

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY OCTOBER 13, 2011 - 7:30 P.M.**

Present Were:

Peter Osinski, Chairperson
Andrew Maroney
Tom Peterson
Robert Quillin

Also Present:

Kristen Boyle, Recording Secretary
Mr. Dowd- Attorney

Absent Were:

Mike Kelly

Mr. Osinski called the meeting to order at 7:30 P.M. with a motion by Mr. Quillin and a second by Mr. Peterson. Mr. Osinski read into the minutes the following notice of hearing: **NOTICE**

**OF PUBLIC HEARING
ZONING BOARD OF APPEALS
VILLAGE OF CORNWALL-ON-HUDSON**

PLEASE TAKE NOTICE, that the Zoning Board of Appeals of the Village of Cornwall-on-Hudson will hold a Public Hearing on Thursday, October 13, 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 Sean McManus for variances from Sections 172-8(C) and 172-51 of the Village Code to permit the issuance of a building permit to construct an 6ft x 6 ft rear deck to an existing, non-conforming, single-family residence with a rear yard setback of 12 feet instead of the required 30 feet and a side yard setback of 8.6 feet instead of the required 15 feet.

The property is located at 288 Hudson Street and is designated on the Village Tax Maps as Section 102, Block 13, Lot 30. 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 VILLAGE OF CORNWALL-ON-
HUDSON**

PETER OSINSKI, CHAIRMAN

PUBLIC HEARING

Sean McMannus- 288 Hudson Street- Applicant is seeking a variance to permit the issuance of a building permit to construct a 6'x6' rear deck with out a roof to an existing non conforming single family residence.

The applicant states he wants to replace what was the existing deck with the exception of the stairs and roof. The original structure was a concrete slab. It was measured at 80"x 80". He wants the deck to be 6' x 6'.

Mr. Maroney asks if the setback is 12' instead of 30' and the side 8.6'.

Mr. Dowd states that the set back in the rear should be 14' and the side yard should remain the same.

Mr. Osinski states that the distance between the shed and the deck should be less if the deck is shorter.

Mr. Osinski asked what the dimensions of the proposed deck are.

The applicant stated the dimensions will be 6' x 6'

Mr. Osinski asks the applicant to confirm that the deck is no more then 6' x 6'. Mr. Osinski advises the exact dimensions are needed to be known for the record.

The applicant advised that deck is only 6' x 6'.

Mr. Maroney states the variance is for the setbacks and not the deck size.

Mr. Dowd states that the applicant was sent to the Zoning Board because the applicant was changing the size of the deck. He is now advising that deck is the original size of the deck with out the roof.

Mr. Quillin states that the deck will be the same foot print as the old one.

The applicant states he will be taking down the current 80” x 80” foundation.

With no comments from the public the hearing is closed and the meeting is open.

A motion was made by Mr. Petersen to declare this a type 2 action under SEQR. This was seconded by Mr. Quillin and all voted in favor.

A motion was made by Mr. Petersen to approve the variance for the construction of a 6’x6’ deck to be put in the same foot print as the orginal deck with a rear yard set back of 14’ and a side yard set back of 8’6”. This deck will not have a roof. This variance will not negatively impact the environment or the neighborhood. This was seconded by Mr. Quillin and all voted in favor.

INFORMAL BUSINESS

Ms. Susan Gavin of 24 Duncan Ave – Came to the board to make note for the record that her home has a flooding issue. She was advised to leave her home until it dried out. She feels this is happening due to the parking lot that surrounds her property. She would like the board to know that the costs for repairs are rather expensive.

The board advised her that she should speak to the property owner of the parking lot and seek legal advise.

MINUTES

JULY 2011- A motion was made to approve the minutes as written by Mr. Maroney and seconded by Mr. Petersen. All voted in favor.

AUGUST 2011- A motion was made to approve the minutes as written by Mr. Quillin and seconded by Mr. Petersen. All voted in favor.

SEPTEMBER 2011- A motion was made to approve the minutes as written by Mr. Maroney and seconded by Mr. Quillin. All voted in favor.

With there being no further discussion, a motion was made to adjourn the meeting at 8:20 pm by Mr. Maroney this was seconded by Mr. Petersen and all voted in favor.

Respectfully submitted,

Kristen Boyle
Recording Secretary