

The Village of Cold Spring Code Update Committee held a meeting on April 20, 2016 at 7pm at the Village Hall, 85 Main St.

Attending were board members: Ethan Timm, Norah Hart, Paul Henderson and Carolyn Bachan; Trustee Marie Early. Member Donald MacDonald was absent.

1. CALL TO ORDER

- a. Marie Early (ME) called the meeting to order at 7:10pm
- b. ME noted that the NYSERDA conference call has been rescheduled for Friday, April 22, 2016.

2. APPROVAL OF MINUTES

- a. Paul Henderson made a motion to approve the minutes of the April 6, 2016 meeting. Ethan Timm seconded the motion and the minutes were approved; Norah Hart abstained since she did not attend that meeting..

3. PERMITTED USES – Marathon Battery Site vehicular accessibility issues

- a. Carolyn Bachan (CB) initiated a discussion about the Marathon Battery site; specifically issues relating to vehicular accessibility and that a special permit be required. The reasoning behind the suggestion is that future development of the site will significantly increase traffic.
- b. That development will increase traffic was generally agreed and aspects of the impact this would incur were discussed
 - i. Marathon Battery parcel should retain its I-1 classification
 - ii. Marathon Battery site is still a superfund site with a plume running through the center of the property that is being monitored. As a result, no excavation is permitted beyond a 15'-0" depth.
 - iii. A previous proposal did not include any development in the plume area.
- c. ME noted that in the past, when the factory was in operation, traffic was less of a concern because congestion only occurred at shift changes and there were fewer Kemble Avenue residents who owned cars. If residential development occurs at Marathon, then there may be a traffic problem with Kemble Ave as a one-way street.
- d. ME noted that the previous proposal for Marathon included mixed-use development and a parking area for the Village.
- e. CB proposed a new zoning district (designated 1A) be created with special permit requirements for vehicular accessibility.
- f. Ethan Timm (ET) asked whether car dependency is an issue and, if so, how parking should be addressed. He also asked whether adjacency to the train would matter. Norah Hart (NH) asked whether there was existing code language covering this issue. CB responded that, as far as the amount of parking proposed in a

- development scheme, transit oriented designation works in theory but not in practice.
- g. Paul Henderson (PH) asked whether all I-1 zones should require special permits. No resolution was reached.
 - h. ME noted that the Village Planning Board is responsible to ensure general accessibility, fire protection and other accessibility requirements.
4. PERMITTED USES –Parcel directly NE of Haldane is currently zoned R1, but development could overload Cedar St. and the Cedar St. Spur.
- a. It was generally agreed that accessibility is a concern should the parcel be subdivided or otherwise developed.
 - b. CB noted that she has not been able to find the environmental impact statement (EIS) and that there may or may not be a conservation easement for the property. She expressed concern about the lack of specific knowledge about possible easements.
 - c. CB suggested that a new I1A classification be created, but it was determined that this process would take too long and it would not be on the “top of the list of village concerns.”
 - d. CB will put together a proposal for what the thresholds would be for a new I-1A district for evaluation by the Committee.
5. HOME OCCUPATIONS – a discussion of possible modification to existing rules for R1 and R3 zones
- a. The CUC discussed a February 29, 2016 letter from Ted Fink (GreenPlan) that made recommendations to modify the existing rules regarding primary and accessory uses.
 - b. Minutes from the previous meeting (regarding the GreenPlan letter) were read and discussed.
 - i. Should the permitted number of daily car trips (currently 4) be modified for R1?
 - ii. Accessory building use for home occupations could be redefined to read, “as permitted unless prohibited by NYS Building Code.” It was agreed that reference to “NYS Building Code” would not be included. The following rewording was agreed upon, that, “home occupations to be limited to primary building” and that, “no home occupation use to be allowed in accessory building.”
 - c. The committee discussed whether home occupations should be permitted in R3 properties. There was general affirmative agreement, but there were concerns about specific performance conditions
 - i. How many vehicular trips should be permitted?

- ii. In the case of multiple unit buildings, should the number of trips be determined by the individual unit or by the lot?
 - d. Consensus is that the number of permitted trips be determined by the tax lot and that enforcement of this provision to be the responsibility of the building owner. It was also agreed that reference to the tax lot be incorporated into the code language.
- 6. HOSPITALITY USES – overnight accommodations
 - a. Regarding a recent letter from GreenPlan, the committee discussed an appropriate definition of “short term” for an entire dwelling or a portion of a dwelling (i.e. a bedroom or bedrooms). A definition of “short term” as less than one month was discussed at length but no consensus was reached and the matter was tabled for further discussion at a later time.
 - b. The GreenPlan letter states that Bed and Breakfast (B&B) are allowed in R1 zones by special permit but that a special permit is not required for R3 zones and suggests this inconsistency be rectified.
 - c. During discussion of this matter the CUC agreed that a definition for a B&B, or any overnight accommodations, be limited to three units . . . and that anything more is a hotel.
- 7. PUBLIC COMMENT – none
- 8. OLD BUSINESS – none
- 9. MAY, 2016 PUBLIC MEETING
 - a. PH has prepared the home occupancy permitted uses section of a PowerPoint presentation being prepared for a future public hearing and will distribute it to the committee.
 - b. NH has prepared the parking section of a PowerPoint presentation being prepared for a future public hearing and will distribute it to the committee.
 - c. ET will consolidate these two documents into a Google Doc.
 - d. The next CUC meeting is scheduled for May 4, 2016.
 - e. Everyone was encouraged to review ET’s Google Doc.
- 10. The meeting was adjourned at 9pm.

Submitted by: Michael Mell