

Town of East Fishkill

**ZONING BOARD OF APPEALS**

January 27, 2026

Chairperson Drummond called the Zoning Board of Appeals to order with a roll call. Those present were Alberto Paratore, Aziz Ahsan, Art Mahony, Rocco Limitone, and Norma Drummond. Michael Cunningham, Esq., Town 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 started by stating this is the first meeting of the year and she hoped everyone had a nice holiday. She thanked everyone for keeping their signs up during the storm.

She stated the next meetings will be in Tuesday, February 25, 2026, and Tuesday, March 24, 2026. If there is bad weather and the Town Hall is closed, the meeting will be cancelled. It will not be postponed or rescheduled. Everything on that agenda will be moved to the next month and she asked if anyone is scheduled for a Public Hearing for that night, that they change the date on their sign to the next meeting date.

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to approve the minutes of the meeting held November 24, 2025. Voted and carried unanimously.

Chairperson Drummond went through the procedures for the meeting. First are the Public Hearings. These are applications the Board has already reviewed. In some cases, they have done site visits. Neighbors are then noticed and have the opportunity to tell the Board anything they may not be aware of. They know the property better than the Board may. Next is a discussion for tonight. This is an application the 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 this discussion this evening. They will be given the opportunity to speak at the appropriate time.

**PUBLIC HEARING:****Public Hearing – Appeal 4143 – Robert Bertuzzi (6658-03-136301)**

Robert Bertuzzi, 656 Beekman Rd., Hopewell Junction, requesting a 389' size variance for a proposed 2-story detached garage with a 30'x32' (960sq.ft) main floor and a (600sf) unfinished second floor for a total size of 1,560 sf, a variance for the garage to be located in the front yard and a 49' front line variance, Pursuant to Section 194-107 and the Schedule of Bulk Regulations. Footprint of existing house is 1,952.

**Robert and Diana Bertuzzi were present.**

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing.  
Voted and carried unanimously.

Chairperson Drummond stated they have discussed this application with the applicant twice. She did meet the applicant at his home and did a site visit. The applicant has proposed a 2-story garage in the front of his house. It is approximately 50 feet in, but it is a large garage at 30'x32'. He is proposing to have it be a 2-door, 2 bay garage with a lift inside. The lift would be 14 feet high so it would require a second floor, and he was proposing to put a floor in for the second floor. This was at his engineers recommendation to help keep the heat into the work area. During her site visit she did see four additional houses in the neighborhood that have garages in the front yard within close proximity to the applicant's home. It does appear that within the character of this neighborhood that is not unusual. Even the applicant commented that one of the garages is an eyesore as it is not being taken care of. While his home and his property is very well maintained one of the things this board has to think about is future owners and what it will look like in 20, 30, or 40 years. The applicant's well is actually a cut out of his driveway so he cannot pull straight into his driveway, he has to move towards the side, or he would be

driving over his well. That does become an obstacle to the ability to put a garage on the side at the top of the driveway on the left. There is also an elevation change from the street to his house of approximately 4 feet. They did talk about putting the garage catercornered to where he parks his truck currently but given the fact that his truck has to be parked catercorner to fit it in there is not enough room to have space on the other side of the garage to be able to close the doors, so they agreed that that would not work. Immediately to the left of the house is a patio with landscaping and trees that were installed so there is a nice vegetative screening between him and the neighbor. That would eliminate his ability to go into his backyard. The applicant was concerned about what it would look like given the pitch of the garage and the look of the house itself. They would not be able to get 2 bays onto that side either. That would also require a variance anyway. They did look if this could be placed in the backyard, but the topography of the land goes down so the ability to use his backyard is not the best use. His septic fields are also back there. They did talk about going to the right of the house which might have been one of the better places to put it. There is vegetative screening on that side but that would require a second length of driveway across the front of his house which would not have looked as good. They talked about connecting this garage to the existing house and having it extended out in front of the existing garage. It is an option but the look of that would not be as nice. That brought them to reviewing the proposal that he provided. It had white doors with dormers on the top and a cupola. They tried to reduce it down in height as best they could. He did provide current pictures of his newest proposal. They did discuss eliminating the second floor altogether and making the doors a darker color. There is vegetative screening in the front of the house. There is a stand of pine trees and other scruff brush. The applicant did say that a number of those trees would come down. Mr. Bertuzzi stated he would be putting new trees up and they would provide other screening. The new proposal has no dormers and gray doors and is 22 feet tall because they lowered the height by three feet. He eliminated the second floor and will just do 3-foot mezzanines on both sides. He will put a pull-down ladder so he can access the mezzanines. He will put pictures of cars up there as it will be an open ceiling. Chairperson Drummond stated he did meet a lot of the concerns that we addressed. The big fundamental issue is still the fact that there is a large structure in the front yard. There are other homes in this area that did have the same condition.

