

**Village of Cold Spring Code Update Committee
85 Main Street, Cold Spring, NY 10516
November 28, 2018**

Meeting

The Village of Cold Spring Code Update Committee held a meeting on November 28, 2018 at 8pm at the Village office at 85 Main St. Attending were Trustee Marie Early and committee members: Karen Doyle, Anne Impellizzeri and Michael Reisman. Norah Hart and Paul Henderson were absent.

CALL TO ORDER

M. Early called the meeting to order at 8pm and requested timesheets through the end of October.

MINUTES

There were insufficient attendees to approve the Nov. 7 meeting. This topic was deferred.

FOLLOW-UP ON STEEP SLOPE REVIEW

This topic was deferred to a later meeting.

WATERFRONT CONSISTENCY REVIEW LAW

This topic was deferred to a later meeting.

REVIEW FLOOD PLAIN UPDATES

This topic was deferred to a later meeting.

EVALUATE /PERMITTING OF CONSERVATION AND FACADES EASEMENT

Conservation easements essentially donate the land via an agreement to an organization which preserves land with specific restrictions on its use (such as Scenic Hudson or HHLT) and with the responsibility that the elements of the agreement are not violated; a conservation easement meanwhile provides tax benefits to the owner of the property.

The committee discussed the way in which façade easements work. In a façade easement, the owner of the structure would receive tax benefits for donating the façade to a conservation group. Meanwhile, the owner of the structure would remain responsible for maintaining and preserving the façade.

K. Doyle volunteered to consider taking on this topic in N. Hart's absence once K. Doyle completes her conservation sub-division topic.

EVALUATE/PERMITTING OF CONSERVATION SUB-DIVISIONS

During the discussion it was noted that:

- Ted Fink (GreenPlan) agrees that, at present, only the Marathon property would qualify for a conservation subdivision in that it is a large parcel of land. Ted also agrees that a conservation sub-division would be one of multiple processes that could protect the Kemble Ridge viewshed.

- The purpose of a conservation subdivision is to group structures together to create open space; the purpose is not to protect scenic views or the edge of the parcel of land.
- An approach for this topic would be similar to the approach for the Phase III topic of a Ridgeline Protection Overlay District. That is, to identify what is a conservation sub-division, identify those parcels which might qualify, examine alternatives to the objective (protect the Kemble Ridge viewshed), describe the costs of implementing a conservation sub-division, obtain input from our consultant and describe the conclusion including the recommendation to protect the Kemble Ridge viewshed.
- One alternative identified by Ted would be to enter a ridge-line or any area of the Village into the village code as a “protected area” with a specific setback. Another example of this would be St. Mary’s lawn. Other alternatives include implementing NYS Statewide Area of Scenic Significance (“SASS”) regulations (NY Coastal Policy 24), which M. Reisman is researching, and a conservation easement.
- Would the ridge-line be an “environmentally critical” area?

EVALUATE/PERMITTING OF OUTRIGHT DEMOLITION OF EXISTING STRUCTURES

It was agreed that the Village of Fishkill’s code, presented by A. Impellizzeri at the last meeting, could be used as a model. The section in that code which addresses historic structures would not be required by the Village Code since structures in the Historic Districts (both National and Local) is covered extensively by Chapter 64 which was approved by the Village Board earlier this year. The one addition is addressing replacement structures that would be required to be consistent with the current neighborhood character. A draft document will be prepared for the next meeting.

AMEND SUB-DIVISION REQUIREMENTS

During the discussion it was noted that NY Coastal Policy 24 (the SASS regulation) is intended to prevent impairment of scenic resources of statewide significance. This could include siting development to retain views from the river, the cove and elsewhere. The Cold Spring subunit of SASS is defined as the whole Village. One question is what is the trigger for closer review of such development. Kemble Ridge is one feature that needs to be protected; St. Mary’s lawn and church; Constitution Marsh; Dockside are others.

M. Reisman will reach out to Ted Fink to determine if here are other municipalities have implemented SASS and if so, the CUC might be able to build on their work.

PUBLIC COMMENT - None

The next CUC meeting will be on Dec. 5.

ADJOURNMENT

A. Impellizzeri made a motion to adjourn the meeting. K. Doyle seconded and the meeting was adjourned at 9:00pm.

Trustee Marie Early	Date
---------------------	------