

**Village of Cold Spring Code Update Committee  
85 Main Street, Cold Spring New York 10516**

**Public Meeting**

The Village of Cold Spring Code Update Committee held a public meeting on August 3, 2016 at 7:00pm at the Cold Spring Fire House, 154 Main St.

Attending were board members: Trustee Marie Early and committee members: Carolyn Bachan, Donald McDonald, Ethan Timm, Paul Henderson and Nora Hart.

**1. CALL TO ORDER**

M. Early called the hearing to order at 7pm. She noted that written comments will be accepted by the CUC until August 31, 2016.

**2. PUBLIC HEARING**

The meeting consisted of an introduction, a history of the CUC, a PowerPoint presentation (providing samples of proposed changes to the 10 topics in the "Use" category), and a question and answer period.

The 10 topics in the "Use Category" are:

- Permitted Use Standards
- Evaluate Restricting Main Street Shop Front Buildings to Commercial Uses
- Home Occupation Standards
- Evaluate Accessory Building Standards
- Evaluate Accessory Apartment Standards
- Detached Garage Standards
- Livable Floor Area Standards
- Evaluate Overnight Accommodation Standards
- Waterfront Recreation Standards
- Parking Standards

**3. PUBLIC COMMENT**

Anne Impellizzeri – Home/work occupancies may have need for occasional or seasonal staff on a consultant basis and that this should be taken into account for parking requirements for this use.

Unknown person – referring to Anne's comments said, "This could be a slippery slope . . . and should be clarified."

Mike Turton – will a permit be required for a home occupation?

D. MacDonald suggested most uses would be, “a person with a computer” and the occupation would be limited by the performance standards and parking

Mike Armstrong - suggested the CUC should not presume the type of occupation and that employees doesn’t necessarily mean more parking will be required.

Mike Armstrong – why can’t an accessory building be used for a home occupation? Response – New York State Building Code prohibits this; it is not a Village law.

Unknown person – Can an accessory building be used as a residence? C. Bachan responded “yes” if it meets all setback and other requirements for the zoning district. Also, the owner would need to be in residence.

Mike Armstrong – Persons arriving by train must be considered in determination of parking requirements for restaurants. Future metering of parking may also further reduce parking requirements.

D. MacDonald – The CUC relied on Ted Fink (of GreenPlan, the CUC’s consultant) for advice (re: restaurant parking) based upon his experience with other similar communities. Ted’s recommendations were also based on APA standards and Institute for Transportation Engineers.

Unknown person – how is this going to all be enforced? Donald MacDonald responded that the intention is to address the requirement in the code so that, if someone is aggrieved, that person can point to the section of the code and request that the situation be remedied.

Anne Impellizzeri – 1.5 parking spaces (as part of requirements for overnight accommodations) is “laughable” even when applied to multi-family units.

Anne Impellizzeri – noted that garage apartments could be attractive (for overnight accommodations.)

Mike Armstrong – Annual certifications (for overnight accommodations) could be an “administrative nightmare” and suggested a five-year term or when ownership changes.

Mike Armstrong – Regarding PR1 districts, there should be a range of activities and they should be well-defined. P. Henderson responded that the CUC looked at performance standards rather than a list of activities.

Terry Lahey stated the supplementary regulations state that an accessory building can be used as a residence but cannot be used for a home occupation. Donald MacDonald replied that the NYS Building Code prohibits home occupations in accessory buildings.

It was noted that PR1 districts can have overnight accommodations.

Mike Armstrong – A cap of 50 accessory apartments (for the village as a whole) may become problematic because of grandfathered uses.

Unknown person – Is the cap for the entire village? M. Early answered, “yes.” This could become a problem if the units are clustered in one area (such as Main St.)

Mike Armstrong – Are (CUC) recommendation subject to New York State review? M. Early responded, “yes . . . as they are today.”

4. The meeting ended at 8:40pm.

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Marie Early, Trustee

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Date