

VILLAGE OF COLD SPRING
SPECIAL BOARD for a
COMPREHENSIVE PLAN/LOCAL WATERFRONT REVITALIZATION PLAN

Minutes

Public Hearing on

Draft Comprehensive Plan

October 14, 2010

At Cold Spring Fire House Main and Church Streets

Mike Armstrong (Chair, Special Board) opened the Public Hearing at 7:39pm with a brief introduction including why a Comprehensive Plan is important for the Village, and a history for the development of the Comprehensive Plan. He identified the two written comments that have been received thus far from Richard M. Turner and from Katherine H. Zalantis of Silverberg and Zalantis representing the owners of the “12 acre Marathon site”.

Note: All responses and answers are from Mike Armstrong unless otherwise noted.

Armstrong expressed great appreciation for each of the public comments. The spoken comments were as follows:

Lillian Moser – (member of the Fire Company and, for a time, Vice Chair of the Special Board) - Tons of information was developed by various Working Groups, including the GIPS group and none of it is in the Comprehensive Plan. The name of the ambulance corps is wrong – it says it is the Putnam County Ambulance Corps – it should be the Philipstown Volunteer Ambulance Corps. Lillian said she is ashamed of the Comprehensive Plan. She said she hopes the Village Board throws it (the Comprehensive Plan) out.

Rhoda Needleman – Still disturbed about children in new housing raising property taxes. There are many seniors living alone; if there were more affordable housing for seniors, perhaps that would be a way to keep taxes down.

Dave McCarthy (not a village resident, partner in an online marketing firm) – Thought there are many ways that are free that could enhance the plan: a strong social media component in the plan (people love to come here and enjoy the waterfront, taking pictures and promoting the village); has heard that Breakneck is the number 1 hiking destination in the country – redirect the trolleys to take people to Breakneck so that hikers have more time to spend in the village when they return from their hike.

Dick Turner – (Submitted written comments to the Special Board and read excerpts in his comment period). Would like to see more on the historic character, for example, that Robert Parrott (Parrott Street was named after him) was the inventor of the Parrott gun, was a superintendent of the West Point Foundry and an officer during the Civil War; Gouveneur K. Warren was an engineering officer for General Mead during the Civil War and is considered to be the “savior of Little Round Top” and Dick would like to see a statue of Warren here; his sister Emily Warren Roebling supervised the building of the Brooklyn Bridge after her husband (Roebling) became ill from the bends – maybe people from New York City would like to come to Cold Spring to see the historical places where the Brooklyn Bridge builders lived. Supports the goal to preserve the historic nature of the village. The Comprehensive Plan in Section 1 says to “keep flexible” but then says “require diversity”; it should say “permit it” or “allow for it” to allow the village to develop what they want for it. Curb cuts should be made along Fair Street because it is a thoroughfare from the parking lot to the center of town. A bike path should be constructed along portions of Fair and Chestnut Streets, and Morris Avenue, not just signs that say “shared roadway”. Three story buildings should not be permitted because they are not in keeping with the small town atmosphere and will destroy the diversity that currently exists. The proposed parking lot (east of the railroad platform) will destroy trees and just cater to the railroad; if the railroad had its way it would just pave over the whole village for a parking lot for outside commuters. As for the Village Garage, it was just built - leave it where it is – it is out of sight from the Village and its central location permits vehicles to quickly respond. There is no waterfront revitalization in the plan and it is integral to the Comprehensive Plan. This is a great start but that’s all it is – a start, now is the time to move on with discussions. We should learn lessons from Philipstown.

Q: Janet Rust – Is the narrative the work of one person or many?

A: It’s the work of many people.

Q: Janet Rust – The voice changes; it is very firm at the beginning but becomes more iffy in other sections. Agrees with Dick Turner about three story buildings.

