

A regular meeting of the Village of Millbrook Planning Board was held on Tuesday May 15, 2018 at Village Hall, 35 Merritt Avenue at 7:00 p.m. Board member Joe Forte called the meeting to order. Acting Chairman Joseph Still was in the audience, board members Matthew Anderson & Kay Ulrich as well as Village Attorney, Rebecca Valk & Don Fletcher of Barton & Loguidice were present.

The Pledge of Allegiance was led by Acting Chairman Forte.

Acting Chairman Forte asked for a motion to accept the minutes of the April 17, 2018. Mr. Anderson made a motion, Ms. Ulrich seconded, all were in favor.

Old Business

7-5 Merritt Avenue – Hunter Properties, LLC. GRID NO. 6765-18-416146

Edmond Loedy of Edmond G. Loedy, Architect P.C. was present to represent the applicant.

Mr. Loedy reviewed the review memo from Barton & Loguidice as well as the memo from the Building Inspector, Kenneth McLaughlin.

Don Fletcher of Barton & Loguidice read through the site plan review memo dated May 15, 2018. (EXHIBIT A)

I. SEQRA

The limited floor area of the new laundromat (approximately 800 SF) would qualify the application's environmental review as a SEQRA Type II classified action. As a Type II classified action, the Board can assume lead agency, acknowledge that this application would be classified as a Type II action in its SEQRA review, and as such, require no additional environmental review process.

A public hearing was held on 04/17/2018 including a reported 14 speakers who supported the proposed laundry and some nearby or abutting property owners who voiced concerns are summarized and attempted to be addressed by Mr. Loedy's letter to the Planning Board, dated 04/30/2018.

II. Site Plans

The following additional information should be provided for the Board's review in future submittals:

1. General – The final site plan set should include a photometric lighting plan and a floor plan of the building area to be converted. These plans were not included in the most recent submittal. The Applicant's Architect should refer to §230-44 C. (4) for site plan requirements as they apply to this site (noting that topography, subsurface improvements, cut and fill information and stormwater retention requirements for this proposed partial building conversion can be waived by the Board per §230-44 C. (6)).

Mr. Loedy stated that he and the clients are willing to accommodate the neighbors, and request to avoid providing a photometric plan as this is costly.

2. Water and Sewer Service Increased Use – The Applicant indicates that no new machines are to be added at this proposed new location as compared to what is currently installed at their present location, and that the drainage calculation presented is for the existing machines. as such, no referral to the Village Board (and subsequent referral to NYSDEC) for formal approval will be required. An estimate of the water and sewer use has been provided by the Applicant based on a conservative value assuming all machines are discharging simultaneously. The calculation shows that the existing 4” sanitary sewer can accommodate this worst case scenario from the laundromat, however it does not include flows from other uses within the existing building. The Applicant has noted that the interior of the building will comply with the NYS Building Code, and as part of that process, the required size of the waste lines will be calculated and increased (if required), under the purview of the Building Department.

It was discussed that this will be addressed during the future process with the Building Inspector.

3. Refuse/ Waste Receptacle - The revised plan shows the two 5-yard roll-off dumpsters relocated to an area that will be “easily serviced by trucks” and the Applicant notes that these trucks will arrive “very early” in the morning before the parking spaces are used. Considering the proposed Laundry opening hours and the anticipated arrival of refuse trucks, the Applicant should consider a sign restricting parking in front of the dumpster area during anticipated refuse collection days/hours. Screening should be provided for these dumpsters in accordance with 230-14.A.12. A detail of the dumpster enclosure should be included on the site plans.

The Applicant has confirmed that use of only one dumpster is anticipated and with the additional dumpster, more than ample volume is provided for additional refuse from the new laundromat. The applicant should indicate how the dumpsters will be serviced without encroaching on the adjacent property in maneuvering the refuse trucks.

Mr. Loedy addressed the board. Mr. Loedy pointed out on the plans where the dumpsters would be located. The proposed location will be on the east section of the property. There is plenty of room in front of the dumpsters for vehicles to park during business hours.

In regards to the dumpster enclosures, there are no businesses within the Village that have enclosures. Mr. Loedy does not feel the need for the applicant to supply enclosures.

Mr. Fletcher agreed that the proposed location of the dumpsters was sufficient.

4. Landscaping - The Applicant has noted that the Planning Board did not express interest in requiring landscaping at its last meeting. If no additional landscaping is considered justified in the opinion of the Planning Board, the Board may choose to waive the requirements of 230-43 (F)(1)(e) which states that “all special use permits shall meet the requirements of 230-17, Landscaping”.

5. Parking - The parking schedule shows that the mixed use property requires 31 spaces based on the code requirements for off-street parking and that only 15 spaces are provided,

primarily due to the non-conformance of the existing building. The parking spaces allocated to the multi-family dwelling will be increased above the existing conditions with the addition of two spaces. The required four parking spaces for the laundry will also be provided. 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". The site plan should include a reference to the granted ZBA variance with specifics as to what was allowed.

The additional two spaces assigned for multiple family in the front of the building are located within the front yard set-back and therefore are not code compliant. The Applicant notes that these will not be used if they are determined not to be code compliant. These spaces should be removed from the Plan. The Applicant should confirm if parking spaces will be designated via signage for their various uses and update the Plan to show the designation of these spaces for each of the four uses.

Mr. Loedy agreed that the two non-conforming parking spots should be removed from the plan.

6. Access - In accordance with 230-16 (G)(2), traffic circulation, adequate access to building by use of fire lanes shall be provide and maintained in all off-street parking and loading zones. The Applicant notes that the proposed alterations will comply with all applicable regulations and the NYS Buidling Code in order to receive a building permit. The Applicant's Architect also notes that the Fire Chief, Ted Bownas, was consulted and advised that there would be no issues fighting a fire at this premises due to: i) the location of a nearby hydrant, ii) access to necessary equipment and iii) the building's existing sprinkler system. The Applicant should provide a copy of correspondence with the Fire Department to the Planning Board for its files.

