

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

December 17, 2009

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

Public Hearings

1. Peter Farrell, 191 Main St.

The Chairman opened the meeting at 7:00 p.m.

Mr. Farrell's property is located at the corner of Chestnut and Route 301. The applicant proposed building a partially covered porch with a staircase requiring a 5'8" variance. The enclosed area of the porch is within the setback and not subject to a variance.

It was noted that no members of the public were present.

Return request receipts were turned in.

The opinion from the county has not come back (as of this date).

The Planning Board had not sent a letter regarding their opinion; however, the secretary read the opinion from the Planning Board minutes.

R. Turner moved to close the public hearing. E. Murphy seconded the motion. The public hearing was closed at 7:21 p.m. by a vote of 5-0.

R. Turner moved for the Board to take a straw vote on the proposed front and side yard variances. G. Gunder seconded the motion. The Board voted 5-0 in favor of the porch. Turner added that the decision is contingent upon the applicant getting a building permit within one year of the date of the decision.

2 . Matthew Francisco , 18 Orchard St.

The public hearing was opened at 7:23 p.m. The Board reviewed the new drawings for the proposed garage, requiring side and rear yard variances.

R. Turner stated he previously spoke to Mr. Francisco regarding rebuilding the garage. G. Gunder noted he and the applicants are neighbors and he can be fair in his view of the project.

The Chairman asked all Board members if they objected to G. Gunder reviewing the project. All Board members answered no objection.

The Planning Board's opinion was read by the secretary from the minutes.

The opinion from the County has not been received (as of the meeting tonight).

The return requests were turned in with the letters from neighbors.

The applicant is proposing to rebuild and increase a garage

D. Mac Donald read the following letters from neighbors:

- Mary and Arne Saari, 20 Orchard St.
- John Plummer, 16 Orchard St.
- Laura Merante, 13 Orchard St.
- Michelle McCoy, 25 Mountain Rd.
- Nancy Etta, 9 Orchard St.
- Tom Mullane and Richard Wang, 17 Mountain Rd.

All letters showed neighbors were in favor of the project.

R. Turner moved to close the public hearing and E. Murphy seconded the motion. The public hearing was closed at 7:54 pm. by a vote of 5-0.

R. Turner moved to take a straw vote for a 1 ½ story garage and G. Gunder seconded the motion. The motion was approved 5-0. R. Turner added that the decision is contingent upon the applicant getting a building permit within one year of the date of the decision.

Decision:

Atlas LLC., 144 Main St.

The Chairman read the decision regarding the elevator shaft with the existing footprint of the building and expansion of the rear of the building for office space. R. Turner moved to accept the resolution as presented and E. Hammond seconded the motion. The motion was accepted 5-0.

Board business:

1. Planning Board referral:

The Chairman read a letter from the ZBA to the Planning Board regarding the Serroukas (Foodtown Plaza) project being referred back to the Planning Board.

(R. Turner left at 8:37 p.m.)

2. Minutes:

The minutes of May 4, 2009 were reviewed and approved

The minutes of May 21, 2009 were reviewed and approved

The minutes of June 18, 2009 were reviewed and approved

The minutes of September 10, 2009 were reviewed and approved

The minutes of October 15, 2009 were reviewed and approved

The minutes of October 26, 2009 were reviewed and approved

The minutes of December 7, 2009 were reviewed and approved

G. Gunder moved to adjourn the meeting and E. Hammond seconded the motion. The meeting was adjourned at 8:52 p.m.

Donald Mac Donald, ZBA Chairman

Date