Mark Wildonger (Scenic Hudson, not a village resident, read from a prepared statement) – Scenic Hudson continues to work with the village to ensure that Foundry Dock Park and West Point Foundry continue to be a source of pride to the village, and provide open space and recreation and provide an economic benefit in a manner consistent with the Comprehensive Plan. They are pleased to see their investment in the village is consistent with the plan’s recommendation for open space, recreation and heritage-based tourism which attracts visitors who also shop along Main Street. Supports recommendations for visitors to the preserve and Kemble Estate area to support local businesses. Also supports the recommendation for pedestrian corridors and paths to the preserve from Main Street and other points in the Village. One way connection can be created from Main Street is through encouraging contextually appropriate development on Marathon site in order to maintain the village fabric. If the Preserve and Foundry areas were to be rezoned (Section 7.2.20) – Scenic Hudson would recommend business, office, B&B which would add to village revenue. Scenic Hudson has recently published “Revitalizing Hudson Riverfronts” and would like to have that adopted as an appendix to the Comprehensive Plan. Supports moving the Village Garage which would be consistent with the principles

in “Revitalizing Hudson Riverfronts”. Scenic Hudson commends the Special Board for developing the draft plan which, when implemented, will establish Cold Spring as a model Hudson Waterfront community

Pete Henderson – The publication of the Comprehensive Plan is a major milestone but there is still has a long way to go. He expected to see a complete and finished plan that would go to the Village Board, not one which the Village Board would have to complete. Fear that the plan in its current form will die a slow death. Much work lies ahead in shaping this draft into a plan which could be called a shared community vision rather than a collection of suggestions, opinions and ideas. He will submit written comments. A Comprehensive Plan is essentially a land use plan. The law is clear in stating that all future zoning changes must be in accordance with the Comprehensive Plan. The draft does not have a future land use plan maybe because the Special Board had not reached a consensus on what it should look like. It (the Comprehensive Plan) has many suggestions, some brilliant, some unclear, some of which conflict, some of which might not stand up to legal challenge because they place onerous requirements on specific properties. The land use recommendations are scattered throughout the draft and are confusing as to what is actually being proposed. There is much that is clearly not related to land use and as such, represent only suggestions. Don’t throw these away because there are lots of great ideas although many seem beyond the scope of a comprehensive plan. But there should be separation of non-land use topics and they should be moved to a separate section to distinguish between those that have legally binding implications and those that don’t. That would bring land use issues into focus to clarify how future changes might impact different sections of the village. We’re all anxious to see the plan complete so I urge you to take the time to review all public comments carefully and work with the Village Board to incorporate their feedback as well before the Comprehensive Plan is turned over to them.

Cecile Lindstedt – Against parking meters – it is against everything the village is about. Please plant more trees. Bury the power lines. And thank you for this volunteer effort; many communities have to hire people to do this.

Response: Clarified that the Village had spent approximately \$21,000 thus far in developing the draft plan.

Stacey Matson-Zivic – (had been a member of the Special Board) Looks like the plan distilled down many of the ideas into their essence. Maybe one way to capture all that information would be to add it to the appendix, including the National Register Nomination and the topics addressed by Lillian – a lot of information seems lost. She liked the idea about tear downs and the demolition delay. Liked zoning reflecting what exists today in terms of setbacks, building height. Liked avoiding rigidity and encouraging innovation however it was vague about how this could/should be done. In section 1.5, use the term “preservation” and not “restoration” since restoration means a specific approach about returning a structure to a period in the past. In the Introduction, there was a note that the Working Group felt strongly about expanding the local historic district but there was not much public support for that. Felt that the recommendations were a little weak. Suggest you add seeking training and education opportunities for the Historic Review Board members to enhance their understanding of their own

Historic Review Board guidelines and carrying out those guidelines, and working with property owners. Actually, this could help with all boards. Also, analyze the approval process to streamline it which could eliminate some of the contention and frustration on the part of property owners.

Robbie Smith – Appreciation to the Special Board. Enthusiastic for the RiverWalk and a park at the Village Garage

Matt Francisco – Composting should be addressed. People are resistant to composting but when the municipality collects it, people will do it.

