



# VILLAGE OF COLD SPRING

85 MAIN STREET, COLD SPRING, NY 10516

TEL: (845) 265-3611 FAX: (845) 265-1002

WEB: WWW.COLDSRINGNY.GOV

KATHLEEN E. FOLEY, MAYOR  
TWEEPS PHILLIPS WOODS, DEPUTY MAYOR  
LAURA BOZZI, TRUSTEE  
CATHRYN FADDE, TRUSTEE  
ELIZA STARBUCK, TRUSTEE

JEFF VIDA KOVICH, CLERK/TREASURER  
MICHELLE ASCOLILLO, ACCOUNTANT  
LARRY BURKE, OFFICER-IN-CHARGE  
MATTHEW KROOG, WATER SUPERINTENDENT  
ROBERT DOWNEY, HIGHWAY DEPT CREW CHIEF

**Board of Trustees - Monthly Meeting**  
**Village Hall, 85 Main Street**  
**Wednesday, April 26, 2023 @ 7:00 PM**

*The Board of Trustees values input from the Village community. When you speak, please state your name and address for the record. Please keep your comments to three minutes or less and remember that we are all neighbors.*

1. Opportunity to request vote to Add/Modify agenda items
2. Announcements
3. Board Business
  - a. Resolutions 13, 14 & 15 of 2023 Adopting FY 2023-24 Budgets
  - b. Request by American Legion for Memorial Day Parade
  - c. Request to Use Bandstand on 4/28
  - d. Approve hiring of Parking Enforcement Agent at a rate of \$20/hour
  - e. Request by Philipstown Trails Committee for Co-Sponsorship of Village Sidewalk Audit
  - f. Approval of Bills- Batch #: 6880 Amount: \$ 89,289.04
4. Public Hearing for Chapters 76 (Noise), 104 (Signs) and 134 (Zoning)
5. Public Comment
6. Adjournment

Members of the public are invited to attend the meeting in-person at Village Hall (85 Main Street) or via Videoconference pursuant to Chapter 56 of the Laws of 2022. To join the Zoom Meeting:

<https://us06web.zoom.us/j/88983853791?pwd=NG1RWU5VVG9RVTRZaStQaW9kMXBMZz09>

Or by phone: 646-558-8656

Meeting ID: 889 8385 3791

Passcode: 365616



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## RESOLUTION 13-2023 GENERAL FUND BUDGET

A resolution adopting a General Fund Budget for the fiscal year commencing on June 1, 2023 and ending on May 31, 2024, making appropriations for the conduct of the Village of Cold Spring government and establishing the rates of compensation for officers and employees for such period.

The following resolution was offered by \_\_\_\_\_ for adoption and seconded by \_\_\_\_\_, to wit:

**WHEREAS**, this board has met at the time and place specified in the notice of public hearing on the tentative General Fund Budget and heard all persons desiring to be heard thereon,

**NOW THEREFORE BE IT RESOLVED**, that the tentative General Fund Budget, as amended and revised, and as hereinafter set forth in the amount of THREE MILLION TWO HUNDRED EIGHTY THOUSAND FOUR HUNDRED TWENTY TWO DOLLARS (\$3,280,422) is hereby adopted and that the several amounts stated in the column titled "Tentative" in the tentative General Fund Budget, but hereafter referred to as "Adopted", in Schedule A, are hereby appropriated for the objects and purposes specified and the salaries and wages stated in the salary schedule of the tentative General Fund Budget shall be and are hereby fixed at the amounts shown therein, effective Wednesday, April 26, 2023; and

**FURTHER BE IT RESOLVED**, that the tentative Fireman's Service Award Tax Levy, as amended and revised, and as hereinafter set forth, in the amount of THIRTY-TWO THOUSAND DOLLARS (\$32,000), is hereby adopted and the amounts stated are hereby appropriated for the object and purpose specified, and are hereby fixed at the amount shown therein, effective Wednesday, April 26, 2023.