The minimum separation width along the existing easterly common driveway is shown on the Plans at 16 feet, but generally provides a width of 17 feet to 18 feet, which is considered minimally passable with 2-way traffic. The recent site plans, however, indicates a proposed 4' pedestrian striped walkway dedicated along the western portion of the existing driveway. This reduced driveway separation width will allow only 1-way traffic access. The Planning Board should consider whether this is an appropriate arrangement, as the sole vehicle access for customers, workers and residents of this existing mixed use building is through this access driveway. A vehicle blocking this 1-way drive access in an emergency situation would be unsafe without a secondary means of access. If 1-way traffic is to be maintained, at a minimum, a sign should be included at the entrance to the driveway and back edge of the building to alert drivers of this arrangement. If 2-way traffic is to be maintained along this driveway, the pedestrian walkway as previously proposed should be reinstated with the recommended improvements as noted in our previous review, which were:

Improvements are proposed to provide an alternative pedestrian access to the rear of the existing building along the western side of the building by constructing a wooden deck and stairway. This alternative pedestrian access will provide an additional means for pedestrian access to limit conflicts with vehicles using the narrow eastern driveway. The Board should note that this alternative access' utility is limited by its narrow width (i.e., minor building corner alterations are required to achieve a minimal 30" passageway), this will not be handicapped accessible, and provides a more circuitous route to the rear of the building. We

recommend that this alternative access be provided with additional lighting for safety and security, and that the walkway be paved rather than the gravel surface being proposed on the site plan.

Mr. Loedy addressed the issue. Mr. Loedy met with or had discussions with all of the adjacent property owners. The applicants agreed to paint the lot and use non-skid materials. The applicant wants the residents to be safe and have enough space. This driveway served as the only driveway for another business in that location years ago. A discussion continued.

7. Site Lighting - The lighting intensity value of the existing double floodlight that is mounted on the 2 unit residential building on the property is not considered in the photometric site lighting plan on Sheet C-101. It is noted by the Applicant's Architect that this fixture will be replaced by an Econo Light or Lithonia exterior shielded flood light with two adjustable heads. This should be noted on the Plans and updated in the photometric site lighting plan.

The Applicant has noted that the pole mounted fixture in the rear of the parking lot will be 38 watts to prevent spillover to adjacent properties. The Board should note that light spillover to adjacent properties is accomplished by specifying back side shielded fixtures which are provided on fixtures greater than 38 watts that would reduce the dark areas in the middle of the parking areas. A photometric site lighting plan should be included in the site plan set submitted for approval. For public safety purposes and to enhance the merits of the surveillance cameras being proposed, we recommend an average of 2.0 footcandles over the parking lot area (and less than 0.5 footcandles at property boundaries). Provide catalog cuts / site lighting product information for all proposed fixtures (including the new flood light fixture) for the Board's review. The Applicant should 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.

8. Signage – Signs are being proposed on both sides of the front of the building to direct laundry customers to the rear of the building. The sign area for both of these proposed signs totals 7 square feet and complies with the Zoning Code §230-20 sign standards. A small sign displaying the work "Laundry" will also be affixed on or near the laundromat door. This location should be verified and shown on the plans (if not on the door itself) with size, sign type and color.

Mr. Loedy stated the client intends to follow the sign ordinance.

9. Surveillance Cameras – The Applicant has confirmed that the closed circuit camera system being proposed is the one that was used at the previous location and states that for the increased privacy of neighbors, cameras will be programmed not to go beyond the laundromat property. The Applicant should confirm how this will be programmed and how the system's recording equipment maintains surveillance records.

Mr. Fletcher stated that this should be handled with the Building Inspector.

10. Hours of Operation – Our previous review letter noted that the Applicant has agreed to restrict the operating hours for the new laundromat to: Monday to Saturday 6AM to 8PM, and Sunday 6AM to 5PM. However, the Applicant has requested additional operating hours to service the needs of its

customers, Monday to Sunday 6AM to 10PM. The Applicant does not feel the requested attendant for evening hours is warranted, citing that there are no incidents during the last 10 years of operation within Police and court records for the laundromat operation on Washington Ave. The Board should consider this information with a comparison of site conditions at this new location.

Mr. Loedy addressed the issue of the operating time. The previous architect advised Mr. Loedy that the reduced hours were negotiated at an earlier date. The hours were always the same as the requested hours. The requested hours are now 6 am - 10 pm 7 days per week. Mr. Forte advised Mr. Loedy that he was in attendance when the hours were negotiated and this was what was agreed upon. If the hours need to be changed, there may need to be public hearing. Mr. Forte feels that 6am – 8pm in the Village is sufficient.

11. Previous Use - There has been some concern voiced about the potential for a fire hazard with the natural gas laundromat use within the existing building which has had many uses, including use of flammable liquids over the past hundred years (i.e. long-term use as auto shop with potential for oil soaked wooden flooring). The Code Enforcement Officer must enforce Chapter 105, Fire Prevention and Building Construction, and administer the provisions of the NYS Uniform Fire Prevention and Building Code. The Board may note that the submitted plan indicates the premise will be provided with a sprinkler system. The Village Code Enforcement Officer / Building Inspector has requested a Code review for this project, which will be performed separately to the Planning Board review, and can be completed after the Planning Board has acted on this application. The Planning Board may wish to refer the application to the Building Inspector to recommend measures necessary to convert this building space into a laundromat so that the Applicant and the Planning Board have a comprehensive understanding of the life safety code requirements for the conversion of this space, as well as a determination from the Building Inspector of adequate access. At a minimum, a condition of approval will include the requirements that the building space conversion shall comply in all respects to the NYS Uniform Fire Prevention and Building Code.

Mr. Loedy did some research including a meeting with the Fire Chief. There is a fire hydrant nearby. The building is fully sprinklered. The building is stated to be one of the safest buildings in the Village.

