

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

**Minutes
Meeting of February 9, 2012
At Village Hall, 85 Main Street**

Present: Mike Armstrong, Chair; Anne Impellizzeri, Vice-Chair; Members: Karen Doyle, Marie Early, Stephanie Hawkins, Anthony Phillips, Michael Reisman, Dick Weissbrod

Absent: Cathryn Fadde

The Chair called the meeting to order at 7:34 pm.

Remarks of Chair

Mike Armstrong described the discussion by Steve Gaba, Village Attorney, at the Village Board meeting on Feb. 7, 2012, relative to the process that will be followed by the Village Board and the Planning Board for the Butterfield project (the Feb. 7 meeting was a joint Village Board and Planning Board meeting). Armstrong read the description of that process from the informal minutes of that meeting provided by Mary Saari, Village Clerk (attached).

Armstrong then described to the audience the background of the Special Board draft report on the Butterfield property, stressing that this meeting was not a public hearing; that there would be public hearings on the Butterfield proposal in the future.

In other business, Armstrong said that there will be a meeting at Haldane on Feb. 15 at 7pm on the athletic fields and urged Special Board members to attend. Armstrong said that he had received all the timesheets for January and that the volunteer hours were on track for the required hours to meet the matching grant.

Minutes – January 25, 2012 meeting

Stephanie Hawkins made a motion to approve the minutes. The motion was seconded by Dick Weissbrod and adopted unanimously.

Report of Planning Board Liaison

Weissbrod said that the Planning Board is working on the Foodtown Plaza extension. He said that the owner of the Butterfield property spoke with the Planning Board, and that the owner is very anxious to move forward very quickly, and wants a “fast track” on this. Weissbrod also reported that two 35-year members of the Planning Board are considering leaving the board and will be a great loss. Lastly, he reported that the

Planning Board voted to hire GreenPlan as consultants on the Butterfield project. The Special Board accepted Weissbrod's report.

Discussion of Draft Report on Butterfield

The draft report on Butterfield was presented. Michael Reisman presented the text document and Hawkins presented the chart. Reisman stated that the report addresses the implications of the Comprehensive Plan and Local Waterfront Revitalization Strategy on the Butterfield PUD proposal and conceptual plans, and contribute to constructive dialogue. A number of questions and comments were raised and addressed, and some changes were identified.

After the discussion, Armstrong asked that all Special Board members provide their comments on the draft report to him by noon on Saturday, Feb. 11. An updated version will be circulated to Special Board members for review so that a final version can be presented to the Village Board on Feb. 14. There will be no second review on Feb. 23 by the Special Board as originally planned. Anne Impellizzeri made a motion that all members of the Special Board provide changes to Armstrong by noon on Saturday with the resulting documents circulated to all members of the Special Board and submitted to the Village Board by Feb. 14. The motion was seconded by Michael Reisman and approved unanimously.

LWRP Section Assignments

It was agreed that three groups of three people each would be assigned to work groups. Each work group would map two sections from the LWRS to the appropriate 13 coastal policies. The work groups will report back to the Special Board with their proposed mappings at the next meeting on February 23.

Armstrong also identified the formation of a separate work group consisting of people from the community who would work on the Harbor Management Plan (HMP). Members would potentially include Ray Fusco, Brad Petrie (Cold Spring Boat Club), Teri Barr (Hudson Valley Outfitters), someone from Building Boats, Building Bridges; additional people who have specific expertise may be called upon to consult with this group. Marie Early will be the Special Board liaison to this group. It is still an open question as to whether the HMP will be a separate appendix in the LWRP or if it will be interspersed in sections within the LWRP. Impellizzeri pointed out that the two most relevant policies are Policy 10 and Policy 11; other policies that may be relevant are Policies 8 and 9. The goal is review the HMP at the public workshop on May 5.

Public Comment

Did you say that you recommend that 15% of the site be open space? Response: 15% is in the PUD document; the recommendation is that the current lawn area remain as open space and that more than 15% of the entire parcel remain as contiguous open space.

What happens next with the process? Response: Armstrong referred to the excerpt from the Village Board draft minutes which outlines the process that the Village will follow, and volunteered to provide a copy (the person asking the question was not present when the excerpt was read at the beginning of the meeting).

