

Town of East Fishkill

ZONING BOARD OF APPEALS

August 26, 2025

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Alberto Paratore, Aziz Ahsan, Art Mahony, and Norma Drummond. Michael Cunningham, Attorney; Matt Rickett, Zoning Administrator; and Jackie Keenan, Clerk, were also present.

Chairperson Drummond led the meeting with the Pledge of Allegiance.

CHAIRPERSON'S COMMENTS:

Chairperson Drummond stated the next meetings will be on Tuesday, September 23, 2025, and Tuesday, October 28, 2025.

MOTION made by Aziz Ahsan, seconded by Alberto Paratore, to approve the minutes of the meeting held June 24, 2025. Voted and carried unanimously.

Chairperson Drummond went through the procedures for the meeting. There are only discussions on for tonight. These are applications that this Board has not yet had the opportunity to review. Every application is before this Board because the applicant is asking for something that is not allowed by the code. The Board needs to understand what is unique about the property or the circumstances of the property that would require this Board to agree to the appeal that is being requested. There are no public comments on these reviews this evening. They will be given the opportunity to speak at the appropriate time.

DISCUSSIONS:

DISCUSSION – Appeal 4144 – David Ciocchi (6457-04-564111)

David Ciocchi, 17 Gerts Way, Hopewell Junction, requesting a 13' side line variance for a proposed 2 story attached garage addition 25'X27' (675sf) main floor, enclosed breezeway 8'X18'(144sf) and an unfinished second floor 21'X27' (567sf) total size 1,386sf pursuant to Section 194-107 and the Schedule of Bulk Regulations.

Michael Berta and Mrs. Ciocchi were present.

Chairperson Drummond stated that this is a very large garage and she asked why they needed something that size. She also asked if there was an existing garage on the house. Mr. Berta stated that the applicant has a three bay garage currently. They are taking two of those bays and making them into a mud room and a laundry room. The current garage faces the neighbor and not the road. The new garage will be attached by an enclosed breezeway and face towards the road, which is the orientation of the house. They will leave one of the original bays useable and the new two bay garage will be big enough to house the vehicles and additional storage for tractors, bicycles, etc. Also, by pulling it away from the house slightly, it allows for better movement to get in and out of the garage. This way they don't have to put any asphalt in front of the house.

Chairperson Drummond stated with the garage no longer facing the neighbor, it should actually cut back on the noise the neighbor hears. She asked if they have had any conversations with the neighbors. Mrs. Ciocchi stated they have spoken to the neighbors, who have not expressed any concerns.

Mr. Berta stated there is screening between the properties, but they also intend to increase what is there with some spruce and pines.

Chairperson Drummond asked if they would be blocking the garage doors and Mr. Berta stated they would be removed. The proposed garage will come up to block most of the existing doors.

Chairperson Drummond asked if there were any questions or comments from Board members. Mr. Ahsan asked about the number of actual doors. Mr. Berta stated they are carriage style doors and there will only be two doors on the new addition.

MOTION made by Aziz Ahsan, seconded by Art Mahony, to schedule this application for a Public Hearing for the September 23, 2025, meeting. Voted and carried unanimously.

DISCUSSION – Appeal 4145 – Elizabeth Roberts (6455-00-935382)

Elizabeth Roberts, 19 Patti Pl, Hopewell Junction, requesting a 4' side yard variance for an existing 12'X12' deck, a 9' side line variance for an existing above ground pool and a 10' side line variance for existing pool equipment. Pursuant to Section 194-95 and the Schedule of Bulk Regulations.

Elizabeth Roberts was present.

Ms. Roberts stated she purchased the house in 2000. The deck was pre-existing, but had no permits. The pool was put in in 2004 and was not placed where it was supposed to be. The contractor told her it was all taken care of, but it wasn't. The permit was never closed out.

Chairperson Drummond stated there are State wetlands on the property as well, so they are limited as to where they can put anything.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

MOTION made by Aziz Ahsan, seconded by Art Mahony, to schedule this application for a Public Hearing for the September 23, 2025, meeting. Voted and carried unanimously.