12. Laundry exhaust – The dryer exhaust is currently shown at 48" above the roof-line on the east edge of the building. Concern was expressed by the neighbor adjacent to the east of the property regarding the use of chemicals being exhausted from the laundromat. The Applicant's Architect has noted that they intend to place the exhaust at a point away from the east side of the building where it will not directly affect the concerned neighbor's house. If the proposed location of exhaust is to be moved, this should be updated on the Plan.

Mr. Loedy stated that he agreed with the adjacent property owner to relocate the exhaust. Mr. Loedy advised the board that he spoke with the Building Inspector and a Code review will be required should the application be approved with the Planning Board.

Mr. Loedy provided the board with his overview of the Public Hearing of April 17, 2018. "The little hall was packed. About 14 speakers supported the proposed laundry. About 20 did not speak. Nearby or abutting property owners has concerns. They were addressed as follows: Zoning – the project is in the GB zone, but it butts a residential zone. The proposed use is permitted. Traffic – the laundromat

will generate a certain amount of additional traffic. As most users of the laundromat are working people, the traffic will be later in the day and in the evening when most of the other businesses are closed. Some people will walk to the laundromat because they do not have a car. I submit that the traffic that will be generated by people coming to the laundry will not be significant. It is true some might park in front of Mike Lang's place, but there is nothing I can do about that, we can't control those things. A parking variance has been granted for this property, in addition to the parking spaces at the site there is parking available in the Bank of Millbrook parking lot which is across the street from Nooch's. If anyone should be concerned about what goes on at night here it's what goes on at a bar. Those people in the bar's go there because they want to go there and they go there to have a good time and they drink alcohol and that usually makes them have a better time. You go to the laundromat because you have to, you don't go to the laundromat because you want to. You worked all day and then you go do laundry, why, because you can't afford the machines in your own house."

Mr. Loedy stated that this should shed a little light why they don't believe it is such a terrible thing to have our business open that late when then restaurants and bars are open even later. There is very little trouble in this Village. In regards to the building, it is the jurisdiction of the Building Department. In regards to fire safety, there is a hydrant, fire equipment can access and the building has a sprinkler system. Mr. Loedy was provided with a copy of a memo from the Building Inspector. Mr. Loedy will address all requests with the Building Inspector. A discussion continued. (EXHIBIT B)

Mr. Fletcher referenced Mr. McLaughlin's letter, bullet #3 "The site plan does not address apparatus access for emergency services which is also required by code" Mr. Fletcher agreed that the sprinkler system and alarm system issues are addressed during the building process. The 4th bullet address' site plan. They need to be resolved or noted as conditions in the approval. Ms. Valk asked for confirmation regarding the 4th bullet. It was confirmed by Mr. Loedy that this is regarding the spaces in the front which the applicant has already agreed to remove. Mr. Loedy stated that if it is a matter of installing curbing in this area that will be shown on the plans. A discussion followed.

Mr. Loedy referred back and continued to read his comment memo and discussion continued. (EXHIBIT C)

Though the public hearing was no longer open, there were comments from the public and discussion took place with Mr. Loedy.

Mr. Loedy continued to read the rest of his response letter.

Mr. Loedy read an additional comment letter regarding the initial response from Barton & Loguidice. (EXHIBIT D)

Ms. Valk addressed the board. Ms. Valk believes there are issues that need to be addressed and resolved; the hours, the access, dumpster enclosures, signs for parking spaces by dumpsters, letter from fire department, the photometric plan. A brief discussion followed.

Mr. Loedy addressed the board. Mr. Loedy agrees that these items do need to be resolved. The curbing will be added to the plan and the 2 parking spaces will be removed, and a letter from the Fire Chief will be provided. Regarding the dumpster enclosure, Mr. Loedy does not agree that they are necessary.

The concern is the "one way" access. Mr. Anderson advised Mr. Loedy that it is suggested a sign be installed. Mr. Loedy asked if the designated walkway was removed, would it satisfy the board. Ms. Valk read the comment letter regarding the walkway and a discussion took place. (point number 6 of the comment letter from Barton & Loguidice EXHIBIT A) Mr. Loedy stated that this has never been a two way traffic road. Ms. Valk stated the use of the building is changing. This will increase the traffic which causes the condition to be a concern. Mr. Loedy will install a sign at each end of the driveway. In regards to the photometric plans, Mr. Loedy requested that the econo light fixture be used and be included on the plans in lieu of a photometric plan. Comments were made in the audience.

Mr. Loede continued the discussion. Mr. Forte agreed that the complete specs be included with the amended plans. The specs were provided to Mr. Forte. A discussion took place with the board and Mr. Loede where he pointed out the locations of lighting to the board.

Mr. Loede asked the board if they will insist on the dumpster enclosures. A discussion continued. The dumpsters will not remain on Mr. Still's property where they are currently. They will be moved to the proposed location. It was discussed that the enclosures are required throughout the Village. After discussion with his client, Mr. Loede informed the board that his client has agreed to enclosures. In regards to a sign informing the public that there is a time frame that there is no parking in front of the dumpsters to ensure there is no issue with the refuse pickup, Mr. Loede stated his clients agree.

The hours of operation is a sensitive subject to all. Mr. Loede read his memo with regards to the hours. (EXHIBIT E)

1 - the Laundromat has operated 10 years without an attendant.

2 - the Laundromat has and will employ three(3) people on a part time on call basis.

3 - the police have no record of any incidents over the ten years of the Laundromats operation at the previous site.

4 - the local court has no record of any incident over the ten years of operation of the Laundromat at the previous location.

5 - the facility has previously and will again employ a closed circuit, continuous feed camera system to monitor the interior and exterior of the facility.

6 - it is clearly in the best interest of the owner to assure a safe facility for the costumers and has demonstrated that at the previous location,

7 - continuous and clearly marked surveillance cameras would discourage derelicts, loiterers and addicts from congregating at the facility.

8 - the camera system is superior to a human attendant in that it is in continuous operation.

9 - only a fool would go to the back of this building to cause trouble, knowing he was on TV and a record of his actions might bring him to court.