Mark Sabin – As Pete Henderson said, the Comprehensive Plan should primarily focus on land use. A different organization of the plan might help, maybe a matrix could be developed separating land use from non-land use.

Tom Rolston – (had been on the Special Board) I like it. The plan is a way to save money for the Village. The plan is a way to make money for the village. There are many example of land uses which are doing nothing and the village can make money. Scenic Hudson has talked about ways we can bring tourism in and make money off this. Taxes are the 12th highest county. We might as well start making money off these tourists. Parking meters are a whole different thing today.. Move the village garage and make money – this is the same talk that we had when they didn't buy Dockside for \$40,000. I didn't see Shared services – this is a perfect example of move the village garage to the town site. We don't have to have everything right in the village. The plan is vague enough to allow interpretation. It could use some work but it is a good plan.

Phyllis Pustilnik – We have been told in the Putnam County News & Recorder that the meeting tonight is about the LWRP. Nowhere tonight has there been any discussion about the LWRP. The document before us does not address the content of an LWRP and is a denial of the huge amount of LWRP work performed by the previous Special Board (chaired by C. Casparian and K. Dunn) and the History Working Group and funding that has been done. What has happened to all that work? There is an astounding difference between a Comprehensive Plan which cannot protect the Village, and an LWRP that actually does.

A: There is a difference between a Comprehensive Plan and a Local Waterfront Revitalization Plan. The Special Board has received funding (\$50,000) from the state for an LWRP in 2006. The intention was that the village would complete the LWRP (a much more in depth project) and then very simply and very quickly generate a Comprehensive Plan. Two things happened: the state did not sign the agreement until August, 2009 and the Special Board very quickly hired a consultant; then the state went into very severe financial problems and the money became uncertain. Faced with that, the Special Board agreed that it should switch focus to the Comprehensive Plan. The Special Board acknowledged that a Comprehensive Plan is of great value to the Village – it is the basis for zoning, it provides better access to grant money, it is used by federal and state agencies to determine how projects will be funded, The Special Board learned about a month ago that the LWRP funding is coming through; the Special Board decided to defer work on the LWRP until the Comprehensive Plan was completed. The Special Board has been practical and realistic – what can be done, what is possible to be done, what is the most that

can be done given the resources at hand. There is also the problem of momentum - we could break stride, we could stop everything and do nothing. But it would be very hard to restart this process.

A: (Anne Impellizzeri) I think the simple answer to Phyllis is that the Comprehensive Plan and the LWRP are two related projects and it is our intent to work on the LWRP as soon as we are able to do so.

A: The new agreement on the LWRP is through November, 2011. We are hoping to complete the project using the funding that is available to us by that time.

Phyllis Pultinik – Things are so bad in the village. The Master Plan just didn't work out. Everybody ignored it. I think the focus should be on the LWRP and not on something that will continue to be this kind of thing.

Seymour Pustilnik – On Wednesday, I saw that it was the Comprehensive Plan but then in the newspaper it said it was an LWRP – it's a contradiction.

A: The newspaper printed an error and we will correct it.

Seymour Pustilnik – The charts were blurry. We don't know what's going on, so let's do it right.

Rita Cherosky (not sure this is the correct spelling) – Obviously a lot of work went into this. One concern is the inconsistency in the level of detail of objectives and recommendations. For example, Section 2.4.2 is very specific (open from dawn to dusk) but other things don't go to that level of detail so it almost seems as if there is an agenda hidden in some of these recommendations. There should be some consistency in the level. Also, because there are so many questions or open recommendations and it can be changed by the Village Board, we need to be more concise and specific and say these are very strong points that we as a village absolutely must address – maybe just a stronger approach. This is all great stuff but people can make changes at will and the Village Board can change it and what was all the effort for. About where are we going economically - I see comments in here about people not liking tourism – I'm not sure how this village cannot like tourism and I'm not sure why that's even in the Comprehensive Plan – that's either a direction or it's not. If we shut down tourism we need to shut down Main Street.

Q: **Catherine Garnsey** (represents the PCN&R, lives in Nelsonville) – what did the PCNR say that was erroneous?

