

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

Public Hearing and Workshop

The Village of Cold Spring Zoning Board of Appeals held a public hearing and workshop on November 21, 2019 at 7:30pm at the Village Hall, 85 Main St. Attending were board members: Aaron Wolfe, chair, and Laura Bozzi, John Martin, Donald MacDonald and Eric Wirth.

CALL TO ORDER: A. Wolfe called the meeting to order at 7:30pm and made introductory remarks noting that the purpose of the meeting was to continue the public hearing for 41 Garden Street and conduct a workshop for 7 Fair St. Wolfe also introduced new ZBA board member Laura Bozzi (who has been appointed to the seat left vacant by Grace Lo.)

41 Garden Street: application for a variance to the maximum allowed lot coverage for construction of an addition to an existing house.

Architect Karen Parks appeared on behalf of the applicant (Maria DiMeo) and presented site plan, building plans, elevations, tax map and a list of neighbors to be notified. The project consists of a small one-story addition to an existing one-story building in the R-1 district that will increase the existing non-conformity. Applicant requests a variance for 6.6% to bring the property into compliance. She finished the presentation requesting the variance be granted as it has minimal impact on density and has limited visibility from the street. Parks also informed the ZBA that, in consideration of discussions at the initial public hearing, the owners have elected to dismantle the roof over the patio (adjacent to the north side of the garage) to reduce the requested variance

During the presentation it was noted that:

- The property is a single story ranch dwelling
- The proposed addition will add 282 SF at the rear of the existing house
- The existing dwelling is 1,185 SF
- The goal of the addition is to add more accessible living space on a single floor
- The HDRB has issued a Certificate of Appropriateness
- A. Wolfe read a letter from the HDRB in support of the application that cited the unique nature of the ranch style dwelling within the historic district

Public Comment

Mike Mueller, residing at 43 Garden Street, voiced his concerns noting that:

- He is not comfortable with any changes to the property
- The proposed application would alter the density and character of the village
- The proposed design is preferable to a second story addition
- The proposed addition will be extremely visible from his backyard
- He is concerned about setting precedent and the impact upon property values

In response to Mueller's comments, K. Parks remarked that:

- Change does not necessarily create a negative impact
- The design minimizes the size of the addition while meeting owner needs
- The design is in keeping with the character of the neighborhood

Paul Henderson, residing at 14 Stone Street, spoke in favor of the application noting that it incorporates accessibility that allows diversity in the Village.

J. Martin made a motion to close the public hearing. D. MacDonald seconded and the motion passed unanimously.

Board Discussion

During the Board's discussion it was noted that:

- L. Bozzi recused herself because she has not participated in any of the previous portions of the application and public hearing
- Granting of the requested variance doesn't preclude future construction of a second story
- If a second story were to be planned, a variance (from the ZBA) would be required as portions of the existing site are in a setback
- Any Board decision, one way or the other may be appealed by an applicant
- The proposed design respects the historic nature of the building, diversity and the village code
- The variance requested translates into an addition of 77 SF
- Further reduction in the size of the addition would significantly impact the design and make the entire addition problematic
- The fact that the property is adjacent to a parking lot mitigates the visual density impact

The Board considered the NYS Area Variance Criteria.

J. Martin made a motion to grant the variance. E. Wirth seconded and the motion passed 4-0-1-0.

21 Parsonage: workshop for an application requiring variances to construct a home on a non-conforming lot.

Chair Wolfe recused himself and D. MacDonald took over the proceedings as acting chair. During the discussion it was noted that:

- A joint HDRB/ZBA workshop might be valuable
- The intent is to repurpose the existing frame in its current location
- Variances are required for: front and rear yard setbacks, parking and lot size
- The owner believes that the existing barn is a unique structure that needs to be saved
- While the existing frame may be reused, it may not meet current building standards and the renovated structure would essentially be a new building
- D. MacDonald read through the application check list noting items that have been submitted and those that remain to be submitted

- ZBA will solicit comments from the Planning Board (relating to issues within their purview)
- A public hearing is scheduled for 12-19-19 at 7:30pm

BOARD BUSINESS

None

MINUTES

None

ADJOURNMENT

J. Martin made a motion to adjourn the meeting. L. Bozzi seconded and the motion passed unanimously at 9:30 pm.

Submitted by M. Mell



Aaron Wolfe, Zoning Board of Appeals Chair

12/19/19

Date