10 - should a trouble maker be confronted there is no way to escape from the rear of this property - as it was possible from the previous location where there were a number of escape routes.

11 - Dover Plains has a Laundromat which operates without an attendant from 8p to 6a every day, seemingly without incidents.

12 - I have had meetings and discussions with the concerned people in the area my client and I researched their concerns and offered mitigation where possible as mentioned earlier.

A discussion followed with members of the audience.

ATTENDANT

Adjoining and nearby property owners have suggested the need for an attendant

- 1 - the Laundromat has operated 10 years without an attendant.
- 2 - the Laundromat has and will employ three(3) people on a part time on call basis.
- 3 - the police have no record of any incidents over the ten years of the Laundromats operation at the previous site.
- 4 - the local court has no record of any incident over the ten years of operation of the Laundromat at the previous location.
- 5 - the facility has previously and will again employ a closed circuit, continuous feed camera system to monitor the interior and exterior of the facility.
- 6 - it is clearly in the best interest of the owner to assure a safe facility for the costumers and has demonstrated that at the previous location,
- 7 - continuous and clearly marked surveillance cameras would discourage derelicts, loiterers and addicts from congregating at the facility.
- 8 - the camera system is superior to a human attendant in that it is in continuous operation.
- 9 - only a fool would go to the back of this building to cause trouble, knowing he was on TV and a record of his actions might bring him to court.
- 10 - should a trouble maker be confronted there is no way to escape from the rear of this property - as it was possible from the previous location where there were a number of escape routes.
- 11 - Dover Plains has a Laundromat which operates without an attendant from 8p to 6a every day, seemingly without incidents.
- 12 - I have had meetings and discussions with the concerned people in the area my client and I researched their concerns and offered mitigation where possible as mentioned earlier.

It is for these many reasons that I respectfully submit that an attendant is not required for this facility. The laundry operated for ten years without incident at the previous location. The applicant advised Mr. Loede that there are three people on call and are part time employees. Paula Smith, a local resident is responsible for closing the laundromat in the evening.

A discussion followed. The applicant made a statement regarding the request for additional hours. Mr. Forte advised that the hours agreed upon were 6am – 8pm Monday through Saturday and 6am-5pm on Sunday.

The applicants left the room for a private discussion.

Mr. Loede acknowledged that the applicants will agree to the above mentioned hours. The applicants requested from the board for additional hours on Sunday. Ms. Valk advised the board that it is up to them to determine if the request for a time change is significant enough to open a public hearing. The board had a brief discussion.

A discussion took place between the applicant and the audience.

Mr. Loede advised that the applicant will agree to the hours above.

Ms. Valk addressed a question from the audience regarding what will be included in the letter from the Fire Chief. Ms. Valk advised that it will advise the accessibility for the fire department in cases of an emergency.

To answer an additional question it was stated that the conclusion on the access will be a single lane with a sign at the top and one at the bottom. Additional discussion continued.

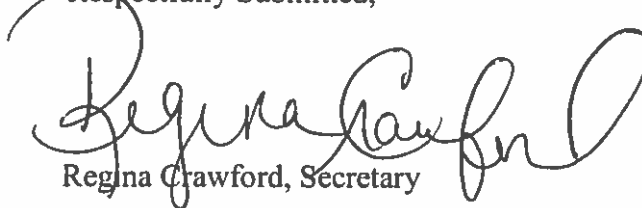
Ms. Valk addressed the board with regard to where they stand at this point as it appears they are willing to go forward with a conditional approval. These conditions include; removal of the parking spaces, photometric plan needs to be revised, a letter from the fire department, the dumpster enclosure, the signs on the dumpster enclosures as a note, a note for the signs for the one way access. Mr. Fletcher stated that it just needs to be a note, the plans do not need to be modified. The curb and removal of the parking spaces needs to be resolved as well. There was also a question regarding the stairs and deck improvements in the rear. This needs to be removed from the plans. Based upon this information, Ms. Valk stated that there is no legal reason that they cannot proceed with the conditional approval.

Mr. Forte addressed the Short Form EAF. Part 2 is required to be completed. Mr. Forte read aloud the document. Mr. Anderson made a motion to adopt the form, Ms. Ulrich seconded, all were in favor.

Mr. Forte made a motion to grant the final conditional approval. Mr. Anderson seconded, all were in favor. FINAL CONDITIONAL APPROVAL APPROVED

There being no other business, meeting adjourned at 9:32pm

Respectfully Submitted,



Regina Crawford, Secretary



Barton & Loguidice, D.P.C.

Memo To: Joe Forte, Acting Chairman
and Members of the Millbrook
Planning Board

Date: May 15, 2018

From: Rebecca Minas, IEAust, CPEng
Engineer for the Planning Board

Project No.:
Phase No.:

Subject: Site Plan Review of the Millbrook
Laundry
7 - 15 Merritt Avenue
Village of Millbrook, NY

Our office received and reviewed a resubmission prepared by Edmond G. Loedy, Architect P.C. for a Site Plan approval on behalf of Hunter Rental Properties, LLC for the proposed new laundromat within an existing building on a 0.37 acre parcel located at 7 - 15 Merritt Avenue. The proposed laundromat would replace existing building floor area currently used for storage. The property is located within the GB, General Business, zoning district and is most closely classified in the Zoning Code as a service business, which is a Permitted Use.

The existing 3 story building also contains multiple family apartments, retail, office, and will continue to provide a reduced area for storage. 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.

Information received and reviewed by our office included the following information:

- Revised Site Plan A-1, dated 05/01/2018, prepared by Edmond G. Loedy, Architect P.C.
- Response Letters, dated 04/30/2018 and 05/09/2018, prepared by Edmond G. Loedy, Architect P.C.
- Zoning Board of Appeals Decision of Application, dated 01/29/2018
- *Application Cover Letter*, dated March 7, 2018, prepared by Spire Architecture; and
- *4-Sheet Site Plan Set*, revised 03/07/2018, prepared by Spire Architecture.