On roll call vote:

- Trustee Laura Bozzi voting
- Trustee Cathryn Fadde voting
- Trustee Eliza Starbuck voting
- Trustee Tweeps Phillips Woods voting
- Mayor Kathleen E. Foley voting

Resolution 13-2023 officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

**RESOLUTION 14-2023 WATER FUND BUDGET**

A resolution adopting a Water Fund Budget for the fiscal year commencing on June 1, 2023 and ending on May 31, 2024, making appropriations for the conduct of the Village of Cold Spring government and establishing the rates of compensation for officers and employees for such period.

The following resolution was offered by \_\_\_\_\_ for adoption and seconded by \_\_\_\_\_, to wit:

**WHEREAS**, this board has met at the time and place specified in the notice of public hearing on the tentative Water Fund Budget and heard all persons desiring to be heard thereon,

**NOW THEREFORE BE IT RESOLVED**, that the tentative Water Fund Budget as hereinafter set forth, in the amount of SEVEN HUNDRED EIGHT THOUSAND TWO HUNDRED SIXTY-EIGHT DOLLARS (\$708,268) is hereby adopted and that the several amounts stated in the column titled "Tentative" in the tentative Water Fund Budget, but hereafter referred to as "Adopted", in Schedule F, are hereby appropriated for the objects and purposes specified and the salaries and wages stated in the salary schedule of the tentative Water Fund Budget shall be and are hereby fixed at the amounts shown therein effective Wednesday, April 26, 2023.

On roll call vote:

- Trustee Laura Bozzi voting
- Trustee Cathryn Fadde voting
- Trustee Eliza Starbuck voting
- Trustee Tweeps Phillips Woods voting
- Mayor Kathleen E. Foley voting

Resolution 14-2023 officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

**RESOLUTION 15-2023 SEWER FUND BUDGET**

A resolution adopting a Sewer Fund Budget for the fiscal year commencing on June 1, 2023 and ending on May 31, 2024, making appropriations for the conduct of the Village of Cold Spring government and establishing the rates of compensation for officers and employees for such period.

The following resolution was offered by \_\_\_\_\_ for adoption and seconded by \_\_\_\_\_, to wit:

**WHEREAS**, this board has met at the time and place specified in the notice of public hearing on the tentative Sewer Fund Budget and heard all persons desiring to be heard thereon,

NOW THEREFORE BE IT RESOLVED, that the tentative Sewer Fund Budget, as hereinafter set forth in the amount of SIX HUNDRED FIFTY-TWO THOUSAND FOUR HUNDRED FORTY-NINE DOLLARS (\$652,449) is hereby adopted and that the several amounts stated in the column titled "Tentative" in the tentative Sewer Fund Budget, but hereafter referred to as "Adopted", in Schedule G are hereby appropriated for the objects and purposes specified and the salaries and wages stated in the salary schedule of the tentative Sewer Fund Budget shall be and are hereby fixed at the amounts shown therein effective Wednesday, April 26, 2023.

On roll call vote:

Trustee Laura Bozzi voting  
Trustee Cathryn Fadde voting  
Trustee Eliza Starbuck voting  
Trustee Tweeps Phillips Woods voting  
Mayor Kathleen E. Foley voting

Resolution 15-2023 officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

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**Jeff Vidakovich, Village Clerk-Treasurer**

**APPLICATION FOR NON-TICKETED USE OF MAYOR'S PARK FIELDS,  
MAYOR'S PARK PAVILION, MCCONVILLE PARK, OR BANDSTAND**

Applicant: KAREN KAPOOR

Sponsoring Organization: FOUNDRY MONTESSORI SCHOOL

Address: 34 KEMBLE AVE Email: karen@foundrymontesso  
.com

Phone: \_\_\_\_\_ Cell: 914-5197332

Please check if applicable:

Cold Spring Village Resident  Philipstown Resident  501(c)(3) Org.\*  
*\*If 501(c)(3) organization, attach proof (EIN, certificate of incorporation, parent organization verification, or IRS tax exemption certificate)*

Site(s) Requested: Bandstand  
(Mayor's Park Fields, Mayor's Park Pavilion, McConville Park, Bandstand)

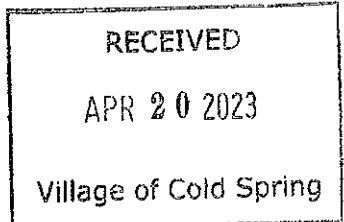
Date(s) of Event: 4/28/23 Start Time: 10:00am End Time: 10:30 am  
All locations open at 8AM and close at 9PM. The facilities are carry-in and carry-out.  
All clean up must be completed by the end of each event day (9PM).

