

Village of Cold Spring Planning Board
Thursday July 13, 2023
Meeting Minutes

The Village of Cold Spring Planning Board held a Meeting at Village Hall and via videoconference on Thursday July 13, 2023. Members present at Village Hall: Acting Chairperson Yaslyn Daniels, Lara Shihab-Eldin, Sue Meyer and Matt Francisco. Jonathan DeJoy, Esq., standing in for Village Attorney John Furst, Esq, appearing via videoconference. The Meeting was called to order at 7:13 p.m.

- 1. Acting Chairperson Remarks – None**
- 2. Opportunity to Request Vote to Add/Modify Agenda Items**
- 3. Approval of Minutes**

4/13/2023 Meeting Minutes (YD, MF, SM)

The Acting Chairperson called for a Motion

M. Francisco made a motion to approve the minutes as submitted. S. Meyer seconded and the motion passed by a vote of 3-0-0-1 (L. Shihab-Eldin abstained).

6/8/2023 Meeting Minutes (YD, SM, LSE, MF)

The Acting Chairperson called for a Motion

L. Shihab-Eldin made a motion to approve the minutes as submitted. S. Meyer seconded and the motion passed by a vote of 4-0-0-0.

6/22/2023 Meeting Minutes (YD, LE, SM)

The Acting Chairperson called for a Motion

Lara Shihab-Eldin made a motion to approve the minutes as submitted. S. Meyer seconded and the motion passed by a vote of 3-0-0-1 (M. Francisco abstained).

4. Member Reports

S. Meyer commented that the path along the Foundry Park brook was completely washed out due to the storm. Dockside appeared to be undamaged. The tunnel was completely flooded. Sher commented that the

5. Correspondence – None.

6. Old Business

49 Chestnut Street

Y. Daniels commented that the approved Resolution for the Foodtown expansion adopted by the Board on June 8, 2022 was conditioned upon the inclusion of a “Whereas” clause regarding the waiver of a parking table. As such, the Resolution requires amendment.

The Acting Chairperson called for a motion.

M. Francisco made a motion to approve the amended Resolution. L. Shihab-Eldin seconded the motion. Upon roll call vote, the Amended Resolution was approved by a vote of 4-0-0-0.

7. Public Hearing

60 Main Street, 48.12-2-21. Bantry Apartments LTD., Owner/Applicant; Patrick O’Sullivan, President. Application for Change of Use from Office to Retail. Application materials shared with all participants.

K. Herbert confirmed that the Notice of Hearing was published twice in the Putnam County News Recorder (“PCNR”) and proof of mailing was provided by the Applicant, as well as a parking table and amended floor plan.

Patrick O’Sullivan described the project as a change-of-use from office to retail change. By way of background, he noted that the building was the Post Office when purchased in 1978, Since that time, it has been retail and office at various times. Houlihan Lawrence began its tenancy in 1993 and is moving to 49 Main Street. There are no interior changes contemplated. Houlihan Lawrence installed partitions which can easily be removed. Interior square footage is 1,399 thus requiring three (3) parking waivers.

Public Comment

The public hearing was opened for public comment by Y. Daniel, and there was none.

Board Comment

Discussion ensued regarding the calculation of parking waivers for the approximately 1400 square feet. M. Francisco noted that the calculation must comply with the newly enacted Code (3 spaces required for 1000 square footage) and past practice of “rounding up” the resulting number to four. The Board concluded three parking waivers would be required (4 with 1 “grandfathered” in). Y. Daniels noted the parking table and the proposed letter of recommendation from the Board to the Trustees for parking waivers would require amendment to reflect the calculation.

The Acting Chairperson called for a MOTION

M. Francisco made a motion to close the public hearing and comment. L. Shihab-Eldin seconded the motion and it passed by a vote of 4-0-0-0.

The Acting Chairperson called for a MOTION

M. Francisco made a motion to the declare the application as a TYPE II exempt action. L. Shihab-Eldin seconded the motion and it passed by a vote of 4-0-0-0.

The Acting Chairperson called for a MOTION

Resolution Granting Site Plan Approval for a Change-of-Use for 60 Main Street

S. Meyer made a motion to approve the Resolution pending changes to the parking table and letter of recommendation of parking waivers to the Board of Trustees. L. Shihab-Eldin seconded the motion. Upon roll call vote, the Resolution was approved by a vote of 4-0-0-0.

