

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

Public Hearing

The Village of Cold Spring Zoning Board of Appeals and Cold Spring Planning board held a joint public hearing on March 1, 2018 at 7:30pm at the Village Hall, 85 Main St.

Attending were ZBA members: Aaron Wolfe, chair, Elliott Hammond and John Martin. Donald MacDonald and Alison Anthoine were absent. Attending CSPB members were: Chair Matt Francisco, Stephanie Hawkins, David Marion, Judith Rose, Sue Meyers and Lara Shihib-Eldin. Village Attorney John Furst was also in attendance.

The Public Hearing was to consider the application by SCGY Properties, LLC for the following: (a) a special permit from the Zoning Board of Appeals pursuant to Section 134-9D. (4) to allow the proposed building to have a front yard setback less than required within the Village's B-1 General Business Zoning District, and (b) site plan approval from the Planning Board. The applicant is proposing to demolish an existing mixed-use building and replace it with an approximately similarly-sized mixed-use building with some additional work to be done to the existing parking area. The subject property is located at 126 Main Street, Cold Spring, New York and designated as Tax Map Section 48.8, Block 2, Lot 48. The property is located within the B-1 Zoning district as well as both the National Register Historic District and the Village's local Historic District.

Glen Watson and Karen Parks presented the project on behalf of the applicant, including plans, site plan, renderings, photographs and cut sheets. Discussing the site plan Watson noted that:

- Initial tasks will be to set up erosion control to protect the stream, tree removal and demolition
- New construction will essentially occupy the same space
- New building will be set 6" back from the property line
- HDRB has issued a Certificate of Authority for both the demolition and new construction
- The parking lot will be permeable except for the handicap space
- The new building will be constructed 5'-0" from the Silver Spoons building

Karen Parks discussed the design scope for the new building. She noted that:

- There will be ten parking spaces
- Fencing will be installed along the east and west sides of the property and will be located on the property. The bottom of the fence will be 5'-0" high solid wood construction topped by a 1'-0" picket.
- Property will be landscaped, particularly at the north side and along the fences.
- Site lighting will include: bollard fixtures, pathway fixtures and recessed fixtures (in the building.). All lighting will have minimal or no up-light component and will be located to prevent light intrusion into neighboring properties.

- Site lighting will only be illuminated during hours of operation, with local control for the residential unit on the second floor.
- Residential unit is 2 bedroom.

Public Comment

Bill Florence spoke of his concern about possible damage caused by demolition and construction to the Silver Spoon building and asked the boards to include in their approvals a “letter of credit” to protect against any damage that might occur. Both boards concurred that this was a matter best construed between the applicant and Silver Spoons building owner.

Jim McBride, expressing concern about demolition of a historic building asked whether the demolition was a “done deal.” Board members responded that “yes” it was.

Phil Heffernan stated the project is “a sensitive and creative solution.” He expressed concern about access to Back Brook (for maintenance, etc.) that will require passing through applicant’s property. Although he has spoken with the applicant (who he says is amenable), Heffernan sought some kind of acknowledgement of access rights or easement on the site plan. He also requested a “higher growing greenscape” on the property adjacent to his (to block views of the parking lot.)

S. Hawkins read a letter from the applicant giving Karen Parks authority to speak on her behalf, thanking the boards for their consideration and expressing her hope for the approval of her application.

S. Hawkins made a motion to close the public hearing for both boards. J. Martin seconded and the motion passed unanimously.

ZBA Comments

J. Martin made a motion to grant the applicant’s request for a special use permit. E. Hammond seconded and the motion passed 3-0.

Aaron Wolfe	Yes
John Martin	Yes
Elliott Hammond	Yes
Alison Anthoine	Absent
Donald MacDonald	Absent

CSPB Comments

Board members confirmed there will be a chain to prevent unauthorized parking outside of normal hours of operation

S. Hawkins made a motion to grant site plan approval contingent upon confirmation of storm water runoff mitigation and confirmation that parking lot lighting will only be turned on during hours of operation. J. Rose seconded and the motion passed 6-0.

Matt Francisco	Yes
Stephanie Hawkins	Yes
Judith Rose	Yes
Sue Meyers	Yes
Lara Shihib-Eldin	Yes
David Marion	Yes

ADJOURNMENT

J. Martin made a motion to adjourn the meeting. J. Rose seconded and the meeting was adjourned at 9:25pm.

Submitted by M. Mell



Aaron Wolfe, Zoning Board of Appeals Chair

3/15/18
Date