

Village of Millbrook Planning Board

SEQRA Determination and Conditional Site Plan Approval

7 – 15 Merritt Avenue Laundry

Applicant: Hunter Rental Properties, LLC
7 – 15 Merritt Avenue
Millbrook, New York 12545

Whereas, the Village of Millbrook Planning Board has received an application from Hunter Rental Properties, LLC for a site plan approval for relocating the former laundry service at 10 Washington Avenue to the existing mixed use business and multi-family residential building at 7-15 Alden Place, which application includes interior and exterior improvements related to the building and site rehabilitation. The existing 3 story building contains multiple family apartments, retail, office, and storage space. A 1 ½ story building is also located on the property along with existing parking facilities for 13 vehicles. The property is presently served by Village water and sewer services. The property, totaling approximately 0.37 acres, is located in the Village's GB General Business zoning district. The property is classified as a pre-existing non-complying lot due to regards to building setback and multiple family unit density. The proposed improvements include renovation for conversion of existing storage space to a laundromat, to be located on the first floor of the existing 3 story building, with its main entrance at the rear of the building and minor exterior improvements for increased accessibility and security, and

Whereas, the application for site plan approval proposes exterior improvements include signage, stripping for pedestrian accessibility, and new site lighting that meet the Zoning Code requirements, and

Whereas, no record of a site plan approval for the property was granted according to Village records although same is required by the Village Zoning Code, and

Whereas, the Planning Board reviewed the application for site plan approval requirements with the Applicant and requested additional information be provided for the Board's review, and

Whereas, the Planning Board acknowledges the laundromat service business on this property and its use is a Permitted Use in the GB zoning district, and

Whereas, *Site Plan, Floor Plan and Lighting Plan* prepared by Spire Architecture, PLLC dated last revised March 7, 2018, and *Site Plan* prepared by Edmond G. Loedy, Architect P.C. dated last revised 05/01/2018, and Site Plan application forms, and Short Form EAF were submitted by the Applicant in support of the site plan application, in compliance with the requirements of Chapter 230, "Zoning" of the Village Code, and

Whereas, the Planning Board considered aspects of the use of the site with regards to the hours of operation, provisions for parking, site lighting and landscaping, as well as operational details of the proposed service facility and its compatibility with neighboring properties, and

Whereas, the Planning Board considered the proposed parking schedule, which shows that the mixed use property requires 31 spaces based on code requirements and that only 15 spaces are provided, primarily due to the non-conformance of the existing building, and that the parking spaces allocated to the multi-family dwelling will be increased by two spaces above existing conditions, and that the required four parking spaces for the laundromat will be provided, and

Whereas, the the Zoning Board of Appeals resolved on 01/29/2018 that the Applicant be granted the variance for the reduction in parking to 15 spaces conditioned upon the laundromat use as currently proposed, and

Whereas, the Planning Board considered the proximity of the neighboring properties that would be affected by the operation of the business, including traffic, parking, safety and security, lighting, exhaust and potential nuisance of patrons' use of the property outside of the building, and

Whereas, the Planning Board reviewed a petition signed by 244 area residents in support of the approval for the laundromat at the new location on Merritt Avenue, and

Whereas, a written waiver request for site plan requirements as they apply to this site topography, subsurface improvements, cut and fill information, stormwater retention and landscaping were submitted to the Planning Board by the Applicant and that these waivers were reviewed and granted by the requirements on May 15, 2018, and

Whereas, the Planning Board opened a public hearing on the subject application for site plan approval on April 17, 2018, which was closed on that date after receiving comments from the public and addressing those comments, and

Whereas, the Planning Board reviewed and discussed the building's aesthetic qualities with regards to neighborhood compatibility and acknowledges that no significant exterior changes are being proposed, and

Whereas, the Planning Board has reviewed the submitted Short Environmental Assessment Form, Part I, has reviewed the submitted plans, and related submitted information by the Applicant, and did thereafter conclude that the proposed Action is classified as an unlisted action for its SEQRA environmental review. The Planning Board declared Lead Agency and a negative declaration on May 15, 2018, and

Whereas, the Planning Board has specifically considered the standards for site plan approval in Zoning Code § 230-44 (E) including, but not limited to, considerations of the location and size of the use, access, landscaping, site lighting, that the planned establishment of the laundromat use will be compatible with the existing neighborhood and community character and will not be a threat to public health or property values, and there will be adequate parking for the use, and

Therefore, Be It Resolved, the Planning Board hereby assumes its designation as Lead Agency status for the project's environmental review pursuant to §617.6 of 6NYCRR Part 617.

Be It Further Resolved, that the Planning Board has considered the proposed action, as described in the site plan application, the Short Environmental Assessment Form, Site Plans and Floor Plans, and other documents prepared by the Applicant and its architect which were reviewed by the Planning Board and the Board's Engineering Consultant, and that the Planning Board finds and determines that the subject project is a Type II Action and that no further environmental assessment is required.

