

**PLANNING DEPARTMENT**  
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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Lars Olenius, Chairman  
Mary Bodor, Vice Chair  
Marianne Burdick  
Michael Carinha  
Stephanie Fox

**PLANNING BOARD**

Thomas E. McNulty, Vice Chairman  
Ron Taylor, Vice Chair  
Michael Montesano  
Edward J. Brady, Jr.  
Robert F. Ladau

**Zoning Board of Appeals  
July 20, 2016 Meeting Minutes**

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

Present were: Chairman Olenius, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Michael Carinha, Board Member Stephanie Fox, and Nancy Tagliafierro, Town Attorney.

Chairman Olenius called the meeting to order at 7:01 p.m.

There were approximately 8 members of the audience.

Sarah Mayes was the secretary for this meeting and transcribed the following minutes.

Chairman Olenius led the salute to the flag.

Roll Call:

Board Member Bodor	-	<i>Here</i>
Board Member Burdick	-	<i>Here</i>
Board Member Carinha	-	<i>Here</i>
Board Member Fox	-	<i>Here</i>
Chairman Olenius	-	<i>Here</i>

**NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS** of a public hearing to be held on Wednesday, July 20, 2016 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following applications:

- 1. James Stiehl – Case #10-16 – Area Variances  
435 Cornwall Hill Road  
Tax Map No. 13.7-1-56**

Applicant is requesting area variances pursuant to §154-27A(12)(b) of the Patterson Town Code; Permitted accessory uses, in order to install pool equipment and a pool shed on the property. Patterson Town Code requires accessory structures to meet a minimum side yard setback of 20'; Applicant wishes to install pool equipment 1' from the side property line; *Variance requested is for 19'*. Applicant also wishes to construct a pool shed 6' from the

side property line; *Variance requested is for 14'*. This property is located at 435 Cornwall Hill Road (R-4 Zoning District).

Mr. James Stiehl was present to represent the application.

Proposed shed to be placed near existing jungle gym and used for miscellaneous things: chlorine, winter storage.

Pool equipment (pool filter and heater) is located on the other side of the fence than the pool is on, between the fence and stone wall. Heater will run off of natural gas. There is a fair amount of foliage around the equipment. Mr. Stiehl states that the pool filter only creates a light humming noise when it is running, which is eight hours a day starting at 9 a.m.

There was no audience input.

Letter of support from neighbor:

June 7, 2016

To whom it may concern,

This letter is to advise the Town of Patterson Zoning Board of Appeals that as owner of the adjacent property to the Stiehl's property, 435 Cornwall Hill, Patterson N.Y. I am fully aware of the Stiehls intentions to place their pool equipment along their side of the stone wall, as well as creating a pool house not to exceed 144 square feet placed no closer than 6 feet from out joining property line. I have seen the map with their application and am in agreement with their proposal, and give my support in their approval.

Sincerely,  
Irene Schech

The Zoning Board tabled the application pending a site walk.

**2. Timothy Murphy – Case #11-16 – Area Variances  
4113 Old Route 22  
Tax Map No. 35.6-1-17**

Applicant is requesting an area variance pursuant to §154-27A(12)(b) of the Patterson Town Code; Permitted accessory uses, in order to construct a 12' x 12' shed on the property. Patterson Town Code requires accessory structures to meet a minimum side yard setback of 15'; Applicant wishes to construct the shed 3' from the side property line; *Variance requested is for 12'*. This property is located at 4113 Old Route 22 (R-1 Zoning District).

Mr. Timothy Murphy was present to represent the application.

Applicant is requesting to place the shed in the proposed location because if he places the shed in the

location where it meets all of the setbacks, he will lose the use of half of his backyard. The shed will not be placed in line with the house of the neighbor who shares the affected side property line with the Applicant.

The septic is located in the front yard.

There was no audience input.

