



# 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

## Village of Cold Spring Board of Trustees Workshop Meeting Monday June 26, 2023 @ 4:00 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. Approval of Parking Waivers
    - i. 81 Main Street
    - ii. 49 Main Street
  - b. Approval of Minutes – 6/14/23, 6/21/23
  - c. Resolution 20-2023 Negative Declaration for Chapters 76 and 104
  - d. Resolution 21-2023 Negative Declaration for Chapter 134
  - e. Resolution 22-2023 Adopting Local Law 01-2023 Amending Ch. 76 – Noise
  - f. Resolution 23-2023 Adopting Local Law 02-2023 Amending Ch. 104 – Signs and Placards
  - g. Resolution 24-2023 Adopting Local Law 03-2023 Amending Ch. 134 - Zoning
4. Public Comment
5. 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

## Village of Cold Spring - Planning Board

85 Main Street, Cold Spring, NY 10516  
Tel: (845) 265-3611 Fax: (845) 265-1002  
Web: [www.coldspringny.gov](http://www.coldspringny.gov)

June 22, 2023

Dear Mayor Foley,

On June 8, 2023 The Planning Board adopted a resolution granting conditional site plan approval to the applicant, Houlihan Lawrence, for the property located at 49 Main Street, identified as Section 48.12, Block 1, Lot 32 (the "Property").

The applicant is proposing a change of use from retail to office space, to allow for the operation of a real estate office. The existing footprint of the building will remain the same. No exterior work is proposed. The change of use triggers the need for a waiver of four (4) off-street parking spaces as per Section 134-18.E(7). One of the Planning Board's conditions of approval requires the applicant to obtain the necessary parking waivers from the Village Board.

The applicant requests that the Village Board grant a parking waiver as stipulated in the Village Code to meet the Planning Board's condition of approval. In general, the Planning Board feels the waiver provisions set forth in Section 134-18.E(7) are intended for the proposed office use.

The Planning Board recommends the waiver for the four (4) off-street parking spaces based upon the following reasons: (1) the existing space is not expanding.

Respectfully,



Yaslyn Daniels, Acting Chairperson  
Village of Cold Spring Planning Board

Cc: Village Clerk

Yaslyn Resolution No.: 4 of 2023  
**THE VILLAGE OF COLD SPRING  
 PLANNING BOARD**



<b>Roll Call Vote</b>				
Names	Ayes	Noes	Abstain	Absent
<i>Acting Chairperson</i> <b>Yaslyn Daniels</b>	<b>X</b>			
<i>Member</i> <b>Lara Shihab-Eldin</b>	<b>X</b>			
<i>Member</i> <b>Matt Francisco</b>	<b>X</b>			
<i>Member</i> <b>Sue Meyer</b>	<b>X</b>			
<i>Member</i>				
<b>TOTAL</b>	<b>4</b>			

The following was presented

By: Member Yaslyn Daniels

Seconded by: Lara Shihab-Eldin

Date of Adoption: June 8, 2023

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

**WHEREAS**, Holloway Family, LLC. currently owns the property located at 49 Main Street, Cold Spring, New York identified as Section 48.12, Block 1, Lot 32 on the Putnam County Tax Maps (the “Property”), and said property is utilized as retail; and

**WHEREAS**, the Property lies within the Village’s B-1 General Business Zoning District as well as the Village’s National and Local Historic Districts; and

**WHEREAS**, Houlihan Lawrence (the “Applicant”) submitted an application, dated May 5, 2023, for amended site plan approval, to allow for a change of use, from retail to office;

**WHEREAS**, an office use, like the real estate office proposed by the Applicant, is a permitted use under § 134-9(C)(5) of the Village’s 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 June 8, 2023, the Planning Board determined that the Applicant's proposal constituted a Type II Action under SEQRA; and

**WHEREAS**, a public hearing was held on June 8, 2023, comments from the public were heard, and the public hearing was closed the same night; and

**WHEREAS**, the Planning Board has reviewed the application materials for the proposed site plan amendment, and considered testimony from the public;

