

**VILLAGE OF CORNWALL-ON-HUDSON  
PLANNING BOARD  
TUESDAY, May 17, 2016 - 7:00 P.M.**

Present Were:

Jeffrey Small, Chairperson  
Vishwa Chaudry  
Lee Murphy  
Maureen Spaulding

Absent

Wynn Klosky

Also Present:

John Furst, Attorney  
John Stoeckel, Planning Board Engineer  
Roberta Hastey, Recording Secretary  
James Valentine, Applicant  
Kelly and Arya Yarpezeshkan, Applicants

The meeting was called to order by Jeffrey Small, Chairperson at 7:00 pm.

**NEW BUSINESS**

**James and Wendy Valentine-** 10 Idlewild Park Drive- Applicants are requesting site plan approval to place an accessory apartment within the garage area of the existing single family dwelling.

Mr. Small advised the audience that this was not a public hearing but in the future there will a public hearing where there will be an opportunity to speak.

James Valentine informed the board of his wishes to convert his two car attached garage (approximately 515sqft) into an accessory apartment for his mother-in-law using approximately 325 sq ft of the space.

Mr. Small read the section of the zoning code pertaining to accessory apartments. Permitted in code for all our zoning districts but requires a site plan. A certificate of occupancy must be secured before use and periodic inspections can and will be made to ensure compliance. Some of the conditions are:

1. Single family owner occupied lots
2. Applicant must be principal owner
3. Maximum occupancy of apartment is 3 people
4. Only 1 apartment per lot
5. Minimum 300 square feet and may not exceed more than 25% of whole house
6. Limited to 1 bedroom
7. One front or principal entrance to the building to maintain the visuals of a one-family home.

Mr. Small questioned whether the special permit remained with the house forever? Could they impose a renewal on the permit so the apartment could not be rented outside of its intention?

Atty Furst stated that deed restrictions could be placed as well as requiring renewals of the permit.

Mr. Murphy expressed concerns of the apartment being used in the future outside the permitted use and wondered whether it could expire on sale of the property or Mr. Valentine's mother-in-law moving elsewhere.

Atty Furst noted that although permits generally run with the land and not the user, this permit is specific to a certain purpose and would be limited to that purpose. Building Inspector could go to the site and make certain that the space was being used in accordance with the permit.

Correspondence was read into the record.

Alan Sargent Leanne Costanzo Sargent

Wrote that the conversion would change the character of home and cause more of a burden of parking and the current parking is blocking the main fire hydrant on the street. They stated they are worried that there would a change of zoning of the area and character of area by converting the garage into an apartment.

Kenneth Schmidt & Margaret Schmidt

The letter stated their opposition to plan including based on it should not become a multi-family residence, and that the parking is always spilling into the street.

A petition signed by 16 people was presented asking for denial of application citing excessive parking on the single lane road which blocks the view and also the fire hydrant. The signers feel the conversion will exacerbate parking issues increasing use and decreasing parking capacity.

Mr. Chaudry noted there was a Jeep currently parked in median/divider.

Mr. Small stated that it looks like it meets the requirements but they needed to ask a few questions in particular regarding the parking. Mr. Murphy followed up on the parking issues. Mr. Valentine said the family has five vehicles and then there are additional visitors. They can fit all five vehicles in the driveway but sometimes he parks out of the driveway for ease of egress in the early morning when he leaves for work.

Ms. Spaulding asked if street parking was allowed on Idlewild Park Drive considering its layout. Mr. Small said that was something they would look into although if parking was not allowed normally there would be signs to that affect.

It was recommended the Valentines look into expanding their driveway with pavers/porous materials that would allow for them to contain all their cars in their driveway. This would help with one of the concerns of neighbors. It was also requested that a site plan be provided. Atty Furst will check on setback for driveway.

### **Public Hearing**

*Mr. Murphy motioned to hold a public hearing, Ms. Spaulding seconded, all in favor.*

This will be a Type 2 Action. Atty Furst will ask for the Planning Board admin for GML referral due to the distance from the town of Cornwall.

**OLD BUSINESS**

**Kelly A. Yarpezeshkan – 8 Riverside Drive – Applicant is requesting board review of an application to place a yoga studio into existing space previously used as a doctor’s office.**

Mr. Yarpezeshkan provided a survey of the area. He asked for guidance from the board to amount of students allowed/parking needed.

Mr. Small asked where the primary parking would be. Riverside is a private road but it is shared with other residents. The driveway accessed from Grand View might be better but would need to be more defined though not necessarily black top or removal of natural area. Could be grass pavers or another material that would allow for parking on rainy days.

Mr. Murphy asked if the apartment on the property would be rented out and would also need access. The Yarpezeshkans said they would only be renting it for a week on an annual basis and the remaining time using it for occasional family visits.

Mr. Murphy felt it should be a dedicated parking area but again not a paved area and ideally permeable. Ms. Spaulding asked how many cars could be parked now and still allow someone to leave. It was suggested the driveway should allow the ability for one client/student to leave early, e.g. to turn around and drive out.

Mr. Small added that the number of students, would not only affect parking but whether this is considered a home occupation versus commercial use. A doctor’s office would have about four people at one time.

Mr. Yarpezeshkan stated that they could limit classes to four people and they would be offering other activities during the day which would supplement the classes. Ms. Yarpezeshkan stated she had letters of support from neighbors that she could read into the record.

Mr. Small read a letter from Susan Voge of 2 Grand View Avenue. Ms. Voge wanted to provide information of use of houses along Grand View for office space. Dr. Mandel had day time office hours only and patients parked on Riverside Drive only. She added that currently Jeanne Hopkins at 9 Grand View is approved to see one patient at a time. She stated that additional traffic would detract from other uses of the area.

Mr. Small offered to read Mr. Yarpezeshkan’s letter into the record and Mr. Yarpezeshkan asked if it would be better to bring supporting letters into the next meeting. Mr. Small responded it would be better if those people could attend the public hearing,

Mr. Yarpezeshkan questioned how they could be certain that the Board would be comfortable with a limit of four students. Ms. Spaulding suggested parking four cars in the driveway and photographing them to show how they would fit.

**Public Hearing**

*Ms. Spaulding motioned to hold a public hearing, Mr. Murphy seconded, all in favor.*

The Planning Board admin has already referred the application to the DOC and the county made no advisory comments.

**MINUTES**

**April 19, 2016**

*Mr. Murphy motioned to approve the April minutes, Ms. Spaulding seconded, all in favor.*

**INFORMAL DISCUSSION**

Mr. Small updated the board on that the Comprehensive Plan Committee had been approved by the Village Board on Monday, May 16 and members appointed to the committee.

**Meeting was adjourned at 8:00pm**

*Mr. Murphy motioned to adjourn the meeting, Mr. Chaudry seconded, all in favor.*

Respectfully submitted,  
Roberta Hastey  
Recording Secretary