Chairperson Drummond asked if there were any questions or comments from Board members. Mr. Ahsan stated this is a small site. If it were to go on the right or left side of the house or try to attach it to the house, it will still require a variance and it wouldn't look proper. He also cannot access his backyard.

He stated the front might be the only location. He does really appreciate the applicant working with the Board to reduce the height of the garage. It's like a second house or an in-law apartment.

Chairperson Drummond stated the applicant already has a 2-car garage with a lift in it, but it is completely full. There is no doubt that he does need more space. She would rather see homeowners keep stuff in garages rather than out in their yards.

Mr. Limitone stated that the applicant has addressed all of the concerns they have brought back and he appreciates that.

Mr. Mahony stated it looks like this building was moved back from the original proposal. Mr. Bertuzzi stated he did move it back 10 feet. Mr. Mahony stated he does appreciate the way the height was brought down as well.

Mr. Paratore stated that the applicant has done everything that he could and met all of their concerns.

Mr. Rickett stated if they eliminate the second-floor square footage he does not need the size variance. He is allowed 1100 plus feet with his house size at 1952. Chairperson Drummond stated they would still need the front yard variance and the 49-foot front line variance because this is a county highway and any structures are supposed to be 100 feet back. It is not the typical front line set back of 50 feet.

Chairperson Drummond stated they did have one letter received from Mr. and Mrs. Pete DiSisto, who live at 658 Beekman Road. They have no objections and are in full support of this application.

Chairperson Drummond asked if there was anyone else to speak for or against this application. There was no one.

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing and reserve their decision. Voted and carried unanimously.

Chairperson Drummond stated they are reserving this decision due to the changes in the variances, and they need a resolution to reflect those. The applicant does not need to be present for that decision. Mr. Bertuzzi asked if he needed to have the architect change the height. Mr. Rickett stated they could discuss that at a later time.

Mr. Ahsan stated they have 62 days to make a decision, so it may not be at next month's meeting. Chairperson Drummond stated they are trying for that, but if there is a snow closing they have no control over it.

**Public Hearing – Appeal 4151 – Camille Riggio (6357-04-685419)**

Camille Riggio, 230 Lake Walton Road, Hopewell Junction, is requesting a 15' sideline variance and a 50sf variance for a proposed 20'x 20' (400sf) carport, Pursuant to Section 194-107(d) and the Schedule of Bulk Regulations. This is the third accessory structure, and it is over 350sf.

**Brian Stokosa and Gary Halstrom were present.**

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to open this Public Hearing.

Voted and carried unanimously.

