

**Village of Cold Spring Zoning Board of Appeals**  
**85 Main Street, Cold Spring New York 10516**  
**Phone (845) 265-3611**  
**Continued public hearing and Workshop meeting**

February 21, 2013

**Members present:** Chairman; Donald Mac Donald, Barney Malloy, John Martin and Edward Murphy (Alternate)

**Members absent:** Greg Gunder and Richard Turner

Chairman Mac Donald opened the meeting about 7:04 P.M. introducing new Board member Barney Malloy and noting that Board member Richard Turner was out on sick leave.

**Continuation of a public hearing**

Mr. Thomas Shortell explained his project as building an addition to the house. Previously Mr. Shortell suggested taking down a portion of the carriage house and noticed that a part of the structure to be removed was original to the carriage house. Mr. Shortell went back to Historic District Review Board and received approval to remove a smaller section of the carriage house which would increase the lot coverage by 2 %. It was noted by the Board that the existing lot coverage is 36% and 30% lot coverage is allowed.

The Board members reviewed the application. The meeting was opened for public comment.

Chairman Mac Donald, asked Mr. Timothy Hynes, 15 Fair St. if he had any comments since he previously expressed concern over the proposal. Mr. Hynes noted that he agreed with the Board that the whole section of the carriage house did not have to be taken down as originally approved and as long as his work was within the guidelines Mr. Shortell should be able to do what he wants to do. Mr. Timothy Hynes added he did not want to be responsible for taking down an original structure to cold spring.

D. Mac Donald noted that his opinion was that the current proposal was acceptable.

Ms. Beth Sigler, 14 Stone St. - Noted the proposal sounded really nice.

E. Murphy responded that he agreed.

D. Mac Donald noted the following are the reasons for taking a vote to approve the appeal:

- The non-conformity will not be increased.
- What is left of the building will be in character to the neighborhood.
- The set-back will be further from the street.
- The building does not encroach from rear and side setbacks.
- No material adverse impact on adjoining property owners or environmental conditions.
- It was noted that two members of the public were present.
- Mr. Hynes was present at the previous public hearing and had he had no objection to the variance.

B. Malloy moved to approve the application of Mr. Tomas Shortell, 18 fair St. as submitted and amended.

E. Murphy seconded the motion. The motion was approved 4-0.

B. Malloy moved to close the public hearing and E. Murphy seconded the motion. The public hearing was closed at 7:20 P.M. by a vote of 4-0.

**Workshop Meeting**

Workshop meeting was opened at 7:20 P.M.

**1. Board Business:**

The Board members discussed the following:

- Coordination and cooperation of the Boards for the applicant.
- Board members should call out specific items they would like to see in the minutes.
- Common files between boards.
- Issue of village code directing HDRB first and ZBA second should be looked at.
- Discussion with lay applicant as to process and sequencing of the Board application process
- Flagging applications between HDRB and ZBA. Board members discussed the challenge of the village to bring the Zoning Code in line with the comprehensive plan.

Ms. Beth Sigler, 14 Stone St. - noted the following:

- Going to multiple boards is very confusing.
- Noted that an applicant can go to one board and can still be denied when it gets to ZBA.
- Expensive to go through the process with an architect.
- Noted the Zoning Code is not in line with the Historic District.

**2. Correspondence:**

- National Business Institute Training March 4, 2013.
- Minutes from other boards to review.
- Letter dated Jan.7, 2013 to Mayor Gallagher from Ed Murphy announcing resignation from the board but will continue as an alternate.
- New York State Archives - 2013 student research notice of public comment period and public review meetings 1/31/13 – 3/1/13.
- New York Metropolitan Transportation Council.
- Public hearing for Zoning Code changes for the b-4 district for the Village of Cold Spring to a B-4A Jan. 29. 2013.
- The Putnam County News and Recorder Affidavit of Publication.

**3. Bills:**

- Bill from Drake, Loeb, Heller, Kennedy, Gogerty, Gaba and Rodd, PLLC dated 2/15/13 in the amount of 87.50 (70.00 Hall Peehl and 17.50 for ZBA procedures).

**4. Minutes:**

The minutes of January 10, 2013 were reviewed. B. Molloy moved to approve minutes as presented and E. Murphy seconded the motion. The minutes were approved 4-0.

B. Molloy moved to adjourn the meeting and E. Murphy seconded the motion. The meeting adjourned at 8:18.

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Donald Mac Donald, Zoning Board of Appeals Chairman

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Date