

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

2-4-2021

The Village of Cold Spring Zoning Board of Appeals held a regularly scheduled meeting via video conference pursuant to Executive Order 202.1 on February 4, 2021, at 7:30 pm. Attending were chair Eric Wirth and board members Laura Bozzi, John Martin, and Heath Salit.

BOARD COMMENTS

E. Wirth noted that a workshop to rebuild a porch at 8 Kemble Ave had been removed from the agenda. The Building Inspector had referred the application to the ZBA, but it did not require a variance because the code permits repair of a nonconforming building as long as nonconformity is not increased. That is the case in this instance.

PUBLIC HEARING

212 Main Street. Hearing on an application to add a story to an accessory building. Tania Drinnon is the property owner. Roger Hoffmann is the architect.

E. Wirth made a motion to declare the project SEQR Type II. H. Salit seconded and the motion passed unanimously.

Mail receipts (for notifications sent to neighbors) and the sign affidavit have been submitted to the Village Clerk.

R. Hoffmann noted that the project also includes a new deck and stair added to the rear of the house. Since the deck will have no roof, it is not included in the lot-coverage calculation, does not require a variance, and was not part of this hearing.

Applicant described the project and noted that:

- A second story is to be added to the existing garage.
- Plans, elevations, and photographs have been submitted.
- Drawings indicate all setbacks.
- The sides of the second story extend (1'-0" each side) beyond the building footprint.

No members of the public addressed the board or submitted comments.

The ZBA made the following points during its discussion:

- If the new story was not extended beyond the existing footprint, no variance to the setback requirements might be needed.
- New drawings were recently submitted, but only posted 2-3-2021 and not sufficiently available for public or ZBA review.

- It was unclear whether the proposed new story was intended to be a full or half story. Determination of this impacts the code interpretation and whether a variance was needed. R. Hoffmann asserted that the addition was a half story, and the board asked him to submit a drawing demonstrating that claim.
- ZBA discussed how and where setbacks are measured from to determine whether existing nonconformities would be increased.
- ZBA requested new documents summarizing pertinent information, including a drawing with dimensioned plans/elevations, updated conformance worksheet, and calculations to establish that the proposed new story is a half story.
- The repairs to the existing first floor do not require ZBA oversight.
- The public hearing will remain open until 2-18-2021

MINUTES

J. Martin made a motion to adopt the 1-21-2021 minutes as amended. H. Salit seconded and the motion passed unanimously.

ADJOURNMENT

J. Martin made a motion to adjourn. L. Bozzi seconded and the motion passed unanimously at 9:03 pm.

Submitted by M. Mell

A handwritten signature in dark ink that reads "Eric Wirth". The signature is written in a cursive, slightly slanted style.

Eric Wirth, Zoning Board of Appeals Chair
Dated: February 18, 2021