

The Village of Cold Spring Code Update Committee (CUC) held a meeting on May 4, 2016 at 7pm at the Village Hall, 85 Main St.

Attending were board members: Ethan Timm (ET), Norah Hart (NH), Paul Henderson (PH), Donald McDonald (DM), and Carolyn Bachan (CB); Trustee Marie Early (ME)

1. CALL TO ORDER

- a. ME called the meeting to order at 7:10pm
- b. ME noted that she participated in the NYSERDA conference on Friday, April 29, 2016. The next NYSERDA call will be May 20 at 2pm.
 - i. Jessica Waldorf has approved CUC request to change its public meeting to the end of May.
 - ii. ME will submit the CUC's first reimbursement request (for the last quarter of 2015) to NYSERDA for work by Greenplan and work by members of the CUC.

2. APPROVAL OF MINUTES

- a. ET made a motion to approve the minutes of the April 20, 2016 meeting. CB seconded the motion and the minutes were approved; with DM abstaining (as he did not attend that meeting.)

3. HOME OCCUPATIONS – Discussion about home occupations allowed in various zoning districts.

- a. CUC approved use of the phrase "Tax Map Parcels" to describe areas in various zones.
- b. No additional parking spaces to be required for R-1, R-3, B-1, B-4 and B-4A. NH to revise parking table. The committee agreed that since home occupations are limited to the occupant of the unit, there is no need for additional parking.
- c. B-1 (Main St.): it was agreed that home occupations be allowed.
- d. B-4 (Chestnut Ridge): it was agreed that it would have the same limitations as R-1.
- e. B-4A (Butterfield site for building nos. 3-6): it was agreed that it would have the same limitations as R-1.
- f. I-1 (new mixed use district): Discussion revolved around possible increased vehicular traffic caused by Live/Work occupations and possible increased density.
 - i. CB noted that Live/Work situations may engender more than (4) vehicular trips per day. She suggested the need for differentiation for areas with limited access. ME to review.
 - ii. ET considers that the impact of deliveries would "not be too great."

- iii. DM stated that Live/Work determinations for the Marathon property should be tied to vehicular access. In response, PH stated that the Planning Board is responsible to review and address access issues.
 - iv. CB suggested that a "minimum level of service" be included in revised Code.
 - v. ME agreed with PH saying that Planning Board would review all access aspects as part of their site review. This being the case, the CUC does not need to identify standards.
 - vi. NH and DM suggested the CUC review performance standards (for vehicular access) to ensure appropriate compliance. ME asked CB and DM to develop level of service standards.
 - vii. DM (referring to vehicular access for the Marathon property) stated that the developer should not be given carte blanche to determine density.
 - viii. ET expressed concern that if federal guidelines were to be applied to vehicular levels of service, that they would "ruin Main St." CB responded that federal standards apply to highways and other limited access roads and would not apply to the access-ways being discussed.
 - ix. PH confirmed that home occupations (as opposed to work/live) would be allowed in I-1. ME agreed.
 - x. Discussion of bulk/density usage issues to be tabled until the next phase.
 - xi. ET made the point that the level of service should be developed and be applicable to all large, developable parcels.
4. OVERNIGHT ACCOMMODATIONS – a continuation of the last meeting's discussion regarding definitions and items noted in recent letter from Ted Fink (Greenplan.)
- a. CUC agreed that the maximum number of nights for B&Bs and other overnight accommodations will be 30 days or less.
 - b. ME provided background information regarding the difference between B&Bs and other overnight accommodations. The NYS Residential Building Code states:
 - i. B&B can't have guest rooms above the 2nd story.
 - ii. B&B may have a maximum of five rooms with ten transient guests
 - iii. B&B includes breakfast as part of room rate, while (other) overnight accommodations do not.
5. PARKING – a discussion of off-street requirements for ground floor commercial enterprises vs. those located on the 2nd floor.
- a. Currently ground floor businesses are required to provide one off-street parking space for every 150SF. Second floor businesses are required to provide one off-street parking space for every 300SF.

- b. Should a business not be able to meet this requirement, they may pay a one-time waiver fee of \$250.
 - c. ME asked why there should be different requirements. Consensus of CUC is that a second floor business may have as much or more traffic than a ground floor business.
 - d. ME asked whether the type of business (i.e. professional rather than retail) would impact off-street parking requirements for businesses on the 2nd floor. CUC consensus is that it would not.
 - e. CUC agreed to modify parking matrix to requirements for ground floor and 2nd floor businesses; ET noted that he was not in agreement with this.
 - f. ET inquired whether a change of use for a grandfathered parcel to a less intensive use would trigger compliance to current requirements. Also, would the reverse (less to more intensive) be so and should this issue be specifically identified in the code?
 - g. DM responded that a change of use would trigger other issues, as well, that would be part of the Planning Board review. In the case where the change of use reduced the number of required parking spaces from what had been approved, the question may be moot.
 - h. ME noted that code specifies that a change of use invalidates any previously granted waivers. There was no resolution to ETs query.
6. PROCESS FOR MAY 2016 PUBLIC MEETING – discussion document formatting, meeting organization and status of work by CUC members.
- a. ET to post all documents to Google Docs (to permit collaborative editing.)
 - b. PH submitted a draft document for the topics of Permitted Uses and Home Occupations. Each item/issue organized into categories of: What, Why, Where and How. CUC agreed that all topics should be organized in a similar fashion.
 - c. CUC agreed to use the word “district” rather than “zone” in all presentation materials.
 - d. CB continues her work on Main Street store fronts and accessory buildings.
 - e. NH continues her work on parking and overnight accommodations.
 - f. DM continues his work on accessory apartments and habitable floor space.
 - g. ET continues his work on waterfront recreation and detached garages.
 - h. ET will update draft PowerPoint presentation for committee review.
7. MISCELLANEOUS
- a. CB said that the Campbell/Kemble property should be shown as R1 and PR1 on the zoning district map.

- b. ET noted that the two green spaces at the foot of Main Street (along the train tracks and between the tunnel and public restrooms) are currently not identified as belonging to any zoning district. He suggested they be classified as PR-1.
8. PUBLIC COMMENT – none
9. OLD BUSINESS – none
10. A motion to adjourn was made by NH and seconded by PH. The meeting was adjourned at 9:10pm.

Submitted by: Michael Mell