- Chairman Olenius made a motion to close the public hearing; Board Member Carinha seconded the motion. *Motion carried by a vote of 5 to 0.*
- Chairman Olenius made a motion to approve the resolution which grants a side yard setback of 3' for a 12'x12' shed; Variance requested was for of 12'. Board Member Bodor seconded the motion. *Resolution was granted by a vote of 5 to 0.*

**3. Jesse Drake – Case #12-16 – Area Variance**  
**31 Interlaken Road**  
**Tax Map No. 25.56-1-23**

Applicant is requesting an area variance pursuant to §154-58 of the Patterson Town Code; Enlargement of nonconforming buildings, in order to replace the existing front stoop on the property with an 8' x 16' front entry deck. Patterson Town Code requires primary structures to meet a minimum front yard setback of 15'; the front entry deck will create an extension of the front plane of the existing dwelling and will, therefore, be 9'9" from the front property line; *Variance requested is to enlarge a pre-existing, nonconforming structure.* This property is located at 31 Interlaken Road (RPL-10 Zoning District).

Mr. Jesse Drake was present to represent the application.

Current front concrete stoop is dilapidated and Applicant wishes to replace it with a deck which will not have a roof or overhang. The proposed deck will not extend to the end of the house as shown in the pictures which were submitted.

No audience input.

- Chairman Olenius made a motion to close the public hearing; Board Member Fox seconded the motion. *Motion carried by a vote of 5 to 0.*
- Chairman Olenius made a motion to approve the resolution which grants a variance to enlarge a pre-existing, nonconforming structure in order to replace the existing concrete stoop with an 8' x 16' front entry deck 9.9' from the front property line. Board Member Burdick seconded the motion. *Resolution was granted by a vote of 5 to 0.*

**4. Julio Delgado – Case #13-16**  
**465 Doansburg Road**  
**Tax Map No. 36.9-1-16**

Applicant is requesting area variances pursuant to §154-27A(12)(b) of the Patterson Town Code; Permitted accessory uses, and §154-74A(5) of the Patterson Town Code; Minimum construction standards, in order to construct a 24' x 24', two-story garage on the property. Patterson Town Code requires accessory structures to meet a minimum side yard setback of 20'; Applicant wishes to construct the garage 10' from the side property line; *Variance*

*requested is for 10'*. Patterson Town Code also requires driveways and parking areas to meet a minimum side yard setback of 10'; driveway will be 2' from the side property line; *Variance requested is for 8'*. This property is located at 465 Doansburg Road (R-4 Zoning District).

Mr. Julio Delgado and Mr. Sal Hernandez were both present to represent the application.

Mr. Sal Hernandez was present in order to translate for the Applicant.

By placing the garage in the proposed location, the Applicant will avoid having to either try and remove or build on top of a large boulder which is semi-underground, but would require him to obtain the requested variances. Also by placing the garage in the proposed location, the driveway will be a straight run from the road to the garage. The septic and fields are located in the front yard.

The second story of the proposed garage will be used for storage. The Applicant was unsure of the exact height of the principal structure but stated that the proposed garage was not going to be taller than it. The Zoning Board requested the Building Inspector go out to the property and verify that the proposed garage will not be taller than the principal structure. Chairman Olenius stated that he calculated bulk floor area of the garage and the principal structure, and the garage was less than the maximum bulk area allowed by the Patterson Town Code.

There was no audience input.

The Zoning Board tabled the application pending a site walk and requested that the Applicant stake out the corners of the proposed garage.

## **5. Other Business**

### **a) Minutes**

- Chairman Olenius made a motion to approve the May 18, 2016 minutes; Board Member Fox seconded the motion. *Motion was carried by a vote of 5 to 0.*

### **b) Site Walks**

A site walk was scheduled for Mr. James Stiehl, Case #10-16, 435 Cornwall Hill Road, for on August 1, 2016 at 4:15 p.m., with a rain date of August 2, 2016 at 4:15 p.m.

A site walk was scheduled for Mr. Julio Delgado, Case #13-16, 465 Doansburg Road, for on August 1, 2016 at 5:00 p.m., with a rain date of August 2, 2016 at 5:00 p.m.

- Chairman Olenius made a motion to adjourn the meeting; Board Member Burdick seconded the motion. *Motion was carried by a vote of 5 to 0.*

*Meeting was adjourned at 7:46 p.m.*