As noted in the previous review letter from our office, the Board will note that the existing buildings on this property are nonconforming with regards to building setback, multiple family unit density and off-street parking. The proposed laundromat will be located on the first floor of the existing 3

Exhibit A



story building, with its main entrance at the rear of the building. No exterior improvements are proposed with the exception of signage, a new wooden deck and stairs for additional pedestrian accessibility, and new site lighting that meet the Zoning Code requirements.

The Applicant has provided a petition signed by approximately 250 area residence in support of the project.

Based on our office's review of the submitted information, we offer the following comments for the Board's consideration:

I. SEQRA

The limited floor area of the new laundromat (approximately 800 SF) would qualify the application's environmental review as a SEQRA Type II classified action. As a Type II classified action, the Board can assume lead agency, acknowledge that this application would be classified as a Type II action in its SEQRA review, and as such, require no additional environmental review process.

A public hearing was held on 04/17/2018 including a reported 14 speakers who supported the proposed laundry and some nearby or abutting property owners who voiced concerns are summarized and attempted to be addressed by Mr. Loedy's letter to the Planning Board, dated 04/30/2018.

II. Site Plans

The following additional information should be provided for the Board's review in future submittals:

1. General – The final site plan set should include a photometric lighting plan and a floor plan of the building area to be converted. These plans were not included in the most recent submittal. The Applicant's Architect should refer to §230-44 C. (4) for site plan requirements as they apply to this site (noting that topography, subsurface improvements, cut and fill information and stormwater retention requirements for this proposed partial building conversion can be waived by the Board per §230-44 C. (6)).
2. Water and Sewer Service Increased Use – The Applicant indicates that no new machines are to be added at this proposed new location as compared to what is currently installed at their present location, and that the drainage calculation presented is for the existing machines. As such, no referral to the Village Board (and subsequent referral to NYSDEC) for formal approval will be required.



An estimate of the water and sewer use has been provided by the Applicant based on a conservative value assuming all machines are discharging simultaneously. The calculation shows that the existing 4" sanitary sewer can accommodate this worst case scenario from the laundromat, however it does not include flows from other uses within the existing building.

The Applicant has noted that the interior of the building will comply with the NYS Building Code, and as part of that process, the required size of the waste lines will be calculated and increased (if required), under the purview of the Building Department.

3. Refuse/ Waste Receptacle - The revised plan shows the two 5-yard roll-off dumpsters relocated to an area that will be "easily serviced by trucks" and the Applicant notes that these trucks will arrive "very early" in the morning before the parking spaces are used. Considering the proposed Laundry opening hours and the anticipated arrival of refuse trucks, the Applicant should consider a sign restricting parking in front of the dumpster area during anticipated refuse collection days/hours. Screening should be provided for these dumpsters in accordance with 230-14.A.12. A detail of the dumpster enclosure should be included on the site plans.
The Applicant has confirmed that use of only one dumpster is anticipated and with the additional dumpster, more than ample volume is provided for additional refuse from the new laundromat.
The applicant should indicate how the dumpsters will be serviced without encroaching on the adjacent property in maneuvering the refuse trucks.
4. Landscaping - The Applicant has noted that the Planning Board did not express interest in requiring landscaping at its last meeting. If no additional landscaping is considered justified in the opinion of the Planning Board, the Board may choose to waive the requirements of 230-43 (F)(1)(e) which states that "all special use permits shall meet the requirements of 230-17, Landscaping".
5. Parking - The parking schedule shows that the mixed use property requires 31 spaces based on the code requirements for off-street parking and that only 15 spaces are provided, primarily due to the non-conformance of the existing building. The parking spaces allocated to the multi-family dwelling will be increased above the existing conditions with the addition of two spaces. The required four parking spaces for the laundry will also be provided. 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". The site plan should include a reference to the granted ZBA variance with specifics as to what was allowed.

The additional two spaces assigned for multiple family in the front of the building are located within the front yard set-back and therefore are not code compliant. The Applicant notes that these will not be used if they are determined not to be code compliant. These spaces should be removed from the Plan.



The Applicant should confirm if parking spaces will be designated via signage for their various uses and update the Plan to show the designation of these spaces for each of the four uses.

6. Access - In accordance with 230-16 (G)(2), traffic circulation, adequate access to building by use of fire lanes shall be provide and maintained in all off-street parking and loading zones. The Applicant notes that the proposed alterations will comply with all applicable regulations and the NYS Buidling Code in order to receive a building permit. The Applicant's Architect also notes that the Fire Chief, Ted Bownas, was consulted and advised that there would be no issues fighting a fire at this premises due to: i) the location of a nearby hydrant, ii) access to necessary equipment and iii) the building's existing sprinkler system. The Applicant should provide a copy of correspondence with the Fire Department to the Planning Board for its files.

The minimum separation width along the existing easterly common driveway is shown on the Plans at 16 feet, but generally provides a width of 17 feet to 18 feet, which is considered minimally passable with 2-way traffic. The recent site plans, however, indicates a proposed 4' pedestrian striped walkway dedicated along the western portion of the existing driveway. This reduced driveway separation width will allow only 1-way traffic access. The Planning Board should consider whether this is an appropriate arrangement, as the sole vehicle access for customers, workers and residents of this existing mixed use building is through this access driveway. A vehicle blocking this 1-way drive access in an emergency situation would be unsafe without a secondary means of access.

If 1-way traffic is to be maintained, at a minimum, a sign should be included at the entrance to the driveway and back edge of the building to alert drivers of this arrangement.

If 2-way traffic is to be maintained along this driveway, the pedestrian walkway as previously proposed should be reinstated with the recommended improvements as noted in our previous review, which were:

Improvements are proposed to provide an alternative pedestrian access to the rear of the existing building along the western side of the building by constructing a wooden deck and stairway. This alternative pedestrian access will provide an additional means for pedestrian access to limit conflicts with vehicles using the narrow eastern driveway. The Board should note that this alternative access' utility is limited by its narrow width (i.e., minor building corner alterations are required to achieve a minimal 30" passageway), this will not be handicapped accessible, and provides a more circuitous route to the rear of the building. We recommend that this alternative access be provided with additional lighting for safety and security, and that the walkway be paved rather than the gravel surface being proposed on the site plan.

