

**RULES FOR PUBLIC HEARING
VILLAGE OF MILLBROOK PLANNING BOARD**

1. Any person wishing to speak during the public hearing must sign in upon entering the room, when such sign-in sheet is available, indicating his or her intention to speak. Speakers will be called in the order on the sheet.
2. Speakers will be limited to three (3) minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.
3. When making comments, direct all comments to the Planning Board. Comments are not to be directed to the applicant, to other speakers, or to any member of the audience.
4. Members of the Planning Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during the public hearing shall not involve personal, impertinent, or slanderous attacks on individuals, organizations or other entities.
5. Discussion between speakers and attendees of the public meeting or hearing is prohibited.
6. A speaker may indicate his/her disagreement or support with prior speakers in comments directed to the Planning Board.
7. For efficiency, if an earlier speaker has expressed the same comments that you intended to express during your reserved comment period, you may simply indicate that you agree with the comments raised by the earlier speaker rather than repeating those comments at length.
8. Members of the audience are not to engage in discussion among themselves. This is distracting to the individual who is speaking and makes it difficult for members of the Planning Board and other members of the public to hear the individual who is speaking.

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EXHIBIT A

Short Environmental Assessment Form

Part I - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| Part I - Project and Sponsor Information | | | | | | | |
|--|-------------------------------------|----------------------------------|---|----|-----|-------------------------------------|-------------------------------------|
| Name of Action or Project: <i>Accessory Apartment in Owner Occupied Home</i> | | | | | | | |
| Project Location (describe, and attach a location map): <i>3252 Sharon Trk Millbrook, NY 12545</i> | | | | | | | |
| Brief Description of Proposed Action: <i>Add Kitchen to existing owner occupied dwelling to create an auxiliary apartment. Minimal changes are necessary to existing property. Parking and private existing entrance are in existence</i> | | | | | | | |
| Name of Applicant or Sponsor: <i>Holly Peters Heady</i> | | Telephone: <i>845-705-6128</i> | | | | | |
| | | E-Mail: <i>hheady5@gmail.com</i> | | | | | |
| Address: <i>3252 Sharon Trk Millbrook, NY 12545 (PO Box 931)</i> | | | | | | | |
| City/PO: | | State: | Zip Code: | | | | |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| NO | YES | | | | | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | | | | |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>Village of Millbrook</i> | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | NO | YES | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| NO | YES | | | | | | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | |
| 3.a. Total acreage of the site of the proposed action? | | <i>.96</i> acres | | | | | |
| b. Total acreage to be physically disturbed? | | <i>.02</i> acres | | | | | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | 1.0 <i>.96</i> acres | | | | | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. | | | | | | | |
| <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) | | | | | | | |
| <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ | | | | | | | |
| <input type="checkbox"/> Parkland | | | | | | | |

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EXHIBIT B

1 OF 5

| | | | |
|---|--|-------------------------------------|-------------------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | NO | YES | N/A |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | b. Are public transportation service(s) available at or near the site of the proposed action? | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action? | | | <input checked="" type="checkbox"/> |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Is the proposed action located in an archeological sensitive area? | | | <input checked="" type="checkbox"/> |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 16. Is the project site located in the 100 year flood plain? | NO | YES | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES _____ | | | |
| _____ NA _____ | | | |

| | | |
|--|---|---|
| <p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p> | <p>NO</p> <p><input checked="" type="checkbox"/></p> | <p>YES</p> <p><input type="checkbox"/></p> |
| <p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> | | |
| <p>Applicant/sponsor name: <u>Holly Peters Heady</u></p> | | <p>Date: <u>11/11/17</u></p> |
| <p>Signature: <u>[Handwritten Signature]</u></p> | | |

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"


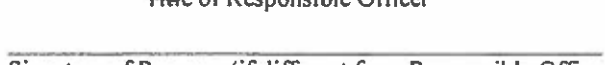
| | No, or small impact may occur | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: | | |
| a. public / private water supplies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

| | |
|---|--|
| <input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. | |
| <input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. | |
| Village of Millbrook Planning Board | 4/17/2018 |
| Name of Lead Agency | Date |
| Joseph A. Forte | Acting Chair |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
|  |  |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT FORM

VILLAGE OF MILLBROOK
PLANNING BOARD

Dutchess County, New York

RESOLUTION NO. 05-01

SPECIAL PERMIT & SITE PLAN

In the matter of the application of Holly Peters Heady for a special permit/site plan to establish an accessory apartment.

FACTS

1. Holly Peters Heady (hereinafter “applicants”) is the applicant for a 0.96 acre parcel located at **3252 Sharon Turnpike. Grid 6765-14-415386.**
The property is currently improved with a single family residence. **The applicant proposes to establish an accessory apartment.**
2. **Section §230-27 (hereinafter, “the Zoning Law”) requires a special use permit to create an accessory apartment in a single family residence.**
3. Notice of public hearing published in Poughkeepsie Journal on April 10, 2018.
4. A public hearing on the above referenced application was held on **April 17, 2018** at which time the hearing having been duly closed.
5. Board members have individually visited the site.
6. The application was referred to Dutchess County Department of Planning and Development pursuant to General Municipal Law, Article 12(B), Section 239 (l) and (m).
7. The application is considered an UNLISTED action pursuant to SEQRA.