**NOW, THEREFORE, IT IS HEREBY**

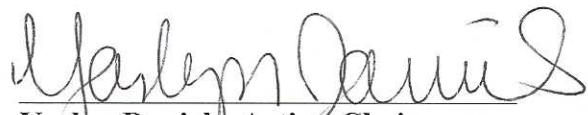
**RESOLVED**, that the Planning Board hereby determines that the proposed site plan, meets all general site plan objectives set forth in §134-27.A of the Village Zoning Code; and it is further

**RESOLVED**, that the application of Houlihan Lawrence to permit an office use within the previously approved retail space, which is shown on the plan prepared by the Applicant last involving the Property, is hereby granted and said amended site plan may be signed by the Chair, after the completion of the following conditions:

- (1) The 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 obtaining parking waivers from the Village Board for four (4) off-street parking spaces.

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

DATED: June 8, 2023

  
**Yaslyn Daniels, Acting Chairperson**

## Village of Cold Spring - Planning Board

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Web: [www.coldspringny.gov](http://www.coldspringny.gov)

June 22, 2023

Dear Mayor Foley,

On June 8, 2023, the Planning Board adopted a resolution granting conditional site plan approval to the applicant, Katherine Koon, (the "Applicant") for a change of use from Retail Space to Restaurant, Food Services (the "Proposal") to allow for the operation of a tea shop at the property identified as Section 48.12, Block 12.2, Lot 35, in the Village of Cold Spring, said lot also being known as 81 Main Street (the "Property").

One of the Planning Board's conditions of approval requires the Applicant to obtain the necessary parking waivers from the Village Board of Trustees.

The Applicant is proposing a change-of-use from retail to restaurant (food service), to allow for the operation of a tea shop. The existing footprint of the building will remain the same. No exterior work is proposed. The change-of-use triggers the need for a waiver of ten (10) off-street parking spaces as per Code Sections 134-18.E(7) and 134-18 E (1). The total occupancy of the tea shop tea is thirty (30) seats (see amended parking table).

The Applicant requests that the Village Board grant a parking waiver as stipulated in the Village Code to meet the Planning Board's condition of approval.

In general, the Planning Board feels that the waiver provisions as set forth in Section 134-18E(7) are intended for the proposed tea shop. The Planning Board is of the opinion that the one (1) off-street parking space that has historically been carried over for properties along Main Street, leaves a requirement of nine (9) spaces.

The Planning Board recommends the waiver for the nine (9) off-street parking spaces based upon the following reasons: (1) most of the customers frequenting the teashop will be visiting Main Street for other purposes; and (2) the existing space is not expanding.

Respectfully,

A handwritten signature in black ink that reads "Yaslyn Daniels". The signature is written in a cursive style with a large, stylized initial "Y".

Yaslyn Daniels, Acting Chairperson  
Village of Cold Spring Planning Board

Cc: Village Clerk

Resolution No.: 3 of 2023  
**THE VILLAGE OF COLD SPRING  
 PLANNING BOARD**



**Roll Call Vote**

Names	Ayes	Noes	Abstain	Absent
<i>Acting Chairperson</i> <b>Yaslyn Daniels</b>	X			
<i>Member</i> <b>Lara Shihab-Eldin</b>	X			
<i>Member</i> <b>Matt Francisco</b>			X	
<i>Member</i> <b>Sue Meyer</b>	X			
<i>Member</i>				
<b>TOTAL</b>	<b>3</b>			

The following was presented

By: Member Sue Meyer

Seconded by: Lara Shihab-Eldin

Date of Adoption: June 8, 2023

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

**WHEREAS**, Five Hundred Thirty-Six Club, Inc. currently owns the property located at 81 Main Street, Cold Spring, New York identified as Section 48.12, Block 2, Lot 35 on the Putnam County Tax Maps (the “Property”), and said property is utilized as retail; and

**WHEREAS**, the Property lies within the Village’s B-1 General Business Zoning District as well as the Village’s National and Local Historic Districts; and

**WHEREAS**, Katherine Koon (the “Applicant”) submitted an application, dated April 20, 2023, for amended site plan approval, to allow for a change of use, from retail to food service;

**WHEREAS**, a restaurant or food service use, like the tea shop proposed by the applicant, is a permitted use under § 134-9(C)(5) of the Village’s 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 May 25, 2023, the Planning Board determined that the Applicant's proposal constituted a Type II Action under SEQRA; and

**WHEREAS**, a public hearing was held on May 25, 2023, comments from the public were heard, and the public hearing was closed the same night; and

**WHEREAS**, the Planning Board has reviewed the application materials for the proposed site plan amendment, and considered public testimony;

**NOW, THEREFORE, IT IS HEREBY**

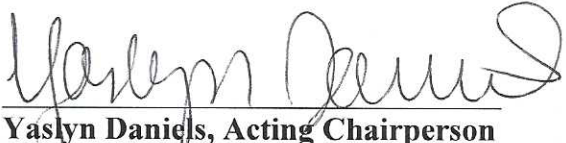
**RESOLVED**, that the Planning Board hereby determines that the proposed site plan, meets all general site plan objectives set forth in §134-27.A of the Village Zoning Code; and it is further

**RESOLVED**, that the application of Katherine Koon to permit a food service use within the previously approved retail space which is shown on the plan prepared by the Applicant last revised the involving Property, is hereby granted and said amended site plan may be signed by the Chair, after the completion of the following conditions:

- (1) The 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 obtaining parking waivers from the Village Board for nine (9) off-street parking spaces.

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

DATED: June 8, 2023

  
**Yaslyn Daniels, Acting Chairperson**





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MATTHEW KROOG, WATER SUPERINTENDENT  
ROBERT DOWNEY, CREW CHIEF HIGHWAY DEPT

## RESOLUTION 20-2023 ADOPTING A SEQR DETERMINATION OF NON-SIGNIFICANCE FOR ADOPTION OF CHAPTERS 76 & 104 AMENDMENTS LOCAL LAWS NO. 1 & 2 OF 2023

The following resolution was offered by \_\_\_\_\_, seconded by  
\_\_\_\_\_, to wit;

**WHEREAS**, pursuant to the Village's adopted Comprehensive Plan dated January 10, 2012, the Village Board appointed a citizen based Code Update Committee to prepare amendments to the Village Code consistent with the adopted 2012 Comprehensive Plan: and

**WHEREAS**, in April of 2022, the Code Update Committee was replaced with an Ad Hoc Working Group to continue the work of the Code Update Committee to finish preparation of amendments to the Village Code consistent with the adopted 2012 Comprehensive Plan and for consideration by the Village Board, and

**WHEREAS**, on April 12, 2023 the Village Board received the recommendations of the Ad Hoc Working Group in the form of proposed amendments to Chapters 76 (Noise) and 104 (Signs and Placards) of the Village Code, and

**WHEREAS**, on April 26, 2023, after review of a Part 1 Short Environmental Assessment Form for the action, the Village Board classified the actions as Unlisted actions under SEQR and since no other agency has approval authority with respect to the proposed actions, declared itself lead agency, and

**WHEREAS**, the Village Board has reviewed a Short Environmental Assessment Form for the proposed action including a Part 1, Part 2, and Part 3 Narrative, and

**WHEREAS**, the Village Board has reviewed a draft Negative Declaration setting forth reasons supporting a determination that the proposed actions will not have a significant adverse impact on the environment.

**NOW THEREFORE BE IT RESOLVED**, by the Village Board of the Village of Cold Spring, Putnam County, New York (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

- The Village Board hereby adopts the findings and conclusions relating to probable environmental effects contained within the attached Environmental Assessment

Form and Negative Declaration concluding that the adoption of Local Laws No. 1 and 2 of 2023 will not have a significant adverse impact on the environment.

- The Mayor is authorized to execute the Environmental Assessment Form and file the Negative Declaration in accordance with the applicable provisions of law.
- The Village Board authorizes and directs the Village Clerk to distribute a copy of this resolution to all interested agencies, the Mayor, and any person that has requested a copy and to make all other filings required by law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

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

The foregoing resolution was thereupon declared duly adopted.

#### CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

He is the duly qualified and acting Clerk of the Village of Cold Spring, Putnam County, New York and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board, and is duly authorized to execute this certificate.

Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 26<sup>th</sup> day of June, 2023 and entitled:

RESOLUTION NO. 20 DATED JUNE 26, 2023

#### **RESOLUTION ADOPTING A SEQR DETERMINATION OF NON-SIGNIFICANCE FOR ADOPTION OF CHAPTERS 76 & 104 AMENDMENTS LOCAL LAWS NO. 1 & 2 OF 2023**

Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this \_\_\_\_\_ day of June, 2023.

---

Jeff Vidakovich, Village Clerk

Date



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ROBERT DOWNEY, CREW CHIEF HIGHWAY DEPT

## RESOLUTION 21-2023 ADOPTING A SEQR DETERMINATION OF NON-SIGNIFICANCE FOR ADOPTION OF CHAPTER 134 AMENDMENTS LOCAL LAW NO. 3 OF 2023

The following resolution was offered by Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, to wit;

**WHEREAS**, pursuant to the Village's adopted Comprehensive Plan dated January 10, 2012, the Village Board appointed a citizen based Code Update Committee to prepare amendments to the 1967 Zoning Law consistent with the adopted 2012 Comprehensive Plan, and

**WHEREAS**, on April of 2022, the Code Update Committee was replaced with an Ad Hoc Working Group to continue the work of the Code Update Committee to finish preparation of amendments to the 1967 Zoning Law consistent with the adopted 2012 Comprehensive Plan and for consideration by the Village Board, and

**WHEREAS**, on April 12, 2023 the Village Board received the recommendations of the Ad Hoc Working Group in the form of a proposed comprehensive replacement of Chapter 134, the Village Zoning Law, and

**WHEREAS**, on April 26, 2023, after review of a Part 1 Full Environmental Assessment Form for the action, the Village Board classified the action as a Type I action under SEQR and since no other agency has approval authority with respect to the proposed action, declared itself lead agency, and

**WHEREAS**, the Village Board has reviewed a Full Environmental Assessment Form for the proposed action including a Part 1, Part 2, and Part 3 Narrative, and

**WHEREAS**, the Village Board has reviewed a draft Negative Declaration setting forth reasons supporting a determination that the proposed action will not have a significant adverse impact on the environment.

**NOW THEREFORE BE IT RESOLVED**, by the Village Board of the Village of Cold Spring, Putnam County, New York (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

The Village Board hereby adopts the findings and conclusions relating to probable environmental effects contained within the attached Environmental Assessment Form and Negative Declaration concluding that the adoption of Local Law No. 3 of 2023 will not have a significant adverse impact on the environment. The Mayor is authorized to execute the Environmental Assessment Form and file the Negative Declaration in accordance with the applicable provisions of law.

The Village Board authorizes and directs the Village Clerk to distribute a copy of this resolution to all interested agencies, the Mayor, and any person that has requested a copy and to make all other filings required by law.

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

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

He is the duly qualified and acting Clerk of the Village of Cold Spring, Putnam County, New York and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board, and is duly authorized to execute this certificate.

Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 26<sup>th</sup> day of June, 2023 and entitled:

RESOLUTION NO. 21 DATED JUNE 26, 2023

RESOLUTION ADOPTING A SEQR DETERMINATION OF NON-SIGNIFICANCE FOR ADOPTION OF CHAPTER 134 AMENDMENTS LOCAL LAW NO. 3 OF 2023

Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this \_\_\_\_\_ day of June, 2023.

