

Village of Cold Spring

Board of Trustees Workshop

October 14, 2013

The Board of Trustees for the Village of Cold Spring held a public hearing and workshop on Monday, October 14, 2013 beginning at 7:30 pm at the Village Hall, 85 Main Street, Cold Spring, NY.

In attendance were Mayor J. Ralph Falloon, Trustees Bruce Campbell, Charles Hustis, III, Matthew Francisco and Stephanie Hawkins.

The meeting began with a Public Hearing on Formula Business Restrictions. Mayor J. Ralph Falloon read the Public Hearing Notice.

The Village of Cold Spring Board of Trustees will hold a public hearing on Monday, October 14, 2013 at 7:30 pm at Village Hall, 85 Main Street Cold Spring, NY, for the purpose of hearing comment on a local law entitled: A Local Law to Amend Village Code Chapter 134 Zoning, by Amending Village Code Section 134-18, "Supplementary Regulations Applying to all Districts", Section 134-2(B), "Definitions", and Sections 134-9(C)(2), 134-10(B)(1) ad 134-11(B)(1). This local law will provide new and/or additional definitions of the terms "restaurant", "retail business", "formula restaurant", "formula retail business" and "drive-in", "drive-thru", or "drive-in window". The Local Law will also prohibit formula retail business uses, formula restaurants and "drive-in", "drive-thru" or "drive-in window" in all zoning districts. Copies of the local law are available at the office of the Village Clerk, 85 Main Street, Cold Spring, NY or on the web at www.coldspringny.cov.

Barney Molloy, Chairman of the Planning Board, speaking for the Planning Board, was in favor of this but added there is a need to tighten up the definition of "formula business". For instance, what constitutes a chain, two, three or more, doing business under the same name? We have two of those businesses in the Village now: Indigo Chic and Frozenberry. Foodtown could also be considered a chain store.

Gretchen Dykstra said that she believes "Cold Spring is well within its rights to pass such a law and I urge you to do so". Ms. Dykstra's comment letter is **attached** in its entirety.

Rich Franco was in favor of changing the Village Code stating that without something in the law, "if additional formula businesses open on 9D" (referring to Dunkin Donuts' approval to build at the Elmesco garage) "or on Main, we will soon become just another little cookie cutter municipality"... Mr. Franco's comment letter is **attached** in its entirety.

Mike Armstrong, chairman of the Special Board, said that fire causes holes and we do not want to fill the holes with drive-ins. Without an ordinance there is no protection against this.

Claudio Marzollo, although not a resident of the Village, I am an owner of a building on Main Street and it would be very viable to rent to a big corporation and not be worried about skipping on the rent. In spite of the financial gain I would get, I would like to speak favorably of this law. The law does, however, need a good strong definition of a "chain" store.

Steve Laifer, also in favor of the ordinance, said that “While fast food and large corporate retail chains do offer formulaic efficiencies and consistent quality.... they would be a total disaster for our community. Mr. Laifer’s comment letter is **attached** in its entirety.

Aaron Freimark stated that “Capitalism does allow free enterprise, but always within limits. It is up to democracy to define those limits. The Village Board should enact such a measure for Cold Spring”. Mr. Freimark’s comment letter is **attached** in its entirety.

All who spoke were in support of this law.

The Board thanked everyone for their input and will take all comments into consideration. However, because this public hearing was held on a holiday, Columbus Day, the meeting will be held open until the next meeting on October 22, 2013 to enable any other residents who were not able to attend this meeting to add their comments.

This past Thursday, PCEDC Annual Gala & River Cruise docked at 3 PM. The Board approval included the usual fee of \$2.00 per foot totaling \$300.00. PCEDC requested that this fee be waived. Initially, Trustee Hawkins was against this but Trustee Campbell explained that this was a Putnam County cruise and they have been working with Cold Spring to encourage economic development for Cold Spring’s vitality and therefore he was in favor of waiving the fee. After hearing the explanation, Trustee Hawkins was in agreement. Trustee Francisco made a motion to approve the waiving of the fee of \$300.00 for the PCEDC Annual Gala & River Cruise which was seconded by Trustee Hustis. The motion was carried with a unanimous vote.

From this application, it was discussed that only exceptions for docking permits be brought before the Board of Trustees. All other applications should be handled by the Recreation Commission. The Board will devise Docking Applications rules and regulations for a future workshop.

Public Comment:

Barney Molloy stated that there is no signage on the dock with respect to “no swimming”, and no information on how to make contact for vessels docking.

The Board will run it by the Village Attorney, Michael Liguori, for his input.

Meeting was adjourned.

Respectfully submitted

Sandra L. Falloon