Additional Date(s) and Time(s) for Set-Up and Break-Down: none

Estimated Attendance: 75  
(Mayor's Park Fields with Pavilion - maximum 1,500 occupants)

Will there be Amplified Sound? \_\_\_\_\_ Yes  No

Will there be a tent or canopy? \_\_\_\_\_ Yes  No  
Size: \_\_\_\_\_ (Square Feet) Location: \_\_\_\_\_



The undersigned is over 21 years of age and has read this form and all included information and agrees to comply with them. Individual or Organization Representative does hereby agree to be responsible to the Village of Cold Spring for the care and use of the facilities. I, on behalf of Foundry Montessori School, do/does hereby agree to indemnify and hold harmless the Village of Cold Spring from any and all claims, suits, or demands and any expenses incurred by said Village for investigation, legal fees, or otherwise, which arise out of or are connected with the Village facility applied for herein and said Village shall be held harmless and indemnified regardless of whether the acts are the fault of the Applicant or the Village.

I, Karen Kapoor, and/or the organization I represent, Foundry Montessori, agree to pay for any and all damages to equipment or property of the Village of Cold Spring by said organizations, members, guests, or visitors.

Signature (Individual or Organization Representative)

Karen Kapoor

Date 4/20/23

\*\*\*\*\*THE FOLLOWING TO BE COMPLETED BY THE VILLAGE OF COLD SPRING\*\*\*\*\*

Approval by Recreation Commission:

Date 4/20/23 By [Signature]

Notes: pending insurance certificate  
\$50 with cones for drive isle  
more notice in the future

Approval by Village Board: Date \_\_\_\_\_ By \_\_\_\_\_

Village Board to check appropriate Notations for Recreation Commission distribution:

- \_\_\_\_\_ Village of Cold Spring Police
- \_\_\_\_\_ Village of Cold Spring Highway Department
- \_\_\_\_\_ Village of Cold Spring Fire Department
- \_\_\_\_\_ Philipstown Ambulance Corps

<b>FEE &amp; SECURITY DEPOSIT FOR NON-TICKETED EVENTS</b>				
<b>Village Site</b>	<b>Cold Spring Village Resident</b>	<b>Philipstown Resident</b>	<b>Non-Resident</b>	<b>Event Fees</b>
Mayor's Park Fields (Athletic Events)	\$0	\$50	Not Permitted	
Mayor's Park Fields (Other Events)	\$50	\$100	Not Permitted	
Mayor's Park Pavilion	\$100	\$200	Not Permitted	
Bandstand and Driveway (Weddings)	\$125	\$250	\$500	
Bandstand Only (Other Events)	\$50	\$100	\$250	\$50
McConville Park (Excluding Tots Park)	\$50	\$100	Not Permitted	

Security deposit equal to rental fee (due with application) No security deposit is needed for set-up or break-down days All reservations are a maximum of four (4) hours. Additional time will be \$25/hour	
The Village of Cold Spring may impose additional requirements prior to the issuance of the permit as required by the nature of the use for the event. Any costs associated with these additional requirements will be incurred by the permittee.	
Total Amount Due with Application: Checks made payable to <b>Village of Cold Spring</b>	

Date Approved: \_\_\_\_\_

Date of Certificate of Insurance: \_\_\_\_\_

Fee to be charged: \_\_\_\_\_ Date fee received: \_\_\_\_\_

Permit issued by: \_\_\_\_\_



# Village of Cold Spring Police Department

83 Main Street Cold Spring, New York 10516-2810

Telephone: (845) 265-3407

## *MEMORANDUM*

**TO:** Mayor Foley and Village Board trustees  
**FROM:** Lawrence Burke – Officer-In-Charge  
**DATE:** 04/21/23  
**RE:** **Hiring of Parking Enforcement Agent**

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I am requesting to hire Maddox Buel for parking enforcement agent at the rate to be determined by the board for 28 weekends.

Respectfully Submitted  
Officer-In-Charge Lawrence Burke

A handwritten signature in black ink, appearing to read "Lawrence Burke", is written below the typed name.





## Proposed Cold Spring Walk Audit April 2023

### QUESTIONS AND RESPONSE GUIDELINES

*All submissions should be a single block.*

*All blocks must be submitted twice to cover both sides of street.*

1. Street name
  - Response type – open end
  - Response examples
    - Church Street (single block street)
    - Parrott Street between Bank and Pine
2. Side of street
  - Response type – select N/S/E/W/other
3. Is there a sidewalk?
  - Response type – select Y/N
  - If no, skip to question 15
4. Does the sidewalk run the full length of the street?
  - Response type – select Y/N
5. If the sidewalk is not continuous, where is the gap and what causes it?
  - Response type – open end
  - Response example
    - Permanent barriers or cutoffs like sidewalk ending/missing/quality/broken
6. Note any sidewalk obstructions.
  - Response type – open end
  - Response example
    - Utility poles or other town equipment
    - Non-permanent obstructions like basketball hoops, garbage cans, bushes, trees
7. For safe walking, there needs to be at least three feet to one side of an obstruction in the sidewalk. Are there any locations where this condition is not met?
  - Response type – select Y/N

8. How would you rate the overall quality of the sidewalk?
- Response type – select
    - 1 – Terrible
    - 2 – Has issues
    - 3 – Ok
    - 4 – Very good
    - 5 – Like new
9. If you answered (1) or (2) in the question above, describe the problem and identify the location by house number.
- Response type – open end
  - Response example
    - At #32, sidewalk has cracks that would make biking/wheelchair difficult.
    - At #20, sidewalk ends and restarts at #40
10. What's the width of the widest point or section of sidewalk?
- Response type – select
    - More than 5ft
    - 5ft
    - 4ft
    - 3ft
    - Less than 3ft
  - Response consideration – measurements can be taken with phone
11. What's the width of the most narrow point or section of sidewalk?
- Response type – select
    - More than 5ft
    - 5ft
    - 4ft
    - 3ft
    - Less than 3ft
  - Response consideration – measurements can be taken with phone
12. Do corners have a curb cut ramp?
- Response type – select
    - Both
    - One
    - None
  - Response consideration – each corner should have two curb cut ramps to cross the street itself and the crossroad
13. If no, identify the intersection
- Response type – open end
  - Response example – east side of Church Street at Northern Blvd
14. Submit a photo of corner 1 (looking from the street to the sidewalk)
- Response type – photo submission

15. Submit a photo of corner 2 (looking from the street to the sidewalk)
  - Response type – photo submission
16. List traffic-related signs (e.g. speed limits, stop, yield) and their locations
  - Response type – open end
  - Response example – stop sign at north west corner, one way at north west corner
17. List pedestrian-related signs (e.g. stop for pedestrians, children at play) and their locations
  - Response type – open end
  - Response example – slow children at play at north west corner
18. Which signs are not clearly visible to drivers and pedestrians?
  - Response type – open end
19. How many crosswalks exist going across this street?
  - Response type – select
    - 0
    - 1
    - 2
    - 3
20. If there's a crosswalk, select all existing locations (n/s/e/w/other)
  - Response type – select N/S/E/W/other
  - Response example – other allows for crosswalk at the center of the block
21. Is the crosswalk well-marked and clearly visible to drivers and pedestrians?
  - Response type – select Y/N
22. Car and speed observations
  - Response type – open end
  - Response examples
    - Parking on both sides of street impacts visibility
    - Cars often go faster than speed limit
23. Are there any other roadway issues that affect walkability?
  - Response type – open end
  - Response example
    - Floods often
24. Submit any other relevant photos
  - Response type – photo submission
25. Your name
  - Response type – open end



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GREG WUNNER, CODE ENFORCEMENT OFFICER