Chairperson Drummond stated they did have the opportunity to review this application last month. This applicant has been here before. They were here for a lot line realignment and a shed in the back. The shed looks beautiful and the applicant always makes any repairs as have been requested of him. Where this is being proposed, there is existing asphalt. There's a six-foot fence so there is screening to the neighbor next door already in place. The applicant was asked to put up some screening. Mr. Stokosa stated he spoke with the applicant, and they priced out some pine trees and, with installation, that number was coming close to or at the same price as the carport so that was too much. Chairperson Drummond stated even some low bushes would be helpful as this is not even going all the way to the ground. Mr. Halstrom stated you can only see this coming from Stewarts. Everything they have done has made the property more beautiful and enhanced its value. He has driven around Lake Walton Road and various roads throughout Hopewell to see other carports and there are no screening on them. Some are even in front of the houses. The estimate for six Arborvitae was almost \$4000 installed. The carport itself was just a little over \$4000 and as far as small bushes, which would not provide much screening either. They have gotten rid of all of the trees around their property and put the fence up.

Chairperson Drummond asked if this was a steel carport and Mr. Halstrom said yes. It will come about two feet down from the roof with open sides. He does not feel he would like three sides of galvanized steel coming down all the way. It wouldn't match the shed. They matched the shed to the siding of the house and the garage. The roofs are all the same. They have painted the shutters in the back to match the shutters in the front. They have done everything they can to make this property look as nice as it can be, but they just don't want any more shrubs. Chairperson Drummond thanked him and appreciates his consideration. The fact that he explored the option is very helpful. She was unaware of the cost.

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

Chairperson Drummond asked if there was anyone in the public to speak for or against this application. There was no one.

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to close this Public Hearing.  
Voted and carried unanimously.

APPEAL NUMBER: 4151

APPLICANT: Camille Riggio

NAME OF PROJECT: A 15' side line Variance and a 50 s.f. size Variance from the requirements of the Schedule of Bulk Regulations and Section 194-107 of the Town Code for a proposed 20'X20' (400 s.f.) carport (the "Variances")

LOCATION: 230 Lake Walton Rd., Hopewell Junction (the "Property")

TAX MAP NUMBER: 6357-04-685419

ZONING DISTRICT: R-1

Resolution offered by Zoning Board Member : Aziz Ahsan

**WHEREAS**, the Applicant previously was granted Variances for a 10 s.f. size Variance from the requirements of Section 194-107 of the Town Code for a proposed 12’X30’ (360 s.f.) accessory structure; and a 9’ front yard Variance from the requirements of Section 194-98 of the Town Code for a 6’ fence more than 10’ in front of the front line of the dwelling pursuant to Appeal Number 4139; and

**WHEREAS**, for this Appeal, the proposed accessory structure would be the third accessory structure on the Property and over 350 s.f.; and

**WHEREAS**, the proposed location of the carport would be on existing pavement and would be used to shelter vehicles; and

**WHEREAS**, this is a Type II Action under SEQRA; and

**WHEREAS**, the Legal Notice was published in the Poughkeepsie Journal on January 23, 2026; and

**WHEREAS**, the Zoning Board of Appeals held a Public Hearing on January 27, 2026; and

**WHEREAS**, the Zoning Board of Appeals finds that:

The granting of the Variances will not produce an undesirable change in the character of the neighborhood as the Property will remain residential in nature;

The desired result could be achieved by reducing the size of the carport, but all of the proposed changes are in conformity with the other homes in the neighborhood;

The Variances are not substantial;

The Variances will not have an adverse effect or impact on the physical or environmental conditions;

**NOW, THEREFORE, BE IT RESOLVED**, that the Zoning Board of Appeals hereby approves the request of Camille Riggio for a 15’ side line Variance and a 50 s.f. size Variance from the requirements of the Schedule of Bulk Regulations and Section 194-107 of the Town Code for a proposed 20’X20’ (400 s.f.) carport.

**BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of this Resolution, the Chair or other duly authorized member of the Zoning Board shall cause a copy of the Resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.