7. Site Lighting - The lighting intensity value of the existing double floodlight that is mounted on the 2 unit residential building on the property is not considered in the photometric site lighting plan on Sheet C-101. It is noted by the Applicant's Architect that this fixture will be replaced by



an Econo Light or Lithonia exterior shielded flood light with two adjustable heads. This should be noted on the Plans and updated in the photometric site lighting plan.

The Applicant has noted that the pole mounted fixture in the rear of the parking lot will be 38 watts to prevent spillover to adjacent properties. The Board should note that light spillover to adjacent properties is accomplished by specifying back side shielded fixtures which are provided on fixtures greater than 38 watts that would reduce the dark areas in the middle of the parking areas. A photometric site lighting plan should be included in the site plan set submitted for approval. For public safety purposes and to enhance the merits of the surveillance cameras being proposed, we recommend an average of 2.0 footcandles over the parking lot area (and less than 0.5 footcandles at property boundaries).

Provide catalog cuts / site lighting product information for all proposed fixtures (including the new flood light fixture) for the Board's review.

The Applicant should 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.

8. Signage – Signs are being proposed on both sides of the front of the building to direct laundry customers to the rear of the building. The sign area for both of these proposed signs totals 7 square feet and complies with the Zoning Code §230-20 sign standards. A small sign displaying the work “Laundry” will also be affixed on or near the laundromat door. This location should be verified and shown on the plans (if not on the door itself) with size, sign type and color.
9. Surveillance Cameras – The Applicant has confirmed that the closed circuit camera system being proposed is the one that was used at the previous location and states that for the increased privacy of neighbors, cameras will be programmed not to go beyond the laundromat property. The Applicant should confirm how this will be programmed and how the system's recording equipment maintains surveillance records.
10. Hours of Operation – Our previous review letter noted that the Applicant has agreed to restrict the operating hours for the new laundromat to: Monday to Saturday 6AM to 8PM, and Sunday 6AM to 5PM

However, the Applicant has requested additional operating hours to service the needs of its customers, Monday to Sunday 6AM to 10PM.

The Applicant does not feel the requested attendant for evening hours is warranted, citing that there are no incidents during the last 10 years of operation within Police and court records for the laundromat operation on Washington Ave. The Board should consider this information with a comparison of site conditions at this new location.



11. Previous Use - There has been some concern voiced about the potential for a fire hazard with the natural gas laundromat use within the existing building which has had many uses, including use of flammable liquids over the past hundred years (i.e. long-term use as auto shop with potential for oil soaked wooden flooring). The Code Enforcement Officer must enforce Chapter 105, Fire Prevention and Building Construction, and administer the provisions of the NYS Uniform Fire Prevention and Building Code. The Board may note that the submitted plan indicates the premise will be provided with a sprinkler system.

The Village Code Enforcement Officer / Building Inspector has requested a Code review for this project, which will be performed separately to the Planning Board review, and can be completed after the Planning Board has acted on this application. The Planning Board may wish to refer the application to the Building Inspector to recommend measures necessary to convert this building space into a laundromat so that the Applicant and the Planning Board have a comprehensive understanding of the life safety code requirements for the conversion of this space, as well as a determination from the Building Inspector of adequate access.

At a minimum, a condition of approval will include the requirements that the building space conversion shall comply in all respects to the NYS Uniform Fire Prevention and Building Code.

12. Laundry exhaust – The dryer exhaust is currently shown at 48” above the roof-line on the east edge of the building. Concern was expressed by the neighbor adjacent to the east of the property regarding the use of chemicals being exhausted from the laundromat. The Applicant’s Architect has noted that they intend to place the exhaust at a point away from the east side of the building where it will not directly affect the concerned neighbor’s house. If the proposed location of exhaust is to be moved, this should be updated on the Plan.

For efficiency of our office’s review of future submittals, a written item-by-item response to the above comments should be provided by the Applicant’s professional as part of the resubmitted information.

Please feel free to contact our office at your convenience with any questions or comments.

Village of Millbrook
OFFICE OF THE BUILDING INSPECTOR/ ZONING ENFORCEMENT OFFICER
KENNETH MCLAUGHLIN
35 Merritt Avenue, PO Box 349, Millbrook, New York 12545
Cell 845-240-2118 Tel 845-677-3939 Fax 845-677-3972

Date: May 15, 2018
To: The Members of The Planning Board
From: Office of The Building Inspector
Kenneth W. McLaughlin, Building Inspector
Re: Laundromat Site Plan for 7-15 Merritt Avenue

Please be advised that I have had a conversation with Ed Loedy, regarding the fire inspection required by the Planning Board. We were unable to accomplish this task as I requested that a code review be prepared in accordance with the New York State Building Code, The New York State Fire Code and the New York State existing Building Code. What I can confirm are the following areas of concern:

- The building is not fully fitted with NFPA 13 sprinkler system as several of the components of this system have yet to be installed such as the fire pump and the full distribution system for the entire building. This is in addition to the requirement that the laundromat will require sprinklers.
- I have not received a completion report on NFPA72 alarm system which is required in a mixed use, multi-story building. Only portions of the system are in place at this time.
- The site plan does not address apparatus access for emergency services, which is also required by code.
- In previous submissions, it was noted that the curbing fronting the building on this site had been removed, allowing vehicles to park on the sidewalk. The applicant must address this issue as this condition can cause an unsafe condition for pedestrian traffic and access for emergency services.

In conclusion, because of the types of occupancy and the number of concerns raised with regard to site circulation, I would suggest that a work session be scheduled to work through these technical issues. Additionally, the current submission does not appear to address the issues set forth by Barton & Loguidice.

