

**Village of Cold Spring  
Zoning Board of Appeals  
Meeting Minutes – October 19, 2023**

The Village of Cold Spring Zoning Board of Appeals held a Meeting on Thursday, October 19, 2023. Members present at Village Hall: Chair Eric Wirth, Marianne Remy, John Martin, and Jesse St. Charles. Heath Salit was absent. E. Wirth called the meeting to order at 7:05 p.m.

**Chair Remarks**

E. Wirth noted a quorum of members present.

**Workshop**

**14 Constitution Drive (48.12-2-70).** Property located in the R-N District. 450 SF addition for a master bedroom and bath. Variance required for expansion of building width in a required yard. Owner John Scarpa present at Village Hall. Application materials provided to all participants.

J. Scarpa described existing residence as follows:

- Approximately 1200 feet of livable area;
- Three bedrooms and one bath;
- One bedroom not suitable due to existing door to garage and no ventilation or window outlet except to adjoining sunroom;
- Residence is pre-existing nonconforming;
- Residence has full basement but it is not livable space;
- Currently there is a six-foot fence along the northwesterly property line where the proposed addition would be.

Proposed project summarized as follows:

- Demolish existing sunroom on east side;
- Construct a 450 sq. ft. addition extending into rear yard and along northwest side next to adjoining property;
- Add primary bedroom and bathroom;
- Expand/renovate existing bathroom;
- Relocate existing bedroom.

**Board Discussion**

E. Wirth noted that the proposed project falls under §134.19.G of the Code, which provides that a nonconforming building may be enlarged provided that such action does not increase the width of any part of the building located in a required yard.

The Board deemed the application ready for a public hearing. E. Wirth explained the

public hearing procedures to J. Scarpa. A public hearing was scheduled for November 16, 2023, at 7:00 p.m. J. Scarpa will provide additional materials to the Board, including photographs of neighboring properties and a map to show the overall footprint of the property. He will confirm that the part of the proposed new Bilco door in the rear yard of the property does not exceed eighteen (18) inches in height. He will also provide measurements of the eaves planned for the northwesterly side and provide details about intended rainwater management.

### **37 Fair Street (48.8-1-21) – Review of Draft Resolution 01-2023**

Board members reviewed the draft Resolution denying the application for a fence variance. J. Martin made a motion to approve the Resolution as written. M. Remy seconded the motion, and it passed by a vote of 3-0-1-1 (J. St. Charles voted, but his vote was nonqualifying because he was not present at the public hearing on the application; H. Salit absent).

### **ZBA Application Form**

The Board reviewed a proposed revised ZBA application designed to address recent Zoning Code changes. Once finalized, the revised application will be provided to the Board of Trustees for approval.

### **Review of Minutes**

*Review of draft minutes for September 7, 2022 (EW, MR, JS)*

J. St. Charles made a motion to approve the minutes as amended. M. Remy seconded the motion, and it passed by a vote of 3-0-1-1 (J. Martin abstained; H. Salit absent).

*Review of draft minutes for October 5, 2023 (EW, MR, JM, HS)*

E. Wirth made a motion to approve the minutes as amended. J. Martin seconded the motion, and it passed by a vote of 3-0-1-1 (J. St. Charles abstained; H. Salit absent).

### **Adjournment**

E. Wirth made a motion to adjourn. M. Remy seconded the motion and it passed 4-0-0-1 (H. Salit absent). The meeting was adjourned at 8:34 p.m.

Submitted by Karen Herbert



Eric Wirth  
Chair, Zoning Board of Appeals  
Dated: Dec. 21, 2023