

**VILLAGE OF CORNWALL-ON-HUDSON
ZONING BOARD OF APPEALS
THURSDAY, JULY 09, 2015 – 7:00 P.M.**

Present Were:

Mike Kelly, Chairperson
Matthew Bannan
Kevin Finn

Absent:

Philip Adams
Steve Fogarty

Also Present:

Roberta Hastey, Recording Secretary
John Furst – Attorney
Vantage Construction/Andrew Bell - Applicant

Chairman Kelly called the meeting to order at 7:10 P.M.

New Business

Because proper notice was not placed in time for the meeting an unofficial/informational discussion was held.

VANTAGE CONSTRUCTION INC.- 4 Andrews Street- as contract vendee with the **ESTATE OF BONDUR**, by Richard Mills, Executor for a variance of §172.53.2 of the Village Zoning Code to allow for the tear down of an existing residential dwelling and replacement of a new residential dwelling on a non-conforming lot. The property is located in the SR (Suburban Residential) Zoning District and the View Preservation Overlay District. Applicant requests board review and approval of this application.

Mr. Finn read the notice into the record.

Mr. Bell of Vantage Construction, Inc., did an informal presentation and answered some questions regarding the plans for new construction and possible issues in the removal of the existing dwelling. Mr. Bell stated that what is currently on the property is not inhabitable. It is a difficult property to work with and has been on sale for years and this would be an improvement and a benefit to the neighborhood from his perspective.

The new home will be proportional to the property and keeping in with other residences but due to the non-conforming lot will need a variance. The house will be limited in height as the property is within the view-preservation district. Mr. Bell says it is a one-story with a high rafter, not a two-story and will keep it to a Cape Cod look. Mr. Bell is looking to put the garage on the left-side of the house and to keep it within the footprint of the house.

The package given to the board included an incorrect sketch for the proposed new construction. This will be corrected for the next meeting.

Public Comment:

Mike De Franco of 8 Andrews Street asked what the setback would be for the new structure. Karen & Doug Caufaglione of 52 Spruce Street expressed concerns regarding the blockage of their views and worries that the proposed house would encroach on their space – a property that has been in Ms. Caufaglione’s family for over 90 years. Ms. Caufaglione read a letter from her and her husband in which they:

- Requested more definitive information regarding the proposed construction.
- Stated that they felt the board had been provided with insufficient information.
- Requested the Board be provided with the correct dimensions and a corrected sketch.
- Requested the Board require that the property be set back no further than the DeFranco house at 8 Andrew Street.
- And asked the Board to limit it to the height of their home.
- As the lot is the smallest on Andrews Street, the proposed dwelling should be proportional to the size of the lot.

Mr. Bell stated he would be willing to work within reason with the neighbors and their concerns. In regards to water drainage, all steps will be taken to maintain the integrity of the site’s drainage including silt fencing during excavation. House will be around 25 to 27’ high.

Mr. Finn stated that in order for the board to make a determination, corrected sketch and actual dimensions and the plans need to be resubmitted for next meeting.

Atty Furst also requested that height, square footage and comparison to neighbors’ be included in the submission.

Mary Aspin of 6 Pine Street asked about the view of the river and whether the new construction would block the view from the street.

Atty Furst: Building Inspector is in charge of view preservation and he did fill out the form and it is part of the public record and in his determination there was no impact.

Tara Hoffman of 44 Spruce Street asked regarding the demolition of the old dwelling including the oil tank.

Mr. Bell would handle the demolition through standard practices which would include the removal of the oil tank by a certified company. Although the property is tight, he did not feel it is encroaching on the neighbors’ property. And if the foundation is dry, the dirt would be moved from new to old and to fill in.

Atty Furst added the demolition would coordinated through the building inspector and necessary permits would need to be obtained.

Mr. De Franco stated that the existing house is an eyesore and hoping new residence would be improvement but it would be necessary to know the exact dimensions and set back. Mr. De Franco would like it to fit in with the rest of the neighborhood.

Motion was made to adjourn the matter until next meeting.

The public hearing was held open until a proper notice can be placed and the files corrected.

With there being no further discussion, a motion was made to adjourn the meeting at 7:50 pm by Mr. Kelly and seconded by Mr. Bannan all voted in favor.

Respectfully submitted,

Roberta Hastey
Recording Secretary