

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

July 15, 2010

**Present:** Chairman; Donald Mac Donald, John Martin, Edward Murphy & Richard Turner  
**Member absent:** Gregory Gunder

**Jennifer Zwarich and John Wayland, 192 Main St.**

Present for the applicant was Jennifer Zwarich and James Hartford, Architect

The applicants proposed to construct a 1 ½ story addition which will require a side yard variances from Section 134-7(C)(5) of the Village Code.

Public present: Sal Gashi, 182 Main St. who was in favor of the proposal.

The Chairman noted the ZBA members present at this meeting had just come back from a site visit from 192 Main St.

Mr. Hartford spoke for the applicant by explaining the proposal as being a proposal to construct a rear addition to the house a larger than the footprint of the small porch (nonconforming) that will be removed which will require a 9'2" by 9'6" rear yard setback variance.

The applicant presented the Board with the following:

- photos of the yard
- Letter from Jerry Gretzinger, 194 Main St.
- Return receipts from the notices of the public hearing to neighbors

The Chairman acknowledged the following:

- A referral had not yet been received from the County for a 239m.
- Read a letter from The Village of Cold Spring Planning Board stating their opinion for the ZBA was to grant the variance.
- The Chairman read a letter from Mr. Jerry Gretzinger noting he was in favor of the applicant's proposal.
- A SQRA review is not necessary due to the size of the project.
- Former Mayor Phillips acknowledged to the Chairman that he was for granting the application.

After a short discussion the Board members and Architect, Mr. Hartford, agreed to attach the house to the lean to with a lattice connection so as to avoid a further required accessory building variance. This revision was made at the hearing.

The Chairman noted the Board will take a straw vote. The Board will vote officially at the next meeting.

R. Turner moved to close the public hearing and E. Murphy seconded the motion. The motion was approved 4-0.

R. Turner added the following conditions before taking a straw vote.

- The proposed project must have approval by the HDBR.
- A lattice is to be attached from existing building to the lean to and shown on the site plan.
- The applicant must get a building permit within one year of the date of approval.
- An approval from Putnam County as per the 239m request.

The Chairman called for a straw vote. It was approved 4-0

### **Board Business:**

D. Mac Donald read a letter from Mr. John Lynch in response to a letter from the Village Board of Trustees as per a request from the ZBA regarding the Boards request for not needing to send 239m referrals for anything in the R1 district not requiring a use change or a special permit only. The Response letter from Mr. John Lynch is in favor of the Boards request.

### **Minutes:**

The minutes of June 24, 2010 were reviewed the minutes were approved as presented.

### **Correspondence:**

- New York State Conference of Mayors and Municipal Officials – for Planning and Zoning Summer Schools for Richard Turner
- Minutes from other boards for review
- Copy of the New York Supreme Court Appeal Village of Cold Spring VS Brian and Kristy Karney from Village Attorney, Steve Gaba
- Scenic Hudson booklet Revitalizing Hudson Riverfront book and letter dated 07/09/10.

### **Bills:**

Voucher from NYCOM for \$70.00 for payment for school for R. Turner. The Chairman signed the voucher for approval of payment.

R. Turner moved to adjourn the meeting and E. Murphy seconded the motion. The meeting was adjourned at 8:04 pm.

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Donald Mac Donald, Village of Cold Spring ZBA

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Date