

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY AUGUST 11, 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.

OLD BUSINESS

Sean McManus – 288 Hudson Street - Continuation of Public Hearing on request in which applicant requires a variance to permit the issuance of a building permit to construct an 8; x 8' rear deck with a roof to an existing, non-conforming, single-family residence with a rear yard setback of 12' instead of the required 30' and a side yard setback of 8.6' instead of the required 15'.

Chairperson Osinski asked if anyone was present this evening representing Mr. McManus or wishing to be heard on this application.

Hearing no one, Mr. Osinski reported that he spoke with Mr. McManus and was told that the proper documentation will be produced at the September meeting.

Mr. Kelly made a motion to adjourn this public hearing until September 8, 2011 which was seconded by Mr. Quillin and carried by a vote of 5 Ayes and 0 Nays.

Board members are in receipt of a letter regarding possible property maintenance violations at this address. After some discussion, the letter will be returned with instructions to resubmit to the Code Enforcement Officer.

NEW BUSINESS - PUBLIC HEARING

Kimberly and Erik Poje – 16 Vinebrook Avenue - Public Hearing on request in which applicants require a variance to construct a 16'10" x 22'6" two-story addition in the rear to an existing, non-conforming, single family residence with a rear yard setback of 25' instead of the required 30'.

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, August 11, 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 Kimberly and Erik Poje 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 16ft 10in x 22ft 6in rear two-story addition to an existing, non-conforming, single-family residence with a rear yard setback of 25 feet instead of the required 30 feet.

The property is located at 16 Vinebrook Avenue and is designated on the Village Tax Maps as Section 107, Block 2, Lot 28. 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

Kimberly Poje, applicant, previously presented the affidavit of publication for the file. She stated that she would like to construct a two-story addition with the top and bottom floors being the same.

Rich Baker Architect for this project indicated that the residence is presently situated more than 30' set back from the property line. The 16' x 20' addition will encroach 5' into the required 30' rear setback area.

Responding to questions from board members, Mr. Baker reported that the existing rear deck will be removed. The proposed downstairs addition is a "basement level". This is really a one story building and they are adding on from that. The structure height will not change. The siding and roof will match existing structure. The existing garage door will

stay. The total square footage of the addition is 750' which is the minimal size that will work.

Chairperson Osinski reported that this application was sent to the Orange County Department of Planning for review. Since the property is not within 500' of a state or county highway, park, or municipal border it does not fall within their jurisdiction.

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. Kelly made a motion to declare this a Type 2 action under SEQR which was seconded by Mr. Peterson and carried by a vote of 5 Ayes and 0 Nays.

Mr. Peterson made a motion to grant a variance of Zoning Code §172-8(C) and 172-51 to construct a 16ft 10in x 22ft 6in rear two-story addition to an existing, non-conforming, single-family residence with a rear yard setback of 25 feet instead of the required 30 feet. The variance will not produce a detrimental effect to the neighborhood; is the minimum necessary to grant relief from the difficulty; and will cause no adverse environmental impact. The motion was seconded by Mr. Kelly and by a vote of 5 ayes and 0 nays, the requested variance was approved.

Approval of Minutes

Mr. Maroney made a motion to approve minutes of the **May 12, 2011** meeting as presented which was seconded by Mr. Quillin and carried by a vote of 5 Ayes and 0 Nays.

Mr. Kelly made a motion to approve minutes of the **June 9, 2011** meeting as presented which was seconded by Mr. Peterson and carried by a vote of 5 Ayes and 0 Nays.

Training

The next training session from Mr. Dowd will be scheduled for Thursday, September 22nd at 7:00 PM.

With no further business to come before the board, Mr. Maroney made a motion to **adjourn the meeting at 7:55 P.M.** This was seconded by Mr. Peterson and carried by a vote of 5 Ayes and 0 Nays.

Respectfully Submitted,

Jeanne Mahoney
Village Clerk