

**VILLAGE OF CORNWALL-ON-HUDSON
PLANNING BOARD
TUESDAY, MAY 16, 2017 - 7:00 P.M.**

Present:

Jeffrey Small, Chairperson
Vishwa Chaudry
Wynn Klosky
Lee Murphy

Absent:

Maureen Spaulding

Also Present:

Joseph McKay, Attorney
Roberta Hastey, Recording Secretary
Toni & Robert Minuta, applicants
Jacquelin Rivero, applicant

Ben Maggio, Code Enforcement Official
Members of the Public

The meeting was called to order by Jeffrey Small, Chairperson at 7:02 pm.

PUBLIC HEARING:

Stylist Chair-276 Hudson Street - 276 Hudson St-The applicant is requesting board review of revised plans conversion of the second floor, to an [accessory, owner-occupied] apartment.

Mr. Small corrected that it is an apartment not an accessory apartment and it is not necessary for it to be owner occupied since it's in the CBS district. The Minutas stated that they planned on living in the apartment.

The Public Hearing was opened to the public.

Mr. Minuta explained they would be adding only one room to the existing two rooms and there would be a kitchen, living room area with a separate stair case and the addition would be in keeping with the current style of the structure.

It was noted that they received the variance from the Zoning Board for the offsite parking and that the engineer's comments have been addressed.

Atty McCay stated the 125 sq ft addition has negligible environmental impact and complies with CBS regulations so therefore it is not subject to environmental review.

Mr. Murphy commented that the original application for a change of use, there was a reassurance that there that would be nothing done to the second floor space and although within reason to change their minds, he just wanted the addition noted.

Motion to Close the Public Hearing

Mr. Murphy motioned to close the Public Hearing, Mr. Chaudry seconded, all in favor.

The matter had been referred to the Orange County Planning Board but they had no comments and left it with the Village to determine.

Motion to Approve Application

Mr. Chaudry motioned to approve the application. Ms. Klosky seconded, all in favor

NEW BUSINESS

Jacquelin Rivero- 237 Hudson Street - Applicant is asking for board review for a change of use to an existing restaurant area to be changed to a hair salon.

Ms. Rivero explained she would be taking one side of the space that was previously a café. She will have two styling chairs and two mirrors and use of the handicapped-accessible bathroom. Mr. Chaudry asked whether the Board could limit the number of a type of business in the area. Atty McKay replied while the Board could determine if it was an approved use of the space, there is nothing in the Village code that allows for them to determine how many of a particular type of business are allowed.

Ms. Rivero stated that while she did not know there were five other salons/barbers in the area, she would be serving her existing clientele and had a different market than the other stylists in the area.

Mr. Chaudry and Mr. Small asked if there would be any changes to the outside of the property including lighting changes. Ms. Rivero said she might add some plants, no extra lighting but that the awning would be up to the landlord.

Mr. Maggio will follow up regarding the awning with the owner of the property.

Her proposed hours of operation are: closed Sunday and Monday, Tuesday by appointment only, Wednesday through Friday 10-6 and Saturday 10-1. Mr. Small noted that while there is no off street parking, there is a lot across the street and they would more likely need less parking than the past café.

Orange County reviewed the site plan and found no evidence of significant inter-municipal or County-wide impact. Atty McKay pointed out the code does not require a public hearing. Mr. Murphy doubted the benefit of a public hearing as the Board has no jurisdiction over limiting the number of a particular type of business and he would rather see the space rented then to leave it empty. There was a member of the public who spoke regarding the change of use. Ms. Aspin felt a preferred use of the space was as a café-type business, but having been the chair of the Planning Board previously she understood the limits of the Board and that it was better to have the space occupied than not.

Atty McKay informed the Board they could declare this a Type 2 Action under SEQRA

Motion to Waive Public Hearing and Approve Change of Use

Mr. Murphy motioned to amend the application to allow the change of hours. Ms. Klosky seconded, all in favor

Meeting was adjourned at 7:42pm

Mr. Murphy motioned to adjourn the meeting, Ms. Klosky seconded, all in favor.

Respectfully submitted,
Roberta Hastey,
Recording Secretary