

**VILLAGE OF COLD SPRING PLANNING BOARD
85 MAIN STREET, COLD SPRING, NEW YORK 10516
Regular monthly meeting and
Workshop with Butterfield Realty LLC**

December 18, 2013

Members present: Chairman, B. M. Molloy; **Members:** Karn Dunn, Anne Impellizzeri, James Pergamo and Arne Saari **also present:** Anna Georgiou from Wormser, Kiely, Galef and Jacobs LLP and Charles Voss from Barton & Loguidice

Present for the Applicant: Paul Guillaro and Matt Moran from Unicorn Contracting and Ann Cutignola and Tim Miller from Tim Miller Associates, Steven Barshov from Sive Paget & Riesel

Chairman B.M. Molloy opened the meeting at 7:02 P.M. followed by the Chairman's remarks.

1. Chairman's Remarks:

Chairman **B.M. Molloy** extended thanks to Ann Cutignola and Tim Miller from Tim Miller and Associates, for their work in responding to the Planning Board questions in a timely and complete manner.

2. Minutes:

The minutes of December 4, 2013 were reviewed it was suggested to change the word memo to EAF under 3 in the 2nd and 4th paragraph **A. Impellizzeri** Moved to accept the minutes as amended and **K. Dunn** seconded the motion. The amended minutes were accepted unanimously.

3. Reports of Special committees:

K. Dunn, A. Saari and **A. Impellizzeri** discussed information they received after attending the annual Land use sustainability Conference held at Pace University.

Chairman **B.M. Molloy** noted the following:

- Village obtained a \$75,000 CFA zoning grant for updates to the Zoning code which is part of the LWRP.
- The Link to the Pace University conference is on the web site and will also be emailed to the Village Board members since it was believed that the Land Use Sustainability information would be of particular use to the Village Board, especially the panel on form-based zoning.

4. Correspondence:

- Environmental Finance Center – What tools and training are useful to you
- National Business Institute – Current Issues in Subdivision, Annexation and Zoning continued Education
- New York Planning Federation – membership dues in the amount of \$250.00 dated December 2013. The Board Members agreed unanimously to renew the membership.
- Barton and Loguidice, P.C. – regarding low escrow balance for Butterfield Redevelopment LLC. dated December 6, 2013
- March 30, 2013 Annual conference Saratoga Springs

5. Unfinished Business:

Butterfield Realty, LLC

Chuck Voss reviewed the updated responses for the EAF report (revised December 11, 2013) for Butterfield Realty, LLC proposal. Chuck Voss reviewed the EAF contents and discussed and reviewed the red line changes page by page reviewing in detail the answers from Tim Miller Associates to the Planning Board questions.

Chuck Voss noted that the information in Appendix G, history information section is key information for the Planning Board.

Appendix G contains the following information:

- How the project got started.
- Steps the Village had taken.
- Where the project is now.

Suggested revisions:

- In several instances the EAF references the “Planning Board report”. The reference should refer to the report of the Special Board for a Comprehensive Plan/LWRP. The full title is “Special Board Report to Village Board on Proposed PUD and Conceptual Plans for the Butterfield Site as Provisionally Adopted 2/23/2012.”
- A traffic flow reference in the updated EAF was omitted and it was requested that it be reviewed. Traffic flow will all be two way. The details in traffic flow being requested from the Planning Board will come from a letter from Chuck Voss.
- Some of the larger older trees will be removed and will be replaced by new trees. The Board asked for a census of age, maturity, circumference of the trees and what trees specifically will be coming down.
- The Planning Board would like to see some type of schedule regarding limiting the impact of Paulding Ave. of construction vehicles. It was requested to have in writing Limiting construction vehicle access on Paulding Ave.

Anna Georgiou noted that the EAF review memo last revised on December 11, 2013 with the revised EAF, submitted to the Planning Board by Tim Miller Associates, reflected the Applicant’s answers to the Planning Board’s technical review memo of the October 17, 2013. She noted that these submissions were comprehensive and she concurred with Mr. Voss that review comments set forth in the Planning Board’s technical review memo of October 17, 2013 had now been substantially addressed by the Applicant. She recommended that the Board commence its review of these submissions.

The relevant SEQRA timeframe for making the determination of significance is 20 days from your receipt of information reasonably necessary for the Lead Agency (Planning Board) to make its determination of significance.

The following is a preliminary time frame:

- The Board reconvenes on January 8, 2014 which would give the Board members time to review the submissions and at that meeting determine whether (l) additional information is necessary for the Board to make its determination of a determination of significance.
- Under the second scenario, at the January 15, 2014, monthly meeting, the Board could potentially review a draft determination of significance, in consultation with Anna Georgiou and Chuck Voss.

Board member questions:

- Test borings - Rock had not been found in the boring tests that had been done. The test pits were done to the original plan and are in direct correlation between the test pit logs and test pits done.
- A technical preparation of Part 2 and the writing of Part 3 will be done by Anna Georgiou and Chuck Voss and will be submitted for review by Board members.
- Many of the questions asked by Planning Board members were site plan review related and will be answered during the site plan review. Some questions asked related to enforcing the age restriction, parking, access easement agreement, emergency service, storm water concerns, and cell tower location.
- The Board's comments and concerns related to the proposed B4A zoning change/local law (such as shifting buildings and other weaknesses) should be submitted to the Mayor and Board of Trustees in response to the request for Board comments.
- On the EAF form that had an answer of yes but no check mark is the responsibility of the lead agency and Chuck Voss will work on it.

6. Public Comments:

Steven Barshov reviewed the following:

- Discussed multiple mechanisms to enforce the age limitations on the residents in the senior housing.
- Inform the Planning Board that the Applicants appreciate the consultant's review of the SEQRA review and are willing to work cooperatively on the application.
- Would be happy to address issues before the January 8, 2014 meeting.
- Believes the Planning Board will describe accurately what the projects impact will be on the community.
- Thanked board members for being so engaged and focused on the issues before them.

A. Saari moved to adjourn the meeting and **A. Impellizzeri** seconded the motion. The meeting adjourned at 9:48 P.M.

B.M. Molloy, Planning Board Chairman

Date

