

Village of Cold Spring Zoning Board of Appeals
Thursday, August 19, 2021
Meeting Minutes

The Village of Cold Spring Zoning Board of Appeals held a Public Hearing and Meeting at Village Hall, 85 Main Street, on Thursday, August 19, 2021. Members present: Chair Eric Wirth, Heath Salit, and Marianne Remy. John Martin and Laura Bozzi were absent. The meeting was called to order at 7:34 pm.

Public Hearing for 10 B Street (48.8-4-50)

Homeowner Donald MacDonald proposing a deck that requires a variance for a side-yard setback.

E. Wirth noted that this application is exempt from SEQRA. The applicant has submitted the Certified Mail receipts and sign affidavit.

Applicant presented plans for the deck and noted the following:

- Deck is not close to neighbors.
- Point of entry is the most feasible due to the existence of a stone wall. Existing window will be converted to entryway.
- Variance requested (0.8 feet) is minimum needed to achieve goal.
- Lot next to applicant's property is owned by the Village.
- Narrow-lot exception applies as per §134-17(E).

Public Comment – There was no public comment.

H. Salit made a motion to close the Public Hearing. E. Wirth seconded the motion, and it passed by a vote of 3-0-0-2.

After weighing the five factors as they applied to the application, E. Wirth made a motion to approve it. M. Remy seconded the motion, and it passed by a vote of 3-0-0-2.

Workshop for 3 High Street (48.8-5-16)

Felix Jimenez and Liz Wisler, owners, requesting variance for lot coverage and side-yard setback to add a second-floor addition. David Hottenroth, architect, presented an overview of the project. During the discussion the following was noted:

- Variance for lot coverage may not be required as the calculations did not take into consideration the removal of existing shed, which could result in total lot coverage being reduced.
- Narrow-lot exception applies to the property, thus reducing the required side yard.

E. Wirth will consult with Code Enforcement Officer to verify that the ZBA's interpretation and application of the narrow-lot exception are correct.

The applicants will consider whether to revise their application in the light of the new information brought out in the workshop.

Review of 33 Fair Street (48.8-1-20)

Alberto and Laura Mora owners, Roger Hoffmann architect. Request to reissue variances for side- and rear-yard setbacks issued in 2012.

E. Wirth provided background. The homeowners were granted setback variances in 2012 for a second-floor addition. The work was completed without a building permit. The 2012 variances expired a year after being granted. The homeowners are now seeking to sell the home and need a Certificate of Occupancy for the completed work. They are asking the ZBA to reauthorize the expired variances.

E. Wirth made a motion to reissue the original variances. H. Salit seconded the motion, and it passed by a vote of 3-0-0-2.

Board Business

E. Wirth made a motion to accept the minutes from the August 5, 2021, meeting as corrected. M. Remy seconded the motion, and it passed by a vote of 3-0-0-2.

Adjournment

E. Wirth made a motion to adjourn the meeting. M. Remy seconded, and the motion passed by a vote of 3-0-0-2.

Meeting adjourned at 8:45 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: Sept. 16, 2021