

Cornwall Development Review Board (DRB)

Hearing Minutes • Cornwall Town Hall

July 5, 2017 • 7:00—8:40pm

MEMBERS PRESENT: Bruce Byers, Barbara Greenwood

ALTERNATES PRESENT: Gary Barnett, Alt., Cheryl Cesario, Alt., Shari Johnson Alt.

ALSO PRESENT: Vaughn Berno

1. CALL TO ORDER: 7:00pm

2. QUORUM: Bruce, as Chair of the hearing, appointed Alternates Gary, Cheryl, and Shari to fill the seats of absent DRB members Matt, Annie, and Joe for the business of this hearing. Following the appointments, a Quorum was established.

3. AGENDA: Shari MOVED / Gary SECONDED to approve the Agenda as presented.

Motion passed (5 in favor, 0 opposed.)

4. MINUTES: June 7, 2017—Barbara MOVED / Shari SECONDED to approve the Minutes of June 7 as amended. **Motion passed** - (5 in favor, 0 opposed).

5. BERNO WAIVER Hearing—8:05pm—Bruce opened the hearing by reviewing the hearing Warning as published, and reviewing the informal discussion held on June 7.

- Vaughn's initial application for the construction of an addition to the north side of the existing dwelling was denied by the ZA (due to a deficiency in the side-yard set-back distance of 10'); the recommendation was that he seek a Variance from the DRB.
- During the informal discussion it was suggested that Vaughn look into a Waiver, rather than a Variance
- A phone conversation with the ZA confirmed that—in his opinion—this would be the most expedient route and presented no problems from his point of view.
- The waiver hearing was set for July 5

Bruce then noted that the waiver application was submitted in accordance with §§380–385 of the *Cornwall Zoning Regulations*, that all Notices and Notifications had been published, mailed, and filed as required, and that the title closing on the property had occurred last week (June 28), although the weekend and holiday resulted in papers not being delivered to the Town Hall until July 5.

Vaughn signed the Hearing Sign-in and was duly sworn in, then asked to explain to the Board why his application should be approved and how it met the requirements of §§380–385 of the bylaws.

- The configuration of the home and garage do not meet his needs for a functional woodworking shop.
- He wishes to return the use of the garage to vehicle parking, moving items currently stored there to a portion of the new construction.
- The basement of the home has no room; it currently houses two one-bedroom apartments that are occupied.
- A drawing of the north side (marked *Exhibit A*) shows the exterior view incorporating the proposed addition. The addition, as proposed, would be two stories, the first floor (at basement level, and with exterior door access, to be a storage area as noted above. The second floor, at ground level, would be the workshop.

- *Use*: A small personal woodworking shop primarily for own projects, occasionally for projects for other persons, as permitted by-right in the MDR District where located.
- No official survey has ever been filed for this property; there is at least one survey pin, from which measurements for this application were taken.
- Plan for the property, overall, is to clean up and either store items within the new addition or remove from the property altogether.
- There is no plan *at this time* to provide parking or a driveway extension to any location beyond where currently located. Vaughn is aware of a neighbor's concerns about such an occurrence.
- Additional drawings presented and subsequently labeled:
 - West side, abutting Route 30—*Exhibit B*
 - East side (rear of building)—*Exhibit C*
 - Floor plan—*Exhibit D*
- The application itself was labeled *Exhibit E*

Board comments, questions:

- Bruce expressed concern about the differing front faces of the building, noting that rather than presenting a straight line across the front, the existing garage would be set back several feet between the fronts of the new addition and the house. Additionally, the new addition proposes a roof-line that would be lower than that of the existing garage. Vaughn explained that the addition could not be moved back (4', in line with the garage) because of the walk and stairs he plans to install for the benefit of one of the basement apartment dwellers for whom the existing stairs are a problem. Shortening the addition by the requisite 4' would not leave him enough room for his work space.
- Barbara requested clarification of some of the measurements, noting that she would have preferred that the drawings had specific measurements included. The drawings were not part of the original application so their measurements were not found there either, only the property measurements. Vaughn used the drawings to further clarify how the building would be fit to the location.
- Gary indicated that—in his opinion—the addition plan fit in to the goals of the Town Plan and the bylaws in allowing people to pursue their interests and hobbies without needing to move to larger quarters.
- Shari and Cheryl agreed with Gary. Neither felt it was the Board's role to define how the proposed addition be styled.

Bruce brought the public portion of the hearing to a close at 8:15 on a MOTION by Gary, with a SECOND by Shari, moving the Board into its Deliberative Session. ***Motion passed*** (5 affirmative, 0 opposed)

6. DRB SUCCESSION: Discussion of New Vice-Chair and Regular Member Vacancy

- A short discussion resulting in the Board members agreeing that this discussion would be better served when the absent members could have in-put. Further discussion tabled until the next meeting.

7. DELIBERATIVE SESSION

- Draft decision to be sent to the DRB members officiating at this hearing for comment, changes, and finalizing within 45 days.

OTHER BUSINESS: *none*

NEXT MEETING: **August 2 at 7:00pm, Town Hall**—all members present expect to be in attendance, with the exception of Bruce whose resignation will have taken effect by that time.

ADJOURNMENT: Gary MOVED / Cheryl SECONDED to adjourn the meeting at 8:40pm.. **Motion passed** (5 in favor, 0 opposed)

Respectfully Submitted,
Robin Conway, DRB Secretary

Bruce Byers, Co-Chair, Cornwall Development Review Board

Matt Bonner, Co-Chair, Cornwall Development Review Board