

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

August 8, 2012

Members present: Chairman; Al Zgolinski Members: Carolyn Bachan, Peter Downey, Marie Early and Kathleen Foley

1. Old Business:

A. Stephanie Hawkins, 15 Academy St.

Ms. Hawkins presented photos previously requested by the Board to show how solar panels will look installed on the roof and how the hot water panels will be attached. The plumbing will be run through the roof. The Board requested that the hot water panels be centered on the photovoltaic panels previously approved. A catalog cut sheet showing the size of the hot water solar panels was requested. The Chairman called for a vote on the application as amended. K. Foley moved to accept the application as amended and C. Bachan seconded the motion. The motion was approved 5-0.

B. Matt Beachak, 9 Garden St.

Claudine Beachak represented the applicant and reported that he is not ready to present proposed siding; the application was moved to the agenda for September.

2. New Business:

A. Jeff Phillips, 200 Main St.

Mr. Phillips represented the property owner. A four-foot high wooden picket fence was installed near the west, north and east property lines and near a portion of the south property line, roughly parallel with the front of the house. The fence was installed without HDRB approval, and replaced a chain link perimeter fence. A portion of the chain link fence is still remaining. K. Foley noted that there is a historic stone stairway near the southwest corner of the property which, given the placement of the fence, leads only to a line of pickets rather than a gate. The Board recommended a gate to be put up at the top of the stairs. The Board members commented that the posts were not exposed as required by the Design Guidelines and requested that the picket panels be placed between the posts instead of in front of them. Jeff Phillips agreed to ask the owner if the fence can be re-installed to expose the posts. He also suggested he could build out the posts to give the visual illusion that the pickets are hung between them rather than in front of them. Mr. Phillips will prepare a drawing of what he is proposing; the application was moved to the agenda for September.

B. Billy Fields, 11 Locust Ridge

The Applicant proposed a paintable pressure-treated, 4 foot high wooden fence and gate around the rear of the property, with a gate along the driveway. The Board members noted that the proposed fence posts are not much larger than the pickets and will not be distinguishable from them. The applicant agreed to increase the size of the post to a 6x6. The applicant requested the board to approve two gate locations to allow flexibility for the installation. The Chairman called for a vote on the application with an alternate location for the gate and the posts enlarged. The amended application was approved 5-0.

C. Mary Shortell 18 Fair St.

Pursuant to a compromise with the Zoning Board of Appeals, the Applicant proposed the demolition of a later addition to the property's historic carriage house. The four foot area, located at the southwest corner of the structure, in front of what was likely the original stable, would be removed. Additionally, the existing, modified garage doors would be replaced with wooden, outswinging paneled doors that would be more reminiscent of the original carriage house doors. Given previous controversy related to this property, a public hearing was scheduled for September 12, 2012.

The Board requested more information on the following:

- Design details of the proposed garage doors, including mouldings, trim and hardware
- The treatment of the historic cupola, which was not depicted in the drawings.

The Applicant also was asked to update her drawings and make two more copies of the survey.

D. Paul Henderson and Beth Sigler, 14 Stone St.

The Applicants proposed to change the previously approved metal roof vent on their shed. Mr. Henderson proposed a wooden, fixed-slat cupola to allow air to escape. K. Foley moved to accept the proposed change and C. Bachan seconded the motion. It was approved 5-0.

E. John Wayland and Jennifer Zwarich, 192 Main St.

The Applicants described their existing porch, which i-rests upon poorly constructed roof -that retains water, causing the porch above it to rot. Ms. Zwarich noted that the porch likely is not original to the house; it is built over an earlier, single story addition, which extends to the north of the porch. The Applicant proposed to continue to porch over the length of that addition and enclose the northernmost portion of the porch with windows. The south end of the porch, near the front of the house, will remain open. In keeping with the Secretary of the Interior's Standards, the enclosure will be set back from the porch's columns and balusters. Given the prominence of the porch from the public rights of way-, the Board scheduled a public hearing on September 12, 2012.

