

# GREENPLAN

April 11, 2013

Michael J. Armstrong, Chair  
Village of Cold Spring Special Board  
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Re.: *Cold Spring Local Waterfront Revitalization Planning*  
*Federal Transportation Project Consistency Determination PINs 8759.53 & 8760.04*

Dear Mike:

I am in receipt of your email to me dated April 8, 2013. In that email, you forwarded a letter from Romulus Danciu of CHA to Ralph Falloon asking for Village notification on the consistency of the Main Street project with the current Local Waterfront Revitalization Program (LWRP) policies. The letter writer states that "It is necessary for the NYSDOT to receive notification from the Village that the proposed project is consistent with...LWRP policies. You've asked whether the Village should "pre-certify" that projects are consistent. I will answer that question in this letter and raise another equally important consistency issue involving the Village's January 10, 2012 adopted Comprehensive Plan.

First, the agency responsible for the consistency determination of the Main Street project is the New York State Department of Transportation. Until the Village's draft Local Waterfront Revitalization Program is adopted by the Village Board and then incorporated into the New York State Department of State's Coastal Management Program, with concurrence of this incorporation by the federal Office of Ocean and Coastal Resource Management (OCRM), the LWRP is not an official document from which a policy consistency determination can be made affecting a State and Federal project. The DOT is responsible for determining the consistency of the Main Street project with the State's Coastal Policies. This is typically completed during the DOT's SEQR review process and is based upon the State's coastal policies, not the Village's proposed but as yet unadopted coastal policies.

In your correspondence to me, you indicated that the Main Street project may not be finished until 2015. I think that all involved are hopeful that the LWRP will be an official document, from which consistency determinations can be made by 2015. However, the Village's proposed local policies are on-track to undergo a rigorous examination this year by the State and then the Federal government. Some policies may change in the process and so the proposed local policies cannot be relied upon in making a determination at this time.

Nevertheless, in my opinion, it would be a benefit to all parties that there be a careful but informal review of the proposed Main Street project against the proposed local coastal policies. After all, they have been in development for more than six years now and at this point, are reflective of Village residents' vision for its waterfront/village. If after examining the proposed project against the draft policies is complete, there are any aspects that potentially would be inconsistent, then I suggest that they be brought to the attention of the DOT between the Draft and Final Design Reports. While they would not be binding on the DOT to change its proposed design, they would help the Village to move in the direction of an implementation strategy.

This would also be the case for the Butterfield and Marathon sites, since you had also asked if proposed developments there could or should be "pre-certified." Again, there is no pre-certification process that

I am aware of but it would be in the interests of all involved that development projects “in the pipeline” be planned in a way where they are as consistent as possible with the plans and programs of the Village, even if they are only close to adoption. Applicants for development approvals proceed at their own risk, if their projects are found to be inconsistent with the Village’s adopted policies, especially if the Village’s zoning changes to implement those policies before they obtain their approvals and construction begins.

What is of greater significance at this time is the relationship of the Main Street project with the Village’s adopted Comprehensive Plan. As you are well aware, the Comprehensive Plan became the basis for the Local Waterfront Revitalization Strategy, a precursor to the full LWRP. While serving different purposes, both the LWRP and Village Comprehensive Plan have been designed to be internally consistent so it would make sense that any project going forward be consistent with both the Village Comprehensive Plan and draft LWRP. In fact, all plans for State agency capital construction projects must take the Village’s Comprehensive Plan into consideration in accordance with § 7-722.11.b of New York State Village Law. This means that the DOT must conduct its own consistency determination of not only the State’s Coastal Policies but the Village’s adopted Comprehensive Plan policies as well.

I have outlined the areas of the proposed Main Street project that I believe are consistent or inconsistent with the Village’s adopted Comprehensive Plan. I have outlined the Village’s primary recommendations for Main Street, followed by a discussion of the consistency as follows:

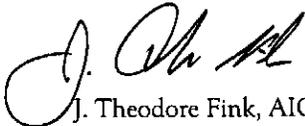
1. *1.1.7 Recommendation: Where possible, consider matching historic materials or their appearance for sidewalks and curbs while enhancing safety and security.* The Draft Design Report indicates that the new sidewalks will be bordered by a “stamped concrete in a traditional red brick pattern.” No design details for the stamped concrete have been provided so it is not possible to determine whether this will match historic materials. The Final Design Report should include a detail of the proposed materials.
2. *1.7.2 Recommendation: Install wheelchair ramps at all intersections and install wheelchair “curb cut” ramps at all corners along Main Street, Chestnut Street, Morris Avenue and Fair Street.* The plans specifically address the provision of ramps suitable for disabled persons except for the Main Street Chestnut/Morris intersection, where they are existing.
3. *1.7.3 Recommendation: Consider installing textured high-visibility crosswalks at intersections of Main and side streets.* Several crosswalks are proposed but it appears as if painted or applied crosswalk striping is proposed. It does not appear as if textured crosswalks are planned. Textured crosswalks are a more effective traffic calming material and have been used on DOT projects successfully, such as on Raymond Avenue in the Town of Poughkeepsie and in the Villages of Fishkill and Tivoli. In my opinion, textured crosswalks should be added in the Final Design Report so that the project is more consistent with the Village’s Comprehensive Plan.
4. *1.7.5 Recommendation: Install three crosswalks across Route 9D between the Main Street / Route 301 intersection and Benedict Road. Install a crosswalk across Main Street/Route 301 at Fishkill Avenue / Academy Street.* Crosswalks are existing at Main Street at Chestnut/Morris Avenue. The Fishkill Avenue and Main Street intersection is outside of the proposed project area but Fishkill Avenue and Mountain Avenue intersection includes a new crosswalk.
5. *1.7.6 Recommendation: Install landscaped traffic calming devices such as bump-outs to improve pedestrian safety at intersections with high pedestrian traffic...* No bump-outs (also known as neck-downs) have been proposed. Neck-downs are an effective traffic calming device that has been used on DOT

funded projects such as on Raymond Avenue in the Town of Poughkeepsie and in the Villages of Fishkill and Tivoli. In my opinion, neck-downs should be added at all intersections where it is feasible in the Final Design Report so that the project is more consistent with the Village's Comprehensive Plan.

