

**Village of Cold Spring Zoning Board of Appeals
85 Main Street, Cold Spring New York 10516**

Public Hearing

The Village of Cold Spring Zoning Board of Appeals held a public hearing on May 19, 2016 at 7:30pm at the Village Hall, 85 Main St.

Members Present: Gregory Gunder (GG), chair, John Martin (JM), Alison Anthoine (AA) and Elliot Hammond (EH).

CALL TO ORDER

GG called the meeting to order at 7:30 pm and made introductory remarks noting that the purpose of the meeting was to conduct a public hearing for proposed variances for the properties at 164 Main St. and 59 Parrott St.

PUBLIC HEARING FOR 164 MAIN STREET for a proposed shed requiring a variance for area setbacks and lot coverage in the R-1 district.

Home owner Martha Mechalakis gave the board the return receipts she received for certified letters sent to her neighbors.

Mechalakis presented materials in support of her application including: photographs, plans, details of the shed and letter from James Smith of 162 Main Street in support of her application. The letter was read into the record. James Smith was in attendance and spoke in support of the project.

The ZBA reviewed the overall application. There were no questions from board members and the public hearing was closed at 7:56pm.

The ZBA evaluated the application against five criteria and ruled as noted below.

- a. The variance will not adversely impact the appearance of the neighborhood.
- b. The benefits of the variance cannot be achieved by other means.
- c. The variances for the rear, side yard and overall lot coverage is not substantial.
- d. The variance will not have any adverse environmental impact.
- e. The application is self-created, but is not sufficient for denial.

GG made a balancing statement noting that although two of the criteria are not met, they are mitigated by other factors. AA moved to grant the variance. EH seconded the motion and it was unanimously passed.

PUBLIC HEARING FOR 59 PARROT STREET for reconstruction of an accessory building for personal use studio after demolition of an existing garage and rebuild requiring area variances.

The hearing was opened at 8:17pm and homeowners Amy and John Bennett gave the board the return receipts they received for certified letters sent to her neighbors (notifying them of this hearing.)

Architect Richard Vail presented materials in support of her application including: photographs, plans, building sections and details of proposed building in support of her application.

ZBA questioned the rear yard setback and requested that the coverage chart be resubmitted.

Amy Bennett presented letters from three neighbors supporting their application which were read into the record.

Jake and Pam Taylor, residing at 57 Parrott St in the adjacent property, presented a letter which was read into the record. The letter argued against granting of the variance citing negative impacts to their property, including: shadowing of their yard that would be caused by the proposed building located on the property line between the two properties and the resultant reduction in their homes resale value. The letter offered several suggestions to mitigate the negative impact which were discussed with the Bennetts, without any resolution.

The ZBA made several suggestions to address the Taylor's concerns, including:

- Re-situating the building to minimize the required variance
- Bumping out toward the Bennett's yard rather than toward the common property line
- Shifting the entire building into the Bennett's property to minimize the visual impact on the Taylor's property

None of the ZBA's suggestions were satisfactory to both parties and EH suggested that the parties take a break and continue their discussions prior to returning to the ZBA. The ZBA will keep the public hearing open, but did not rule on the application. A new hearing date was not set.

MINUTES

JM made a motion to accept the minutes of the Feb. 4, 2016 meeting as amended. GG seconded and the motion passed unanimously.

It was unanimously decided that the minutes from the Apr. 21, 2016 meeting will not be submitted because it was a workshop and only two members of the ZBA were present

AA made a motion to close the meeting at 9:35pm. EH seconded and the meeting was closed.

Gregory Gunder, Zoning Board of Appeals Chair

Date