The Board then discussed the proposal to provide input for the Applicant. A. Zgolinski suggested that smaller, operable sashes separated by mullions be used rather than the proposed larger, fixed sash units.. The Applicant agreed to consider the suggestion.

The Board requested more information on the following:

- The location of the door into the house, at the south end of the porch
- Design details at the SW corner, as well as materials throughout the modification.

F. Hudson Highlands Putnam History Museum, 63 Chestnut St. – not present; moved to the agenda for September.

3. Continued Public Hearing:***Ken Elmes, / Dunkin Donuts, property located at 63 Chestnut St.***

Cynthia Falls, GK&A Architects, noted the following:

- Dimensions of the HVHC units are noted on the revised drawing.
- The location of the menu board was placed in the correct location on the revised drawing.

- The size of menu board is noted.
- An externally lit menu board possibly could be done.
- The lighted sign on the pole in the front has to remain as is.
- There will be no pole mounted light fixtures.
- All lights will be on timers which will be set to shut off after hours.
- The panels will be laminated tempered glass.
- The bollards have been removed, a curb replaced them.
- The HVAC units on top of the building will not be enclosed.
- The parapet will not change.

At 9:50 P.M. the chairman gave the public 5 minutes to review the drawings.

At 9:56 P.M. the Chairman opened the meeting for public comments.

Ms. Judith Rose, 7 Marion Ave. read the following into the record

"As part of planning the future of Cold Spring, there have been 28 public input meetings in the past 5 years. In almost all these meetings the importance of preserving village character was discussed. Residents discussed the importance of walkability, and talked of Cold Spring's peacefulness and unique character. The result was that a comp plan and subsequent LWRS were approved last year and early this year. They are next going to be made into zoning law. These documents represent the voices, many; many voices of the village residents.

In the LWRS on page 58 under a section called Chestnut Street, it states: To promote site layout that encourages walking, no drive through establishments will be allowed.

The ARB is currently charged with approving the design for a formula restaurant owned by a non-local franchisee which includes a drive through. Although many see this board as strictly bricks and mortar and in fact like the design proposal, I contend that you have lost the big picture which is the responsibility of all boards, yours included, to preserve village character and to make your decisions based on the planning documents created by your fellow residents. They may not be law yet, but they are our voices . . . those of your neighbors.

And more personally to us close to the building and to the scores of people who walk up and down Marion daily going to Foodtown, this is a business that will be operated 6 am to 10 pm, 7 days a week, nights and weekends when now we have peace and quiet after the garage closes. There is no fence now, we don't even know if one will be approved, and we have no guarantees that there will be an acceptable menu board.

Donut supporters have suggested loudly that the neighboring residents move away. No, we will not. We have as many rights as does one business owner.

You five as a board represent the Village of Cold Spring and I contend need to be the defender of its residents, me included and of its planning documents which say "no drive troughs". I urge you not to approve this project. "

Ms. Karen Parks, 25 Chestnut St. – concerned about the back-lit menu board and asked if the Board should hold the Applicant to requirements of the Design Guidelines, which prohibit internally lit signs; since the menu board issue is not resolved perhaps it should be addressed in a later hearing.

Ms. Susan Peehl, 13 Fair St. – noted that it sounds like a heart breaking issue but this application has gone through all the proper channels. The public has had a say throughout the HDRB hearings.

Chairman Zgolinski closed the public comment period.

Chairman Zgolinski opened the meeting for Board member comments.

K. Foley - noted the following:

- she heard the concerns raised regarding the inclusion of a drive through in the application but she believes a drive through is an issue of use and therefore within the purview of the planning board.
- She felt that the Applicant has worked very hard to meet the design requirements of the HDRB as well as design concerns raised by the public.
- Noted that from a preservation stand point the Board has served the building well—its original use will be recognizable in its rehabilitation, which meets the broad goals of preservation

C. Bachan – noted that a comment made by a member of the public regarding the Applicant not being local was very offensive.

