

**Village of Cold Spring Code Update Committee  
85 Main Street, Cold Spring, NY 10516  
February 1, 2017**

**Meeting**

The Village of Cold Spring Code Update Committee held a meeting on February 1, 2017 at 7pm at the Village office at 85 Main St.

Attending were board members: Paul Henderson, Donald MacDonald, Bonny Carmicino and Trustee Marie Early. Norah Hart and Elizabeth Bengal were absent.

**1. CALL TO ORDER**

M. Early called the meeting to order at 7:03pm.

Early noted that CUC budget was due and noted CUC costs to include: personnel services, supplies and grants.

Early has queried Ted Fink (GreenPlan) about cost to rework code sections regarding non-conforming use, land (area) and structure. Fink charges the board \$125/hr. and estimates this would cost approximately \$1,000. Board consensus is that the CUC can undertake this task and E. Bengal will be asked to take this on. It was pointed out that the Code should deal with the dollar value of a non-conforming structure, as well as enlarging a non-conforming structure.

**2. The minutes of January 18, 2017 could not be approve because there were insufficient members present.**

**3. CONTINUED DISCUSSION OF CONTENT DEVELOPMENT OF SIZE AND BULK FOR R-1.**

- Discussion of setbacks and what constitutes a “yard” and whether corner lots should be exempt, though public comment will always be required.
- Should there be a standard setback based upon average of adjacent properties (134-7 Uses under special permit (references 134-16))? It was noted that a setback is not a “use”, it is a non-conforming structure. Also, 134-16 is granted by special permit of Building Inspector, not by ZBA.
- 134-16 – C, limits special use permit to one year.
- An average setback would not be an exception to code for corner lots
- Consensus is that all setback variances should be referred to ZBA. It was also agreed that 134-16.E.1 needs to address the standards used for granting a setback variance.
- Setbacks for corner lots concerned with visibility for car drivers. Current code (134-17) describes a triangle, 30’ from each side of the corner, with the hypotenuse crossing the property to create the setback line. Should the 30’ dimension be increased?
- Where should setback lines for corner lots be taken? Property line? Curb? Roadbed?

- Regarding where to take measurements, §134-17B 1 and 2 (Corner lots) could be modified to say, “roadbed or property line, whichever is less”. Consensus is requests for a lesser setback for a corner lot should be referred to ZBA. Also, corner lots should not be subject to the average setback exception; the front yard setback on both sides of the corner lot should always be 25 feet.
- §134-16.E.1 should be revised to be clearer.
- §134-17.E (Supplementary Regulations applying to all residence districts) regarding structures on the property within the setback area those structures already built less than 7.5’ from property line should have a calculated total of both side yards be at least 10’.
- Rear yard setback to be 20’

#### 4. LOT COVERAGE

- Discussion to reduce lot coverage (total buildings) percentage from 30% to 25%. Matter tabled for consideration by full board.
- It was agreed that building height would remain as is. There may be some clarifications needed to the method for measuring the height.

#### 5. SETBACKS IN B-1 DISTRICT

- On Main Street, should front yard setback remain at 40’ or be reduced to zero? Consensus is to reduce it.
- Code should refer to front yard setback exception which apply to “properties that front onto Main Street” in B-1 (regarding the zero front setback) but all other properties in the district to maintain a 40’ setback. There was discussion about establishing an average setback on Main Street where the setback is measured from the habitable area of adjoining properties.

#### 6. PUBLIC COMMENT – None

#### 7. ADJOURNMENT

P. Henderson made a motion to adjourn the meeting. D. MacDonald seconded and the meeting was adjourned at 8:53pm.

Submitted by: M. Mell

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Marie Early

Date