

PUBLIC HEARING
TOWN OF OSSINING ZONING BOARD OF APPEALS
Cesar Paute, 45 Gordon Avenue
SECTION 80.15 BLOCK 2 LOT 29

In person & Zoom Meeting

December 1, 2025

7:30 p.m.

PRESENT:	SALVATORE CARRERA	- Chairman
	DAVID KRIEGER	- Member
	TOM WILLS	- Member
ABSENT:	LYNN FARRELL	- Member
ALSO PRESENT:	CHRISTIE ADDONA	- Town Attorney
	JON TURNQUIST	- Building Inspector
	SANDY ANELLI	- Secretary
	MARGARET CONN	- Zoom Secretary

Sal Carrera, Chairman: Good evening, ladies and gentlemen. This is the March 3, 2025, meeting of the Zoning Board of Appeals for the Town of Ossining. My name is Sal Carrera, Chairman, and joining me this evening are members of the Zoning Board of Appeals, Town Attorney Building Inspector, and secretary. For the record, please introduce yourself.

David Krieger: Member, David Krieger.

Tom Wills: Member, Tom Wills.

Christie Addona: Christie Addona, Town Attorney.

Jon Turnquist: Jon Turnquist, Building Inspector.

Sandy Anelli: Sandy Anelli, Secretary.

Margaret Conn: Margaret Conn, Zoom Secretary.

Chairman: Thank you ladies and gentlemen. I will read the public notice and then I'll request the applicant or the representative to give a brief explanation of the relief sought. Anyone that has a comment should raise their hands and state their full name and address. After the comments are received, the Board will try to render a decision this evening.

Notice is hereby given that a Public Hearing of the Town of Ossining Zoning Board of Appeals will be held on Monday, December 1, 2025 at 7:30 pm in person at the John Paul Rodrigues Ossining Operations Center, 101 Route 9A, Ossining NY 10562 on the application of Cesar Paute, 45 Gordon Avenue, Briarcliff Manor, Town of Ossining, NY, in accordance with the Zoning Code of Town of Ossining, Chapter 200-25, Supplementary regulations applying to all residence districts, paragraph A. (1) Accessory Buildings. Members of the Public and Applicants are able to attend in person, or join the meeting via computer or mobile app as follows:

<https://us02web.zoom.us/j/84738267397?pwd=hKMEbj3bmtMNZQpEf2P7EARLyMGoNj.1>

Passcode:729423

Phone one-tap:

+19292056099,,84738267397#,,,,*729423# US (New York)
+16469313860,,84738267397#,,,,*729423# US

The applicant is seeking a variance from the terms of the Zoning Code of the Town of Ossining to in order to build a shed on his vacant lot set back approximately 15 feet. The property is located at 45 Gordon Avenue, in the unincorporated area of The Town of Ossining, NY, identified on

Meeting Notice Continued:

the Tax Map of the Town of Ossining as Section 90.15, Block 2, Lot 29, 30 and 31 in the R-10 One-Family Residence Zoning District. The property is made up of three parcels of land located on a corner. The residence is situated on lot 29 with no available backyard and two adjoining vacant lots, legally pre-existing. Additionally, A Town of Ossining unimproved paper road separates two of the parcels.

Application materials and plans are on file at the Town of Ossining Building Department, 101 Route 9A, Ossining, NY 10562 and on our website at:

<https://www.townofossining.com/cms/publications/all-documents/zoning-board/zoning-board-projects/zbproj-under-review>

All interested persons are invited to attend the Public Hearing and/or send comments by email to: www.building@townofossiningny.gov or regular mail to Town of Ossining Zoning Board of Appeals, P.O. Box 1166, Ossining, NY 10562.

BY ORDER OF THE ZONING BOARD OF APPEALS

Sal Carrera, Chairman

DATED: November 20, 2025

Chairman: Yes, sir, please give us your name, address, and Tell us what you're doing, and what you're asking for this evening. You can come up.

Cesar Paute: My name is Cesar Paute, 45 Gordon Avenue. Good evening, everybody. We are a family of five. We just bought the house and we don't have any storage. That's why we decided to build a shed but I put it where it used to be a pool. It used to be a swimming pool. I just measured it and it's 25 from the street and like 25... 20 feet from this other paper street. So, we're asking to allow us to keep building because it stopped right there.

Chairman: Okay, so a couple of questions sir. How long have you owned the house?

Cesar Paute: We bought it in March of this year.

Chairman: This past March?

Cesar Paute: Yes.

Chairman: You've done a very nice job with the place. It looks very nice.

Cesar Paute: Thank you.

Chairman: What possessed you, even though you're a new owner, to take on building this yourself?

Cesar Paute: Yes, I'm building it myself.

Chairman: So, it never occurred to you to call the building department to see what you're supposed to be doing, whether you can do it, whether it's legal, do you need a permit?

Cesar Paute: I did, I looked online and it said I could not go over 12 feet by 12, and 15 feet high. I didn't need a permit, so that's why I did it but when Mr. Jon came over to an inspection of the apartment downstairs, so then we talked about that and he said that I need this.

Chairman: Do you intend to put any utilities out into this shed of water, electricity?

Cesar Paute: No. Nothing.

Chairman: Dead storage?