DISCUSSION – Appeal 4146 – Mama Mia Pizzeria (6358-02-768532)

Joe Cardoso, 899-901 Route 376, Wappingers Falls, requesting a 210sf. size variance for a proposed 24'X40' (960sf) detached garage. Pursuant to Section 194-107 and the Schedule of Bulk Regulations.

Joe Cardoso was present.

Chairperson Drummond stated that the Planning Board has this application before them. This parcel is in the Business Zone and there is a business use on a portion of this property, but there is also a residential use in the second building on this property as well. The detached garage is going to go behind that residential use and it is over the size limit. Attorney Cunningham stated the garage is for residential use.

Chairperson Drummond stated when it first came to the Planning Board it was going to be a bakery. Mr. Cardoso stated that was the original plan, but they ended up putting it in the back of the restaurant.

Mr. Ahsan stated this is a very large lot. Mr. Cardoso stated it is 2.79 acres. Chairperson Drummond stated there is vegetation on both sides. Mr. Cardoso stated they are surrounded by trees.

Attorney Cunningham stated the Board could waive their Public Hearing since there will be a Planning Board Public Hearing. It is the Board's discretion.

Chairperson Drummond stated since this is a commercial property, the Planning Board has it in front of them because it has to have a site plan. Chairperson Drummond stated that the Planning Board has declared their intent to be Lead Agency.

MOTION made by Aziz Ahsan, seconded by Alberto Paratore, to agree that the Planning Board be the Lead Agency. Voted and carried unanimously.

Chairperson Drummond stated the Zoning Board will let the Planning Board conduct their Public Hearing and close it out. Then the Zoning Board will use their Public Hearing. Mr. Cardoso stated he believes their Planning Board hearing is on September 18th.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

Chairperson Drummond stated this would be put on the agenda for a decision once the Planning Board has closed their Public Hearing.

MOTION made by Aziz Ahsan, seconded by Art Mahony, to waive the Public Hearing for this application as the Planning Board is doing the Public Hearing. Voted and carried unanimously.

DISCUSSION – Appeal 4147 – Richard Conrad (6458-03-361059)

Richard Conrad, 36 Timothy Ln., Hopewell Junction, requesting a 22' rear line, 9' side yard variance for an existing 10'X24' (240sf) shed with a garage door, a 24' rear line variance for an existing detached garage, a 147' front yard variance for an existing 6' fence in the front yard and a front yard variance for an existing pool and pool fence. Pursuant to Section 194-98, 194-107 and 194-17 and the Schedule of Bulk Regulations.

Richard Conrad was present.

Mr. Conrad stated he submitted a revised survey that the Board just received at this meeting. He stated there is 145.7 feet of fence that runs along the property line with a six-foot high fence. That figure does not include the 10 feet past the front of the house that is allowed. This fence is 10 feet off the property line.

Chairperson Drummond stated this is on a cul-de-sac and he is at the end of the road. It is near Red Wing Park. The street doesn't even really continue past his home. Mr. Conrad stated it is mutually beneficial from a privacy standpoint.

Chairperson Drummond stated there is a shed with a garage door. Mr. Conrad stated it was placed there and it complied with the shed setback, but once it was in place they put a garage door on it instead of the original barn doors. At that point it was considered a garage and it didn't meet those setbacks. It is being used as a shed. It has a wooden floor.

Chairperson Drummond stated there is also a variance for a 24 foot rear line variance for a garage. She asked how long it had been there and Mr. Conrad since 2000. Mr. Rickett stated it had all the permits and was CC'd but never received the rear line variance. The Building Department had signed off on it. Mr. Conrad stated it was the same with the pool. Mr. Rickett stated the pool had the permits and got CC'd and closed out, but should have had a variance and didn't and they would just like to clean this up.

Mr. Ahsan stated the applicant has 105 feet. Chairperson Drummond stated it is over a three-acre lot and no neighbors on that side.

Chairperson Drummond asked if there were any questions or comments from Board members. There were none.

MOTION made by Aziz Ahsan, seconded by Art Mahony, to schedule this application for a Public Hearing for September 23, 2025, meeting. Voted and carried unanimously.

ADJOURNMENT

MOTION made by Aziz Ahsan, seconded by Art Mahony, to adjourn the Zoning Board meeting at 7:21 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary