

**Village of Cold Spring Planning Board
Thursday September 23, 2021
Meeting Minutes**

The Village of Cold Spring Planning Board held a Public Hearing and Meeting via videoconference as per Chapter 417 NYS Laws of 2021 on September 23, 2021. Members present: Chairperson Matt Francisco, Stephanie Hawkins, Sue Meyers and Lara Eldin. The meeting was called to order at 7:00 pm.

1. Chairperson Remarks

The Board is thankful for extension of Chapter 417 NYS Laws of 2021 to permit remote meetings.

2. No Member Reports

3. No Correspondence

Board Business

Approval of 7-22-2021 Minutes. S. Meyer made a motion to accept the minutes as amended. L. Eldin seconded and the motion passed by a vote of 4-0.

Approval of 8-26-2021 Minutes. S. Meyer made a motion to accept the minutes as amended. L. Eldin seconded and the motion passed by a vote of 4-0.

Old Business

Public Hearing

40 Main Street LLC (48.12-2-4) (Applicant) Retail to Retail/Office

M. Francisco read the Legal Notice of Public Hearing into the record.

T. Rasic, architect for Applicant, presented via shared screen, a proposed site plan. T. Rasic described the property as a former garage, car dealership, and antique store, with three (3) window bays.

The proposed site plan displayed the following:

- two small retail spaces, one of which currently has a bathroom;
- an entrance garage door which would be replaced by an inset door (ADA compliant) which was previously approved by the Historic District Review Board;
- open office space with conference room, secure room for valuables, and seating for twenty-nine (29) employees;
- “phonebooth spaces” designed for individual private computer access;
- pantry area;
- parking table.

M. Francisco noted no legal counsel present at this meeting due to potential conflict.

M. Francisco inquired if the Owner had reached out to the Village Board. T. Rasic stated that the Owner did have a conversation with a Trustee but not the Mayor. M. Francisco commented that the Planning Board had the authority to recommend waivers but only the Village Board can approve the waivers.

Public Comment

Upon agreement of the Members, M. Francisco opened the Hearing to public comment.

Jane Timm of 48-50 Main Street expressed concern about the parking issue, noting that there are not 43 spaces except perhaps in the train parking lot. She also asked if the office would have food service and was advised by T. Rasic that there would only be a pantry area for employees common in offices.

Ethan Timm of 48-50 Main Street inquired about the proposed number of occupants and suggested that the ability of people to commute by train be considered. Mr. Timm asked what impact the additional retail space would have. Mr. Timm argued that the retail spaces should not be part of the requested parking because it is retail converted into retail. M. Francisco responded that because the space is being reconfigured, it requires the new site plan, and the ratio of 1 parking space per 150 square feet by Village Code applies.

Patrick Biesman of 5 Railroad Avenue stated that the Village parking is not just a weekend problem, and even only half of the 29 employees show up, there would be greater stress on the infrastructure by increased traffic, compounding existing parking and traffic problems.

Patricia D'Amato of 13 Stone Street expressed parking concerns. There are not enough parking spaces during the week as well as the weekend, and has observed many drivers circling around the Village to find parking as it is.

Board Comments

S. Hawkins inquired if the use of the space exceeds the forty-three (43) parking spaces would the Applicant have to come back to the Planning Board. M. Francisco stated that it would only be upon a referral from the Code Enforcement Officer in the event of an occupancy violation.

J. Gary (Owner) stated that not all personnel would be in the Office at the same time, nor in the evenings or on weekends, and stressed the benefits to the Village. M. Francisco stated Owner should speak with the full Village Board of Trustees.

J. Gary stated he would consider incentivizing the employees to use mass transit by paying for passes and/ parking permits to lessen impact on Village parking.

M. Francisco proposed that the Public Hearing and Public Comment be held open to a later date. S. Hawkins. agreed.

M. Francisco noted the need for involvement of the Village Attorney and the Village Board to measure not only the language of the Code, but seek clarity of legislative intent and look at supporting documentation. M. Francisco agreed with Public Comments regarding serious parking problems. M. Francisco commented that the Owner should contact Village Board to seek possible solutions.

S. Hawkins suggested that Owner look at under-utilized parking in the Village on Kemble Avenue and the Boulevard.

No further public comment was had.

S. Hawkins moved for the Board to reconvene on October 28, 2021 and keep the Public Hearing open on 40 Main Street LLC. S. Meyers seconded the Motion and it passed unanimously.

New Business

Butterfield Realty, 10 Julia Lane, Cold Spring NY 10516 application for change of use the for yet to be built Building 1 from Office to Senior Housing.

M. Francisco stated that the Application requires a revision to the previously approved site plan.

Matthew Moran appearing for the Applicant.

M. Moran displayed to the Members, via shared screen, a C101 marked "approved." M. Moran noted that Building 1 was the only remaining building to be built at the site. Forty-nine (49) of the Fifty-five (55) senior housing units have been built. Applicant seeking to reduce the fifteen thousand (15,000) square foot space (nine thousand [9,000] square feet for office and six thousand [6,000] square feet for retail) to thirteen thousand eight hundred (13,800) square feet.

M. Francisco commented that the proposal would be a two and one-half story building with the first and second floors of six thousand (6,000) square feet, and the ½ story of three thousand (3,000) square feet. M. Moran concurred and stated that the remaining six (6) senior housing units would be built on the second floor, each with a garage and an additional parking space, accessible at the back of the building.

M. Moran noted the parking and traffic had already been approved for 29 vehicles.

Members discussed if a Public Hearing should be held on the proposed revision. All agreed that although not necessarily required, in the interest of transparency, it should probably be held.

M. Francisco instructed M. Moran to fill out the EAF Form, submit a new parking plan accommodating handicapped parking for retail, obtain approval from the HDRB for the elevation, and submit a final site plan. The Board could make a decision on scheduling a Public Hearing.

Dates for the next meeting were discussed for either October 14, 2021 or October 28, 2021.

Adjournment

S. Hawkins made a motion to adjourn the meeting. S. Meyers seconded and the motion passed unanimously. Meeting adjourned at 9:08 pm.

Prepared by: Jeff Vidakovich

Matthew Francisco

11-11-2021

Matt Francisco, Chair

Date