

**Village of Cold Spring
Board of Trustees Public Hearing
Tuesday September 28, 2021**

The Village of Cold Spring Board of Trustees held a Public Hearing via videoconference as per Chapter 417 of the NYS Laws of 2021 on Tuesday September 28, 2021 at 6:30 pm. Present were Mayor Dave Merandy, Trustees Marie Early, Kathleen E. Foley, Frances Murphy and Tweeps Phillips Woods.

D. Merandy opened the meeting with a tribute to Virginia “Ginny” Pidala, who recently passed away.

D. Merandy made a motion to open the Public Hearing. M. Early seconded the motion and it passed by a vote of 5-0-0-0.

Chapter 64 – Historic District: F. Murphy read into record the changes to the chapter. There was no comment from the public.

Chapter 101 – Shopping Carts: D. Merandy read into record the repeal of the chapter. There was no public comment.

Chapter 108 Streets and Sidewalks: D. Merandy read into the record the changes to the chapter. There was no public comment

Chapter 114 – Swimming Pools: K. Foley read into the record the changes to the chapter.

Donald MacDonald, 10 B Street, asked if the ASTM standards cited in the code are easily accessible to residents? He suggested that NYS Building Codes on the subject may be more accessible, better defined and easier to understand. M. Early will check NYS Building Code.

Chapter 126 – Vehicle and Traffic: D. Merandy stated that on the advice of John Furst, Village Attorney, traffic studies and additional input from residents is needed before the Village changes any streets to one-way.

The Board members took turns reading into the record the changes to the Chapter 126.

D. Merandy read into the record written public comments received from:

- Michelle Smith, 13 Orchard Street
- Sylvia Wallin, 10 Mountain Avenue
- Jeff O’Neil, 7 Locust Ridge
- Michael Guillorn & Megan Shea, 15 Orchard Street
- Nathanael Brotherhood and Lauren Wallis Hall, 3 Orchard Street

D. MacDonald, 10 B Street, said he is not in favor of making B Street a one-way street

Matt Francisco, 18 Orchard Street, stated that he is not in favor of making Orchard Street one way and that more studies and input from professionals are needed.

Tom Corless, 184 Main Street, stated that alternating one-way streets in the area around Haldane Schools will create more problems than it will solve. He added that an increase in personnel will be needed to enforce any changes.

Katherine Hanson, 2 B Street, stated she is not in favor of the one-way streets

Billy Fields, 11 Locust Ridge, spoke up in favor of the proposed one-way streets

J. Furst, Village Attorney, stated that the Board of Trustees should keep the Public Hearing open for Chapter 126 so the Board can consider the public comments and receive additional comments as per the recommended changes.

D. Merandy made a motion to remove the new one-way streets from proposed version of Chapter 126. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0.

Chapter 132 – Waterfront Consistency Review. F. Murphy read into the record the changes to the chapter. There was no public comment.

M. Early made a motion to close the public hearing for Chapter 64. K. Foley seconded the motion and it passed by a vote of 5-0-0-0

M. Early made a motion to close the public hearing for Chapter 101. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0

M. Early made a motion to close the public hearing for Chapter 108. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0

D. Mac Donald withdrew his comments/concerns regarding Chapter 114 after consulting the NYS Building Code. M. Early made a motion to close the public hearing for Chapter 114. K. Foley seconded the motion and it passed by a vote of 5-0-0-0

D. Merandy made a motion to keep the public hearing for Chapter 126 – Vehicle and Traffic open until October 5, 2021. K. Foley seconded the motion and it passed by a vote of 5-0-0-0

M. Early made a motion to close the public hearing for Chapter 132. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0

Discussion on Chapter 134 – Zoning

John Furst, Village Attorney, and Ted Fink, Planner, explained Planned Unit Development (PUD) designation and how it can and should be used.

- PUD leaves an area undefined. Also known as a “Floating Zone”
- First step is for the Village to adopt legislation allowing PUD districts which would not apply to any specific parcels, and the criteria and conditions required to be eligible for a PUD.
- After the legislation is adopted, a developer/property owner can submit a petition to the Village Board that their specific parcel be designated a PUD.
- The Village Board would evaluate the request against the criteria and conditions and if the Village Board is satisfied, the applicant would be referred to the Planning Board.
- The Planning Board reviews the PUD and would make a recommendation to the Village Board on the PUD; the Planning Board may be the lead agency for SEQRA.
- The Village Board would issue a finding on whether the PUD qualifies and would then identify the property as a PUD zone. Up until this point, everything is conceptual.
- Next would be a site plan review by the Planning Board which is where all the details are

identified.

- PUD provides flexibility to both the developer and municipality.
- Rules can be written into Zoning Code that reflect how PUD/Floating Zone can be used.
- Ted Fink commented that a PUD generally applies to larger properties, multiple acres.

