

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

September 20, 2012

Present: Chairman; Donald Mac Donald Members: Greg Gunder, John Martin, Edward Murphy and Richard Turner

**Stephanie Hawkins, 15 Academy St.**

The Applicant proposed to demolish and existing porch and rebuild the bump-out with a two story addition and withdrew the previously approval which was to take down an existing enclosed porch and construct a 1 story bump-out. The applicant is within the original footprint. The Board reviewed the application and paperwork. A public hearing was scheduled for October 18, 2012 at 7:00 P.M.

The Board members noted the lot is very shallow; 45feet wide, the depth is less 30 feet and are non-conforming.

**Public Hearing:**

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

The Board reviewed and discussed the application regarding a special permit or a variance. It was decided that the applicant should go for a variance. The proposal will require an 8 foot variance from the required 25 foot front setback.

The Applicant proposed an 80 square foot 1 story addition to an existing porch (facing west). The porch would also be enclosed and built fully in the front setback. The lot coverage would not be expanded and the foot print will remain the same. The proposal will require a front yard variance.

1. Whether an undesirable change will be produced in the character of the variance? All Board members answered no.
2. Whether the benefit sought by the applicant can be achieved by some, method feasible for the applicant to pursue other than an area variance? The whole house is in the set back so it cannot be achieved any other way.
3. Whether the requested variance is substantial? All Board members stated no.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? All Board members stated no and added there is no change to the footprint. The bump-out is already close to the street. The proposal will not change the look of the neighborhood.
5. Whether the alleged difficulty was self-created? All Board members stated yes.

The Chairman opened the meeting for public comment:

Stephanie Hawkins, 15 Academy Street - noted she supported of the proposal.

The applicant presented the return request receipts.

It was noted that the Planning Board referral has not yet been received.

The Chairman called for a straw vote among the Board members and a formal decision will be done at the October 18, 2012 meeting.

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

Chairman Mac Donald called for a straw vote on the application. The straw vote was approved 5-0.

### **2. Board Business:**

The Board reviewed and discussed the amended article 78 petition filled by Peehl and Hall as due to the ZBA decision as to the proposed shed at 14 Stone St.

### **3. Correspondence:**

- Certificate of Appropriateness for Mary Shortell along with a letter notifying ZBA of HDRB Approval
- Minutes from other boards to review
- Building Department - Building Permit Denials to review
- Letter from Karen Parks, 25 Chestnut St. regarding the Elmesco application currently before the Planning Board and her view is against the proposal
- Supreme Court of the State of New York County of Putnam in the Matter of the Application of Susan Peehl and Andrew Hall

### **4. Bills:**

- Bill from the Putnam County News and Recorder, LLC in the amount of \$31.09 dated 8/31/12 for the Zwarich and Wayland application. The Board approved the bill to be paid.

### **5. Minutes:**

- The minutes of July 19, 2012 were reviewed and amended. J. Martin moved to approve the minutes as amended and R. Turner seconded the motion. The amended minutes were approved 5-0.
- The minutes of August 2, 2012 were reviewed and amended. R. Turner moved to accept the minutes as amended and G. Gunder seconded the motion. The amended minutes were approved 5-0.

J. martin moved to adjourn the meeting and E. Murphy seconded the motion. The meeting was adjourned at 8:29 P.M.

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Donald Mac Donald, Zoning Board of Appeals Chairman

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Date