

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

**Meeting
3-14-19**

The Village of Cold Spring Planning Board held a public meeting on March 14, 2019 at 7 pm at the Village Hall, 85 Main Street, Cold Spring, NY 10516. Attending were: Chair Matt Francisco and board members: Stephanie Hawkins, David Marion, Sue Meyers and Lara Shihab-Eldin. Village Attorney John Furst was also in attendance

CHAIR'S REMARKS

None

APPROVAL OF MINUTES

None

CORRESPONDENCE

None

NEW BUSINESS - WORKSHOP

21 Parsonage St.: proposed change of use from accessory to dwelling and related site plan. Referral from building inspector on change of use and ZBA for informal opinion on site plan. Property is located in the National Historic District.

The applicant's attorney presented the project including survey and photos. He noted that:

- The property is in the R-1 residential district
- Applicants wish to build a "small" single-family dwelling in the footprint of the existing shed and/or renovate the shed.
- Applicants assert that the existing barn is likely not reusable
- Applicants asserts acknowledge that property is a pre-existing non-conforming lot prior to zoning enactment.
- Property was under a common ownership with the adjoining property at the point of zoning enactment. Applicant's attorney questions if a new site plan is required. Property currently has an accessory building with no primary residence.

Board Discussion

J. Furst noted that:

- The lots have merged (for zoning purposes) per the 1967 Village Zoning Code. Thus the property is not grandfathered and significant (zoning) variances will be required

- J. Furst noted that the Planning Board can't act until the ZBA acts, Boards can't act solely out of concern of creating a precedent
- After ZBA ruling, applicant may make a formal application to the Planning Board. The area variance will be the gating issue for all other variances
- The Planning Board, at this point, only provides an advisory opinion to the ZBA

M. Francisco noted that:

- This merger clause that joins it to the adjoin commpnly owned lot cures its status as a non-conforming lot,. So 'small lot' provisions do not apply here to
- Planning Board is concern is that any decision on site plan could appear to create a non-conforming lot in essence
- Was a determination of buildability ever made? Brooks Banker, the previous owner must have been aware of the many variances that would be required
- Planning Board is concerned that this may set a precedent allowing separation of merged lots
- Planning Board suggests applicant maintain as much conformance as possible in their site plan
- On-site parking will need to be accommodated

PUBLIC COMMENT

None

BOARD BUSINESS – None

ADJOURNMENT

D. Marion made a motion to adjourn. S. Hawkins seconded and the meeting adjourned at 8:33 pm.

Submitted by M. Mell

Matthew Francisco

9/26/2019

Matt Francisco, Chair

Date: