

**Village of Cold Spring  
Planning Board  
85 Main Street, Cold Spring, New York 10516**

**Meeting  
3-8-18**

The Village of Cold Spring Planning Board held a public meeting on March 8, 2018 at 7 pm at the Village Hall, 85 Main Street, Cold Spring, NY 10516.

Attending were: Chair Matt Francisco and board members: David Marion, Judith Rose and Stephanie Hawkins. Board members Sue Meyers and Lara Shihab-Eldin were absent. Also in attendance was Village Attorney John Furst.

**CHAIR'S REMARKS**

Chair Francisco made a motion to add Rose Art Studio at 7 Marion Ave to the agenda. D. Marion seconded and the motion passed unanimously.

**APPROVAL OF MINUTES**

D. Marion made a motion to adopt the minutes of the 2-22-18 planning board minutes as amended. S. Hawkins seconded and the motion passed 3-0 with J. Rose abstaining.

**CORRESPONDENCE – None**

**OLD BUSINESS**

Resolution of the planning board of the Village of Cold Spring granting site plan approval to SCGY Properties, LLC for the parcel of real property located at section 48.8, block 2, lot 48, said property also known as 126 Main Street.

J. Rose made a motion to authorize the Chair to sign the resolution, as amended. S. Hawkins seconded and the motion passed unanimously.

**NEW BUSINESS**

**9 Morris Avenue, LLC.** Informal review and opinion of 9 Morris Avenue application requested by the Zoning Board of Appeals; 9 Morris Avenue, LLC for a Special Use Permit for a philanthropic organization at 9 Morris Avenue, a single-family residential structure in the R-1 residential district designated on Putnam county Tax Map as Sheet 48.8, Block 5, Lot 38. In addition to the Special Use permit the applicant seeks an area variance for both lot size and setbacks. The Special Use Permit sought may only be granted for lots containing a minimum of two acres and setbacks from the use of at least 50 feet from any lot or street. The 9 Morris Avenue lot contains .2 acres and is 75 feet wide in total.

Applicant's architect presented the project scope and site plan. It was noted that:

- Applicant is a charitable organization (Jonathan Rose)
- Applicant acknowledges the site doesn't meet the code required two acres

- No exterior work is planned for the building
- The existing rear site entrance is not planned to be used
- Occupancy will be: three staff with occasional meetings of 4-6 persons
- Parking is provided for four vehicles
- Site was a funeral home in the past (prior to the establishment of village zoning code)
- The livable area of the building is 2,400 SF

#### Board Comment

During the board discussion it was noted that:

- The planning board has no jurisdiction to review site plans for existing buildings in the R-1 zoning district
- Parking spaces for commercial properties are typically calculated at one space per 150 SF on the ground floor and one space per 300 SF on the second floor
- Code requirement for a two acre site is to create a buffer between incompatible uses and the board is concerned that waiver of this requirement may set a precedent
- Concern was expressed that actual occupancy and use will be per the application over time
- A possible condition to granting of a Special Use Permit might be that it not increase parking capacity and that the residential nature of the property be maintained
- Code requirements for emergency access should be met
- Public input should be solicited

**Rose Art Studio at 9 Marion Avenue.** Application for construction of an accessory building to be used as an artist's studio.

Steve Rose presented the project scope and noted that:

- The building footprint is 18'x30' (530 SF) plus a deck
- The intended use is as a personal art studio for his painting
- Electrical power will be provided and service will be buried
- Water and sewer service will be provided. Studio will have a slop sink and toilet
- James Hartford is the project architect
- There will be minimal site disturbance
- The new structure will be supported on piers. As a result there will be no change to the path of storm water runoff

#### Board Comment

During the board discussion it was noted that:

- There is no change of use
- No planning board public hearing is required, the HDRB will hold a public hearing

- It's not clear whether applicant would need to appear before the planning board after the HDRB has acted if there is significant changes during review and approval.
- Code is not entirely clear on the purview of the planning board so the Board Chair will seek advice from the village attorney prior to taking next steps

**PUBLIC COMMENT – None**

**BOARD BUSINESS**

Copper Beech tree at the Butterfield site. The board has received a letter from SavATree dated 3-2-18 that indicates the tree may not have received the care and protection (watering, mulch, etc.) mandated as part of the original site plan approval.

The planning board has not received copies of the every other month tree inspection and treatment reports required as a condition of approval and feels that they are necessary to take informed action. The board will request these reports from the contractor. Board will also ask SavATree to review these reports when they become available

Board consensus is that protective fencing was installed in a 12 FT radius rather than the mandated 22 FT radius and that this has contributed to the declining health of the tree.

The board discussed how final disposition of the tree affects the original easement (granted as part of the site plan approval.) The owner has agreed to replace the copper beech with a similar specimen tree

**ADJOURNMENT**

J. Rose made a motion to adjourn. D. Marion seconded and the meeting adjourned at 8:45pm.

Submitted by M. Mell

*Matthew Francisco*

3/22/2018

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Matt Francisco, Chair

Date