

**Village of Cold Spring
Zoning Board of Appeals
85 Main Street, Cold Spring, N.Y. 10516**

**Thursday, June 3, 2021
Meeting Minutes**

The Village of Cold Spring Zoning Board of Appeals held a Public Hearing and Meeting via video conference pursuant to Executive Order 202.1 on Thursday June 3, 2021. Members present: Chair Eric Wirth, John Martin, Laura Bozzi and Marianne Remy. Heath Salit was absent. The meeting was called to order at 7:31 pm.

Public Hearing for 12 Benedict Road (49.9-1-31)

Homeowners Ana Silverlinck and Jeff Silverstein seeking an area variance for a front yard setback to allow an addition to the existing house. Lara Eldin and homeowners in attendance.

E. Wirth noted that this is classified as a Type II action under SEQRA. The applicants submitted the Certified Mail receipts and sign affidavit.

The applicants presented the plans and noted the following:

- It is an expansion of the footprint of an existing residence.
- Takes into consideration existing floor plan.
- The addition encroaches on the front yard setback by 3'.
 - E. Wirth noted that encroachment varies from 3'8" to less than 2'6" due to the curvature of the property line.
- The addition is necessary to accommodate an increase in the size of the family living in the house.

E. Wirth asked if the addition could be accomplished without the need for a variance. L. Eldin responded that the placement of the addition is driven by the current layout of the residence and takes into account air circulation and location of interior stairs. Other options considered would increase project costs and still require a variance (side yard setback).

J. Martin asked if a lot-coverage variance is required. E. Wirth noted that a revised Zoning Conformance Worksheet had been submitted showing the total lot coverage at 25% (maximum allowed = 30%). The original submitted conformance chart incorrectly included uncovered deck and driveway in coverage calculations.

J. Martin noted that the neighborhood is a mix of one- and two-story residences.

E. Wirth opened the hearing to public comment. Nobody from the public spoke up and no written comments had been received prior to the meeting.

J. Martin made a motion to close the public hearing. E. Wirth seconded the motion, and it passed by a vote of 4-0-0-1 (H. Salit absent).

The Board discussed and weighed the five factors as they applied to the application. J. Martin made a motion to approve the application as presented. M. Remy seconded the motion, and it passed by a vote of 4-0-0-1 (H. Salit absent).

New Business

Workshop for 12 Constitution Drive (48.12-2-69)

Homeowners Sal and Annette Pidala seeking a variance to allow a 6' fence in an R-1 district.

Applicant presented plans for the fence. The fence is necessary because of the recent installation of an in-ground pool. Due to an existing 2' high wall along property line, the Building Inspector has determined that a 6' fence is required for safety reasons (4' fence will be too easy to jump over by stepping on the wall first).

E. Wirth noted that, based on the submitted site plan, the fence will be placed 17" off of the property line.

J. Martin asked if the length of the fence will mirror that of the existing wall. Applicant confirmed that it will.

E. Wirth instructed applicant to add 10 and 13 Constitution Drive and 53 Kemble Avenue to mailing list for the public hearing notice.

E. Wirth made a motion to hold the public hearing on Thursday, June 17, 2021. J. Martin seconded the motion, and it passed by a vote of 4-0-0-1 (H. Salit absent)

Board Business

The Board reviewed a draft of the resolution for 17 Parsonage Street. J. Martin made a motion to adopt the resolution as presented. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1 (H. Salit absent).

J. Martin made a motion to accept the Minutes from the May 20, 2021, meeting as amended. L. Bozzi seconded the motion and it passed by a vote of 4-0-0-1 (H. Salit absent).

The board discussed whether it was necessary to ask every applicant to fill out the environmental assessment form, since nearly all the applications are exempt from SEQRA review. The board decided that applicants will only be asked to complete the form when SEQRA review is necessary. J. Vidakovich to edit application instructions to reflect this decision.

Adjournment

E. Wirth made a motion to adjourn the meeting. M. Remy seconded, and the motion passed by a vote of 4-0-0-1 (H. Salit absent). Meeting adjourned at 8:47 pm.

Submitted by: Jeff Vidakovich

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: June 17, 2021