

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

Minutes

**Meeting of October 24, 2013
At Village Hall – 85 Main Street**

Present: Mike Armstrong, Chair; Anne Impellizzeri, Vice Chair; Members: Karen Doyle, Marie Early, Michael Reisman

Absent: Cathryn Fadde, Anthony Phillips, Dick Weissbrod

Also in attendance: Stephanie Hawkins, Village Board liaison to the Special Board

The Chair called the meeting to order at 7:37 pm.

Remarks of Chair

Mike Armstrong opened the meeting with a report on finances. Thus far, a claim in the amount of \$21,646.50 has been submitted to the state for reimbursement but no funds have been received to date. An additional \$3,505 has been expended but that amount has not yet been claimed to DOS. Anne Impellizzeri will work with the Village Treasurer to submit the claim. The Greenway grant (approximately \$6,000) will be kept in reserve to complete the LWRP.

Armstrong said that the DEC received and evaluated 9 proposals for the Dockside stabilization project. No selection has been announced to date. Once the announcement is made, the project is expected to run for one year. The project involves the creation of complete, detailed construction documents for stabilization of the shoreline. Armstrong reported that the West Point Foundry Preserve opened on October 10. A hearing on formula businesses closed on Oct. 22; no vote was taken but there did not appear to be much opposition to the draft (on banning formula businesses). There is discussion of locating a new fire house at McConville park. Armstrong sent to Mayor Falloon the report prepared by the Special Board in 2008 on relocating the fire house; the report included a copy of the deed to McConville park which highlights the restrictions which prohibit anything but recreation at the site. All these topics were discussed/and or developed by the Special Board. Armstrong said that he would forward to Special Board members the fire house report. There is significant activity on the Fjord Trail; the LWRP may consider greater emphasis on connecting with that trail. The DEC has sent a letter to the Village Board agreeing to demolish but not rebuild the Boat Club building without reopening the ROD (Record of Decision); this is contingent on an approval from the Village Board by January 31, 2014. Armstrong said the Special Board may want to make a recommendation to the Village Board that there be a workshop to evaluate how the Village is doing relative to implementation of the Comprehensive Plan possibly in early January.

Minutes, August 8, 2013 Meeting

Approval of the minutes was deferred to the next meeting since there were insufficient attendees at the meeting. There was discussion about comments received from Trustee Hawkins on the minutes. It was agreed that the first comment will be accepted and incorporated, while the second comment was not accepted but will be clarified by the statement that “Mike said”. Marie Early will update the minutes as agreed. It was also agreed by Armstrong, Impellizzeri and Hawkins that there needs to be a conversation with Jaime Ethier to clarify his statements about the contract, if the grant is approved. Michael Reisman requested that someone restate the amount and purpose of the grant (referenced in Trustee Hawkins comments) since he was not at the August meeting; Armstrong read the pertinent portions of the grant application.

Report of Planning Board Liaison

Impellizzeri reported that the Planning Board (PB) has an application for the Butterfield project. The PB also has a professional planner (Chuck Voss of Barton and Loguidice) and special counsel to advise the PB on the Butterfield project. The SEQRA process has begun; the PB has become the lead agency for the SEQRA. The PB has received a long EAF from the applicant, which has been reviewed by the planner and the PB. The planner drafted a 10 page document containing comments relative to the EAF containing requests for clarification and additional questions. The PB has made some changes to the draft document; the updated document has been sent to the applicant. The planner has met with the applicant’s planner (Tim Miller) and has had an amicable conversation. The PB is awaiting the response from the applicant. There is not yet an overall timeline. Impellizzeri said that the zoning changes in B4A and the Butterfield application are intertwined. Both the planner and special counsel will be paid from the escrow account established by the applicant.

LWRP Archiving, Discussion

Armstrong distributed the Table of Contents. He asked the question “What should we make available to the public?” – if anything? And he asked if it should be marked “DRAFT”? And should it be put on the website? He remarked that changes to the Zoning Law should be consistent with the LWRP; by placing the draft document on the website, it allows the public to evaluate any changes to zoning against the draft LWRP.

