

**TOWN OF PATTERSON  
ZONING BOARD OF APPEALS  
January 21, 2009**

**AGENDA & MINUTES**

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<b>a) Site walk</b>	3	Site walks scheduled for 1/31/09

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF  
APPEALS**

Howard Buzzutto, Chairman  
Mary Bodor, Vice Chairwoman  
Marianne Burdick  
Lars Olenius  
Gerald Herbst

**PLANNING BOARD**

Shawn Rogan, Chairman  
David Pierro, Vice Chairman  
Michael Montesano  
Maria DiSalvo  
Charles Cook

**Zoning Board of Appeals  
January 21, 2009 Meeting Minutes**

Held at the Patterson Town Hall  
1142 Route 311  
Patterson, NY 12563

Present were: Chairman Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Herbst, Board Member Olenius, Tim Curtiss and Carl Lodes, Attorney with Town Attorney's Office Curtiss & Leibell and Rich Williams, Town Planner.

Chairman Buzzutto called the meeting to order at 7:03 p.m.

There were approximately 4 members of the audience.

Sarah Wagar was the Secretary for this meeting and wrote the summary of the meeting.

**Roll Call:**

Board Member Bodor	-	here
Board Member Burdick	-	here
Board Member Olenius	-	here
Board Member Herbst	-	here
Chairman Buzzutto	-	here

**1) SUSAN & HOSSEIN MOEIN CASE #01-09**

Mrs. Susan Moein was present.

The Secretary read the following legal notice:

**NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS** of a public hearing to be held on Wednesday, January 21, 2009 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following application:

**Susan & Hossein Moein Case #01-09 – Area Variances**

Applicant is requesting an area variance pursuant to §154-58 of the Patterson Town Code; Enlargement of nonconforming buildings. Applicant wishes to construct a second story addition in order to relocate the existing bedrooms and renovate the downstairs of dwelling and to construct an attached two-car garage. This property is located at 4045 Old Route 22 (R-1 Zoning District).

Public hearing was opened. Mrs. Susan Moein described that she is looking to add an attached two-car garage and add a second story to her home. The three existing bedrooms would be moved to the second floor. The Board tabled the application in order to conduct a site walk.

## **2) CELESTE & FRANCISO MARTINS CASE #02-09**

Mr. Steve Miller with Badey & Watson was present and representing the Martins.

The Secretary read the following legal notice:

### **Celeste & Francisco Martins Case #02-09 – Area Variances**

Applicant is requesting three area variances pursuant to § 154-7 of the Patterson Town Code; Schedule of regulations. Applicant proposes to subdivide the property into two lots and has an application currently pending with the Town of Patterson Planning Board. The Patterson Town Code requires 225' of road frontage Lot 1, once subdivided will have 50.01'; the variance requested is for 174.99'. Lot 2, once subdivided will have 128.53'; the variance requested is for 96.47'. The Patterson Town Code requires 250' for lot width in the R-4 Zoning District, once subdivided Lot 1 will have 183.86'; the variance requested is for 66.14'. The property is located at 25 Cassandra Court (R-4 Zoning District).

Public hearing was opened. Mr. Steve Miller explained that the Martins are in front of the Planning Board at the moment with a subdivision application. They are proposing to subdivide their land and build a new dwelling on the proposed vacant land. He described on the plans that were submitted, the layouts of what the two lots would be if subdivided, and where the driveways were proposed to go. There was a 50' strip which was proposed to be a potential driveway to Lot 1, which would eliminate the need to use the common drive which is the existing access to the property.

Robert Deikus of 11 Cassandra Court spoke. He was not in favor of the application being granted due to the insufficient amount of road frontage. He did not find it fair that they would not have to meet the minimum required road frontage.

Peter Riebold of 911 Route 311 spoke. He was concerned about the prospect of runoff coming down the hill onto his property. There have been issues with runoff on his property in the past, and he wanted to make sure that this wasn't going to have to be something that he would have to be concerned about if a home was built on the proposed subdivision. Steve Miller showed Mr. Riebold on the plans that this should not be an issue.

The Board stated their concern with the proposed 50' strip that could possibly be turned into a driveway to access the proposed Lot 1, in order to eliminate the use of the common drive. The plans as presented

would potentially create three openings onto Cornwall Hill Road. The Board requested that Mr. Miller receive something in writing from Putnam County Highways and Facilities, which states that making the proposed 50' strip into a potential driveway for Lot 1 was feasible.

Mr. Steve Miller stated that he would speak to his clients, the Martins, about what he had discussed with the Board, and see what they would want to do; If eliminating the 50' strip was a possibility for them.

**3) OTHER BUSINESS**

**a) Site Walk**

The Board decided to schedule a site walk on Saturday, January 31, 2009 at 9:00 a.m. and go to Celeste and Francisco Martins' and then Susan and Hossein Moein's. A rain date was set for Saturday, February 7, 2009, was also scheduled.

Board Member Bodor made a motion to adjourn the meeting and Board Member Burdick seconded it. The meeting adjourned at 7:54 p.m.