Respectfully Submitted


Kenneth W. McLaughlin
Building Inspector

CC:
Barton & Loguidice
Joseph Forte, Chairman
Rebecca Valk, Attorney

Exhibit B

EDMOND G. LOEDY, ARCHITECT P.C.

P. O. Box 196, 24 Washington Avenue

Millbrook, New York 12545

TEL (845) 677-3535 FAX (845) 677-3592

E-MAIL: ed@edloedyarchitect.com



April 30, 2018

Village of Millbrook Planning Department
35 Merritt Avenue
Millbrook, NY 21545

Re: Proposed Laundromat, 7-15 Merritt Avenue, Millbrook, NY

Dear Planning Board Members:

Per your request, these were my observations at the Planning Board Meeting of April 17, 2018:

The little hall was packed. About fourteen (14) speakers supported the proposed laundry, about twenty (20) supporters did not speak. Nearby or abutting property owners had many concerns. They are addressed as follows:

Zoning -

The project is in the GB zone and abuts a residential zone.
The proposed use is permitted.

Traffic -

The laundromat will generate a certain amount of additional traffic. As most users of the laundromat are working people, the traffic would be later in the day and in the evening when most of the local businesses are closed. Some people will walk to the laundry because they do not have a car.

Parking -

A parking variance has been granted for the property. In addition to the parking spaces at the site, there is parking available in the Bank of Millbrook parking lot and on the street.

It is respectfully submitted that there is sufficient parking in the nearby area.

Building -

The building, its construction materials, fire safety, fire separations, required exists, etc., falls under the NYS Building Code, which is administered by the Building Department, not the Planning Board. The building has a Certificate of Occupancy for the present uses. The proposed alterations will need to comply with all applicable regulations and the NYS Building Code in order to receive a building permit. Compliance with the plans will be required prior to the issuance of a Certificate of Occupancy.

Exhibit C

Fire -

The Fire Chief, Ted Bownas, has been consulted. He advised he would have no problems fighting a fire at this building. His reasons were as follows: There is a hydrant nearby, he has the necessary equipment, and the building is sprinklered. Unsolicited, he offered the following: "Ed, because of the above, this is one of the safest buildings in Millbrook."

Safety -

The existing driveway is approximately 16 ft. wide. It allows for one-way traffic only. It has always been this way. To ensure the safety of laundromat customers, an approximately 4 ft. wide pathway will be designated with striping on the East side of the existing building.

We are providing lighting and striping on the driveway to mark the pedestrian path. The driveway and walk-way will be treated against icing in the winter as has been the practice in the past.

We submit that these proposed improvements will provide safe conditions for all of the building's users.

Hours of Operation -

The hours of operation have to benefit the users. Most laundromat users work or stay home until the breadwinner brings the car home and, therefore, would only have an opportunity to do their laundry in the evening or over the weekend. The owner wants to accommodate the needs of his customers and requests the hours to be Monday through Friday, 7:00 to 10:00 p.m. and Saturday and Sunday, 7:00 to 10:00 p.m.

Attendant -

Nearby property owners feel that an attendant in the evening would eliminate potential problems. The owners of the laundromat believe that an attendant is unnecessary, as there are people on call to repair machines, if necessary, or to tend to other possible problems. Neither the police nor the local court have reports of "incidents" during the last ten (10) years of the laundromat's operation on Washington Avenue.

Lighting -

Lighting of the outdoor areas of the property are as shown on the previously submitted photometric plan. The light fixtures on the plan will illuminate the outdoor area without glaring into adjacent properties.

Cameras -

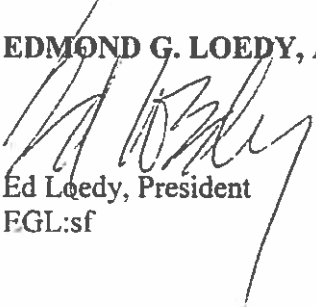
Cameras were proposed on the last plan to ensure further safety, however, adjacent property owners are concerned about privacy. Therefore, the cameras will be programmed not to go beyond the laundromat property.

Laundry Exhaust -

The matter was discussed with Joe Still, and it is our intent to place the laundry exhaust at a point away from the East side of the building where it will not directly affect his house.

Cordially,

EDMOND G. LOEDY, ARCHITECT PC.


Ed Loedy, President
EGL:sf

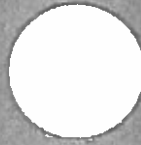
EDMOND G. LOEDY, ARCHITECT P.C.

P. O. Box 196, 24 Washington Avenue

Millbrook, New York 12545

TEL (845) 677-3535 FAX (845) 677-3592

E-MAIL: ed@edloedyarchitect.com



May 9, 2018

Chairman and Members of the Board
Village of Millbrook Planning Board
35 Merritt Ave. (P. O. Box 349)
Millbrook, NY 12545

Re: Laundromat

Dear Mr. Chairman and Members of the Board:

The following is my response to a letter from Barton & Loguidice, dated April 12, 2018, and received by this office on May 3, 2018.

- 1) **WATER AND SEWER SERVICE** - The same machines used at the previous location are proposed to be used at the relocated laundromat, therefore, the load on the sewer plan will not increase. The interior of the building has to comply with the NYS Building Code and, therefore, falls under the purview of the Building Department. For the Board's information, the required size of the waste lines will be calculated and will remain or increase based on those calculations.
- 2) **DUMPSTERS** - The proposed dumpsters have been relocated (see Site Plan A-1, dated 5-1-18). This location was reviewed with the owner's representative and will easily be serviced by the trucks. The trucks service the building very early in the morning before the parking spaces are used. Two dumpsters are shown, however, at this point only one is required.
- 3) **LANDSCAPING** - No landscaping is proposed or was requested.
- 4) **PARKING** - Fifteen (15) parking spaces are shown in the rear of the property. These spaces comply with the Village's size requirements. The two (2) additional spaces in the front of the building will not be used if it is determined that they are not code compliant.

