

**VILLAGE OF COLD SPRING PLANNING BOARD
85 MAIN STRET, COLD SPRING, NEW YORK 10516
Workshop meeting for Elmesco held at the VFW Hall**

October 16, 2012

Present: Chairman: Joseph Barbaro; **Members:** Arne Saari, Placito Sgro, Richard Weissbrod and Jimmy Zuehl Steve Gaba; Village Attorney and Rob Cameron Planning Board Consultant

Present for the applicant: Ken Elmes; property owner, Anthony Morando and Jennifer Van Tuyl; Cuddy & Feder, Attorney's for the applicant and Ron Lezott; gk+a Architects

J. Barbaro opened the meeting by noting the public hearing transcript was received and reviewed by all planning Board members and a copy was given to the applicant.

The easement process of the southwest corner was explained by Ms. Jennifer Van Tuyl.

Ms. Van Tuyl noted the applicant should be responsible for a type 2 SEQRA since it was determined the proposed project would have no environmental impact.

A discussion ensued between Village Attorney, Mr. Gaba, and The Applicant's Attorney, Ms. Van Tuyl, regarding the Type 2 SEQRA. Mr. Gaba asked for a long EAF to be completed and Mrs. VonTuyl noted her and her clients did not want to agree to something that could lead to an action that has no basis.

J. Barbaro asked if the Applicant was willing to temporarily remove the drive-through from the application with the option to come back in a year to apply for the drive-through. Ms. Van Tuyl noted that the application includes a drive-through and they are not removing it.

J. Barbaro asked that an independent traffic study be done. Ms. Van Tuyl noted it is very late in the process to ask for a new traffic study and noted an independent traffic study had been done by Engineer, James A. Garofalo. Mr. Gaba asked that the study by James Garofalo be reviewed by a traffic engineer hired by the Board and that can be done rather quickly.

A discussion ensued by the Board members regarding the traffic pattern and the traffic study.

After a brief discussion from all Board members all Board members agreed to have the traffic Study done by Mr. Garofalo be reviewed by a traffic engineer of their choice.

Ms. Van Tuyl asked if her clients agree to contract a traffic Engineer if the proposal can stay on track within the 62 days. Mr. Elmes noted the traffic study that was done contains multiple traffic sites, such as the Butterfield site as well as other areas. Mr. Elmes explained that to date they have spent a lot of money on the whole process including the traffic study.

J. Barbaro asked if there was a zoning issue related to the project. Ms. Van Tuyl noted she just received notice of a possible zoning violation regarding a back fence and has not yet contacted the Zoning Board Chairman but didn't feel the issue would by grounds to hold up the application. Mr. Gaba noted the Planning Board has a hard time approving something they are not sure will be approved by other boards.

The Board reviewed the following:

- Flow of traffic – Is it permitted for vehicles to drive over parking spaces that are not used?
- Delivery of fuel in the evening – after hour deliveries are no problem
- Other deliveries during the day – 35 foot truck should not encroach on parking spaces

At 8:32 Chairman **J. Barbaro** gave a 5 minutes break so the applicant can consult his Attorney.

Meeting resumed at 8:53 P.M.

Ms. Van Tuyl agreed to a traffic study review to be done by the end of the week and asked that The Planning Board get bids from a few consultants that must be agreed upon. Ms. Van Tuyl noted her client will try to work with the village for a reasonable proposal.

Ms. Van Tuyl asked the Board to schedule a workshop.

A workshop meeting was scheduled for Monday, November 5, 2012 with the location to be decided.

R. Weissbrod suggested a shield to protect the north side neighbors from the light and noise.

Mrs. Van Tuyl asked for a list of anything outstanding or needed to come before the next meeting through Mr. Gaba.

P. Sgro moved to adjourn the meeting and **R. Weissbrod** seconded the motion. The meeting was adjourned at 9:22 P.M.

Joseph Barbaro, Planning Board Chairman

Date

