

ABSTRACT OF MINUTES
VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
OCTOBER 10, 2013

PRESENT: CHAIRMAN MIKE KELLY, MEMBER KEVIN FINN, MEMBER MATTHEW BANNAN, MEMBER STEVE FOGARTY

ABSENT: MEMBER PHILIP ADAMS

ALSO PRESENT: ATTORNEY KEVIN DOWD

Chairman Kelly called the meeting to order.

Chairman Kelly read the Notice of Public Hearing for the variance application of Patrick and Kristi Allen and declared the Public Hearing open.

Patrick Allen appeared together with his father Kevin Allen. Mr. Allen presented the Board with a copy of a survey map of his property. He explained that he and his wife wish to construct a deck to the rear of their house. The proposed deck will be located where a screened in porch use to exist but will extend approximately 2 to 3 feet further out into the rear yard. His house is set back well into his property and the current house does not meet the 30 foot setback requirement of the current code so he needs a variance. Mr. Allen also stated that he spoke to his neighbor to the rear of the property and she expressed no objection to his plan. The rear yard setback for the deck would be 17.4 feet.

Chairman Kelly asked for any public comment, however, no one from the public was present and the Chairman did not receive any written comments either.

On motion made by Member Bannan, seconded by Member Fogarty, the Public Hearing was closed.

On motion made by Member Finn, seconded by Member Bannan, the Board declared this application to be a Type II action under SEQRA.

The Board next discussed the variance criteria as it applied to this application and the facts presented.

On motion made by Chairman Kelly, seconded by Member Finn, the Board voted 4-0 to grant the variance to the Allens to allow the construction of a rear deck that has a rear yard setback of 17.4 feet instead of the required 30 feet.

On a motion by Member Bannan, seconded by Member Fogarty, the meeting was adjourned