

Village of Cold Spring

Code Update Committee

January 22, 2015

The Code Update Committee of the Village of Cold Spring held a meeting on Thursday, January 22, 2015 at 7:02 PM at the Village Hall, 85 Main Street, Cold Spring, NY.

Attending were Committee Chair Jack Goldstein, Vice-Chair Marie Early, members Mike Armstrong, Terry Lahey, and Barney Molloy, and liaison for the Board of Trustees, Trustee Bruce Campbell and liaison to NYSERDA Stephanie Hawkins. Member Donald MacDonald was absent.

1. The January 8, 2015 minutes were brought forth by Mr. Goldstein for approval. Mr. Molloy made a motion to approve the minutes of January 8, 2015. Mr. Armstrong made a second to the motion and the motion carried with a unanimous vote.

2. Trustees Report – Bruce Campbell had nothing to report.

3. Chair's Report – Mr. Goldstein reported that Carolyn Bachan had resigned from the Historic District Review Board (HDRB) and from the Code Update Committee; Mr. Campbell had advised Mr. Goldstein that next week there would be posting in the paper for interest to join the committee. Mr. Goldstein reported that at the HDRB meeting last Wednesday the HDRB voted as a committee to be withdrawn from the NYSERDA grant. As a result, NYSERDA will remove the HDRB portion of the grant and permit 10% of the entire grant (\$7,500) to be reallocated to other work; the match remains the same at 25%. Mr. Molloy related that the HDRB withdrawal was influenced by the delay in meeting with SHPPO and the survey of the historic district, and the fact that the state design guidelines are evolving and changing. Therefore the HDRB felt it was best to uncouple their work since it would probably extend beyond the committee's timeline and they felt they had a reasonable chance of obtaining additional grant money on their own.

4. Member Reports – Mr. Armstrong stated that he was working with Ellen and Mary to preserve the Local Waterfront Revitalization Program (LWRP) holdback (approximately \$2,700) therefore an extension will be required on the original LWRP contract which expires March 31, 2015. Mr. Armstrong also reminded the committee members to send him their timesheets.

There was discussion as to whether the committee could complete their work while the HDRB is amending Chapter 64 and the Historic District Standards and how the work of both groups will be coordinated since there are now 2 separate groups working on amendments. There are topics in the list (such as cultural features) which could have an overlap with the HDRB standards or Chapter 64 amendments, and there is the need for consistency across all chapters of the code and the Historic District Standards. Ms. Hawkins pointed out that NYSERDA has left it up to the Village to determine how they want to organize the work. Mr. Goldstein said that he wants absolute clarity as to the scope of the committee's responsibilities.

It was pointed out that under the NYSERDA agreement, the Village Board of Trustees is responsible for the final public hearing on the code updates; the redlined NYSERDA agreement will contain a request for clarification on this point. The response from NYSERDA could affect the monies planned to be expended on code updates and as well as the committee's timeline since it is possible that some monies and calendar time must be reserved for the Village Board of Trustees (VBOT) responsibilities.

5. NYSERDA Contract - NYSERDA has asked that the committee provide a response by Jan.29. After receiving the response, NYSERDA will update the agreement and return it to the VBOT; at that point, the VBOT may decide to have the agreement reviewed by the Village attorney. The NYSERDA agreement is on the VBOT agenda for Jan. 27. Mr. Goldstein pointed out that there are substantive changes including updated milestones that will be reflected in the agreement that is returned to NYSERDA.

Mr. Goldstein suggested a target of 4/1/15 for signed contracts with Barton & Loguidice (B&L) and NYSERDA such that the committee to begin work.

Mr. Goldstein asked for comments on the NYSERDA agreement. Members provided same and Ms. Hawkins also provided some commentary as well.

6. B&L Contract – Mr. Goldstein asked for comments on the B&L contract. Members provided same. In an effort to manage costs, there was discussion on the need to have B&L attend committee meetings or public meetings versus having B&L advise the committee in advance or attend via conference call. It was agreed that the committee would communicate to B&L when the committee required their attendance. The costs of various B&L tasks were discussed relative to the NYSERDA reimbursement and contract adjustments were suggested.

7. Research Methodology – There is a file containing at least 20 years of consolidated VBOT minutes. However, the application required to access the file is restricted by license to one user. Mary will investigate the cost of a second licensed user. Mr. Goldstein asked the committee if the methodology defines a workable process. He noted that the Comprehensive Plan, having been adopted by the VBOT, should be given more weight than the Local Waterfront Revitalization Strategy (LWRS). Mr. Armstrong pointed out that zoning commentary is richest in the LWRS (due to the prescribed chronological development of the two documents) thus that document should receive equal weight. Mr. Armstrong pointed out that the methodology will require discussion in at least 2 committee meetings; that is not currently accounted for in the schedule. In addition, feedback from public input sessions will require discussion at a committee meeting; these should be accounted for in the schedule. Mr. Goldstein asked for a resolution to adopt the methodology. Mr. Molloy made the motion; Mr. Armstrong seconded the motion. The motion was carried unanimously. Ms. Early and Mr. Lahey will use the methodology on the topic of “Permitted Uses” for the next meeting.

There was discussion on the status of the Greenway grant. Mr. Armstrong confirmed that quarterly progress reports have not been filed in a while. He stated that the grant also requires completion of other activities, such as SEQRA, as well as the code updates. It was concluded that the quarterly reports must be completed as well as an application for an extension. A request will be made to the VBOT to pass a resolution authorizing the application for an extension. Mr. Goldstein will write the application; Mr. Armstrong will assist with the quarterly reports.

8. Public Comment – There was no public comment.

9. Old Business – There was no old business.

10. New Business – There was no new business.

The next meeting will be on February 12, 2015 in the Village Hall.

The meeting was adjourned at 9:22 PM with a motion from Mr. Molloy and a second from Mr. Armstrong and carried with a unanimous vote.

Respectfully submitted,

Marie E. Early