

**Village of Cold Spring Zoning Board of Appeals  
85 Main Street, Cold Spring New York 10516**

**Public Hearing**

The Village of Cold Spring Zoning Board of Appeals held a public hearing on November 3, 2016 at 7:30pm at the Village Hall, 85 Main St.

Attending were board members: Gregory Gunder, chair, Aaron Wolfe and John Martin. Alison Anthoine and Elliott Hammond were absent.

**1. CALL TO ORDER**

G. Gunder called the meeting to order at 7:35pm and made introductory remarks noting that the purpose of the meeting was to continue the public hearing for the property at 2 Depot Square.

2. **2 DEPOT SQUARE:** Applicant Catherine Blanche. Alterations to existing multi-family building in the B-1 district and addition of a pergola on the property.

Architect Karen Parks appeared on behalf of the property owner. Parks presented a revised application, which reduces the number of dwelling units from four to three and adds one retail unit. In support she submitted revised building plans and a zoning conformance sheet.

**Board Discussion**

- The required parking for the revised application will require two spaces for each dwelling unit and six for the retail unit.
- Residential parking is viewed as long-term, while retail parking is short-term.
- The building was built in the 1930's, prior to implementation of the village zoning codes.

J. Martin made a motion to close the public hearing. A. Wolfe seconded and the motion passed unanimously.

The board discussed the zoning criteria for each of the requested variances as noted below.

**Front yard: existing garage**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Front yard: proposed pergola**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Front yard: existing building**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Front yard: proposed pergola**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Rear yard: existing building**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Side yard: existing building**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Lot coverage: principal building, covered porches, accessory building #1 (shed), accessory building #2 (well), open/uncovered decks and pergola**

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- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Parking spaces: space #1**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is not substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Parking spaces: space #2**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.

- The variance requested is not substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Parking spaces: space #3**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is not substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Parking spaces: space #3 access**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
- The proposed application will not produce an undesirable change in the character of the neighborhood.
- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

**Lot Area**

- The benefit sought by the applicant cannot be achieved by any other feasible means.
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- The variance requested is substantial.
- The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The alleged difficulty necessitating the variances is not self-created and is not sufficient so as to cause a denial of the requested variance.

J. Martin made a motion to approve a resolution to approve the application and the variances included.

A. Wolfe seconded and the motion passed unanimously.

3. **3 STONE STREET:** Review of application prior to scheduling of public hearing. Alterations to existing building in the R-1 district. Applicant seeks to change the building's dwelling configuration from two residential units and two commercial units to three residential units and one commercial unit.

Reviewing the application materials the board noted completion of and submittal of: the application, building department denial, proof of title insurance, short-form environmental impact statement and list of neighbors to be notified.

Applicant informed the board that an adjacent property will be used for tenant parking. Board requested a drawing of the proposed parking layout for review and noted that the Cold Spring Planning Board will likely wish to review the parking as well.

The inclusion of the adjacent property (both properties are listed on the deed although they have separate tax lot numbers) requires notification of additional neighbors. The board discussed those neighbors and requested the applicant add them to the application.

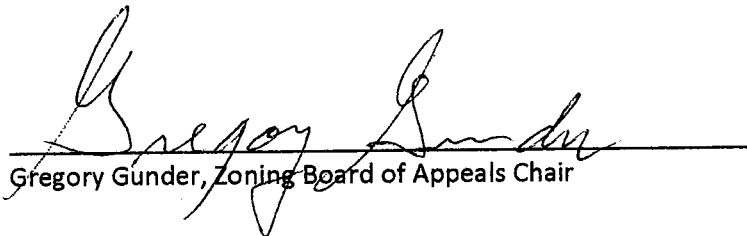
4. **MINUTES**

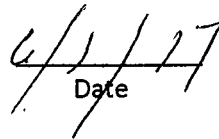
J. Martin made a motion to accept the October 6, 2016 minutes as submitted. A. Wolfe seconded and the motion passed unanimously.

5. **ADJOURNMENT**

J. Martin made a motion to adjourn the meeting. A. Wolfe seconded and the meeting was adjourned at 10pm.

Submitted by M. Mell

  
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Gregory Gunder, Zoning Board of Appeals Chair

  
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Date