8. New Business – None

9. Public Comment – None

10. Board Business - Y. Daniels commented that she will be meeting with Mayor Foley to discuss Board training on the new Code. M. Francisco further commented that Chapter 134 was changed significantly from that reviewed by the Planning Board, including vast changes to the Planning Board application process.

Y. Daniels She will also discuss appointing additional members to the Planning Board. M. Francisco commented on the practice of the Planning Board, as an autonomous and independent body, to interview new prospects to serve as members and make recommendations to the VBOT for approval. He further noted that a prospective member should be well experienced with dealing with developers, planning and SEQRA.

11. Adjournment

The Acting Chairperson called for a MOTION.

M. Francisco made a motion to adjourn the Meeting. L. Shihab-Eldin seconded the motion and it passed by a vote of 4-0-0-0. Meeting adjourned at 7:38 p.m.

Prepared by: Karen Herbert

Yaslyn Daniels, Acting Chair

Date

Amended Resolution No.: 2 of 2023
**THE VILLAGE OF COLD SPRING
PLANNING BOARD**



Roll Call Vote

| Names | Ayes | Noes | Abstain | Absent |
|--|------|------|---------|--------|
| <i>Acting Chair</i> Yaslyn Daniels | X | | | |
| <i>Member</i> Lara Shihab-Eldin | X | | | |
| <i>Member</i> Matt Francisco | X | | | |
| <i>Member</i> Sue Meyer | X | | | |
| TOTAL | 4 | | | |

The following was presented

By: Member Francisco

Seconded by: Shihab-Eldin

Date of Adoption: June 8, 2023

**AMENDED RESOLUTION OF THE PLANNING BOARD OF THE VILLAGE OF
COLD SPRING GRANTING SITE PLAN APPROVAL FOR A CHANGE OF USE**

WHEREAS, Georgia Serroukas currently owns the property located at 49 Chestnut Street, Cold Spring, New York identified as Section 49.9, Block 1, Lot 14 on the Putnam County Tax Maps (the "Property"), and said property is utilized as a plaza for several businesses, including grocery store ("Foodtown"), operated by CQM of Cold Spring, LLC (the "Applicant"); and

WHEREAS, the Property contains vacant building space, previously occupied by a hair salon, into which, Foodtown wishes to expand; and

WHEREAS, the Property lies within the Village's B-2 Designated Shopping Center Zoning District as well as the Village's Local Historic District; and

WHEREAS, the Applicant submitted an application, dated April 11, 2023 for amended site plan approval, to allow for a change of use, from personal service to retail;

WHEREAS, a retail use, like Foodtown, is a permitted use under § 134-10(B)(1) of the Villages Zoning Code, subject to site plan approval from the Planning Board; and

WHEREAS, the Applicant is not proposing any exterior modifications to the building;
and

WHEREAS, on April 18, 2023, the Planning Board determined that the Applicant's proposal constituted an unlisted Action under SEQRA; and

WHEREAS, a public hearing was held on May 11, 2023, comments from the public were heard, and the public hearing was closed the same night; and

WHEREAS, the Planning Board determined that the Applicant was not required to prepare a parking table; and

WHEREAS, pursuant to General Municipal Law 239-m, the application was referred to the Putnam County Department of Planning, Development, and Public Transportation, which determined on May 1, 2023, that the application may be approved as submitted; and

WHEREAS, the Planning Board has reviewed the application materials for the proposed site plan amendment, including the Environmental Assessment Form ("EAF");

NOW, THEREFORE, IT IS HEREBY

RESOLVED, pursuant to SEQRA, the Planning Board hereby adopts a negative declaration for this unlisted action, a copy of which is attached hereto; and it is further

RESOLVED, that the Planning Board hereby determines that the proposed site plan, meets all general site plan objectives set forth in Section 134-27.A of the Village Zoning Code; and it is further

RESOLVED, that the application of CQM of Cold Spring, LLC to permit a retail use within the previously approved commercial space which is shown on the plan prepared by Pinner Architecture, PLLC, last revised July 5, 2022, is hereby granted and said amended site plan may be signed by the Chair, after the completion of the following conditions:

- (1) Applicant paying all outstanding escrow consultant fees to the Village of Cold Spring as may be required in connection with the application.
- (2) The Applicant shall revise the site plan to correctly note a change of use.

**BY ORDER OF THE PLANNING BOARD OF THE
VILLAGE OF COLD SPRING, NEW YORK**

DATED: July 13, 2023



Yaslyn Danjels, Acting Chairperson