## GUIDE TO THE PROPOSED MODIFICATIONS TO THE VILLAGE CODE'S NOISE CHAPTER (76)

April 2023

### PREVIOUSLY PROPOSED REVISIONS TO CHAPTER 76, NOISE

The proposed revisions to Chapter 76, Noise, build upon a previously drafted update, from November 2021, that was not adopted by the Board of Trustees in office at the time. That 2021 draft can be viewed here, including a redline: [Public Hearing - September 07, 2021 | Cold Spring, NY \(coldspringny.gov\)](#). In sum, the changes proposed in 2021 included:

- Changes to conform to Code Chapter conventions
- Renumbered sections
- separated "Prohibited acts; determination" into "Prohibited acts" and "Determination"
- added section "Districts defined"
- changed "Permits" to "Relief"
- Changed definition of "Daytime Hours" and "Nighttime Hours"
- Added definition of "Village"
- Added "drone" to list of Powered Model Vehicle
- Grammar changes; Gender neutral.
- "Zones" replaced by "districts"
- 76-5 reformatted to tables
- 76-7 changed to reflect new daytime and nighttime hours
- 76-9 changed to remove industrial zones and replace with business districts.
- Modifications to 76-10 (previously "Permits", now "Relief") include change from "permit" to "relief", change from "Fire Inspector" to "Code Enforcement Officer"
- 76-11 C (2) added "digital audio player" Deleted replacement schedule within a specific timeframe for stationary machinery, equipment, air conditioners, fans. Deleted "noise sensitive quiet zones". Deleted exemption of sound level limits for domestic power tools, lawnmowers and agricultural equipment. Added exemption of sound level limits for: sporting events; any events sponsored by the local school district; emergency construction as determined by the Code Enforcement Officer; emergency activities

required by the Village. Added violations prosecuted by the Code Enforcement Officer or the Village Police Department. Added the Village Board is empowered to seek injunctive relief against any person or business in addition to any other penalties

## **IMPORTANT MODIFICATIONS NOW UNDER CONSIDERATION BY THE BOARD OF TRUSTEES**

Despite the needed updates proposed in September 2021, the language of the Noise Chapter is still not accessible, common English. More work is needed to improve the usability and clarity of this chapter. However, it is important to make the following proposed changes now so that Chapter 76 aligns with updates in Chapter 134, Zoning. They are:

- 76-1: Adding necessary modifications, revisions and insertions in the definitions section, including Off-Road Motor Vehicle, Property (relocated from the former 76-17); modifying the definition of “Noise” to “Unreasonable Noise;” relocating “vehicle” (from the former 76-17).
- Updating references throughout chapter of the defined term “Noise” to “Unreasonable Noise”
- 76-5: aligning zoning district references to those proposed in Chapter 134—Zoning, also under consideration.
- 76-13 Simplifying and clarifying language in the penalties section; removing jail time as a punishment for chapter violations
- 76-15: replaced grammatically inaccurate use of word “sensitiveness” with the correct “sensitivity”
- 76-17: modifying term “Off-Highway Motor Vehicles” to “Off-Road Motor Vehicle;” moved definitions inappropriately placed in this section to 76-1

## **WHY ARE THE TRUSTEES CONSIDERING THESE MODIFICATIONS?**

- Without updating zoning district references, Chapter 76 would not align with the proposed new Chapter 134, Zoning.
- Where language could be improved within the given code update timeline, those changes are proposed.

## **WHERE CAN I GET MORE INFORMATION?**

- The Noise Chapter currently on the books can be read here:  
<https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/noise.pdf>
- You can review the currently proposed, 2023 draft Noise chapter here:  
[0104-signs for public review. april 2023.pdf \(coldspringny.gov\)](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0104-signs_for_public_review_april_2023.pdf)

And see the redline for the 2023 Noise draft from the 2021 Noise draft here:

[https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0076-noise redline of spet 2021 draft.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0076-noise_redline_of_spet_2021_draft.pdf)

- You can review the proposed 2021 Noise chapter draft, and its related redline from the Chapter currently on the books here:  
[0104-signs track changes on nov 2021 revisions. april 2023.pdf \(coldspringny.gov\)](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0104-signs_track_changes_on_nov_2021_revisions_april_2023.pdf)
- Send questions to the Village Clerk at [vcsclerk@coldspringny.gov](mailto:vcsclerk@coldspringny.gov)

## **HOW CAN I ASK QUESTIONS AND GIVE FEEDBACK?**

The public hearing on Chapters 134, 76 and 104 is scheduled to open on Wednesday, April 26<sup>th</sup> at Village Hall, 85 Main Street. At this time, the planning consultant will provide an overview of the proposed changes. There will be a written comment and response document that will be available on the Village website so everyone can see how their questions and concerns have been addressed.

