

Village of Cold Spring Zoning Board of Appeals
85 Main Street, Cold Spring New York 10516
Phone (845) 265-3611
Workshop meeting to review the decision for Gary D'urso, 15 Parrott St.

September 3, 2015

Members present: Chairman, Gregory Gunder members; Alison Anthoine, Elliott Hammond and John Martin also present was Michael Frascarelli , Village Attorney from Catania, Mahon, Milligram & Rider, PLLC.

Present for the applicant were Gary D'urso property owner and Ian MacDonald, from Daniels, Porco and Lusardi, LLP the applicant's Attorney

Chairman G. Gunder opened the meeting at 7:38 P.M. by announcing the Board members, Village Attorney, Applicant and Applicants Attorney.

Chairman G. Gunder noted the Board will re-review the decision from the close of the public hearing (November 6, 2014).

Ian MacDonald summarized the official record from the public hearing (the public hearing opened on October 2, 2014 and continued on November 6 2014). Ian MacDonald also reviewed the Board's responsibility to incorporate the balancing test to the five zoning questions.

Gary D'urso reviewed his reasons for erecting the fence as discussed at the public hearing.

J. Martin moved to go into an executive session to hear council on the arguments proposed by the applicant and A. Anthoine seconded the motion. The decision was unanimous. The Board entered into executive session at 8:00 P.M.

E. Hammond moved to go back in public session and A. Anthoine seconded the motion all members unanimously agreed and the public portion of the meeting resumed at 8:39 P.M.

Michael Frascarelli, Village Attorney, reviewed the next step that is required by the Board.

J. Martin reviewed the way the Board arrived at their decision.

The Board members decided to independently read the transcript of the public hearing and continued public hearing and write down any comments regarding each question as they see it.

The Board scheduled a workshop meeting on September 24, 2015 at 7:30 P.M. to review all comments made to the 5 zoning questions by each member.

The Board canceled the regular monthly meeting on September 17, 2014.

Minutes:

- The Board reviewed the minutes of July 16, 2015. A couple of amendments were suggested. A. Anthoine moved to approve the minutes as amended and J. Martin seconded the motion. The motion was approved 3-0 with E. Hammond abstaining since he was not a member of the board at that meeting.

A. Anthoine moved to adjourn the meeting and J. Martin seconded the motion. The meeting adjourned at 9:10P.M.

Gregory Gunder, Zoning Board of Appeals Chair

Date