



**VILLAGE OF COLD SPRING**  
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**Board of Trustees  
Public Hearing  
Meeting Minutes – October 21, 2021**

The Board of Trustees of the Village of Cold Spring held a Public Hearing on Thursday October 21, 2021 via videoconference as per Chapter 417 of NYS Laws of 2021. Present were Mayor Dave Merandy, Trustees Marie Early, Kathleen E. Foley, Frances Murphy and Tweeps Phillips Woods. D. Merandy called the meeting to order at 7:00pm.

D. Merandy made a motion to adjourn and delay the start of the meeting until 7:30pm due to technical difficulties. F. Murphy seconded the motion and it passed unanimously.

**Public Hearing Continuation for Chapters 134 (Zoning), 104 (Signs and Placards) and 76 (Noise)**

D. Merandy re-opened the meeting at 7:30 pm and turned it over to Ted Fink, Planning Consultant, to explain proposed PMU-2 zoning classification.

- It is a middle ground between Mixed Use (MU-1) and Planned Unit Development (PUD)
  - Provides more safeguards for the Village than required with the MU-1 while being less cumbersome than a PUD
- Gives Village Board the authority to delegate responsibility for issuance of Special Use Permit to a land use board (i.e., Planning Board) or retain control
- Rules can be written into the code requiring developer to submit conceptual plan as first step in the process
  - Conceptual plan addresses “big picture” issues such as traffic flow, fiscal impact, etc.
  - SEQRA and public hearings can be required as part of conceptual plan process
- After conceptual plan is approved by the appropriate board it would then go to Planning Board for site plan approval
  - Site plan addresses the details
    - Parking, water and sewer connections, etc.
  - Second SEQRA review as part of the site plan approval process

T. Fink briefly addressed SEQRA

- Type I actions do not always mandate Environmental Impact Statement (EIS)
  - EIS addresses differences in current use compared to proposed use
- Negative Declaration means there is no negative or adverse environmental impact
- Positive Declaration means that there will be an impact on the environment and can take up to a year (or longer) to complete
- A SEQRA review will need to be conducted for any proposed zone changes/modifications. If a Positive Declaration is made it will result in a review of the entire Chapter 134.

D. Merandy asked if there were any major changes from the original proposed MU-1 to the PMU-2? T. Fink replied that the PMU-2 has more process to it than the MU-1

F. Murphy asked if the code update for Chapter 134, which would include changing existing I-1 District to MU-1 or PMU-2, could be completed by the NYSEDA due date? T. Fink responded that NYSEDA should grant an extension as the Village is following state mandated processes and regulations which are causing the need for an extension.

K. Foley noted that the MU-1 had been proposed by the Code Update Committee and discussed/reviewed by the previous and current iteration of the Village Board. She asked why the concerns D. Merandy is raising now were not raised before, and what had changed since the last review? D. Merandy responded that the property in question ("Marathon Battery") is important and critical to the Village. As elected officials the Board is responsible to look after the interests of the entire Village and that is what the Board is doing. K. Foley agreed that the property is strategic to the Village's future, but expressed surprise that concerns are being raised only now at the end of the Code Update process.

K. Foley raised the matter of rezoning the single parcel that contains the Highway Department, Sewer Treatment plant and Mayor's Park (ballfield and pavilion). Currently, the parcel is proposed to be rezoned with two designations – Industrial (I-1) and Parks & Recreation (PR-1). K. Foley asked T. Fink if he has seen one property with dual zoning designations in other municipalities? T. Fink responded that he has and that it is not unusual. K. Foley noted that the ZBA would need clear guidance in the code for how to interpret two zones on a single parcel.

M. Early summarized the three variations up for review:

1. Keep I-1 as is. A Neg Dec under SEQRA is likely
2. MU-1 with "guardrails". Neg Dec under SEQRA probable
3. PMU-2 requiring conceptual plan. Further analysis needed

T. Woods commented that it would be helpful to see the steps involved with the different processes discussed.

M. Early asked T. Fink how long would it take an applicant to prepare a conceptual plan. T. Fink replied that it is unknown, but it could potentially take up to a year to prepare.

M. Early inquired if any conditions made during the review process of a conceptual plan (i.e., bulk requirements) then become memorialized in the code? T. Fink did not know the answer.

D. Merandy stated that the Public Hearing will remain open and be continued on October 26, 2021 at 5:00 pm.

### **Adjournment**

D. Merandy made a motion to adjourn. F. Murphy seconded the motion and it passed unanimously. Meeting adjourned at 9:00 pm.