

Public Hearing – ESP – Amend Zoning Law
May 5, 2016

The Town Board held a Public Hearing to hear public comments for/against a proposed Local Law to amend Town Code, Chapter 175 by amending Town Code Section 175-8 “Zoning Maps” to change the zoning designation from “Rural Residential” to “Highway Commercial” on the above date at 7:00 p.m., at the Town Hall, 238 Main Street, Cold Spring, New York, 10516.

PRESENT

Richard Shea	Supervisor
Nancy Montgomery	Councilwoman
Robert Flaherty	Councilman
Michael Leonard	Councilman

ABSENT

John Van Tassel	Councilman
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Town Clerk Merando read the public notice.

Supervisor Shea stated that the Town Board has been working on this for a number of years and believes that a novel solution has been reached to this pretty complicated problem; A zoning change is no small item. He stated that this is in the best interest of everyone and addresses all concerns that have been brought to their attention. It also preserves a thriving local business and allows them to expand. He thinks it is the best of all possible solutions. Supervisor Shea thanked Glenn Watson for his diligent work on the issue as well as Donna Kehr and her family for their cooperation. Supervisor Shea believes that all the requests of the residents of the road have been met. Supervisor Shea stated they have the Local law filing, short form environmental assessment form, developers agreement, and an outline of the whole process from the town attorney and that it has been referred to Putnam County Planning, and the local planning board is very familiar with this. They have met many evenings in regards to this issue, as well as with residents of the road, and again believes this to be a great solution.

With that, Supervisor Shea opened the floor for public comment. No comments were made at this time. Supervisor Shea then asked the Board if they had anything to add.

Councilman Flaherty stated he thinks it is the right thing to do. This issue has been going on for a long time. He stated that ESP has been in business for close to 30 years now, and dealt with them personally when building his own house. He stated that he believes this is in everyone’s best interest.

Councilwoman Montgomery questioned the monitoring of the conservation easement and who would be monitoring it. Supervisor Shea stated that it will be monitored by the Hudson Highlands Land Trust twice a year for the first 3 years and will continue to be monitored by someone else.

Supervisor Shea stated the only thing he does not see in the easement is the dollar amount for the monitoring.

Glenn Watson said the board requested an estimate of that cost from the Hudson Highlands Land Trust; he has never seen it and doesn’t believe it has ever been produced. Typically it takes about \$8000 to produce enough interest; it costs about \$200 to make an inspection, but he would expect it to be a little more here because there’s commercial activity adjacent to it. He believes we have to find a different

body to do the baseline because Matt Decker has left. Supervisor Shea stated he believes they have a new person. Glenn stated that they would be agreeable due to the investment in the project at this point. They will establish this escrow account from which it will gain interest to pay for it ongoing.

Supervisor Shea stated that an addendum would have to be adopted afterwards with the dollar amount listed on it.

Glenn Watson stated that it could go right in the developer's agreement.

There being no further comments from the public, Councilwoman Montgomery made a motion, seconded by Councilman Flaherty and unanimously carried to close the public Hearing at 7:14 p.m.

Respectfully submitted by,

Tara K. Percacciolo
Deputy Town Clerk