Questions/comments from the Board included:

- D. Merandy asked what is in the best interest of the Village?
 - PUD provides flexibility to both the municipality and developer.
 - It is a collaborative process between the developer and the Village.
 - PUD can and should support goals as presented in the Comprehensive Plan
- F. Murphy asked if the Zoning of specific properties needs to change if the Village wants to consider them for PUD status?
 - J. Furst: No.
 - T. Fink: PUD is a tool to be used for a specific property. Procedures for designation are laid out in the Zoning Code. Rules can be written into Zoning Code on how PUD can be used that go beyond existing code.
 - K. Foley: PUD provides flexibility on impact mitigation
- M. Early asked if properties have to be a certain size for PUD status? Can parcels be combined to obtain PUD status?
 - J. Furst: Yes

J. Furst stated the first step is for the Board to determine what it wants a PUD to accomplish. T. Fink will provide samples from other municipalities.

M. Early asked if we should remove proposed MU-1 from Chapter 134 and keep them as I-1? J. Furst replied that MU-1 can be kept on select parcels and I-1 remain on others regardless of whether the properties are developed or not.

J. Furst said the Village Board will need to re-notice for the continuation of the Public Hearing and accept additional public comment.

The only change will be to keep I-1 and remove proposed MU-1.

Allen Warnick, Rock Street: Why are properties on Rock Street and The Boulevard included as MU-1?

M. Early responded that the proposed changes would re-zone these to R-1. Zoning changes have no impact on the Historic District.

Karen Maschke, Forge Gate: asked for clarification on change that impacts Forge Gate? M. Early stated that the only change is to bring a small section of Forge Gate (SE portion) in line with the rest of the property.

Joe Meyer, Kemble Ave: Would the developer be able to build an industrial use on the Marathon property as currently zoned? D. Merandy – yes.

Public Hearing continuation scheduled for Thursday October 14, 2021 at 6:30 via videoconference. Will also include Chapter 104 which references MU-1.

M. Early made a motion to remove MU-1 from the proposed Chapter 134 and keep existing I-1 districts. F. Murphy seconded the motion and it passed by a vote of 5-0-0.

Board Business

Resolution 66-2021 (attached) declaring items as surplus was offered by D. Merandy for adoption and seconded by K. Foley. Resolution was amended to include an 8' x 40' (est.) trailer. Upon roll call vote, the resolution as amended passed by a vote of 5-0-0-0.

ParkMobile Agreement: M. Early made a motion to authorize D. Merandy to sign an agreement with ParkMobile. F. Murphy seconded the motion and it passed by a vote of 5-0-0-0

Approval of Bills: F. Murphy made a motion to approves Batch # 6194 in the amount of \$20, 614.94. M. Early seconded the motion and it passed by a vote of 5-0-0-0

Approval of Minutes: D. Merandy made a motion to approve the Minutes of the 9/7/2021 meeting as submitted. K. Foley seconded the motion and it passed by a vote of 5-0-0-0

Adjournment

D. Merandy made a motion to adjourn. K. Foley seconded the motion and it passed unanimously. The meeting adjourned at 8:47 pm.

Submitted by: J. Vidakovich

Jeff Vidakovich

Date

Resolution # 66 - 2021 Declaring Items as Surplus

The following resolution was offered by Mayor Dave Merandy for adoption and seconded by Trustee Kathleen E. Foley, to wit:

Whereas, The Village is in possession of equipment that is obsolete, no longer needed and/or in disrepair and can be sold; and

Whereas, the following equipment is no longer needed for Village use, yet may still have some value:

- 1987 GMC Sierra 4x4 Utility
- 1999 Ford F-150 4x4 Pick Up
- 1989 International S1900 6 Wheel Dump Truck
- 1992 Ford F-350 Custom 4x4 Dump Body
- 1997 Ford F-350 4x4 Dump Body w/Plow
- Ford Think Electric Car
- Ford F-1500 Tractor
- John Deere V-Twin 54 Lawn Tractor
- 2016 Liquid Brine System
- 22' Long Garland w/ Colored Lights (26 in total)
- 8' x 40' Trailer

Whereas, the Village would like to obtain fair market value for the equipment through the use of any applicable legal method.

Now Therefore Be It Resolved, that the Village Board of the Village of Cold Spring declares the above listed equipment as surplus and authorizes their sale through available legal methods.

On roll call vote:

Trustee Marie Early voted:	Yes
Trustee Kathleen E. Foley voted:	Yes
Trustee Frances Murphy voted:	Yes
Trustee Tweeps Phillips Woods voted:	Yes
Mayor Dave Merandy voted:	Yes

Resolution officially adopted on September 28, 2021 a vote of 5-0-0-0

Jeff Vidakovich, Village Clerk-Treasurer

Date