A resident was very concerned about what may happen. The resident had sent a letter to the Village identifying his specific concerns. Response: Yes, this is a very significant project and all due consideration must be given to it relative to its location, the surrounding areas, etc. It is important to get information out to the public as soon as possible so that people have an opportunity to voice their concerns and be involved.

The developer has his lawyers, the Village has their lawyer. Response: This project requires an escrow; the monies in escrow will cover a lawyer, a planner, an engineer so these resources are not being paid for by the Village.

Comment: “massing” (size and height) should be considered since it can change the entire character of the Village. How will the project affect the older infrastructure (sewer and water, for example)? Lastly, there is no need to streamline the issues since something “small” may have a significant affect.

The two sites (Butterfield and the commercial area on the west side of Route 9D) should be considered together since there will be more foot traffic crossing Route 9D – sidewalks, crosswalks, etc. Response: as stated in the Comprehensive Plan and LWRS, a qualitative and quantitative traffic study must address both vehicular and pedestrian traffic. The whole area must be considered. Walkability, especially on the site, must also be considered (trees, benches, pathways, etc.). The type of vehicles must also be considered (delivery vehicles, for example).

Comment: It is important to clarify what belongs to the town and what belongs to the developer. What kind of commerce are you talking about? The tax issue is important but what is the quality of life – who do we really want habitating this unit – residential, commercial, government since there is a big difference between commerce and government offices. For example relative to the courts, it would not be a good idea to have domestic violence victims walking in with a black eye and being seen by everyone. I didn’t hear you talk about environmental issues such as the sound that nearby residents will hear during development. Making sure that the building is green is not enough. Water and sewer issues must be addressed. Part of your recommendation should be what should be done with the space; I would like to be involved with that if you invite the public to participate. Response: there should be opportunity for people to be involved and engaged as the project unfolds. It is the responsibility of the Village Board and the Planning Board to engage the public, not the responsibility of the Special Board. However, the project must adhere to the Comprehensive Plan and the LWRS. Address your issues to the Village Board.

There are mature trees on the property; is that being addressed? Response: Yes

Is Marathon next? Response: the developer has not submitted plans yet. However, the Marathon site is addressed in the LWRS. And as we learn from the Butterfield project, we will incorporate those lessons into the LWRP.

Comment: Butterfield should be all commercial or government, maybe even an inn.

Adjournment

Early made a motion to adjourn. This was seconded by Weissbrod and unanimously approved. Meeting adjourned at 9:50 pm.

Respectfully submitted,
Marie Early, Secretary

Signed,

Michael Armstrong

Attachment: Excerpt from informal Village Board minutes, Feb. 7, 2012

S. Gaba discussed the review process for the Butterfield Realty project as follows:

Three things are occurring simultaneously: SEQRA review, petition for a zoning change which is before the village board and site plan/subdivision application before the planning board.

SEQRA review will be shared by both the Planning and Village Boards. The Village Board will be lead agency but the planning board, as an involved agency, will be heavily leaned on by the village board to assist in making its determination as to whether or not to issue a positive or negative declaration. Next Tuesday, the Village Board will formally declare itself lead agency. In the meantime, the planning board will work on the proposed subdivision and site plan. The Planning Board should process this application as though the draft zoning was in place and items that the board doesn't like should be referred to the village board. The boards will simultaneously look at the potential environmental impacts and come to conclusions as to what studies are needed to minimize the adverse impacts, e.g. traffic, noise, or drainage. The applicant will be asked to supply these studies followed by your consultant's review and report back to the boards. The Planning Board will report to the Village Board on whether they think everything has been adequately handled or not and if they think there should be a positive or negative declaration. The decision is ultimately upon the village board on how to handle SEQRA. What you are doing is developing zoning law by putting together a development which is acceptable to the Planning Board. The Planning Board will look at plans and decide what they like. The Village Board will simultaneously be reviewing them and hopefully you will develop a consensus on what you like. You will get to a point that all like this plan, now you turn to your local law. You will get to a point where you have tailored the local law to meet the development that you like. This allows you to exercise a great deal of control over this development, more so than with traditional zoning. SEQRA will be completed, followed by adoption of the local law and then the site plan and subdivision approval will be granted because you will put the development to your liking before you adopt the local law.