

## **Village of Cold Spring**

### **Code Update Committee**

**January 8, 2015**

The Code Update Committee of the Village of Cold Spring held a meeting on Thursday, January 8, 2015 at 7:00 PM at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Committee Chair Jack Goldstein, members Mike Armstrong (former member of the Comprehensive Plan), Carolyn Bachan (also a member of the HDRB), Marie Early (also Chair of the Zoning Board of Appeals [ZBA]), Terry Lahey (formerly a member of the Village Board of Trustees that set forth the original Village Code), Donald MacDonald (former Chair of the ZBA) and Barney Molloy (also Chair of the Planning Board) and liaison for the Board of Trustees, Trustee Bruce Campbell.

Also in attendance were Charles (Chuck) Voss of Barton & Loguidice (B&L) and Anna L. Georgiou of McCarthy Fingar who introduced themselves to the Committee as their planning and legal consultants, respectively, for the updating of the Village codes. Ms. Georgiou will be a subcontractor to B&L

The December 11, 2014 minutes were brought forth by Mr. Goldstein for approval. Mr. Armstrong stated that on Page 2, paragraph 6, second sentence beginning "The zoning map proposed in the LWRP would eliminate I districts....." should be changed to read "...would eliminate the industrial districts and change some districts to the new categories of mixed use, and other districts".

Mr. Lahey made a motion to approve the minutes of December 11, 2014 with the above noted changes. Mr. Armstrong made a second to the motion and the motion carried with a unanimous vote.

Mr. Goldstein reported that in March of 2013 the Greenway program awarded the Village a grant of \$6,000 for consultant fees as part of the Local Waterfront Revitalization Plan. The money was never drawn down because in the course of time, it was decided that the code update was going to be a larger project than anticipated and was going to need additional funding which led to the application of the NYSERDA grant.

The Greenway grant was due to expire in March of 2015. The Village Board of Trustees passed the two necessary resolutions: 1) rescinding the former grant application and letting Greenway know that we were going to apply for a new grant and 2) representing that the Village supported the new application. The application went in today overnight thanks to the efforts of Village Clerk Mary Saari.

Trustee Hawkins set up a phone call for Ms. Early, Mr. Armstrong, Mr. Goldstein, Al Zgolinski Chairman of Historic District Review Board (HDRB), and Kathleen Foley, member of the HDRB, to explain what the two processes of the NYSERDA grant entailed. It was made clear to Mr. Goldstein that the Grant that was awarded to the Village basically has two parts for the spending down of the monies awarded; one is the Village Code update that this committee is responsible for; and the second is the updating of the HDRB Code Chapter 64 and the HDRB Design Standards, both of which are the responsibilities of the HDRB. We need not be concerned about the HDRB meeting the timeline as they are separate from our committee.

Ms. Bachan, HDRB, stated that she has recently drafted an RFP for the design standards. It will go to the interim Village attorney and then the State Historic Preservation office for their approval. The HDRB is responsible for the local and state districts. The HDRB expects that within a month and a half to two months, a consultant will be on board. The update and revision of those standards, originally

implemented in 1999, will probably take a short period of time relative to the time frame of this committee. There is a model code that the HDRB can work with.

Mr. Goldstein shared the draft document with Mr. Voss to see where we stand at the moment. What we did was to come to a working consensus of the 31 items that we need to evaluate. NYSERDA has conceptually agreed to this process. There will be public input sessions but that does not include public hearings.

The first thing we need is a proposal back from you (Mr. Voss) that shows this process and that your billing can be matched to this incremental system.

When Mr. Voss first responded to the RFP, it was to say this is what you are proposing to do and what we are comfortable with to put in our bid. The NYSERDA grant gives a structure from which to work and between that structure and your revised structure we will incorporate that into our standard contract.

Mr. Goldstein said that we want this process to be a community building process.

Questions and comments for B&L regarding their proposal:

- There are some alternatives outside the scope of the agreement.
- \$75,000 - back your fee out of it – time and materials. Is the \$75,000 capped?
- Who brings what to the table? Body of work that the volunteers can do and then draw you into it.
- Concerned about using the resources up before we reach the end point. We need to husband those resources as we go along.
- Schedule and budget are not fungible.
- Excise \$75,000 from our minds. We are working with approximately \$60,000 with \$15,000 going to the HDRB.
- We can do this as an open book test where we do the work and you check it.
- B&L are not familiar with the comments that we made on the original proposal.
- B&L will be better off discussing the NYSERDA work and starting from there.
- There is a lot of grunt work that we (committee) can do.
- B&L will do the metrics, how much of the \$60,000 will go in to that?
- We need to look at this in terms of your hours.
- What activities would include “your looking at”?
- We need to communicate the task that we want you to do.

Mr. Goldstein stated that there will be *preambular* language that sets forth the basic goals for this process based on the Comprehensive Plan and the LWRP; there will be major hot buttons. Your advice to us would be premised on whatever we develop following the Pace Law School Technical Guidance for Sustainable Communities therefore, I am assuming that every recommendation you give to us is going to conform to that.

Mr. Voss stated that all boards need to be able to go out and implement in the community the code changes put forth. You question whether it is achieving the purpose of the Comprehensive Plan.

Mr. Voss and Ms. Georgiou will get back to the committee with a new RFP appropriate to the work that was discussed at this meeting.

### **New Business**

Ms. Early presented her proposal to begin work without signed contracts.

The committee or a subset of the committee prepares a draft definition of each of the new/modified zoning districts proposed in the LWRP. These draft definitions would contain basic information about each district – purpose, regulations, permitted uses, uses under special permit, minimum required, maximum permitted, supplementary regulations, uses expressly prohibited (some of these characteristics may not apply).

For example Main Street Shop fronts:

- 1) Check the current code where the topic is found;
- 2) Check the Village history of that topic from minutes from the Village Board meetings, Planning Board meetings etc. How far back should we go? Then capture comments.
- 3) Search and capture information from the LWRP and the Comprehensive Plan.

Now we have multiple sources and we can bring back the list to the committee for that topic.

Comments:

- That is a very lengthy procedure.
- That is a lot of work for the village history research. Look up the Public Hearings for topics then take history from that.
- The Village minutes are not very easy to search.
- We have to look at the different topics so we have to come at them in an organized fashion. 1) overview; 2) relevant history; and 3) option or possibilities of the topic. We should have those three things in hand before we come to the meeting so we are grounded.
- In the LWRS there is a part that defines mixed use so this will provide a starting point. We need a regular regimented controlled approach to the issues or we will not make it to the end of the issues.
- We do expect Anna and Chuck to come back with a more comprehensive or technologically available way to engage people throughout the process consistently that will give us feedback in a timely fashion.
- Looking for history we can go to The Paper or the PCN&R as their indexes are searchable.
- Basically sound but I have an issue with the timing.

Ms. Early will take the comments and work them back into her draft proposal and send them around to the committee members before the next meeting for their review.

The next meeting will be on January 22, 2015 in the Village Hall.

The meeting was adjourned at 9:00 PM with a motion from Mr. Lahey and a second from Ms. Early and carried with a unanimous vote.

Respectfully submitted,

Sandra L. Falloon