

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

December 15, 2011

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

Chairman Mac Donald opened the meeting at 7:00 P.M.

1. Minutes:

The minutes of November 17, 2011 were reviewed and approved 4-0.

2. Bills:

Drake, Loeb, Heller, Kennedy, Gogerty, Gaba and Rodd PLLC. \$122.50 dated 11/22/11 for emails regarding the Shortell application. The bill was approved for payment 4-0.

3. Public hearings:

A. Alberto and Laura Mora, 33 Fair St.

The applicant proposed to build a second story uncovered porch which requires rear and side yard variances.

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

The applicant presented the Board with the return request receipts along with signatures acknowledging neighbors were aware of the proposal. Owner Susan Stevenson owner of 30 Fair St. Carol Filmanski just received the letter and had not had time to return it. Ms. Filmanski tried to contact Susan Stevenson to have return request receipt faxed but was unable to contact her.

It was noted by the applicant that the Village garage is a neighbor but he did not notify the village. Chairman Mac Donald will contact Mayor Gallagher regarding the proposal.

The Board reviewed and discussed the application.

Chairman D. Mac Donald read the Planning Board opinion which was for the Zoning Board to grant the variance.

R Turner moved to close the public hearing and J. Martin seconded the motion. The public hearing was closed about 8:20 P.M.

R. Turner moved to approve the 6 foot 11 inch rear yard variance from a required 20 foot setback and a 6 foot 6 inch side yard variance from a required 10 foot setback and J. Martin seconded the motion. The motion was approved 4-0.

B. Lara and Steve Voloto, 9 Constitution Dr.

The applicant built a fence prior to the application and was notified of the violation from the building inspector.

The applicant proposed a 5 foot fence facing the street because they have a dog that can jump a 4 foot fence and a side 6 foot stockade privacy fence which is matching an existing neighbor's fence. There is metal deer fencing in the back of the property.

D. Mac Donald read the Planning Board opinion which was for the ZBA to deny the variance.

It was noted that no members of the public were present

The Board reviewed the application and explained the reason for previous variance denials for fences.

Mr. Voloto noted the 6 foot fence was put up to match a neighbors existing fence. It was noted the dog is 7 years old.

Mrs. Voloto noted that 14 neighbors have 6 foot fences.

D. Mac Donald noted the ZBA could keep the public hearing open if the applicant had anything to add D. Mac Donald noted that after the public hearing is closed the ZBA has 60 days to make a decision.

It was noted by R. Turner that to the question of whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? The answer was no.

R. Turner moved to close the public hearing and E. Murphy seconded the motion. The public hearing was closed at 8:15 P.M.

4. Decisions:

A. Wendy Burgreen, 7 Whitehill Place

D. Mac Donald read the decision. R. Turner moved to accept the resolution as presented and E. Murphy seconded the motion. The motion was approved 4-0.

B. James Geppner and Deirdre Langeland, 18 Church Street

D. Mac Donald read the decision. R Turner moved to accept the resolution as presented and J. Martin seconded the motion. It was approved 4-0.

5. Board Business:

The Board reviewed a letter and site plan from Tom Shortell showing he will remove 5feet by 14 foot 1 inch of the carriage house. D. Mac Donald will write a letter to the HDRB asking for a joint site visit.

The meeting was adjourned at 8: 42 P.M.

Donald Mac Donald, ZBA Chairman

Date

