

**Village of Cold Spring  
Planning Board  
85 Main Street, Cold Spring, New York 10516**

**Public Meeting  
08/25/16**

The Village of Cold Spring Planning Board held a public hearing on August 25, 2016 at 7 pm.

Attending were Board members: Arne Saari, Judith Rose and David Marion. Matt Francisco and Ezra Clementson were absent. Village Attorney John Furst was also in attendance. The meeting was called to order at 7pm.

**1. Chair's Remarks**

A. Saari was named acting chair for the meeting.

**2. Approval of Minutes**

Deferred

**3. Reports of Members**

None.

**4. Correspondence**

None

**New Business**

2 Depot Sq. application for an amended site plan for alterations to existing Multi-Family Residential Building from 3 Dwelling Units to 5 Dwelling Units including a change of use. The subject property is known as Tax Map 48.12-2-2 and is in the B1 zone and National Historic District.

Karen Parks (architect) appeared on behalf of the applicant and presented revised plans, elevations and photographs illustrating the proposed changes. Based upon his review of the application, J. Furst noted the following:

- Site plan approval will be required
- The application is an "unlisted action" under SEQRE but would be classified as Type 1
- A long-form environmental statement will be required
- It appears likely that the Planning Board will become the lead agency (for SEQR) after other village boards have reviewed their application. The other boards will not be able to take final action, until the Planning Board issues a declaration

- Parking waiver will be required. A. Saari clarified that when deemed appropriate, the Planning Board will make a recommendation to the Village Board of Trustees who will make a final determination regarding granting of a parking waiver
- Historic District Review Board (HDRB) approval will be required. Parks noted that she has appeared before the HDRB and is in receipt of their comments and suggestions.
- A public hearing will likely be required as this is a change of use.

Discussion of Parking

- Create additional parking spaces within the site
- Offer off-site parking for rental tenants
- Reduce the number of proposed dwelling units and so too the required parking
- Change the Live/Work space to a retail space to reduce required parking
- Anticipated future property development requires it to meet current code (i.e. the property cannot be grandfathered.)
- Will the requirements of zone R-3 be the determining factor for satisfaction of parking requirements? (There was not resolution to this question.)

Applicant to present revised design and site plan addressing the issues discussed for the next Planning Board meeting. In addition, applicant will provide the long-form environmental statement.

**5. Motion to go into Executive Session**

J. Rose made a motion to go into executive session to confer with the Village Attorney. D. Marion seconded and the board exited to speak with Furst.

**6. Motion to return to Public Session**

When the board returned, D. Marion made a motion to return to Public Session. J. Rose seconded and the public session resumed.

**7. Old Business**

**Butterfield Realty** – Mike Finnegan appeared on behalf of the applicant.

J. Furst outlined the Planning Board’s position regarding issuance of building permits. The board’s Resolution granting a 20% parking waiver was predicated upon the county providing bussing for all program participants at the senior center for the full term of their lease/occupancy. It was agreed that this requirement would be incorporated into the County’s lease with the Landlord. As the County has yet to enter into a lease with the applicant, building permits for the Lahey Pavilion and Building No. 2 have not been issued as this condition has not yet been met/cleared.

The Planning Board proposed that if the county doesn’t enter into a lease with the applicant (that meets the terms of Condition B in the Resolution) the applicant may receive a building permit to

proceed with Building No. 2 with an 11.2% parking waiver that would require providing approximately 28 additional parking spaces regardless of the degree of site build out/completion.

Finnegan called the applicant and relayed the board’s proposal. He reported back that the applicant is not willing to take action at this time due to his unfamiliarity with possible final lease terms with the county. Applicant acknowledged his liability should the lease with the county not meet the requirements of Resolution, but believes that the parking requirements should not change in any case.

Furst presented a proposed revision to Condition B of the Resolution that states:

*B. The Applicant will provide the Village of Cold Spring a copy of the Lease with Putnam County to ensuring round trip bus services for all participants of the on-site programs provided by the County at the County Senior Center. A copy of the fully executed Lease shall be provided prior to issuance of any building permits associated with the Amended Site Plan Approval. In the event of a failure to meet this County busing lease condition, the Applicant agrees to provide the additional necessary off-street parking spaces by applying an 11.2% parking waiver and assuming “retail/office” use in place of the Senior Center at the Lahey Pavilion (estimated at twenty-eight (28) additional spaces). Applicant is free to proceed, at its own risk, to obtain building permits for Building #2 without submitting a copy of the County lease with the required busing language, or providing the additional estimated off-street parking noted above. However, no building permits will be issued for the Lahey Pavilion unless and until either: (1) the County lease with the required busing language is provided, or (2) the Applicant provides the necessary parking spaces to make up for the lack of busing (which additional parking will need further amended site plan approval from the Planning Board).*

D. Marion made a resolution to adopt the modification to Resolution No. 3 presented by Furst. J. Rose seconded and the motion passed unanimously.

**8. Public Comment**

None

**9. Adjournment**

J. Rose made a motion to adjourn the meeting. D. Marion seconded and the meeting was adjourned at 8:30pm.

*Arne Saari*

1/12/2017

Arne Saari, Acting Chair

Date