Time can be allotted at subsequent Village Board of Trustees meetings for residents to provide feedback and ask questions:

- April 26
- May 3
- May 10
- May 16 (note that this is a Tuesday)

You are welcome to join in person or online via zoom. Weekly agendas and the Zoom link are available here: [Mayor & Board of Trustees | Cold Spring, NY \(coldspringny.gov\)](https://www.coldspringny.gov/mayor-board-trustees)

You can also send questions and comments to [vcscclerk@coldspringny.gov](mailto:vcscclerk@coldspringny.gov).

Depending on feedback, the Board of Trustees will determine the need to continue the public hearing. If more discussion is needed, the Board of Trustees will take up a vote to leave the public hearing open.

## **ARE THERE OTHER CODE CHANGES UNDER CONSIDERATION RIGHT NOW? WHY?**

Yes, the public discussion also covers Code Chapter 104, Signs and Placards and Code Chapter 134, Zoning. Sign. Noise and Sign regulations are referenced in parts of the Zoning chapter, so revisions there need to be reflected in Chapters 76 and 104, as well. All of the proposed chapters can be found here:

<https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>



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## GUIDE TO THE PROPOSED MODIFICATIONS TO THE VILLAGE CODE'S SIGN CHAPTER (104)

April 2023

### THE CURRENT SIGN CHAPTER ON THE BOOKS

The current Chapter 104 is deficient in terms of modern code standards, and has some provisions that are unlikely to pass muster under legal challenge. The proposed draft now under consideration builds upon a previously drafted update, from September 2021; that draft was not adopted by the Board of Trustees in office at the time.

The 2021 draft was used as a basis for the current draft (April 2023) that is under consideration by the Board of Trustees at this time.

### IMPORTANT MODIFICATIONS UNDER CONSIDERATION BY THE BOARD OF TRUSTEES

- Updating the name of the chapter from "Signs and Placards" to "Signs"
- Introducing new sections, including "Purpose; Overall Objective," "Definitions," "Temporary Signs," "Exempt Signs," "Non-Conforming Signs," "Enforcement," "Severability," and sections dealing with signs in various Zoning Districts.
- Following code chapter conventions
- Including missing definitions
- Properly cross-referencing Zoning Districts with the draft revised Zoning Chapter, which is also currently under review by the Board of Trustees
- Removing Constitutionally-vulnerable provisions, including that the removal of any sign in violation of the code "may be removed by any citizen of the Village."
- Expanding requirements for the placement of "temporary" signs on public property.
- Treating all classes of permitted and prohibited signs equally under the local law.
- Limiting the placement of campaign signs to private property and for a limited period of time.
- Renumbering 104-3 (Penalties for Offenses) to 104-11.

## **WHY ARE THE TRUSTEES CONSIDERING THESE MODIFICATIONS?**

- Without updating Zoning District references, Chapter 104 would not align with the proposed new Chapter 134, Zoning.
- In both the current chapter and the 2021 proposed revision, due process was lacking, creating legal vulnerability for the Village.
- The Code Enforcement Officer has requested additional code-based tools to help enforce temporary signs on public property, about which he receives complaints
- The Village's primary intersections have become cluttered with temporary signs, particularly during election cycles, causing both visual blight and traffic visibility concerns.