Cesar Paute: Dead storage? yes.

Chairman: Okay, board members, David? Any questions?

David Krieger: And you have considered all possibilities and that was the only area you found suitable?

Cesar Paute: That's the only spot that we have, we have so many trees, and property, it's going up.

David Krieger: Are there steep slopes on your property? Are there hills?

Cesar Paute: Yes.

David Krieger: There's no flat area that would be easy to work on?

Cesar Paute: No, no, that's the only spot that we have.

Tom Wills: There's a little mountain.

Chairman: Yes, there's a big mountain.

Tom Wills: No, I just want a point of information about Olive Street. I mean... Is it ever going to be a road, I mean, It's the most unusual lot I think I've ever seen at this board?

Chairman: It's a paper street, probably.

Tom Wills: It's called a what street?

David Krieger: It was never built.

Christie Addona: It's a paper street. It was laid out on a map probably 100 years ago or something And just never developed into a road, because you also have to remember lots were much smaller on those subdivision maps, you know, what their house is probably 3 or 4 of those lots. So, the maps and the streets as they were contemplated during the subdivision process is no longer really feasible.

Tom Wills: Is there any possibility for these owners to for the town to deed it over to them?

Christie Addona: I mean, if they wanted to approach the town about it, I'm sure the town board would entertain it because right now if it's town property.

Tom Wills: The town would be really hindering three lots. Okay, just a point of information for you folks.

Cesar Paute: Thank you.

Tom Wills: I mean, I haven't been here as long as our members of the board, but this is the first I've ever seen it.

Chairman: there's a number of paper streets throughout the town of Ossining, in areas that you would never believe there should be a street there.

Tom Wills: Okay, all right. That's the only thing.

Chairman: Members of the audience, any questions?

Adelina DiBenedetto: I just have a question.

Chairman: Your name, please?

Adelina DiBenedetto: Oh, Adelina Ropari DiBenedetto. I live...

Chairman: Where's the, what's the address?

Adelina DiBenedetto: 6 Hillcrest Drive off of River Parkway.

Chairman: Okay, you're up above.

Adelina DiBenedetto: off of River Parkway. So, how big is your shed?

Cesar Paute: It's 10x12. 10x12? Yes.

Adelina DiBenedetto: Yeah, it looks so fancy with the door and the window.

Cesar Paute: You'd stop right there. I know it looks ugly right now, but I'm going to put it a siding on.

Adelina DiBenedetto: It isn't Ugly. No, you can really see what it's going to look like...

Chairman: I mean, I live right up the street on Ryder Avenue, and, you know, I passed by because of the application. And I'm in real estate, so I do a lot of driving around, but it fit in, in my opinion, so perfectly that I thought it was always there. Until, you know, I got this application.

Tom Wills: Yeah, me too.

Adelina DiBenedetto: Question. I was surprised that he needed a variance to build a shed.

Chairman: It's because it's on the front of a piece of property.

Adelina DiBenedetto: Oh. That's why. I see. So, if he was in the... back You wouldn't need this....

Chairman: If he was a certain amount of footage away from the adjoined pieces of property, then he could go build whatever he wants, okay, at the site. But because it's on these three lots are all front pieces of property. There's really no backyard, and that's the reason why our esteemed building inspector picked this up and just brought us here for additional work. But it is what it is.

Adelina DiBenedetto Okay. But it was the back of a house, but it's on a road, it has to be in the back yard.

Chairman: It has to be a certain amount of footage from your neighbor, okay, and what the size of it is and then we go by the building code. Okay.

Tom Wills: Just remember... Yeah, don't... just remember that different areas of the town have different restrictions. It's not across the board.

Christie Addona: There's no hard and fast rule, so if you're ever contemplating a shed, go talk to the building.

Chairman: All right, I'd like to make a motion to close the public hearing. Is there anyone else? Anybody else?

Jon Turnquist: One second. I wanted to say one thing. That tree, you have a violation for a tree that you cut down on town property.

Cesar Paute: I called so many times, and nobody came, to... I also called, and I was told that I was going to get a call back from the building department.

Jon Turnquist: He didn't call the right number then. That would have come right away. We need to fix that. There's a violation where they cut down a tree on the town. Replant something, yeah. Did you replant anything?

Cesar Paute: No, because I wanted to put the... Evergreen? Evergreen. But we needed approval to make sure that we plant the right tree.

Jon Turnquist: All right, so give a call to the office, and I'll gladly meet you there one day, and we'll resolve the issue.

Chairman: We're going to make him an arborist before he's done.

Anybody online that wanted... Speak?

Is there anybody on Zoom?

Margaret Conn: No, no hands up.

Chairman: Okay, may I have a motion to close the public hearing?

David Krieger: So, moved.

Tom Wills: Second.

Chairman: My recommendation is to approve the, application to continue building, but my recommendation to you is, you know, he's a very, very smart man. Just, you know, call him and tell him what you're going to be doing so that he can give you advice of what you should do and what you shouldn't do. With regards to the tree that you cut down, put in an evergreen. I love arborvitaes, as you know.

Chairman: Okay. All in favor?

David Krieger: Aye.

Tom Wills: Aye.

Cesar Paute: Okay, thank you. Thanks so much.