

**THE VILLAGE OF COLD SPRING  
HISTORIC DISTRICT REVIEW BOARD  
85 Main St. Cold Spring, NY 10516**

November 3, 2010

**Members present:** Chairman; Al Zgolinski Members: Carolyn Bachan, Pamela Colangelo, Peter Downey and Kathleen Foley

**Present for the applicant:**

Andy Chmar; Executive Director, Hudson Highland Land Trust  
James Hartford, River Architects.

The meeting was opened by Chairman Al Zgolinski and all Board members introduced themselves.

Mr. Chmar explained the project from the beginning which started with Mayor Phillips 3 ½ years ago. Lighted bollards were introduced to the Village Board in 2008. The bollard light concept was approved by the Village Board; but it was noted the Village had no money for the project. Fund raising was complete in 2009. In Jan of 2010 River Architect was hired to help design the concept. \$70,000 was raised. Extra money was raised which allowed money for a fence. Originally the lighting was to be completed for the Quadra-centennial.

Mr. Hartford explained that if approved the new design would improve safety and would be dark sky compliant. Mr. Hartford noted that the current poles are not dark sky compliant. The existing poles are bolted to the slab. The electrical service currently serving the poles will be used. The existing poles will not be used. Bishop's crook poles will be placed along the river front. The bollards will be placed on the dock. The life expectancy of the bulbs is 50,000 -70,000 hours.

Mr. Hartford explained the reason for the cable net fence was to give greater visibility to the water. The proposed stainless steel cable net will be continuous around the dock and mounted on a metal frame with a wooden handrail. The finish will be a car-body finish making it durable. Mr. Hartford showed pictures of the Mary Powell which showed it had similar railings.

Mr. Hartford presented the following:

- Drawings showing where the proposed lights will be placed and drawings of the proposed guardrail including an example of another sample guardrail.
- 113 signature petition from residents and non-residents.
- Letters from the following:
  - Luke Fiske dated 108/10
  - Karen Doyle and Bennett Goldberg, 15 Marion Ave. submitted 11/3/10
  - Huntly Gill, 100 West 72 Street Ste 6G.

P. Colangelo asked if Mr. Chmar's word "if" meant "if there is money left over" and asked what happens if the whole fence cannot be completed. Mayor Gallagher answered that the Village budgeted \$10,000 in case money falls short. Mr. Chmar added he believes there is more than enough money. Mr. Chmar added the "if" meant if the project objectives are met, the fence can be done.

K. Foley noted the board has to review the application as a whole and that the financing is not part of the application.

A. Zgolinski asked if the bishop's crook light structure is dark sky compliant. Mr. Hartford answered yes.

The chairman called for a ten minute break about 8:30 PM to allow the public to view the drawings. The public hearing resumed at 8:45p.m. Chairman Zgolinski opened the meeting for public comment.

Mrs. Karen Phillips, 10 New St. - asked if the project can be changed to all shepherd's poles. Mrs. Phillips appealed to the Board to see if changes can be made to the plan. Mrs. Phillips expressed concern over not being able to tell if people on dock in the dark were male or female since the bollard light only illuminates about 4 ft. Mrs. Phillips felt the railings should be done first for safety reasons. Mrs. Phillips apologized if she offended anyone but she felt there needs better illumination on the dock.

Mrs. Elizabeth Monroe, 18 Parsonage St. – teacher at Haldane, expressed concern over the size of the netting and noted the fence netting is perfect size for small kids to get feet in and climb up. Mrs. Monroe noted the 42” high bollard could cut or gash a child’s forehead if they were to run into it. Mrs. Monroe also noted the bollard light is the same height as a person seated and thought the light would shine in the person’s eye and questioned whether the proposed project was a safety hazard.

Mr. Arron Freimark, 10 Whitehill Pl. – noted bollards are used in other areas and he noted kids are playing and not getting hurt. He did question the location of the benches compared to the location of the light but noted that it depends on the light. He noted his son is 3 years old and his shoe would not fit through the holes in the fence.

Mrs. Ann Zgolinski, 23 Market St. – school nurse, expressed the same concerns as Mrs. Monroe regarding child safety and she also noted a small child wearing flip flops could fit feet into the fence mesh.

Mr. James Hartford, 5 Furnace St. – noted there was a lot of discussions with lighting and safety, and noted someone he knew watched two girls climb up the light poles at the dock.

Ms. Suzie Tortora, office at 8 Marion Ave. – noted the bollards already exist in other parks and walkways and that it is up to the parents to keep their children away from the lights and guardrail. Ms. Tortora also noted that children have accidents no matter what. She also noted that quality of the lighting, having dark sky compliant lighting and the beauty of the town is important.