## **WHERE CAN I GET MORE INFORMATION?**

- You can view the Sign and Placard code this currently on the books here:  
<https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/signs.pdf>
- You can view the 2021 draft and its redline from the existing Signs and Placards Code here:  
[https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0104-proposed\\_version\\_0.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/0104-proposed_version_0.pdf)
- You can review the Proposed 2023 Draft Chapter here:  
[0104-signs for public review. april 2023.pdf \(coldspringny.gov\)](#)
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- Send questions to the Village Clerk at [vcsclerk@coldspringny.gov](mailto:vcsclerk@coldspringny.gov)

## **HOW CAN I ASK QUESTIONS AND GIVE FEEDBACK?**

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Time can be allotted at subsequent Village Board of Trustees meetings for residents to provide feedback and ask questions:

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Depending on feedback, the Board of Trustees will determine the need to continue the public hearing. If more discussion is needed, the Board of Trustees will take up a vote to leave the public hearing open.

**ARE THERE OTHER CODE CHANGES UNDER CONSIDERATION RIGHT NOW? WHY?**

Yes, the public discussion also covers Code Chapter 76, Noise and Code Chapter 134, Zoning. Sign and Noise regulations are referenced in parts of the Zoning chapter, so revisions there need to be reflected in Chapters 104 and 76, as well. All of the proposed chapters can be found here: <https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>



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## GUIDE TO THE PROPOSED MODIFICATIONS TO THE VILLAGE'S ZONING CHAPTER (134)

April 2023

### IMPORTANT MODIFICATIONS UNDER CONSIDERATION BY THE BOARD OF TRUSTEES

#### *Overall*

- Transitioning to plain English so the code is easier for everyone to read and understand
- Introducing visual aids so maintaining the traditional form of development is easier to envision, and more accessible to residents and other code users
- Reducing ambiguities in chapter definitions; improving clarity for applicants and for the Zoning Board of Appeals (ZBA)
- Including a graphic use table for easier and quicker reference, along with a clearer dimensional table
- Aligning the Village's special use permit process, site plan review & approval and other supplementary regulations with New York State law for Villages
- Updating the area and use variance processes for the ZBA so the procedures follow current State Law
- Modifying the zoning code so it is consistent with the Village's adopted Comprehensive Plan policies, as required by NYS law
- Identifying more rational zones and zone definitions that reflect actual conditions
- Introducing current, effective planning tools to update and better regulate land uses in the Village

#### *Residential District (Articles 3 and 4)*

- Breaking the current R-1 zone designation into subdistricts for older neighborhoods ("R-O"), newer neighborhoods ("R-N"), historic homes on large lots ("R-L"), and multi-family zones ("MF")
- For each residential subdistrict, aligning code requirements, including bulk standards, with the built reality in neighborhoods, reducing non-conforming lots and the need for variances for basic modifications by homeowners (§ 134-7 and § 134-8)
- Allowing more flexibility for accessory buildings and home occupations

### *Planned Mixed Use District (Article 4, § 134-12)*

- Introducing a rigorous Planned Mixed Use District for the privately-owned Marathon parcel on Kemble Avenue
- Setting out a three-step review procedure for approval of a planned unit development in the PMU District: (1) concept plan approval by the Planning Board; (2) preliminary site plan and review approval by the Planning Board; and (3) final site plan and approval by the Planning Board. Critical impact analyses (for instance transportation impact analysis, fiscal impact analysis) and public engagement are required right from the beginning, and throughout the process.
- Introducing energy efficiency and clean energy standards and sustainability goals
- Introducing parking requirements that are compatible with the historic, pedestrian scale of the Village, reduce car dependency and foster modes of travel other than by car
- Requiring a mix of housing types to align with the existing Village housing stock, while encouraging the creation “granny flats” (accessory apartments) that address affordability and create added income for homeowners

### *Other Districts (Article 4)*

- Appropriately zoning existing parks, preserves and recreational areas of the Village (§ 134-13)
- Eliminating uses that are no longer compatible with Village life, including industrial uses, lumber/building materials stores, and large-scale office and research buildings
- Adding a Scenic Viewshed Overlay to afford additional protections to our picturesque, historic Village (§ 134-14)

