

VILLAGE OF COLD SPRING ZONING BOARD OF APPEALS
85 MAIN STREET, COLD SPRING NEW YORK 10516
PHONE (845) 265-3611
Public hearing

December 7, 2009

Present: Chairman; Donald Mac Donald **Members:** Elliott Hammond & Richard Turner
Absent: Edward Murphy & Gregory Gunder

Continued Public Hearing

1. Atlas LLC. , 144 Main St.

Present for the Applicant: representing the applicants; James Hartford, River Architects & Ray Memmel, Contractor

Neighbors: Mr. Howard Broad and Winfried Dohle, 142 Main St,

The continued public hearing was opened at 7:08 pm.

The applicants proposed to construct a 1 story porch and a rear addition as well as to install an elevator shaft. The variances being requested are the following:

- a second floor side yard setback variance
- 1 foot variance would be required for the rear addition which would give the applicant a 4 ft set back along the Village of Cold Spring Firehouse side.

Mr. Broad, 142 Main St. stated he spoke with the applicant and Mr. Broad and Mr. Winfried Dohle discussed the issues being proposed and stated he is in favor of the applicant's proposals.

Mr. Dohle, 142 Main St. asked why the applicant did not propose the elevator shaft on the side of the firehouse. Mr. Memmel stated the 4 ft space between 144 Main St. and the firehouse will be a sidewalk and it would require a lot more digging.

Mr. Dohle, 142 Main St. stated he did not believe there is a foundation at 144 Main St. D. Mac Donald stated if there is no foundation that issue would have to be addressed before the elevator shaft was built.

Mr. Broad, 142 Main St. stated his main concern was drainage. Mr. Memmel stated a new dry well is going to be built and piping was already put in. The applicant had previously corrected the drainage problem which allows the water to run out to the curb. That will be drawn on the plan when the sale of the stoop is final.

D. Mac Donald – noted that the dry well is only big enough to address the applicants building
Mr. Dohle, 142 Main St. – asked if they could go from the drain and inside the building and stated he is trying to accommodate all the water issues.

Mr. Memmel stated he has spoken to the firehouse regarding the draining issue.

Mr. Broad, 142 Main St. stated “if it is a very bad rain they have a pooling issue in the back yard”. Mr. Memmel responded that the applicants would have to go through their building.

D. Mac Donald from a drainage point the applicant is moving the pipe 5 ft from the property line which should allow plenty of room for drainage. That is really a joint issue between the applicant and the Village of Cold Spring firehouse.

E. Hammond – stated “that the applicant has done an awful lot to improve the building. This is a joyful thing seeing them accommodating and working with the neighbors”.

D. Mac Donald – spoke about the site visit. In his opinion he didn’t think the elevator shaft is going to distract from the view of 142 Main St. The new drawings show that the project has been moved over 5 ft. The lot coverage variance being requested is 9%.

E. Hammond stated that in his opinion the applicants are not going to request a variance and move out of town in 5 years.

R. Turner stated the newspaper is a business that does not bring in more traffic. Mr. Hartford acknowledged that the paper has been around for over 100 years.

Mr. Broad, 142 Main St. asked what a AC condenser pad is. Mr. Memmel answered it is an air conditioner unit.

Mr. Broad, 142 Main St. noted he went on line to look for other options for elevator designs and found one where the elevator is all on the inside it goes up on the railing going up the stairs.

Mr. Dohle, 142 Main St. pointed to places in the drawing where an indoor elevator shaft could be placed.

Mr. Broad, 142 Main St. presented a picture of a round elevator Mr. Memmel noted it is much too modern looking.

Mr. Hartford explained why the only place the elevator could go is where they proposed to install it.

Mr. Dahle, 142 Main St. noted there is no foundation and that would be a big cost to the applicant. R. Turner noted the applicant is willing to do it.

Mr. Broad, 142 Main St. noted that you will have a big square on the side of the building.

D. Mac Donald asked if a peak could be put on the elevator shaft. Mr. Hartford noted a peak roof could be done for drainage purposes. Mr. Memmel noted that they are following the design of the back of the building which is a flat roof. The applicant has reviewed all options.

Mr. Broad, 142 Main St. asked if the deck can be brought back to 6 ft. Mr. Memmel noted there will be no deck showing on the side of 142 Main St.

Mr. Broad, 142 Main St. stated he is happy with the flat roof.

Mr. Dahle, 142 Main St. asked if all the drainage can all go in one direction to the curb. Mr. Memmel noted that the drainage issue has already been addressed. Mr. Hartford noted that you cannot have all drainage going to the curb.

R. Turner moved to close the public hearing and E. Hammond seconded the motion. The public hearing was closed at 7:56 pm. by a vote of 3-0.

Variances being requested:

Side yard 2nd story elevator shaft

1 ft variance from a 5 ft required for addition

Lot coverage from 51% to 60 %

The Chairman asked for a straw vote on the above variances:

D. Mac Donald voted yes

R. Turner voted yes

E. Hammond voted yes

D. Mac Donald read the decision for a portico allowing the variance.

R. Turner asked to have a statement added in the decision regarding the building permit.

R. Turner voted yes to accept the decision as read.

E. Hammond voted yes to accept the decision as read.

D. Mac Donald Voted yes to accept the decision as read.

The meeting was adjourned R. Turner and E Hammond seconded it the meeting was adjourned at 8:29 pm.

Donald Mac Donald, ZBA Chairman

Date