

**VILLAGE OF COLD SPRING PLANNING BOARD
85 MAIN STREET, COLD SPRING, NEW YORK 10516
Workshop with Butterfield Realty LLC
Cold Spring Firehouse, 154 Main Street**

February 12, 2014

This meeting was originally scheduled for February 5, 2014 but deferred due to snow.

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, Ann Cutignola from Tim Miller Associates and Steven Barshov from Sive Paget & Riesel

Chairman B.M. Molloy opened the meeting at 7:35 P.M. with opening statements noting that the March 11 monthly meeting of the Village Board will include a joint discussion with the Planning Board of both the SEQRA determination and the memo of suggestions on B-4A

1. Minutes:

In the absence of the secretary, the minutes of January 15 will be deferred to the February 19 meeting; in the interim Anne Impellizzeri will consult with Anna Georgiou about changes.

2. Correspondence

Chairman B.M.Molloy reported that bills from the consultants for December have been received, from Wormser Kiely, Galef and Jacobs for \$2,854 and from Barton & Loguidice for \$3,879. He has received information for the Planning Board budget from Ellen Magean that he will forward to the members of the Board. He also received a proposal regarding kayak storage at 14 Market Street for a fence and some interior work which he returned to the Building Inspector with a request for additional information.

3. Formula Business Ordinance

The Board has had a chance to review the changes in the proposed law in response to Planning Board suggestions. Anne Impellizzeri moved that the Board approve the amended law. This was seconded by Jim Pergamo and approved unanimously. Chairman Molloy asked Trustee Liaison Matt Francisco to convey this approval to the Trustees.

4. EAF Discussion of B&L working draft of SEQRA EAF Part 3 dated 1/17/14

Chairman Molloy noted that this document will be posted on the Village website by Friday at the latest.

Based on review of this draft in connection with the narrative in the binder, Anne Impellizzeri had two corrections, a question, and areas where the binder needs to be updated to conform to this draft. The assertion on 1-4 in the narrative that there is a sidewalk along Paulding needs to be changed since there is none. The correction on p. 5 of the Voss draft is incorrect since there is to be enclosed parking below the community space; it was agreed simply to delete the correction. On p. 7 of the draft the meaning of “alternate transportation modes” will be elaborated. On 1-1 of the narrative, the statement about the level of detail on the Ray Curran concept plan is misleading; it could say it allows consideration of *many* impacts, instead of the impacts. In the bullets about support for the Comprehensive Plan at the top of p.3 of the Voss draft, the statement *Protects* in the first one should be qualified. The words “preserving community character” at the end of the next paragraph should be deleted. The tone of “intended” that is added in this draft should be reflected in the narrative. Anne Impellizzeri was asked to send an email to Mr. Voss identifying places where such a change is needed.

Arne Saari expressed concern about the statement in a. of the Conclusion regarding the capacity of the water and sewer systems. This question will be more closely evaluated in Site Plan Review, so for now, in view of the upgraded fire flow and the input from the Water and Sewer Superintendent and the Fire Company, it was agreed simply to insert “demonstrated to have” available capacity.

There being no further changes, there was a consensus to direct Anna Georgiou to prepare a negative declaration and resolution in final form for the next meeting to be held on February 19th. She will work with Chuck Voss. Ms. Georgiou briefly discussed the applicable time frame for making a determination of significance under SEQRA as 20 days from when the EAF and all reasonably necessary information have been received or as otherwise agreed to by the applicant and the board; and the agreed upon date here , February 19. Also at the next meeting there should be a sign-off on the EAF.

Ms. Georgiou reviewed the many steps in the SEQRA process thusfar. In August the Planning Board became Lead Agency and this project was then reaffirmed as a Type I action. The EAF was reviewed by the consultants. B&L provided a technical review memo on October 17. The applicant responded to all requests. Further review, additional information and revisions resulted in the EAF dated January 8. In accordance with SEQRA, after review and analysis of impacts by the Planning Board with technical support by its planning consultant and with advice of counsel, a determination of significance can be made based on the record including the EAF and supplemental information provided by the applicant, and consideration of comments by involved agencies/interested agencies and the public . Mr. Voss summarized that there has been much information, much time spent, and detailed questions and comments by the Board.

Ms. Georgiou pointed out that with the determination of significance (negative declaration), the SEQRA process for the action will be complete, and the proposed zoning amendment then goes back to the Board of Trustees for consideration.

5. Discussion toward Memo to Village Board on B-4A

Mr. Voss said he will collect suggestions at this meeting and then draft the memo, which he aims to provide by the end of the week. Topics addressed:

- Reference the formula business law.
- Community space:
 - Should be no change from 134 G-3 (11)
 - Why reduce to 5% from B-4 10%?
 - Whether Special Use Permit through ZBA or handle by Planning Board. Need to clarify in 134 G-16 a.
 - Restrictiveness in 4. c. and d. Prefer the flexibility of B-4. Re: the Copper Beech tree, 0 setback, possibility of rock, what if both Planning Board and applicant agree on a change.
 - 5. A. Site plan review and approval. Need to clarify whether one or multiple reviews, one or more sites.
 - Uses. Add to permitted uses, 5.B., luncheonette/coffee shop as opposed to restaurants, also overnight accommodations.
 - Scale. Buildings of 75' x 300' and 80' x 160' far exceed other residential structures, most notably the senior housing across 9D at approx... 40' x 160'. Twice as wide and twice as long. The applicant pointed out that a minimum width of 60' is necessary for underground parking.
 - Number of bedrooms. Why increase to two bedrooms? Favored by some. Necessary to get the ratables to make it tax positive.
 - Height. The narrative cites the Special Board report suggestion that 3 stories, as opposed to 2 ½, might be possible on some buildings if it could reduce the footprint.

The applicant requested that the draft memo be made available to them before the meeting; it was promised for February 18.

6. Public Comment

Frank Haggerty said he has been following the matter closely and would like to drop off his analysis. Chairman Molloy asked that he submit it to the Village Clerk so that it could be included as part of the record and would then be available to the Planning Board as well as members of the public.

7. Adjournment

Karn Dunn moved to adjourn the meeting. The motion was seconded by Jim Pergamo and passed unanimously. The meeting was adjourned at 9:34 p.m.

B.M.Molloy, Planning Board Chairman

Date

