

A regular meeting of the Village of Millbrook Planning Board was held on Tuesday April 17, 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 were present.

The Pledge of Allegiance was led by Acting Chairman Forte.

Mr. Anderson made a motion to appoint Mr. Forte as acting chairman, Ms. Ulrich seconded. All were in favor.

Acting Chairman Forte asked for a motion to accept the minutes of the March 20, 2018. Mr. Anderson made a motion, Ms. Ulrich seconded, all were in favor.

Acting Chairman Forte stated that the board has proposed rules for a public hearing. Ms. Valk read the rules to the board. (Exhibit A) Acting Chairman Forte asked for a motion to accept the rules, Mr. Anderson made a motion, Ms. Ulrich seconded. All were in favor to adopt the rules for a public hearing.

Old Business

Holly Peters Heady- 3252 Sharon Turnpike. GRID NO. 6765-14-415386 Request for a special permit to establish an accessory apartment in a single family dwelling.

Mr. Anderson made a motion to open the Public Hearing, Ms. Ulrich seconded. PUBLIC HEARING OPEN.

Ms. Heady was present to represent her application. Ms. Heady advised the board of her request to establish an accessory apartment in her single family residence. Ms. Heady stated that the concern at the prior meeting was the parking. Ms. Heady showed the board on the map provided where the parking spaces will be.

Nan Greenwood, neighbor to Ms. Heady asked for clarification on how this will change the exterior of the home and the image of the neighborhood. Ms. Heady showed Ms. Greenwood and a discussion took place as to where the parking spaces would be.

Mr. Anderson made a motion to close the public hearing, Ms. Ulrich seconded. The motion carried unanimously. PUBLIC HEARING CLOSED.

The Short EAF was reviewed by Ms. Valk. Ms. Valk stated that number 1 on page 1 of 3 was not checked, the answer is no. Number 3, needs total acreage, .96 was confirmed. There 1 space will be paved, estimating the space .02 of an acre. Ms. Valk asked Ms. Heady if she owns any adjoining properties. Ms. Heady stated no.

Acting Chairman Forte read the Short EAF.(EXHIBIT B)

Acting Chairman Forte asked for a motion to adopt this as the Neg. Dec. Mr. Anderson made a motion, Ms. Ulrich seconded. Neg. Dec. adopted.

Acting Chairman Forte addressed the record of findings:

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

Acting Chairman Forte made a motion to

Old Business

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

Chris Colby of Spire Architecture was present to represent the applicant. The previous meeting regarding this application was August 2017.

The updated plans and additional documentation were presented to the board prior to the meeting for review.

Chris Colby approached the board with the updated plans and reviewed the issues that were raised by Barton & Loguidice.

Mr. Colby stated that the biggest issue raised at the last meeting was the parking requirements. Since then, the application was reviewed by the Zoning Board of Appeals and a parking variance was granted. Mr. Colby identified on the plans that the dumpsters would be located on the north side of the property in an enclosure. There will be two dumpsters; one for the residential/commercial use of the building and one for the laundromat.

Access to the site for pedestrians was a concern – the proposal to mitigate this concern is a walkway with a platform and stairs that lead to the backside of the building. The walkway will be 30 inches at its tightest spot. The proposal meets all of the requirements of the building code.

The concerns regarding signage were addressed. Mr. Colby pointed out the handicap signage and the “stop/proceed with caution” sign.

Mr. Colby addressed the concern of lighting and indicated that photometrics of the lighting was done, which meet the current requirements of the Village code.

In regards to the existing propane lines, there is a tank on site that currently exists with a line running to the building, this is indicated on the plans.

Security was a concern – there are 5 exterior cameras in addition to interior cameras on the site. The cameras will cover the back parking lot, the driveway in and out and the walkway.

Signs were identified on the plans to direct pedestrians.

A discussion followed regarding the parking and the current dumpster area.

Ms. Valk addressed the board. She stated that the Board had not received a formal comment letter from Barton & Loguidice prior to the meeting. Ms. Valk shared the information from her personal email. Ms. Valk stated that there is one matter she does not agree with on a legal point. Due to the ZBA becoming involved, it does not fall within type II anymore, a SEQRA review would be required. Ms. Valk referred Mr. Colby back to the comments from the August 15, 2017 memo from Barton & Loguidice regarding the Short EAF that need to be amended. There were two comments on the short form EAF. The consultant has also stated that the plan is ready for public hearing in April, unless the board has any additional questions at this time.

For the record, the board received comments from resident Michael Lang and Joseph Still. Acting Chairman Forte asked Mr. Colby what the hours of operation would be. Mr. Colby confirmed that the proposed hours would be Monday through Saturday from 6:00 a.m.- 10:00 p.m. and Sunday 6:00 a.m. – 5:00 p.m. The lighting will also operate in coordination with these hours. Ms. Valk asked the Board if they had any additional questions in regards to the application. There were no additional questions or concerns. Acting Chairman Forte wanted to confirm that the Public Hearing could be continued for as long as necessary. Ms. Valk confirmed. Acting Chairman Forte wanted to set a protocol for a public hearing. Ms. Valk stated that the board could present rules to be adopted at the next meeting. A few common rules are that an audience member may only speak once until all other individuals have had a chance, repeating earlier comments doesn't change anything, also limiting the time someone speaks. The podium will be also be used. Ms. Valk stated that she will prepare these rules for the board.

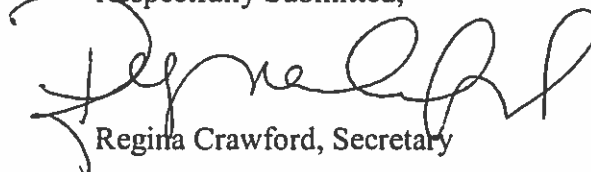
Acting Chairman Forte presented the request the change of all future meeting times to be 7:00 p.m. Acting Chairman made a motion and Ms. Ulrich seconded, all were in favor.

Mr. Anderson made a motion to set the public hearing for April 17, 2018 at 7:00 p.m. Ms Ulrich seconded, all were in favor.

Ms. Valk advised Mr. Colby that the escrow needs to be replenished, with a recommended deposit of \$1500.00

There being no further business, Ms. Ulrich made a motion to adjourn the meeting, Mr. Anderson seconded, all were in favor. Meeting adjourned at 7:57 p.m.

Respectfully Submitted,



Regina Crawford, Secretary