Be It Further Resolved, that the Planning Board grants site plan approval of the Millbrook Laundry and plans for operation of the business in the Village of Millbrook in accordance with § 230-44 of the Village Code, with the following condition(s):

1. The items addressed in the Planning Board Engineer's review letter dated May 15, 2018 are addressed to the satisfaction of the Planning Board and its Engineer.
2. Final plan submission shall be reviewed by the Planning Board and its Engineer for compliance with the conditions in this resolution. The Applicant shall submit all necessary documents to establish compliance with the conditions in this resolution in ONE comprehensive submission with a detailed cover letter identifying each condition by number and how it is addressed by the submission.
3. The applicant has obtained verbal approval from the Fire Chief, Ted Bownas, that the fire and emergency apparatus will be able to access the building to fight fires and access individuals who are having medical emergencies. Applicant shall submit that opinion from Mr. Bownas in writing.
4. The final site plan set will include a photometric lighting plan and a floor plan of the building area to be converted.

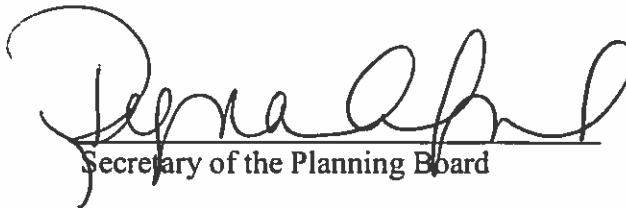
5. The Applicant submit waiver requests from Site Plan requirements of §230-44C(4) as they apply to this site and these waivers are approved by the Planning Board.
6. Update the Plans and provide details for the screening and signage for 5-yard roll-off dumpsters, and demonstrate to the satisfaction of the Planning Board and its Engineer that the dumpsters will be serviced without encroaching on the adjacent property in maneuvering the refuse trucks
7. The additional two spaces assigned for multiple family in the front of the building be removed from the Plan, replace with curbing in line with the existing Village street curbing and reestablish the park strip. Update the Plan to show designation of spaces for each of the four uses.
8. The Plan be updated to show required signage for 1-way traffic access, to the satisfaction of the Planning Board and its Engineer.
9. Update the Lighting Plan to include revised fixtures as noted in the Planning Board Engineer's letter dated 05/15/2018 and provide catalog cuts / site lighting product information for all proposed fixtures (including the new flood light fixture).
10. Confirm whether site lighting will also be restricted to security and safety lighting intensity levels outside of operating hours, and what site lighting will be utilized for this purpose to the satisfaction of the Planning Board and its Engineer.
11. Update the Site Plan to verify the location of the rear sign with size, sign type and color.
12. Confirm how the surveillance system will be programmed and how the system's recording equipment maintains surveillance records to the satisfaction of the Planning Board and its Engineer.
13. Hours of operation weekdays (Monday through Saturday) shall be 6 AM until 8PM and weekends (Saturday to Sunday) shall be 6AM until 5PM without exception. If any problems or nuisance issues arise or are reported, the Applicant will be requested to return before the Planning Board for resolution.
14. The Applicant shall submit to the Village Code Enforcement Officer / Building Inspector a Code review detailing that the building space conversion shall comply in all respects to the NYS Uniform Fire Prevention and Building Code. This shall be submitted before building permits may be issued.
15. The Sprinkler system plans must be prepared by a NYS certified company and bear an engineer's stamp.

16. The alarm system installation must be certified and a completion report submitted to the attention of the Code Enforcement Officer.
17. Verify location of proposed location of exhaust on the Site Plan.
18. Development, continued use and maintenance of the site shall strictly comply with the design, details and notes indicated on the approved Site Plan and Floor Plans documents, prepared by Edmond G. Loedy, Architect P.C. dated last revised 05/01/2018 and updated in accordance with the conditions above. Continuing compliance with the above referenced plans, including exterior appurtenances as noted thereon, shall be the basis for continuation of the granted special use permit.
19. To operate the business in a manner that prohibits any nuisance condition that would adversely affect the character of the community.
20. Information on site lighting for wattage, fixture type and photometrics shall be provided to the Planning Board consultant for review and approval.
21. The dumpster will be kept closed and locked to deter nuisance vermin and odors.
22. Submission of 2 mylar reproducibles and 4 print copies of the revised site plan and payment of all fees, including site plan review and approval fees in accordance with the Village Code requirements.

Said determination was adopted upon a motion of Member Matthew Anderson, seconded by Member Kay Ulrich and the affirmative vote of 3 members, the negative vote of 0 members, and 0 member(s) absent;

The Planning Board hereby directs the Secretary of the Planning Board to file a copy of this decision in the office of the Village Clerk and mail a copy of the decision to the Applicant.

Dated: June 12, 2018



Secretary of the Planning Board

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