Resolution Seconded by Zoning Board Member: Rocco Limitone

The votes were as follows:

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|-------------------------------|-----|
| Board Member Aziz Ahsan       | Aye |
| Board Member Rocco Limitone   | Aye |
| Board Member Alberto Paratore | Aye |
| Board Member Art Mahony       | Aye |
| Chairperson Norma Drummond    | Aye |

**CERTIFICATION**

I, JACKIE KEENAN, the duly qualified and acting Clerk for the Town of East Fishkill Zoning Board, Dutchess County, New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular

meeting of the Zoning Board of the Town of East Fishkill, held on the 27<sup>th</sup> day of January, 2026, and that the resolution set forth herein is a true and correct copy of the resolution of the Zoning Board of said Town adopted at said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 28<sup>th</sup> day of January, 2026.

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JACKIE KEENAN

ZONING BOARD CLERK

(seal)

**DISCUSSION:**

**DISCUSSION – Appeal 4152 – Melissa Adams (6454-01-098786)**

Melissa Adams & Jason Zrodlowski, 18 Appalachian West, Hopewell Junction, requesting a 17' sideline variance for a proposed 15'x20' (300 sf) inground pool, Pursuant to Section 194-95 and the Schedule of Bulk Regulations.

**Melissa Adams and Jason Zrodlowski were present.**

Chairperson Drummond stated this is the first time they are looking at this application. She asked why the applicants would like to place this pool in this location. Ms. Adams stated this is the only space on their property that allows for it. Their property is very narrow, and their neighbors have gotten a variance on their property, which has kicked their pool and fence area. Chairperson Drummond stated this caused the neighbor's property to bump out and took property away from this applicants lot. Ms. Adams stated the topography behind the house goes straight down. They are looking to do a shallow

plunge pool for cooling off only. At the point where you are within 8 feet of the property line, it is actually a roof line on part of the neighbors structure for the living space where they spend time, but there is a 14-foot drop to the neighbor's property. Mr. Zrodowski state there is a heavy concrete retaining wall right on the property line. Then it drops down 14 feet. Ms. Adams stated right up against their pool the retaining wall going up to their driveway is approximately 15 feet change in grade.

Chairperson Drummond stated the one issue they have is whether or not this is considered in the front of the house. Mr. Rickett stated they are considering this the side of the house. Chairperson Drummond stated that the code reads, the front is the primary access to the house, and a garage is the primary access and that faces a different direction. Chairperson Drummond stated this is one thing she had mentioned to Ms. Robbins that may need its language cleaned up. Mr. Rickett asked if they had seen his photos because that does show the change in topography provided them to the Board. Chairperson Drummond stated in the back it goes from 994 to 102 feet elevation change in a matter of approximately 20 feet.

Mr. Ahsan asked what a plunge pool is. Ms. Adams stated it will be all shallow at 4 feet deep. There will be no deep end of it. Chairperson Drummond stated it is an in-ground pool that is all one size.

Chairperson Drummond stated since the neighbor's pool is right on the property line they should not have any complaints about noise from this pool. Ms. Robbins stated it should not be an issue as the neighbors have younger children that enjoy their pool. That is not the scenario at the applicant's home.

Chairperson Drummond asked where the septic was and Mr. Rickett stated it is in the back. Chairperson Drummond stated that the topography of the backyard also limits where they can put the pool as does the fact there is a pond in their backyard. There is probably a buffer around the pond they need to stay out of as well.

Chairperson Drummond stated there was one bump out on their survey. Mr. Zrodowski stated that it is a small asphalt the neighbors put on the applicants property to use as a turnaround for their driveway. It appears when they divorced they subdivided two extra lots so at some point they must have come in to get a variance for the pool and to redo the lot line alignment. This applicant ended up with their driveway turn around on their property.

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

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to schedule this application for a Public Hearing for February 24, 2026. Voted and carried unanimously.

**ADJOURNMENT**

**MOTION** made by Aziz Ahsan, seconded by Rocco Limitone, to adjourn the Zoning Board meeting at 7:32 PM. Voted and carried unanimously.

Respectfully submitted:

Julie J. Beyer

Meeting Secretary