having both sewer and water hook ups. Mr. MacCartney asked if there is anywhere in the code that specifically says that section is confined to subdivisions. Mr. Sheehan advised not that he is aware of, but it says that single family homes are not subject to site plan review. Mr. Lynch asked how much larger this house is going to be. Mr. Sheehan advised the Board that the existing house is currently about 3,500 sq. feet and will be going up to 9,000 sq. feet. Chairman Wright reiterated that the application currently before us is solely based on the applicant’s appeal of Mr. Hager’s referral to the Planning Board for a conditional use permit.

Chairman Wright opened the floor up to the public but again reiterated the application currently before us is solely based on the applicant’s appeal of Mr. Hager’s referral to the Planning Board for a conditional use permit, therefore, there will be no discussion about the size, location, etc. of the project itself at this level.

Stephen Clement, 4 Timmel Lane, addressed the Board. He stated that he was under the impression that the vacant lot was not being used because if you were to put a house onto it, you would have to widen Timmel Lane and it would become a public road while it is currently a private road.

Chairman Wright and Mr. MacCartney both explained again that we cannot discuss the plans of the project and reiterated that the only discussion before this Board at this time is Mr. Hager’s decision that the applicant needs site plan review from the Planning Board for a conditional use permit.

Jim Corsie, 32 Capt. Faldermeyer Drive, addressed the Board. He stated that a lot of what he had prepared to discuss was about the project itself, but he asked if he could speak to his neighbors about his concerns. Chairman Wright advised he has every right to do so, however, not in this forum. He asked if he could read his statement aloud, and Chairman Wright advised only statements that are relevant to the application will be considered. Chairman Wright allowed Mr. Corsie (2) minutes to read his statement, but only points that are made in relation to the application will be considered by the Board. All items discussed in Mr. Corsie’s statement were regarding other matters not currently before the Zoning Board or this application.

George Schiering, 303 Willow Grove Rd, addressed the Board. Chairman Wright asked to confirm that his concerns are relevant to Mr. Hager’s findings, and Mr. Schiering did not respond. Mr. Schiering continued on to say he went through this process about 40 years ago and the application on his property entailed a structure for his sister-in-law who was widowed. He goes on to explain he was required to go through substantial review to have his project approved. Mr. Schiering asked the Board if the same process is being done for this project, which is a single-family 3,500 sq. foot house enlarging to a 9,000 sq. foot home, and that it will be investigated to the same degree.

Chairman Wright called for a motion to adjourn to the next meeting (July 17th).

*****MOTION: Mr. Anginoli made a motion to adjourn to the next meeting (July 17th); seconded by Mr. Lynch. All in favor; the motion was carried.**

Chairman Wright called for a motion to close the meeting of July 3, 2025.

*****MOTION: Mr. Anginoli made a motion to close the meeting of July 3, 2025; seconded by Mr. Keegan. All in favor; the motion was carried.**

Respectfully submitted,
Nicole Flannigan
Secretary
Zoning Board of Appeals