-SEAL-

\_\_\_\_\_  
Jeff Vidakovich, Village Clerk



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MATT KROOG, WATER SUPERINTENDENT  
ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF

## Resolution # 22-2023 Adopting Local Law 01 of 2023 Amending Chapter 76 – Noise

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

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 76 - Noise of the Village Code; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law beginning on April 26, 2023 and continuing through June 21, 2023; and

**WHEREAS**, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 01 of 2023 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

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

Resolution officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

\_\_\_\_\_  
Jeff Vidakovich, Village Clerk-Treasurer

\_\_\_\_\_  
Date



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JEFF VIDAKOVICH, CLERK/TREASURER  
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MATT KROOG, WATER SUPERINTENDENT  
ROBERT DOWNEY, HIGHWAY DEPARTMENT CREW CHIEF

## Resolution # 23-2023

### Adopting Local Law 02 of 2023 Amending Chapter 104- Signs and Placards

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

**WHEREAS**, the Village of Cold Spring Board of Trustees has caused to be prepared a draft of the local law to amend Chapter 104 – Signs and Placards of the Village Code; and

**WHEREAS**, the Village of Cold Spring Board of Trustees held a duly noticed public hearing on the draft local law beginning on April 26, 2023 and continuing through June 21, 2023; and

**WHEREAS**, the Village of Cold Spring Board of Trustees has complied with the requirements of the State Environmental Quality Review Act (“SEQRA”) as it applies to the adoption of the draft local law.

**NOW, THEREFORE, BE IT RESOLVED** that Local Law No. 02 of 2023 is hereby adopted and the Village Clerk is authorized and directed to take all of the actions necessary to complete the local law adoption procedure including filing said local law with the New York State Office of the Secretary of State.

On roll call vote:

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

Resolution officially adopted on \_\_\_\_\_ by a vote of \_\_\_\_\_

\_\_\_\_\_  
Jeff Vidakovich, Village Clerk-Treasurer

\_\_\_\_\_  
Date

**Roll Call Vote**

Names	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Kathleen E. Foley</b>				
<i>Deputy Mayor</i> <b>Tweeps Phillips Woods</b>				
<i>Trustee</i> <b>Eliza Starbuck</b>				
<i>Trustee</i> <b>Cathryn Fadde</b>				
<i>Trustee</i> <b>Laura Bozzi</b>				
<b>TOTAL</b>				

The following was presented

By:

Seconded by:

Date of Adoption: \_\_\_\_\_, 2023

**RESOLUTION 24-2023 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COLD SPRING ADOPTING PROPOSED ZONING AMENDMENTS TO CHAPTER 134 KNOWN AS LOCAL LAW No. 3 of 2023**

**WHEREAS**, the Village Board would like to adopt zoning amendments consistent with the recommendations set forth in the Village’s Comprehensive Plan, adopted January 10, 2012 (the “Plan”), which Plan’s vision, goal and recommendations are still valid today; and

**WHEREAS**, since the adoption of the Plan, the Village Board has been working on the revisions to its Zoning Chapter, first through its Code Update Committee; and then through its Planning Consultant and an new Ad Hoc Working Group; and

**WHEREAS**, on April 9, 2023 the Ad Hoc Working Group presented a draft of the zoning amendments to the Village Board of Trustees (“VBOT”);

**WHEREAS**, on April 12, 2023, the VBOT accepted the draft zoning amendments, scheduled a public hearing, referred the proposed zoning amendments to the Planning Board pursuant to §134-32 of the Zoning Chapter and §21-7 of the Planning Board Chapter, and referred the proposed zoning amendments and environmental Assessment Form under the State environmental Quality Review Act (“SEQRA”) to the Putnam County Planning Department under General Municipal Law §239-m; and



**WHEREAS**, notice of the public hearing on the zoning amendments: (1) was published in the official paper On April 19, 2023, (2) posted at Village Hall and on its website, and (3) mailed to all adjoining municipalities under General Municipal Law 239-nn; and

**WHEREAS**, the public hearing was opened on April 26, 2023 and continued on May 3<sup>rd</sup>, May 10<sup>th</sup>, May 17<sup>th</sup>, May 24<sup>th</sup>, June 7<sup>th</sup>, June 14<sup>th</sup>, and finally closed on June 21, 2023, wherein both oral and written comments were received each night; and

**WHEREAS**, on April 25, 2023, the Putnam County Planning Department determined that the Village's proposed zoning amendments were a matter of local concern; and