## **WHY ARE THE TRUSTEES CONSIDERING THESE MODIFICATIONS?**

- The Zoning Law dates to 1967; it has been updated in an often-piecemeal manner 25 times since then.
- The standing Zoning Law is based on a suburban model that, for all intents and purposes, ignored the existing pattern of development in the Village. This mismatch creates a regulatory burden on residents because many changes require variances, creating process requirements and costing money.
- New York State Law requires local zoning codes to be in compliance with a community's Comprehensive Plan. Cold Spring's Plan was passed in 2012; the Village has been out of compliance for eleven years.
- The Village cannot have a Local Waterfront Revitalization Program approved unless the Zoning Code is updated. Our community needs the protections that a Local Waterfront Revitalization Program will afford us.
- Zoning is a critical tool for protecting not only our built environment, but our community character, which was at the top of residents' concerns when the Comprehensive Plan was under development. The code needs to match the Village so that we can properly protect and enhance the traditional character that residents cherish—and that so many other communities, regrettably, have lost.

## **HOW DO I LEARN HOW MY PROPERTY WILL BE AFFECTED?**

- Find your property, and the type of zone it is proposed to be located within, on the proposed revised zoning map, found here:

[https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/new\\_zoning\\_map\\_16\\_-\\_2023-04-11.pdf](https://www.coldspringny.gov/sites/g/files/vyhlf416/f/uploads/new_zoning_map_16_-_2023-04-11.pdf)

- Read about District Regulations in the proposed zoning chapter, found here, specifically in Article IV: [https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/2023-04-12-chapter-134-version-2\\_0.pdf](https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/2023-04-12-chapter-134-version-2_0.pdf)
- Other chapter articles lay out the process and requirements for special use permits, site plans, variances and other, supplementary regulations.
- Other helpful links will take you to the table of uses and the dimensional table, found here: [https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/2023-04-12-table\\_12a\\_table\\_of\\_uses\\_ver\\_2a-revisions.pdf](https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/2023-04-12-table_12a_table_of_uses_ver_2a-revisions.pdf)  
[https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/dimensional\\_table\\_2023\\_v7\\_draft.pdf](https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/dimensional_table_2023_v7_draft.pdf)
- Attend public discussions on the proposal, starting April 26 (see below)

## **WHERE CAN I GET MORE INFORMATION?**

- All materials are on the Village of Cold Spring website, here: <https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>
- Review slides from public presentations on 1/25/23 and 4/19/2023, found here: <https://www.coldspringny.gov/sites/g/files/vyhlif416/f/minutes/01-25-2023.pdf>  
<https://www.coldspringny.gov/sites/g/files/vyhlif416/f/uploads/2023-04-19-cold-spring-zoning-slides-1.pdf>
- Send questions to the Village Clerk at [vcsclerk@coldspringny.gov](mailto:vcsclerk@coldspringny.gov)

## **HOW CAN I ASK QUESTIONS AND GIVE FEEDBACK?**

The public hearing on Chapters 134, 76 and 104 is scheduled to open on Wednesday, April 26<sup>th</sup> at Village Hall, 85 Main Street. At this time, the planning consultant will provide an overview of the proposed changes. There will be a written comment and response document that will be available on the Village website so everyone can see how their questions and concerns have been addressed.

Time can be allotted at subsequent Village Board of Trustees meetings for residents to provide feedback and ask questions:

- April 26
- May 3
- May 10
- May 16 (note: this is a Tuesday)

You are welcome to join in person or online via zoom. Weekly agendas and the Zoom link are available here: [Mayor & Board of Trustees | Cold Spring, NY \(coldspringny.gov\)](https://www.coldspringny.gov/mayor-board-trustees)

You can also send questions and comments to [vcsclerk@coldspringny.gov](mailto:vcsclerk@coldspringny.gov).

Depending on feedback, the Board of Trustees will determine the need to continue the public hearing. If more discussion is needed, the Board of Trustees will take up a vote to leave the public hearing open.

## **ARE THERE OTHER CODE CHANGES UNDER CONSIDERATION RIGHT NOW? WHY?**

Yes, the public discussion also covers Code Chapter 76, Noise and Code Chapter 104, Signs and Placards. These chapters include references to parts of the zoning chapter, so revisions there need to be reflected in these chapters as well. Other updates to modernize these chapters are included, as well. The proposed chapters and the redlines of the existing chapters can be found here: <https://www.coldspringny.gov/mayor-board-trustees/pages/chapters-76-noise-104-signs-and-134-zoning>