

**VILLAGE OF COLD SPRING PLANNING BOARD**  
**85 MAIN STREET, COLD SPRING, NEW YORK 10516**  
**Regular monthly Meeting**

August 19, 2015

**Members present:** Chairman, Donald MacDonald; Members: Karn Dunn, James Pergamo and Arne Saari

**Member absent:** B.M. Molloy

Chairman D. MacDonald opened the meeting at 7:05 P.M.

**1. Minutes:**

The minutes of July 15, 2015 were reviewed. J. Pergamo moved to approve the minutes as presented and A. Saari seconded the motion. The minutes were approved unanimously.

**2. Correspondence:**

- New York State Legislature – Natural resources booklet.
- Badey and Watson Final subdivision plat for the three residential lots for Butterfield Realty LLC.
- Invoice from Barton and Loguidice, P.C. for professional services regards Butterfield Redevelopment LLC dated July 29, 2015 in the amount of \$2,024.08. A copy of this invoice was faxed to Butterfield Redevelopment LLC on August 11, 2015 for their approval.

**3. Board discussion:**

EBII, LLC 15 Main St.:

Chairman Mac Donald will review submitted plans revised per comments of the August xx 2015 planning board meeting. If in order he will issue a legal notice setting a public hearing on the matter for September 2, 2015.

A. Saari moved to schedule a public hearing for Wednesday, September 2, 2015 and J. Pergamo seconded the motion. It was unanimously approved.

1 Market St. and 134-9B of the Village Code:

The Planning Board previously discussed the issue of this application not being referred by the Building Inspector to the Planning Board for review. Chairman Mac Donald read xx section of the Village Code “regulations for B1 Business District”. In consultation with the Village Attorney the building inspector now agrees any change of use proposed in the district triggers a trip to the planning board irrespective of the level of intensity of the proposed use.

**4. New Business:**

Fred Santivenere, 36 Teller Ave., Beacon applicant - regards 24 and 26 Rock St. owned by the applicant and persons unknown.

The Applicant has requested a subdivision.

There is one building on each of the two parcels of land. The parcel with direct access to Rock St. is #24 and an easement exists across it for #26 to the rear. In June of this year an application to the Building Inspector for a Driveway permit regards this easement was denied due to lack of required width.

For a long period of time #26 gained access to Rock St. across an adjacent parcel to the southwest. That access has been subsequently denied and the issue is a matter of litigation be

Each parcel have separate tax bills and were separated by deed in 1977.

The Applicant noted that 24 Rock St. has been sold and, according to the applicant, the current owner did not want to come to this meeting nor will they participate in any proceedings with the village regarding these matters.

The Board suggested that the applicant come back to the next meeting with the following items:

- A copy of tax bills going back as far as possible showing the two separate properties.
- A narrative letter stating the process of the separation of lots in 1977.
- The name of the owners at 24 Rock St.
- A copy of Badey and Watson's analysis regarding the two lots.

The Board will ask the building inspector for any file that may exist for the property.

At the next meeting when all the items listed above have been reviewed by the Board, the board will discuss the possible subdivision and the easement issue with the Village Attorney.

A. Saari moved to adjourn the meeting and J. Pergamo seconded the motion. The meeting adjourned at 7:50 P.M.



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Donald Mac Donald, Village of Cold Spring Planning Board Chair

9/02/15

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