6. 1.7.15 Recommendation: Work with the NYS Department of Transportation to install a curb along the entire length of the service station located on Morris Avenue at Main Street, with a curb cut on Morris Avenue to allow vehicular entrance and exit of no more than the minimum width needed for two cars. The plans do not appear to address this issue.
7. 1.10.3 Recommendation: Develop landscape guidelines that encourage use of native species and native hybrids, support safety of bump-outs and intersection sightlines, and require unpaved and permeable landscaped utility strips, where feasible, between sidewalk and street in all new streets and when existing sidewalks are repaired. One landscape strip west of Garden Street is proposed along with several new curbed tree planters. The tree planters will supplement the Village's own street trees lining Main Street.
8. 1.13.1 Recommendation: Install "Shared Road" signs on Fair, Main, and Chestnut Streets and Morris Avenue. One bicycle shared road sign ("Bike symbol shared roadway") is proposed for drivers traveling east on Main Street from Chestnut Street. Additional shared road signs should be provided, particularly for drivers traveling west down Main Street from Chestnut/Morris and traveling east on Main Street from Depot Square.
9. 4.4.6 Recommendation: Bury power lines on Main Street, if feasible. This is an issue that has not been addressed by the proposed project.
10. 4.4.7 Recommendation: Establish and implement a plan to plant more trees along Main Street especially if the power lines are buried. If the lines cannot be buried, make sure such plantings do not interfere with power lines. Additional tree planters are proposed. No details are provided for what types of trees are to be planted. Species should be provided in the Final Design Report.

It should be noted that Furnace Street is mislabeled as Main Street on Drawing P-10. This should be corrected in the Final Design Report. If the Special Board has any questions, please do not hesitate to contact me. I look forward to helping the Village of Cold Spring successfully implement its LWRP and Comprehensive Plan.

Very truly yours,



J. Theodore Fink, AICP  
President

### **ISSUES WITH UNDERGROUNDING UTILITIES**

- Space will need to be developed within the Village right of way for a utility corridor.
- Each home will need to be accessed.
- Service meters will need to be replaced to bring them to code compliance.
- Eaves on homes will need to be replaced upon removal of riser.
- Fixing/ repairing other elements of the home/business (painting, siding)
- Every utility entrance to homes/businesses will have to be restored and a new utility entrance will have to be installed.
- Existing utilities that are in conflict with new relocated facilities will also have to be moved.
- Massive underground vaults will have to be installed to accommodate the electrical transformers.
- System will have to have redundancies (spare conduits will have to be installed).
- Homeowners will assume responsibility of a certain portion of the new lead in to the house.
- Village will likely bear the costs of removing old system (utility poles and wires).
- New lighting system will have to be installed as the current lighting system utilizes utility poles.
- There likely will be an unwillingness of some homeowners to agree to underground utilities.
- Underwriter inspecting work may find other elements of electrical system within the home that may not be in code compliance (e.g. panel box, Romex wiring). The homeowner would need to replace this at his/her expense...the proverbial "can of worms".
- Restoration of pavement/sidewalk/landscaping/curb.
- Significant excavations to install system.
- Overlaying of entire pavement to cover trenches.
- Coordination with three utility companies (electric, telephone and cable).
- Significant portion of cost will be the responsibility of Village/homeowner.

## Comments/ responses to Theodore Fink

### 1.1.7-

Details are not typically developed during the Design Report phase. The Village (with stakeholders input) will have the final decision of what material and color will be used. This will take place during Final Design

### 1.7.2-

Wheelchair ramps will be constructed on Main Street at all corners from Depot Square to High Street. The Morris/Chestnut intersection was not included because ramps currently exist at this intersection.

### 1.7.3-

Textured crosswalks can be considered during the final design phase. However, the cost of textured is considerably more than a traditional sidewalk. In addition, future maintenance will be much more difficult and expensive. A final decision can be made during Final Design.

### 1.7.5-

Installing three crosswalks across Route 9D between Main Street and Benedict Road and at Route 301 and Fishkill Avenue and Academy Street could be considered/added during the Final Design stages. The reason crosswalks were added at Mountain and Fishkill Avenue is because the plans call for the intersection to be reconstructed.

### 1.7.6-

Bump-outs are most effective on wider streets to reduce speeds. Main Street is already a narrow corridor. Installation of bump-outs would also reduce the amount of parking and make it more difficult for turning movements and deliveries. They would also make snowplowing more difficult, and result in major changes and cost due to additional drainage structures and pipes that would be required.

### 1.7.15-

Route 9D (Morris Avenue) is a State Route. This improvement is beyond the scope of the Village's grant.

### 1.10.3-

Plantings will be installed by the Village through a grant they have received. The location of tree pits and planters were developed with input from stakeholders during a walk of the corridor.

### 1.13.1-

During final design the Village will look into the feasibility of "shared road" signs. None have been proposed so far. The sign that Mr. Fink observed on the plans is an existing sign.

4.4.6-

Burying power lines is out of scope with this project and would cost several million dollars.(see attached for additional considerations)

4.4.7-

The Village has received a grant for street trees. The village will determine final locations during Final Design.