Mr. Huntly Gill, Kingston – noted he is involved in raising money for bollards for his town. The designs presented for the riverfront are wonderful. Mr. Gill also noted that from a mariner’s point of view, the view from Cold Spring is the most beautiful and by far the last thing boat captains need is light pollution when looking for the three running lights on other boats. Mr. Gill also noted that the proposed project is being made for future generations.

Matt Francisco, 18 Orchard St. – noted that even during the day, shepherd’s crook lamp posts obstructs the view. A clear unobstructed view is preferable. Mr. Francisco also noted that many people saw the demonstration and noticed the absence of glare and the outline of the mountains. As far as child proofing goes, it is unrealistic. There are risks in just getting out of bed.

Susan Peehl, 18 Fair St. – noted she did a lot of research on lower lighting levels. The safety feature is that you adjust your eyes to the night.

Mr. Seth (Mayor) Gallagher, 10 Garden St. - noted he always went down the dock and until recently looking at pictures of the dock, he didn’t realize there were never lights down the dock. Mayor Gallagher pointed out the original proposed bollard fixture was not as bright as the new bollard. The new ones are

much brighter and you are not losing the quality of light. The proposed bollards could be placed near the benches so children should not get hurt.

Mr. Tom Foote, 16 Market St. - fence resembles a chain link fence and he doubted whether the fence is legal.

Michael Martin, 1 Granview Terrace - noted he came thinking it was all good until he listened to the comments and concerns. He questioned whether safety was in the Board's purview. He would like to see the Village Board take it into consideration.

A. Zgolinski - answered safety is not in this Board's purview.

P. Colangelo - thanked everyone for their comments. She noted she does agree that it isn't under the purview of the Historic Board but that the Planning Board is concerned with safety. P. Colangelo suggested to have this public hearing kept open to let the Planning Board have a chance to review it.

Mayor Gallagher - acknowledged that the Village Board will address the safety of the light fixtures and nighttime safety. He had already spoken to George Kane, the officer in charge of the Village of Cold Spring Police Department.

Mr. Hartford - noted the cable net is custom made and the mesh can be made smaller.

Mrs. Karen Phillips, 10 New Street - asked how much Andrew Pidala is charging to hook up the electric?

Mrs. Kit Burke-Smith, 6 Forge Gate - noted the impact of seeing changes occur. The proposed project will be such an improvement. LED lights are unbelievable and require less maintenance. She also noted it is important to be thinking of our children.

Ms. Michele Woods, 11 Rock St. - noted that everyone appreciates the safety, but the proposed project is up to safety codes and the mesh can be smaller. Regarding the safety, she noticed the kids down at the river are always under the light and she does see police presence.

Mr. Tom Monroe, 18 Parsonage St. - noted that this is the Architectural Historic Board and these bollards are not historic and the bishop's crook is not historic either, but they are similar to original lights at train station.

Mr. Mike Armstrong 7 Morris Ave. - noted people like the access to the river and when people think about the river they think about a beautiful old river. He noted we need to have a starting point along the Cold Spring shoreline to the whole river. It is giving access to nature.

Mr. Nate Smith, 6 Forge Gate. - agreed that the bollard fixture is not historic but the sky is historic.

Mr. Tom Mullane, 17 Mountain Ave. - noted he likes what he has seen when looking out into the river.

Ms. Dar Williams, 25 High St. - noted she loves seeing the tourists on weekends and the subtlety of the river looks serene. The subtle lighting keeps the sky clear and keeps it at eye level. Cold Spring is a town that loves its history and loves its character. She also noted she is the mother of two children.

Man in back (No name) - noted that we don't need a historical precedent for a LED bollard. The river is something that we have to protect.

Mr. Claudio Marzollo 256 Lane Gate Road –asked if you can take the money for one reason and say we are using it for something else. He noted the lights are pretty strong, you really see them coming down the river while in a boat the light really impacts the view.

Mr. Huntly Gill, Kingston – noted that if you are doing something that you always wanted to do and it will last for 50 years, choose something that looks historical.

Mr. Hartford - added about the issue of character of light, there is no way to use a historic looking light with new technology. It doesn't work.

Ms. Susan Peehl, 18 Fair St. - noted Hudson River painters saw this area as beautiful as it is. There isn't much untouched area left. Most of the area is littered with houses.

As there were no further speakers, Chairman A. Zgolinski closed the public comment.

The Chairman opened up the meeting for comments from Board members.

K. Foley – acknowledged she still did not like the 4 bollards by the Parrott Gun because they detract from the monument.

Mr. Hartford responded that if the client agrees, they will review the bollards. If the level of illumination is high enough they will consider changing it.

C. Bachan finds the bollards become visually intrusive and asked if they can be pulled away from the Parrott Gun (4 lights but pulled away). In her opinion both the bollard and the bishop's crook apply to this location. And as a resident she believes both guardrail designs would work and she noted she has no children. Bollards do not appear to be historic; but, if the shepherd's crook light fixture is dark sky compliant, why can't we use that fixture and the poles that are there now.

