

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY, JANUARY 12, 2017 – 7:00 P.M.**

Present Were:

Mike Kelly, Chairperson
Kevin Finn
Steve Fogarty

Absent Were:

Philip Adams
Matthew Bannan

Also Present:

John Furst, Attorney
Roberta Hastey, Recording Secretary
Lindlaws, Applicants Goldes, Applicants
Ben Maggio, Building Inspector Members of the Public

Chairman Kelly called the meeting to order at 7:32 P.M.

New Business

Frederick Lindlaw- 4 Andrews Street- Applicants is seeking a variance of §172.53.2.D of the Village Zoning Code to allow construction of an approximately thirty (30) square foot tool shed attached to the east side of the existing house. The code requires that this pre-existing legal non-conforming lot have a minimum side yard setback of 7.5 feet. The Applicant is proposing to build the attached tool shed to within 3.8 feet of the property line. The property is situated at section 102, block 9, lot 9 in the Village of Cornwall-on-Hudson, said lot also being known as 4 Andrews Street. The property is located in the SR (Suburban Residential) Zoning District and the Village's View Preservation Overlay District.

Letters from Peter X. Neuman of Braedon Place (against) and the Lindlaws next-door neighbor, Ted Blumenshine of 8 Andrews St (for) the project were read into the record.

Mr. Lindlaw recently bought the house and found they needed more storage so they built a shed to store items out of sight. They did not realize that they needed a permit to build a small structure. Mr. Lindlaw provided pictures of the structure from several viewpoints. It was explained because the builder of the home was restricted in height, a garage was not built within the footprint and because he did not want to build on the side of the home near Pine Street due to objections of that neighbor, the house was situated so there was little space left on the side. Mr. Blumenshine is on the side of the shed and the shed is towards the back of the property and out of view of most, it matches the home in siding and trim.

Mr. Kelly opened the hearing to the public.

Sandy Walsh, 23 Andrews Street, feels shed is in good taste and improves look of property.

Tara Hoffman, 44 Spruce Street, has no issue with the shed but felt it had been made very clear at the previous Zoning Board meeting regarding the property where the property lines needed to be and there should be a better way to communicate that to future buyers.

Mr. Finn explained it had happened because the contractor hadn't applied for a permit. If he had, they would have been directed to apply for a variance.

Mr. Maggio explained it was a frequent occurrence in many municipalities.

As no one else requested a chance to speak the hearing was closed.

Motion was made by Mr. Kelly to close the hearing, seconded by Mr. Fogarty, approved by all.

Atty Furst noted it was a Type 2 action under SEQRA and no referral from county was needed.

Mr. Finn explained to the applicant the decision would need to be unanimous as only three board members were in attendance.

Motion was made by Mr. Fogarty to approve the variance as amended, seconded by Mr. Finn, approved by all.

John & Lynne Golde- 17 Pine Street- Applicants are requesting a variance of §172-8.C(1) of the Village Zoning Code to allow a 350 square foot addition at the rear of the existing residential dwelling. The code requires a thirty (30) foot rear yard setback; the applicants are proposing a twenty (20) foot rear yard setback.

The Goldes presented the board with plans for a family room and an additional bathroom. The addition will replace a screened in porch and the home would maintain a similar footprint to what it has currently. The addition will be one story. The back faces an extension which is currently a dirt road. The addition will be finished to match the rest of the home.

Mr. Kelly opened the Public Hearing.

Mary Aspin of 6 Pine Street stated she had no objections but asked for clarification on lot coverage.

Motion was made by Mr. Fogarty to close the hearing, seconded by Mr. Kelly, approved by all.

Atty Furst noted it also was a Type 2 action under SEQRA.

Motion was made by Mr. Finn to approve the variance, seconded by Mr. Fogarty, approved by all.

MINUTES

Motion was made by Mr. Fogarty to approve October 6, 2016 minutes, seconded by Mr. Finn, approved by all.

ADJOURNMENT

Motion to adjourn was made by Mr. Finn, seconded by Mr. Fogarty, approved by all.

Meeting adjourned at 8:35

Respectfully submitted,
Roberta Hastey, Recording Secretary