A copy of the requested variance and Village ZBA approval will be provided to the Village Planning Board by Regina Crawford, Planning Board and ZBA Secretary.

The Fire Chief has been consulted and sees no problems (see my letter to the Planning Board dated May 30, 2018).

All spaces shown in the rear lot are on paving and will be striped.

Dimensions at the common driveway are shown for both pedestrian and vehicular traffic. Both the driveway and the pedestrian walk are sufficiently wide to provide one-way traffic for the vehicles (see Site Plan).

The previously contemplated alternate access plan to the rear of the property is hereby withdrawn.

Exhibit D

- 5) **SITE LIGHTING** - Lighting of the outdoor areas of the property are as shown on the previously submitted photometric plan. The light fixtures indicated on the plan will illuminate the outdoor area without glaring into adjacent properties.

The existing double flood light mounted on the two (2) unit residential building will be replaced by an Econo Light or Lithonia exterior shielded flood light with two adjustable heads.

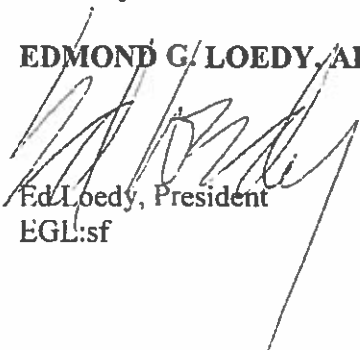
The wattage of the pole mounted light fixture is specified at 38 watts so as to limit the ambient night light in respect for the neighbors' privacy.

- 6) **SIGNAGE** - Signage will conform to the requirements of the Village of Millbrook Ordinance. In addition to the signs shown, a small sign displaying the word "Laundry" will be affixed on or near the laundromat door.
- 7) **CAMERAS** - This closed circuit camera system was used at the previous location. The system records visual images and maintains surveillance records satisfactory to the owner.
- 8) **HOURS OF OPERATION** - I was not aware that the applicant had previously agreed to these hours. The applicant desires, for the benefit of its customers, to be open from 6:00 to 10:00 p.m. every day.
- 9) **PROJECT SUPPORT** - The Planning Board is aware and has a copy of a petition containing approximately 250 signatures in favor of the laundromat.
- 10) The Code Enforcement Officer will deal with all matters regarding the actual building.

The Zoning Code Enforcement Officer has requested a Code review, but had made it clear that it could be performed after the Planning Board has acted on this application.

Cordially,

EDMOND G. LOEDY, ARCHITECT PC



Ed Loedy, President
EGL:sf

Exhibit D

[Print](#) | [Close Window](#)

Subject: FW: hours

From: "Ed" <ed@edloedyarchitect.com>

Date: Fri, Jul 13, 2018 11:59 am

To: <pbazbasec@villageofmillbrookny.com>

Regina -

I presented this information in total to the board verbally at the may PB meeting.

I am not sure you received a copy.

Ed

From: Ed [mailto:ed@edloedyarchitect.com]

Sent: 2018. május 15. 16:50

To: 'Ed'

Subject: FW: hours

5-15-18

MR. CHAIRMAN AND MEMBERS OF THE PLANNING BOARD OF THE VILLAGE OF MILLBROOK NY.

Re: LAUNDROMAT

HOURS OF OPERATION

Adjoining and nearby property owners would like the laundry to close at 7 or 8p

1 - consider a working family - having dinner at about 6p.

2 - they might be finished including doing the dishes by about 7p or so.

3 - they get the laundry together, pack it in the car , get the kids and get to the laundry by say 7:20 or so .

4 - they find a place to park the car, take the laundry bags, walk into the laundromat, load the washer, put in the soap etc and the coins and start the machine -say it is now 7:30p

5 -It will take about an hour and fifteen minutes for the wash and dry cycles, including loading and unloading the machines and folding the clothing and walking out the door. It is now about 8:45p.

6 - if any of these steps don't go like clock work, if two loads need to be done, if needed machines are not available more time is needed.- say add another 30 or 45 minutes. It's now 9:30p.

7 - my client's request is based on these needs of the costumers. Earlier closing would result in going home with wet laundry - lots of fun that is, or coming back another day.

8 -the requested closing time is not arbitrary for the above reasons.

It is for these reasons that we respectfully request the hours of 6a to 10p. These very same hours caused no incidents in the 10 year operation of the laundry at the previous location.

ATENDANT

Adjoining and nearby property owners have suggested the need for an attendant

1 - the Laundromat has operated 10 years without an attendant.

2 - the Laundromat has and will employ three(3) people on a part time on call basis.

3 - the police have no record of any incidents over the ten years of the Laundromats operation at the previous site.

4 - the local court has no record of any incident over the ten years of operation of the Laundromat at the previous location.

5 - the facility has previously and will again employ a closed circuit, continuous feed camera system to monitor the interior and exterior of the facility.

Exhibit E

- 6 - it is clearly in the best interest of the owner to assure a safe facility for the costumers and has demonstrated that at the previous location,
- 7 - continuous and clearly marked surveillance cameras would discourage derelicts, loiterers and addicts from congregating at the facility.
- 8 - the camera system is superior to a human attendant in that it is in continuous operation.
- 9 - only a fool would go to the back of this building to cause trouble, knowing he was on TV and a record of his actions might bring him to court.
- 10 - should a trouble maker be confronted there is no way to escape from the rear of this property - as it was possible from the previous location where there were a number of escape routes.
- 11 - Dover Plains has a Laundromat which operates without an attendant from 8p to 6a every day, seemingly without incidents.
- 12 - I have had meetings and discussions with the concerned people in the area my client and I researched their concerns and offered mitigation where possible as mentioned earlier.

It is for these many reasons that I respectfully submit that an attendant is not required for this facility. The laundry operated for ten years without incident at the previous location.

Ed Loedy

EDMOND G. LOEDY, ARCHITECT PC
P. O. Box 196
Millbrook, NY 12545
Tel.: (845) 677-3535

Copyright © 2003-2018. All rights reserved.

Exhibit E