EXHIBIT C

1 OF 4

RECORD OF FINDINGS

The matter having come to be heard before a duly convened meeting of the Planning Board, and the facts, matters and evidence produced by the applicant, the Building Department and interested parties having been duly heard, received and considered and due deliberation having been had, the following is the record of findings:

The application was presented by **Holly Peters Heady**. In making its determination on an application for a special permit, pursuant to Article VI of the Millbrook Zoning Code, this board must take into consideration the benefits to the applicant(s) if the special permit is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In doing so, this board must also make specific findings based on the statutory criteria established in §230-27A & B of the Zoning Code which sets forth the minimum requirements for an accessory apartment special permit as follows:

Owner occupancy required. The owner(s) of the one-family lot upon which the accessory apartment is located shall occupy at least one of the dwelling units on the premises

Owner Occupied

Only one apartment is allowed, and it shall be clearly subordinate to the one-family dwelling

One apartment

The number of bedrooms in the apartment shall not be more than one

Only one bedroom

The floor area of the apartment shall be greater than 400 square feet

Meets the requirements

The floor area devoted to the apartment shall not exceed 35% of the entire floor area of the one-family dwelling

Meets the requirements

The apartment and one-family dwelling must have safe and proper means of entrance, clearly marked for the purpose of emergency services

Clearly marked

If the water supply is from a private source, the applicant shall certify that the water supply is potable and of adequate flow. Failure to correct promptly any water quality problems shall result in the revocation of the special permit

Village records confirm that the property is serviced by Village water.

The applicant shall maintain a proper sewage disposal adequate for the two dwelling units. Failure to correct promptly any sewage system problem shall result in revocation of the special permit

Village records confirm that the property is serviced by Village sewer.

Stairways leading to any floor or story above the first floor shall be located within the walls of the building wherever practicable. Stairways and fire escapes shall be located on the rear wall in preference to either side wall. In no instance shall an exterior stairway or fire escape be located on any wall fronting on a street

Meets the requirements

Off-street parking shall be in accordance with §230-16 and shall be on the parcel on which the accessory apartment is located. .

§230-16 J (1) titled Off Street Parking requires two unobstructed parking spaces for each dwelling unit. This application will require four spaces be provided.

Continued compliance with all of these regulations is required. Failure to do so will result in a revocation of the special permit

DECISION OF THE PLANNING BOARD, VILLAGE OF MILLBROOK

Board member Joe Forte offered the following resolution which was seconded by **Matt Anderson** who moved its adoption;

WHEREAS, the applicant applied for the following application:

Special Permit to establish an accessory apartment

WHEREAS, The Planning Board considered the facts of the case and the matters and evidence produced by the applicant, Building Department, and any interested parties, having been duly heard, received and considered and due deliberation having been had in consideration of the record of findings

WHEREAS, The Planning Board has taken into consideration the benefit to the applicant if the special permit is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such a grant

WHEREAS, The Planning Board has taken into consideration all of the required criteria pursuant to §230-27 A&B of the Zoning Code

NOW THEREFORE BE IT RESOLVED that the attached Record of Findings be issued and the Planning Board finds:

The foregoing resolution was duly put to a vote which resulted as follows:

| | AYE | NAY | ABSTAIN | ABSENT |
|-------------------------------|--------|-------|---------|--------|
| Joseph Still, Acting Chairman | _____ | _____ | _____ | X_____ |
| Joe Forte | X_____ | _____ | _____ | _____ |
| Kay Ulrich | X_____ | _____ | _____ | _____ |
| Matthew Anderson | X_____ | _____ | _____ | _____ |

Date of Decision:

Secretary:



Village Clerk: _____

scal

FILED THIS DATE

IN THE OFFICE OF THE VILLAGE CLERK

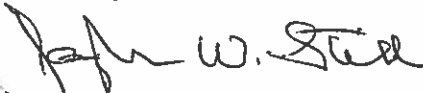
4/17/18

Memo to the planning board from Joseph Still:

RE: Laundromat at 15 Merritt Avenue, Millbrook, NY

- 1.) This application is by no means adequate for approval. You have addressed neither my list of concerns as a sharer of the property and abutter or those of the neighbors who will be deeply affected by this approval.
- 2.) This property is already 100% occupied and by increasing its use you are creating a strip mall atmosphere in the middle of a village that has in the past not permitted this type of development.
- 3.) The grid lock traffic, the poor access, the obscured parking lot, the fact that no owner will be present during after dark hours, this is all setting up a "train wreck."
- 4.) Board members, please remember approval to you is only the raising of a hand while for the neighborhood and the village it is a life sentence.
- 5.) My daughter is currently undergoing chemotherapy and is planning on spending the rest of her life in her home located at 17 Merritt Avenue next door. Should this be approved, she will have no choice but to move due to the toxins that will be constantly in the atmosphere.
- 6.) Even the EAF was improperly filed. This will have large impact on quality of life and air quality and yet you stated "no impact" on the form.
- 7.) The laundromat was fine where it was previously located. The owner ~~made~~ chose to close it before getting permission to move it.
- 8.) Village police can tell you about the current conditions with traffic on the street and immediate intersections.
- 9.) Before the planning board was decimated, our general feeling was this was not a good plan for the above and many other reasons. It seems now this is being fast tracked to approval and you will all have to live with this decision. Yes the village needs a laundromat but jamming it in this overused location is purely a bad idea. Please consider the weight of your decision.

Thank you,



Joseph W. Still

EXHIBIT D