Mr. Hartford responded that the light fixture manufacturer's engineer would not sign off on the project and no one would certify the safety of the pole.

C. Bachan added she would like to see operational alternatives at the dock such as at certain times turning off the lights for star gazing. There already is a lot of competition of lights between Newburgh and West Point for there to be a true dark sky.

Mr. Hartford answered that it will be much easier turning off bollard lights than having Andrew Pidala come down with his truck to turn off the current lights.

P. Downey agreed with C. Bachan that the bollards don't function at the dock and suggested getting rid of the 17 bollards and just using the bishop's crook light poles around the perimeter.

P. Colangelo - thanked the public for their comments and noted that this project is different because the dock affects the community as a whole. Since the Village Board initiated this project, we have to work together with them. P. Colangelo asked what the term "dark sky compliant" is and who is asking for compliance. As a Village resident she knows what the purview of the Board is and she noted she listened to all comments and noted safety is a concern. P. Colangelo noted she spent time at the river when it was dirt and you could just walk to the water. She questioned what a safe level of lighting should be.

Mr. Hartford answered dark sky compliance is not a code it is voluntary. He also noted that one person who signed the petition is Brandon Del Pozo, a Police Officer, and he is enthusiastic about the changes and has small kids himself.

A. Zgolinski noted that safety is not part of this Board's purview.

Mr. Martin, 1 Grandview Terrace - noted you have to be concerned about with what your jurisdiction is and you have to make sure those needs are met.

A. Zgolinski noted that the fish netting mesh fence is very nautical but he would like the mesh smaller.

Lighting – the Board is well aware of introducing new elements and not making them historic. In his opinion, the bollards are not combatable with anything in the Village. Bollards are also an inappropriate form of lighting in this space. The dock is special to the Village as it is the closest thing to a Village square. It is where various activities are held and he feels bollards are a wrong way of lighting that space. The fixture is not appropriate and not sympathetic to anything in the Village. He understands the desire for limiting light pollution coming from the current fixtures and feels bishop's crooks fixtures would be better for lighting up the dock. He added that he didn't think many ships would be docking at night.

K. Foley - noted the dock is new construction in the district. Nothing about it is historic except the bandstand and placement of it. She believes either light is acceptable and either fence very much identifies the dock as being of its time. She tends to support the proposal.

Mr. Martin, 1 Grandview Terrace – noted he liked the fact that board members took time to speak as board member and to speak as residents and asked why some members thought the lights were inappropriate.

A. Zgolinski - responded the bollards are inappropriate for a public gathering space. Bishop's crook light poles blends into the character of the District.

Mayor Gallagher - noted he came to the Board for his own building and the effect of light bollards he used was never questioned.

A. Zgolinski - noted the lights are being questioned because the dock is a public gathering space.

K. Foley asked A. Zgolinski how that impacts the Historic District.

A. Zgolinski agreed that lighting never existed at the Dock. Bishop's crook light fixtures are more sympathetic to the historic context.

Mr. Monroe, 18 Parsonage St. - noted that the bishop's crook lamp post would be keeping the character because they were similar to lighting from the railroad.

Resident, 23 Fair St. - asked as a resident; for the Board members to vote on the merits of the application and not to vote on personal feeling.

C. Bachan – noted that most of the guidelines do not address public places. After looking around town she noted that she found two post lamps – 1 fancy one and 1 next to depot restaurant. She felt that the only appropriate light at the water front would be a light on a pole.

A. Zgolinski explained how the current light fixture was picked and where it came from.

A. Zgolinski asked the Board members if they were ready to vote.

A. Zgolinski asked Mr. Chmar if the board can break the application down into two parts. And vote on each separately. Mr. Chmar answered yes.

A. Zgolinski called for a vote on the guardrail with smaller mesh.

K. Foley .voted yes

P. Downey voted yes

C. Bachan voted yes

P. Colangelo voted yes

Z. Zgolinski voted yes

A. Zgolinski called for a vote on the light part of the application.

K. Foley voted yes

P. Downey voted no

C. Bachan voted no

P. Colangelo voted yes

A. Zgolinski voted no

A. Zgolinski asked Mr. Chmar if he would consider changing the design of the lights. Mr. Chmar answered no and that he will have to decide if they wish to pursue the application or if he will go right to the Mayor and Board of Trustees.

Man in back (no name) asked if the board members voted according to guidelines or if they voted by their feelings.

Ms. Gail Greet Hannah, 6 Grandview Terrace - asked the board members if they understood the technology of the LED bollards and told them where they can obtain more information.

K. Foley moved to close the public hearing and P. Downey seconded the motion. The meeting was adjourned at 10:13 pm.

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Al Zgolinski, Chairman

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Date