

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY MAY 12, 2011 – 7:30 P.M.**

Present Were:

Peter Osinski, Chairperson
Robert Quillin
Michael Kelly
Andrew Maroney
Thomas Peterson

Also Present Were: Kevin Dowd, Esq., Attorney Representing the Village, and Jeanne Mahoney, Village Clerk

Chairperson Osinski called the meeting to order at 7:30 P.M.

PUBLIC HEARING

Howard Ladlee and Jessica Stone – 111 Weeks Avenue - Public Hearing on request in which applicant requires a variance to permit construction of a 1,000 second story addition and a 14 ft x 8 ft front porch to an existing, non-conforming, single family residence.

The public hearing was opened and the following notice was read.

PLEASE TAKE NOTICE, that the Zoning Board of Appeals of the Village of Cornwall-on-Hudson will hold a Public Hearing on Thursday, May 12, 2011, at 7:30 P.M. or as soon thereafter as can be heard, at the Village Hall, 325 Hudson Street, Cornwall-on-Hudson, NY to consider the application of Howard Ladlee and Jessica Stone for variances from Sections 172-8(C) and 172-51 of the Village Code to permit the issuance of a building permit to construct a 1,000 s.f. second story addition and a 14 ft x 8 ft front porch to an existing, non-conforming, single-family residence with a front yard setback of 14.4 feet instead of the required 30 feet.

The property is located at 111 Weeks Avenue and is designated on the Village Tax Maps as Section 110, Block 6, Lot 10. The property is located in the SR (Suburban Residential) Zoning District.

At the hearing the Zoning Board of Appeals will consider all verbal and/or written statements from all persons interested. Copies of the application and plans may be inspected at the Village Hall during normal business hours.

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE OF VILLAGE OF
CORNWALL-ON-HUDSON

PETER OSINSKI, CHAIRMAN

Jessica Stone, applicant, presented the affidavit of publication for the file. She stated that she would like to construct a second story addition and front porch. The front yard setback will be reduced from 22.4' to 14' from proposed front porch step to curb.

Mr. Dowd reported that the front porch will be covered.

Having no one speak for or against this application, Chairman Osinski declared the public hearing closed and the public meeting opened.

Discussion among Members of the Board followed. Hearing no objections, Chairperson Osinski asked for a motion from the Board.

Mr. Peterson made a motion to grant a variance of Zoning Code §172-8(C) and 172-51 to construct a 1,000 s.f. second story addition and a 14 ft x 8 ft front porch to an existing, non-conforming, single-family residence with a front yard setback of 14.4 feet instead of the required 30 feet. The variance will not produce an undesirable change in the character of the neighborhood; will not detract from the aesthetics of the neighborhood; is not self-created or unnecessary; is the minimum necessary to grant relief from the difficulty; and no substantial detriment will be created to nearby properties. The motion was seconded by Mr. Quillin and by a vote of 5 ayes and 0 nays, the requested variance was approved.

W&B Realty – 202 and 206 Hudson Street

Continuation of Public Hearing on application for interpretation of the uses of the existing highway garage, an area variance to permit two apartments on the first floor and a professional office on the second floor of an existing structure, an interpretation of two accessory buildings (barns) and an interpretation of a variance granted in 2006, that authorized access to lots which do not have frontage on a public road.

Mr. Dowd reminded the Board that this matter had been adjourned at the last meeting for input from the Planning Board.

Chairman Osinski spoke with Jeffrey Small, Planning Board Chairman, and was told that the Planning Board approved the plan as presented.

Amy Zamenick presented a plan to the Board and indicated it is similar to the plan brought before the Zoning Board in 2006. The applicant is seeking to:

- 202 Hudson Street – Allow a “flip” of existing variance and permit a professional office upstairs and 2 apartments downstairs. In addition, allow their request to reduce the required 10 parking spaces to 6.
- 206 Hudson Street – Provide a definition of a “specialty shop” which is an allowed use in the Central Business & Shopping (CBS) District. The applicant presently has two offices upstairs. One is his and the other used by a plumber. Downstairs is a garage and storage area.
- Barns – Determine 2 barns, which will be moved from present location to their own parcel, to be accessory structures to the former DPW building at 206 Hudson St.

Discussion followed.

Hearing no public comment, Chairman Osinski closed the public hearing at 8:25 PM and opened board discussion. After some discussion, the Board was in agreement to grant the required variances.

- 202 Hudson Street – Chairman Osinski made a motion to classify the property as a two family residence with professional office upstairs which was seconded by Mr. Kelly and carried by a vote of 5 ayes and 0 nays.

Chairman Osinski made a motion to grant a variance to reduce the number of on-site parking spaces from 10 to 6 which was seconded by Mr. Kelly and carried by a vote of 5 ayes and 0 nays.

- 206 Hudson Street – Chairman Osinski stated the current Village Code does not provide a definition for a “specialty shop” and made a motion to define “specialty shop” as a non-retail trade oriented environment with some office use to include workshop, custom fabrication and storage. The motion was seconded by Mr. Peterson and carried by a vote of 5 ayes and 0 nays.
- Garage – Chairman Osinski made a motion to define the garage portion of the former DPW building as an accessory space use to the “specialty shops” which was seconded by Mr. Kelly and carried by a vote of 5 ayes and 0 nays. The parking space determination must be made by the Planning Board.
- Accessory Barns – Chairman Osinski made a motion to define the barns to be accessory structures to the “specialty shops” and allow both to be placed on the same lot as shown on the February 14, 2011 plan. The motion was seconded by Mr. Quillin and carried by a vote of 5 ayes and 0 nays.
- 2006 Variance – Chairman Osinski made a motion to reaffirm the access/easement variance granted on February 13, 2006 and remove the four conditions imposed (1. guardrail 2. fire hydrant with 6” feed 3. screening- Hager property, and 4. drainage). The motion was seconded by Mr. Kelly and carried by a vote of 5 ayes and 0 nays.

Approval of Minutes

April 14, 2011 – Acceptance of these minutes was tabled until the next meeting in order to provide time for the Board to review.

Training

Mr. Dowd has agreed to provide training to members of the Zoning Board at a cost of \$500.00.

Master Plan

At the request of Mr. Maroney, Chairperson Osinski has expressed urgency about addressing the master plan to the Village Board.

With no further business to come before the board, Mr. Quillin made a motion to adjourn the meeting at 8:25 P.M. This was seconded by Mr. Kelly and carried by a vote of 5 Ayes and 0 Nays.

Respectfully submitted,

Jeanne Mahoney
Village Clerk