There was discussion about how much to publish, and to put it on the website. It was felt that the Boundary section (Section 1) is in good shape. As for I&A (Section 2), all except section T (Summary of Goals, Issues and Opportunities) should be published; it was felt that section T describes a point in time and, since publication is felt to be at least

24 months away, the topics in section T as it is today will not necessarily be valid in the future. The title will be left in and it will be annotated as “Subject to future work”. The Policies section (Section 3) will be left as is. The decision on Proposed Land and Water Uses will be deferred to the next meeting, but the Proposed Projects section (Section 4) will be left as is. Techniques for Local Implementation of the Program (Section 5) will be deferred since that is the zoning code changes; however, the draft of the consistency review law will be included. Federal and State Actions and Programs Likely to Affect Implementation of the LWRP (Section 6) consists of two parts – the generic part from Jaime (part A) will be included; part B which is specific to Cold Spring will not be included. Local Commitment and Consultation (Section 7) will be included. The Maps section will not include Map 7 (Vacant, Underutilized or Deteriorated Sites), Map 8 (Water Dependent and Water Enhanced Uses), Map 9 (Soils – although Anne thinks we have this), and Map 15 (Hazardous Waste Sites) will be omitted. It is not clear if we have Map 2 (Regional Setting). It was agreed that there needs to be a disclaimer included with each portion of the document, maybe as a footer. Reisman will document the disclaimer for inclusion, as well as a lead-in to the document (or to each section if the document is created as separate sections). Maps will be a separate section, unlike the organization of the Comprehensive Plan. Appendices (reports) will include Dockside Park, Marathon Battery Site, Overlook Park and Village Garage Site, West Point Foundry Preserve Plan (1 page), Coastal Fish and Wildlife Habitat, Mile 44-56, Coastal Fish and Wildlife Habitat, Constitution Marsh; Butterfield will be omitted. The appendices will contain detailed information on these topics while the project section (Section 4) will contain a brief, maybe a one-paragraph description. Also to be included are the Glossary, the Bibliography, the Chronology, the 2007 Survey. Armstrong and Early will work on compiling the document.

New Funding Update

This topic was deferred.

Transcript Review & Discussion

There is a transcript of Jaime Ethier’s comments to the Village Board from June. The transcript was sent to Jaime for his review however, he has been preoccupied with work on hurricane Sandy and has been unable to perform a review. He did comment that it is a transcript and is not easy to read. He would rather respond to particular questions. As background, the meeting with Jaime was to provide an opportunity to the Village Board to understand the State’s position relative to the LWRP, and to identify next steps including the State’s role with zoning in the Village. A transcript was generated to capture the points made by Jaime during the discussion so that the public is aware of what was said, that is, the background for where the LWRP is now and why, and what the future is of the LWRP. Jaime was also going to check with attorneys in Albany to answer some of the questions. What is critical concerning the position that Jaime communicated is that the history of the LWRP up until that point had no requirement for

detailed zoning changes while the new news from Jaime is that the LWRP must now contain those detailed zoning changes. In May of this year, the new requirement was defined by the State – that the Village is required to change and adopt (not just describe or define) new zoning regulations that would be based on the LWRP and Comprehensive Plan. After discussion, the SB agreed that 5 or 6 questions will be drafted and sent to the Village Board asking the VB if these questions are sufficient and/or if there are different questions that should be asked; the purpose of asking these questions is to move the process forward and it would be advisable to get confirmation from Jaime. Based on the VB response, the SB will send the questions to Jaime as a joint VB-SB communication. Armstrong will draft the questions to be sent to the VB.

Schedule Discussion

It was agreed that the Special Board would reconvene on Jan. 23, 2014. Topics on the agenda will be at least finances/funding, approval of minutes, and the draft document being developed.

Early made a motion that the Special Board recommend to the Village Board that the Village Board conduct a workshop on progress on implementing the Comprehensive Plan. Reisman seconded the motion which was approved unanimously.

Public Comment

Trustee Hawkins encouraged the SB on many of the decisions that were reached during the meeting, including sending a preliminary version of the draft document to the VB.

Adjournment

Early made a motion to adjourn. This was seconded by Karen Doyle and unanimously approved. Meeting adjourned at 9:13 pm.

Respectfully submitted,
Marie Early, Secretary

Signed,

Mike Armstrong