A: The PCNR said that the Oct. 14 meeting was an LWRP meeting – it had no mention of the Comprehensive Plan.

Catharine Garnsey – Oh, OK we can correct that.

Betsy Pugh – I hope this board is taking into consideration revitalization of Main Street that will include something other than tourist shops. Tourism is a big component here but a village to survive needs real businesses, real offices, and I think municipal services. I'm a little concerned that picking up all the village and municipal services and moving them to the Butterfield site is stripping Main Street of reality.

Main Street needs reality. Tourists are fickle – they may choose Cold Spring for a certain number of years and they may move on. We need to survive as a village. I'm a bit concerned that the concern about what to do with the Butterfield property is a little bit like the tail wagging the dog. It's a good building, it could be used in an industry, it could be used by an office complex, it could be used by many things bringing tax revenue to the village. It's sort of like Loretto Rest – somebody could buy it as a house – it is beautiful, someone with an interest in its preservation and its beauty. Why don't we work on Main Street as a real town with wonderful tourist attractions rather than just a Disneyesque tourist land. I'm hoping we can keep important things downtown and let's think about how to use other properties appropriately.

Q: (Tom Rolston) – What will happen to these comments?

A: There will be a second portion of the Public Hearing on Oct. 21. Then the Special Board will think about the comments, both written and oral, that we're receiving, then we'll discuss the comments (at a Special Board meeting on Oct, 28) and determine what to do – what changes we should make to the document, what modifications to make in the document, if any, and how to approach that. Some of the suggestions that came out this evening were very substantial changes, some were much more modest. We'll need to assess those comments and suggestions to see what makes sense and we'll vote on that. At some point, we hope we'll vote to recommend the document to the Village Trustees and they in turn will go through their own process to assess, get public comments, hold a Public Hearing, probably review by the standing village boards and a SEQRA (State Environmental Quality Review Act) review (this is a state requirement for all comprehensive plans).

Q: (Tom Rolston) – This should all be written up and put in the Putnam County News because I think there are a lot of people who misunderstand how this whole process works. That way, people will understand that if they want to make comments at the next meeting, or to the village board, or at the SEQRA review, they can do it.

A: We have done press releases describing this. But it is a slow process of education. We intend to send out more information. It is a process that allows enormous opportunity for public access and the ability to comment in any way they wish and whenever they wish during this entire process. We are being very careful and cautious to involve the public as the law requires.

Q: (Mike Turton, philipstowndotinfo) – Could this result in substantial change to the document or the form of the document (I'm thinking of Pete Henderson's comments)? Is it possible that the change would be great enough that you'd come back to the public again with either a Public Hearing or a public information meeting before it goes to the village?

A: The Special Board will have to decide what to do.

Q: Catherine Garnsey (PCNR) – So you may be rewriting the Comprehensive Plan for next week (Oct. 21)?

A: No. Next week (Oct. 21) will be a continuation of this Public Hearing – we will hear from the public again. The Special Board will take what they hear from the public both in writing and orally, and we will reflect on it and we will then discuss what to do at the Special Board meeting on Oct. 28 and we will decide how to move forward with the plan

Q: (**Catherine Garnsey**) Might you rewrite part of it?

A: That will be for the board to decide.

Q: (**Catherine Garnsey**) Is it a possibility?

A: Yes, it's a possibility.

Q: (**Tom Rolston** – although the speaker did not identify himself but I think it was Tom's voice) Does that mean that Oct. 28 there will be a vote to accept the plan as written, a vote to decide what to do to proceed?

A: The Special Board does not accept the plan; this board recommends the plan. The vote would be on recommending the plan. We may amend the plan, recommend an amended plan for example. We may take more time with the plan to modify it at greater length. There are a number of options that we have but I cannot say what the board WILL do, I can say what the board MAY do – what the possibilities are. There are many.

Q: (I could not identify the speaker on the tape – it was a man but did not sound like Tom) But there is no imperative to make a decision on the 28th of October?

A: That is correct.

