

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

**Minutes
Meeting of February 14, 2013
At Village Hall, 85 Main Street**

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

Absent: Karen Doyle, Cathryn Fadde, Michael Reisman

Also Attending: Michele Greig, GreenPlan

The Chair called the meeting to order at 7:36 pm.

Remarks of Chair

Mike Armstrong stated that thus far the Special Board had been billed and paid \$14,900 for consulting services and approximately \$700 on advertising and miscellaneous. Approximately \$9,000 remains from the State grant for consulting services plus \$6,000 from the Greenway grant. He reported that the Village Board discussed the report on formula business/drive thrus, and they had a request of the Special Board, which he would address later in the meeting. The Hurricanes and High Water presentation has not yet been posted to the website; Marie Early will take care of this.

Minutes, Jan. 17 and Jan. 31, 2013

The Jan. 17 and Jan. 31 minutes were deferred to the next meeting.

Report of Planning Board Liaison

Dick Weissbrod said that the Planning Board was looking at the request to combine two lots on Kemble Avenue for the proposed residence of Joe Meyer. The Planning Board had told the architect to make the request to the Town, but the Town's response was that the Village had to address this.

Report of HDRB Liaison

Marie Early reported that the HDRB held a public hearing on the Meyer residence; the application was approved. The application from Alex Hillis for a shed at St. Mary's and an application for S. Gazzola at 6 Stone Street for wooden storm windows

were both approved. An application from S. Hawkins for an addition at 15 Academy Street, and an application from Danielle Locastro and Michael Musso at 19 Parrott Street were both referred to a public hearing on March 13. An application for a sign at 66 Main Street was determined not to require HDRB review. An application from Michael Robinson for additional solar panels at 25 High Street was approved.

Village Board Comments on Formula/Drive Thru Report, Discussion

Armstrong reported that the Special Board report was favorably received by the Village Board. The point of discussion from the Village Board was applying the ban to the entire Village or should boundaries be set where such establishments would be permitted. At the meeting, Armstrong argued that the ban should apply to the entire Village with the reasoning that the commercial areas in the Village were in such close proximity to historic neighborhoods and were the gateway to the Village. The Special Board has been asked if the arguments could be bolstered in the report relative to the proximity issue. Suggestions from the Village Board included: identifying the distances from historic neighborhoods to the commercial area; inclusion of a map in the report or, alternatively, address this via the text in the report (the Chestnut Street and Main Street areas) possibly describing the distances. Armstrong said that there was a sense of urgency to making this addition to the report. As an example, Armstrong said that when the housing on Marion Avenue was developed, there were requirements on the development relative to orientation, set-back and architecture. Therefore, an argument could be made that this neighborhood exemplified village character and merited protection from the adverse impact formula businesses would have. A similar argument could be made about the Parks house. Armstrong noted that the report identifies the Village as “less than a square mile”; the Village is 407 acres, closer to 2/3 of a square mile – stressing the smallness of the Village and the closeness of the commercial areas to residential areas – distances in the Village are not that large. Michele pointed out that under SEQRA any development that is adjacent or contiguous to a National Register property/structure is classified as a Type 1 action. Michele further suggested pointing to the impacts of proximity from commercial areas to residential areas. Anne Impellizeri suggested that the group of people who worked on the report, reconvene and work on this. This was agreed to.

Discussion on Drafted Policies

Draft Policies 4, 5, 8, 9 and a portion of 10 were discussed with Michele Greig. Clarifications were provided by Michele, changes were recommended. There was not sufficient time to review/discuss the remainder of Policy 10 or Policies 11, 13 and 1; these were deferred to the next meeting.

Michele pointed out that the LWRP only comes into play when there is an action under SEQRA and it comes before the Planning Board or before the Village Board, and that this will be explained in the LWRP.

It was agreed that the LWRP would use the higher estimate of sea level rise (the State has published ranges for sea level rise over time), and that projects include the expected lifetime of the project (for example, a new bulkhead at the Boat Club would have a projected life of X years so the project should take into account the higher estimate of sea level rise during that period). Early made a motion that the LWRP use the high end of the projected range of level rise for the life of a project. The motion was seconded by Anthony Phillips and approved by a vote of 5 to 1 (Impellizzeri opposed the motion on the grounds that this standard might impose excessive costs under some future circumstances).

Michele also pointed out that the Comprehensive Plan is the basis for zoning amendments, not the LWRP. Suggestions for zoning amendments can be made in the LWRP but it does not govern - "it has no teeth". She also said that at the beginning of the LWRP, there will be a statement that the LWRP is consistent with the CP. Armstrong said that there will be a consistency review of the LWRP with the CP. Michele went on to say that if a project in the LWRP is inconsistent with the CP, it (the project description) must demonstrate that the public benefit outweighs the inconsistency.

Land and Water Use Section: Discussion

Armstrong said that the fact that the CP does not have a Land and Water Use (LAWU) section or even a Land Use section presents a conundrum. The LWRS does have a detailed LAWU section and the LWRP requires such a section. Armstrong said that while it would seem natural to just pick up the LAWU section from the LWRS and putting it in the LWRP, this won't work because the zoning is entirely based on the CP and not the LWRP. So, how can the Land and Water Use section in the LWRP be reconciled with the zoning basis functionality in the CP? One option would be to ask the Village Board to amend the CP to include the LAWU section from the LWRS. It was brought up that there are other desirable Code changes in the LWRS and potentially the LWRP which are not in the CP – shouldn't they also be brought to the Village Board for amendment into the CP? Armstrong thought that it would take a fair amount of time to identify the elements from the LWRS/LWRP to be amended into the CP, while the LAWU section could be easily identified for amendment to the CP. Michele said that significant elements from the LAWU section (especially the land use) should be brought into the CP, especially the map. She further said that the map is not necessary in the LWRP. A second option is to refashion the section in the LWRP so that it only reflects the elements that are already in the CP. A third option is to do a whole new section in the LWRP. A fourth option is to revise the LAWU section so that it is not prescriptive of zoning. Armstrong would like to get this resolved sooner rather than later. Armstrong asked people to think about this and be prepared to discuss it at the next meeting; this was agreed as to the course of action. Michele said that if the LWRP is developed without a strong LAWU section, and subsequently the CP is amended with the LAWU section from the LWRS, the LWRP would then have to be amended to include the stronger LAWU section, causing additional work; Michele favors option one. Michele was asked to

provide examples of inconsistencies between the CP and the LWRS/LWRP and what changes would need to be made to do a one/two.

Inventory and Analysis update

Armstrong had circulated the latest version of the Inventory and Analysis section. Members were asked to review the I&A and be prepared to discuss it at the next meeting. Please send any changes to Armstrong prior to the next meeting.

Michele said she would review the Marathon section and underwater lands sections with Jaime to see if they are acceptable to him.

Public Comment

There were no public comments.

Adjournment

Early made a motion to adjourn. This was seconded by Weissbrod and unanimously approved. Meeting adjourned at 9:52 pm.

Respectfully submitted,
Marie Early, Secretary

Signed,

Mike Armstrong