**WHEREAS**, on June 7, 2023, while the public hearing was still open, the VBOT referred a revised version of the zoning amendments (and revised Environmental Assessment Form under SEQRA) to the Putnam County Planning Department under General Municipal Law §239-m; and

**WHEREAS**, on June 12, 2023, the Putnam County Planning Department determined that the revised zoning amendments were still a matter of local concern; and

**WHEREAS**, on June 5, 2023, 61 days after the receipt of the VBOT's request for comments, the Village of Cold Spring Planning Board issued its report on the proposed zoning amendments; and

**WHEREAS**, during the course of the approximately two (2) months the public hearing was held open and the Village was receiving comments from its Planning Board, the Putnam County Planning Department, and the general public, the Village Board, after consultation from the Ad Hoc Working Group and its planning and legal consultants, revised the proposed zoning amendments pursuant to the comments and re-posted them for additional public comments on the following dates: April 25, 2023, May 10, 2023, June 7 2023, June 14, 2023; and

**WHEREAS**, the Village's adoption of the proposed zoning amendments constitutes a Type 1 Action under the State Environmental Quality Review Act (SEQRA) and a Full Environmental Assessment Form ("EAF") has been completed, including Part 2 and 3 of the EAF; and

**WHEREAS**, the VBOT is the only Involved Agency associated with the adoption of the zoning amendments, and is therefore, by default, the Lead Agency under SEQRA; and

**WHEREAS**, on April 26, 2023, the VBOT officially declared itself Lead Agency for purposes of the environmental review under SEQRA; and

**WHEREAS**, on June 21, 2023, the VBOT adopted a letter in response to the Planning Board's comments; and

**WHEREAS**, the VBOT has reviewed the public testimony, comments from its Planning Board and the County Planning Department and examined the contents of the EA, specifically the approximately 57-page draft Part 3 of the EAF; and

**NOW, THEREFORE, IT IS HEREBY:**

**RESOLVED**, that the VBOT hereby adopts a Negative Declaration under SEQRA, with a copy of the completed EAF (Part 1, 2 and 3), which Part 3 of the EAF contains the justification for the Negative Declaration, is attached hereto; and is further

**RESOLVED**, that the VBOT hereby adopted Local Law No. 3 of 2023, which local law is attached hereto.

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

Dated           , 2023

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VILLAGE OF COLD SPRING

INTRODUCTORY LOCAL LAW NO. 3 OF 2023

A Local Law to replace in its entirety Chapter 134 of the Code of the Village of Cold Spring, originally adopted by the Board of Trustees of the Village of Cold Spring on March 7, 1967 as Local Law No 1-1967

BE IT ENACTED BY THE VILLAGE BOARD OF THE VILLAGE OF COLD SPRING AS FOLLOWS:

**SECTION 1. Title.**

This local law shall be known as the “Amendments to Chapter 134 (Zoning)”.

**SECTION 2. Authority.**

This Local Law is enacted pursuant to the authority of Municipal Home Rule Law 10, the New York State Village Law, and in accordance with Chapter 134, Article IX, §134-32, Procedures for Amendments, of the Zoning Code of the Village of Cold Spring.

**SECTION 1. Purpose**

In short, the purpose of this local law is to incorporate the recommendations from the Village’s Comprehensive Plan, dated January 10, 2012 as the visions and goals set forth in that plan are still valid. By incorporating the recommendations from the Village’s Comprehensive Plan, the Village Board aims to further protect the health, safety and welfare of the public. The enumeration of purposes is further detailed in §134-1 of the proposed zoning amendments.

**SECTION 2. Amendments to the Zoning Code**

Chapter 134 shall be repealed in its entirety and replaced with a new Chapter 134 as follows:

**INSERT ZONING TEXT LANGUAGE**

**SECTION 3. Separability**

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

**SECTION 4. Repeal**

All other Resolutions, Ordinances or Local Laws of the Village of Cold Spring which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect.

**SECTION 5. Effective Date**

This Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the New York State Municipal Home Rule Law.