

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY JULY 12, 2012 - 7:30 P.M.**

Present Were:

Peter Osinski, Chairperson
Andrew Maroney
Tom Petersen

Also Present:

Kristen Boyle, Recording Secretary
Mr. Dowd- Attorney

Absent:

Mike Kelly
Robert Quillin

Mr. Osinski called the meeting to order at 7:30 P.M. with a motion by Mr. Petersen and a second by Mr. Maroney, all were in favor.

OLD BUSINESS:

Herman Leonhardes- 211 Hudson Street-

Mr. Osinski stated that the applicant still hasn't come back with new plans.

A motion was made by Mr. Maroney to adjourn the meeting until August by Mr. Maroney. This was seconded by Mr. Petersen and all voted in favor.

Mr. Land, a member of the public stated that it would be nice to be notified ahead of time when an application is not going to be heard.

Mr. Osinski stated that the application stayed on the agenda in order to adjourn it.

William and Karen Detorres- 63 Academy Ave

Mr. Osinski stated that with only 3 members present, the vote would need to be unanimous in order to be granted the variance. The applicants were given the

choice to postpone if they so desired. The applicants decided to move forward with the process.

Mr. Osinski stated the board just received the financial information and haven't gotten to review it all at length.

The applicants summarized the issues and expenses as well as the income from renting the apartments over the last 5 years. There was only 1 time in the 5 years that the smaller apartment did not have renters there; this is because the apartment needed some minor maintenance after long term tenants moved out. The larger apartment was vacant several months, the applicant also showed the board expenses which occurred to evict 2 tenants. The applicants state that the smaller apartment has never had the issues that the larger one does, they feel this is because the space is smaller, the rent cheaper therefore it is easier to manage financially for a couple or single person. The larger space requires a family double income to be able to afford the rent.

Mr. Osinski states he can definitely see the point that once the large apartment is vacant, there is a substantial loss of income for the applicants. This is definitely a unique situation which would not alter the characteristics of the neighborhood and is not self created.

Mr. Petersen asked if this was always an investment property. The applicants advised that they had lived in house for 12 years.

With there being no comment from the public, the hearing was closed and the meeting was opened at 7:59pm.

A motion was made by Mr. Petersen to declare this a type II action under SEQR, this was seconded by Mr. Maroney and all voted in favor.

Mr. Maroney made a motion to grant this use variance as requested. The applicant has proved their lack of return is substantial, this is unique, and will not alter the characteristics of the neighborhood, as there is a large apartment complex right next to this parcel. This was seconded by Mr. Petersen and all voted in favor.

APPROVAL OF MINUTES:

JUNE 2012- Regular Meeting- A motion was made to accept as written by Mr. Maroney and seconded by Mr. Petersen. All voted in favor.

With there being no further discussion, a motion was made to adjourn the meeting at 8:07 pm by Mr. Petersen this was seconded by Mr. Kelly and all voted in favor.

Respectfully submitted,

Kristen Boyle
Recording Secretary