M. Early - noted that she agonizes over the issue of a drive through. As a walker in the village she is concerned about the safety of walkers near a drive through. But she believes that the question of including a drive through is rightly addressed by the planning board.

P. Downey - noted that the prohibition of drive through establishments on Chestnut St. is a recommendation in the comp plan but has not yet been accepted as a local law.

A. Zgolinski - noted the following:

- The character of Chestnut Street is not the same as the character on Main St.
- It is not sound preservation practice to try to make Chestnut St. look like Main St.
- He can't see how - removing the drive through from the proposal is going to make a difference in terms of neighborhood character.
- Notes that the Chestnut Street commercial strip was originally designed to accommodate cars, so making planning choices that attempt to exclude cars is not in keeping with the area's original intent..

The Chairman suggested to the Applicant to remove the menu board and signage not shown on the drawings from the application and come back before the board with revised versions at a later date. The Chairman also noted that the Applicant will have to come back to the HDRB if Planning Board actions cause changes that modify this application. The Applicant said he understood.

A. Zgolinski noted that the application would be modified as follows - the gas pump canopies and the two remaining site lights are not changing (one by Grey Printing and one by the Parks residence) and the menu board are being removed from the application.

Chairman Zgolinski called for a vote on the application as modified above.

- M. Early voted yes.
- K. Foley voted yes and noted she was happy the AC units will not be covered.
- C. Bachan voted yes.
- P. Downey voted yes.
- Zgolinski voted yes.

The Application was approved 5-0.

4. Public Hearing:

Phil Mackintosh, 5 Railroad Ave.

Ms. Karen Parks represented the Applicant. The proposal was for a one story addition to the back of the house; although it is the rear, it is visible from public rights of way to the west. The addition will be built on an existing foundation.

Following on discussions in a previous HDRB meeting, Ms. Parks noted the following:

- She simplified the molding in keeping with the columns in the front.
- The owners would like to incorporate the triangular window that some board members previously suggested to remove.
- A standing seam roof was proposed.
- The Chairman opened the meeting for public comments at about 10:30 P.M.

Ms. Stephanie Hawkins, 15 Academy St. - noted she thought the proposal was attractive and appropriate to the structure, and said that she would be in support of the Board approving- it.

The public comment session was closed about 10:38 P.M.

There was a brief discussion relating to gutters and leaders because they were not shown on the drawings. Ms. Parks stated that gutters will be required. She noted that if the roof is copper, the gutters and leaders will be copper. If the roof is galvanized aluminum then the gutters and leaders will be aluminum. The Board stated that the gutters should be a half round or simple box.

K. Foley stated that she felt the triangular lite looked a little too grand for the modest structure and she preferred a solid panel or a smaller, multi-pane lite.

A. Zgolinski noted it is a charming addition to a charming building but also did not like the triangular lite.

P. Downey noted he felt the Board should give the Applicant the choice of whether the triangle window is completed or not since it is the applicant's preferred treatment.

C. Bachan agreed with P. Downey.

A. Zgolinski noted the following amendments to the application:

- Gutters and leaders if used should be half round or box shaped.
- they will be either aluminum or copper depending on the materials of the roof.
- Either of the two approaches to the triangular window is acceptable.

M. Early moved to approve the application as amended. The application was approved 4-1. A. Zgolinski voted against the proposal because of the option given on the triangular window.

5. Correspondence:

- Minutes from other boards to review
- Building permit denial
- New York Metropolitan Transportation Council – New Interactive website

6. Board Business:

A. Zgolinski and C. Bachan will go to the Mayor and Board of Trustees meeting to discuss the Grove. The Board members discussed the Grove property and recent bid to purchase the Grove property.

P. Downey moved to adjourn the meeting and M. Early seconded the motion. The meeting adjourned at 11:05 P.M.

Al Zgolinski, HDRB Chairman

Date