Q: (**Seymour Pustilnik**) Do I understand that there will not be a vote on the plan until Oct. 28?

A: That is correct.

Bruce Campbell (Village Trustee, liaison to the Special Board) – The Village Board will eventually approve the plan. What about changes from future Village Boards – any changes would require a public session?

A: (Response by **Ted Fink** (GreenPlan, consultant to the Special Board)): That's correct. Once the Comprehensive Plan is adopted it can be amended at any time in the future and the process of amending the Comprehensive Plan is the same as adoption of the Comprehensive Plan. The Village Board is ultimately responsible for adoption of the plan and adoption of any amendment to the plan. The Village Board can make those changes on its own, they can designate the Planning Board to further investigate whether or not there should be changes made, they can appoint another Special Board to investigate whether or not there should be any changes made, or they can do it on their own. But the process is the same – there is always a Public Hearing that is required before the Village Board consider any amendment to the plan once it has been adopted. If they delegate investigation if changes are warranted, then there are two sets of Public Hearings that are required – either the Planning Board or the (new) Special Board must hold a Public Hearing, and then the Village Board must also hold a Public

Hearing within 90 days of the Planning Board/Special Board recommending there be a change to the Comprehensive Plan. In each case, there is a requirement that a State Environmental Quality Review Act assessment be performed to determine potential for impacts before the Village Board can take any action. The state has had this process in effect since 1976. It is a well established policy within New York State that every local and state agency prior to making any decisions that affect land use and development has to first go through an environmental assessment process. All these steps would have to be taken by this board or any future board provided that the law stays the same.

A: Comment from **Mike Armstrong**: If you look at the plan implementation, you will see that there is a recommendation that there be annual reviews to see how things are tracking against the plan. There is also a recommendation that there be an intensive review every five years with a different intent - the intent of asking the question –“Does the plan still make sense?” That could call for changes to the plan – and that would be the logical time to do it. When we were developing the plan we were aware that people liked the 1987 plan but they felt that it was just not being implemented. We were very concerned about that in developing this plan – that the provisions be applied. What we suggest is that the Village Trustees establish a Committee under their direction and at their direction, the Comprehensive Plan Advisory Committee, which would advise on the implementation of the Comprehensive Plan. And the Committee would report on an annual basis on how the Village is doing on the implementation, and be involved in the five year review. The Committee would have many functions which are described throughout the Comprehensive Plan. The Committee would operate as an arm of the Village Trustees.

Q: **Seymour Pustilnik** – Do I understand correctly that the public, us, will not vote on this until Oct. 28?

A: The public never votes on the Comprehensive Plan.

Q: **Seymour Pustilnik** – I thought that at this meeting because you were pushing it off a little bit so that people will know what they are voting on?

A: No, we’re not pushing it off. The process is that there is no public vote. The process is that the Special Board...

Q: **Seymour Pustilnik** – I understand that, but what about the public - we came here to vote. A lot of people don’t know what they’re voting on. I suggest you push the vote off.

A: There is no public vote. The public comments. We’re receiving your comments this evening.

Q: **Phyllis Pustilnik** – I don’t think that an LWRP can be completed by Nov. 2011. A Comprehensive Plan is very nice but we need the protection of an LWRP. The Master Plan of 1987 just couldn’t protect us.

A: November of 2011 is the end of the state contract for the first phase of the LWRP. The date was set by the state and is not something that was created by the Special Board. It is not the final LWRP. There will be a second phase, there will be further work that will be needed so everything will not need to be done by November, 2011. There is significant funding, \$50,000. The LWRP does have federal standing. That is not to say that Comprehensive Plans are not valuable – they are the basis for community land

use law, they are used for grant applications, they are important for federal and state agencies that are making funding decisions with regard to projects in this Village. Factually speaking, it is not true to say that Comprehensive Plans are not worth doing.

This part of the Public Hearing adjourned at 8:48pm to be kept open and reconvened on Thursday, October 21, at 7:30 pm at the same location, the Cold Spring Firehouse.