

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

Workshop

The Village of Cold Spring Zoning Board of Appeals held a workshop via video conference pursuant to Executive Order 202.1 on August 20, 2020 at 7:30pm. Attending were: Acting chair Donald MacDonald, and board members Laura Bozzi, Eric Wirth and John Martin. Village Attorney John Furst was also present. Aaron Wolfe has abstained from considerations related to the meeting's agenda.

CALL TO ORDER:

D. MacDonald called the meeting to order at 7:30 pm and noted that the agenda consisted of discussion and a possible vote on an application for 21 Parsonage St. requiring variances to construct a single family residence on a pre-existing, non-conforming lot. While members of the public are free to view the proceedings via Zoom, the public hearing has been closed and the ZBA will not hear or accept any further public comment.

GENERAL DISCUSSION

The workshop began with a review of the application's history. During the discussion it was noted that:

- Applicant's initial presentation included an extensive PowerPoint presentation with an accompanying hard copy report. Board members discussed some salient portions of the report
- Property is in the R-1 Zone as well as the local Historic District
- HDRB has indicated their support of the application, but applicant hasn't appeared before them yet
- The applicant asserts that the space between the proposed building and the adjacent property on Pine Street is important and historically relevant
- The applicant contends lot is not atypical in the Village - there are many lots in the village not conforming with the code as to minimum size. The applicant has provided extensive documentation on this point.
- Site plan includes two on-site parking spaces
- The potential impact that approval of the application may have on precedence is to be considered (though it is not the sole determinant)
- ZBA charge is to balance the benefit to the applicant against any detriment to the community
- Most applications are self-created

In subsequent discussion the board noted:

- That a number of the area variances requested are substantial.
- The fact that other non-conforming lots exist in the Village doesn't mean a variance should automatically be granted.
- The fact that the lot is and has been generally considered to be non-buildable could be taken into consideration as to neighborhood impact. Purchase of neighboring properties, in the past,

may have been based upon the presumption that the lot would remain undeveloped (though variances are always a possibility.)

DISCUSSION OF NEW YORK PLANNING FEDERATION AREA VARIANCE CRITERIA

The Board discussed the five criteria.

D. MacDonald made a motion to have the Village Attorney draft a summary of the Boards' discussion of the five criteria. J. Martin seconded and the motion passed unanimously.

ADJOURNMENT

D. MacDonald made a motion to adjourn. J. Martin seconded and the motion passed unanimously at 10:01 pm.

Submitted by M. Mell

Donald MacDonald, Zoning Board of Appeals Acting Chair

Date



9/3/2020

Aaron Wolfe, Zoning Board of Appeals Chair

Date