

**Village of Millbrook  
Planning Board Meeting  
Minutes**

**March 15, 2016**

**Call to Order:** Meeting was called to order at 7:26 PM by Chairman Morse.

**In Attendance:** Chairman Stanley Morse, Joseph Still, Joseph Forte, Heather LaVarnway and David Clouser (David Clouser & Assoc). **Excused:** Charles Frisina.

**Pledge of Allegiance:** Led by Mr. Forte

**Review of Minutes:** A motion was made by Mr. Still and seconded by Mr. Forte to approve the November 17, 2015 Planning Board Minutes as presented. All were in favor.

Chairman Morse began the meeting with an explanation of the roles and responsibilities of the Village governing boards.

**Old Business:** N/A

**New**

1. **FORZA – 3280 Franklin Avenue – Amy Corso – Request for sign Approval.**  
Ms. Corso explained that she is a personal trainer and co-owner of FORZA. Mrs. LaVarnway reviewed FORZA’s sign requests for 2 wall and 1 hanging. She explained that the Village Code (Section 230.20 – B(2)(d)) allows for 1 hanging and 1 wall sign – not 2wall signs. Ms. Corso explained that the chiropractor (the second wall sign) rents space and is there infrequently. Ms. Corso decided to remove the chiropractor’s wall sign to comply with Code requirements.  
Mrs. LaVarnway moved and Mr. Forte seconded a motion to approve one wall and one hanging sign for FORZA. All were in favor.
2. **Attorney Robert R. Butts – 3208 Franklin Avenue – Request for Sign Approval.**  
Mrs. LaVarnway noted that Attorney Butts’ documentation does not include sign dimensions. Attorney Butts provided a picture of his sign – and gave the dimensions as 12” x 30”. He explained that Attorney Mackey’s sign is 23’ x 30”. Mrs. LaVarnway explained that the Code does not permit 2 signs on free-standing posts. The Board will refer this to

the ZBA for a variance with a positive endorsement and recommendation for approval. Mr. Clouser asked Attorney Butts to find out if the existing free-standing sign was ever moved from the right-of-way (as previously requested). He will.

**3. Millbrook Audiology – 45 Front Street – Ms. Noel Thayer – Request for Sign Approval.**

Ms. Thayer explained that she is a licensed audiologist doing business in this location – by appointment only – since September 2015.

Mrs. LaVarnway reviewed the documentation provided. She noted that the wall sign dimensions would be 24” x 42” but that graphics were not provided for the hanging sign. Ms. Thayer explained that she was still researching sign companies and had not yet finalized that design. She thought it might have a yellow background with black or grey lettering and logo (like her business card). She is also finalizing the sign material... wood is very expensive (\$400 - \$600) but PVC is less expensive and more durable. Mrs. LaVarnway and the Board reminded Ms. Thayer that an actual mock-up of the hanging sign is needed before approval can be granted.

Chairman Morse noted that the hanging sign dimensions are within Code limits. The wall sign dimensions are also within Code limits – BUT – only 1 wall sign is permitted on a building. 45 Front Street currently has several wall signs – for the other businesses in that building. Chairman Morse contacted the Village Attorney – Jeffrey Battistoni – and confirmed that this request for a wall sign must be referred to the ZBA for a variance. The Board agreed to refer this request to the ZBA with a positive recommendation.

**4. 16-18 Alden Place – Nunzio Incorvaia and Attorney Richard Cantor – Request for pre-application meeting for a Special Use Permit and Site Plan Approval for a new restaurant at this location.**

Attorney Cantor explained that this location, owned by Mr. Incorvaia, has housed several restaurants (formerly the Grapeshade, Marcello’s and the Carriage House). Mr. Incorvaia will be the landlord – not the operator/proprietor – of the proposed new Italian-American restaurant. The proposed will be a restaurant with a small bar inside (the same as the former establishments) – not a bar (as the principal use). Attorney Cantor reminded the Board that this is a 2-building, mixed use property. The front building houses 5 apartments; the rear/side building has been vacant for more than 2 years and is the site of the former restaurants. He explained that the proposed new restaurant will be “turn-key” - no new construction, no utility changes, no changes. It is understood that they would have to return to the Planning Board if any changes were to be made.

Attorney Cantor asked about the requirements for this Special Permit request – and what requirements might be waived because there will be no change of use. He asked to work directly with Mr. Clouser to determine the requirements. Mr. Clouser agreed.

Chairman Morse asked Mr. Incorvaia if he had spoken with the abutters (neighbors) yet about his plans. He has not.

Secretary Gould has been unable to locate any files on the prior establishments but will continue to research.

Mr. Still asked if they planned to use the outside patio. If so – this needs to be shown on their plans. Mr. Clouser reminded them that signage also needs to be shown on the plans. Mr. Clouser also suggested that they review the Code regarding 2 uses on 1 property. It was agreed that the initial fees for this request will be \$400 for a Special Permit with Site Plan application and \$1000 for Escrow. Both checks should be made out to the Village of Millbrook and delivered to the Village Hall.

**Other Business/Administrative Items:**

Chairman Morse reviewed the following administrative items:

1. Attorney Joshua Mackey will be invited to attend the April 19, 2016 Planning Board meeting to discuss the fact that he now has an attorney – not part of his firm – leasing or renting space in his building located at 3280 Franklin Avenue. Attorney Mackey’s 2014 Special Permit conditions that this office is for single-practitioner use. An amended Special Permit might be required. Chairman Morse read a letter that he will send to Attorney Mackey inviting him to the April 19<sup>th</sup> meeting.
2. Canoe Hill Restaurant – Michael DelGrosso – asked if a list comes with the building permit that outlines the requirements for the renovations of space. Specifically regarding a fence with gate between his space and the diner next door. The Board reviewed the site plan/fencing question for safety issues. Chairman Morse will follow-up with Mr. DelGrosso.
3. Chairman Morse reminded the Board that DC Planning Federation has a scheduled training on April 6<sup>th</sup> at the Dutchess County Farm & Home Center in Millbrook - “Board Secretary Responsibilities and Planning/Zoning Intro”. All members and Secretary Gould plan to attend.
4. Bennett College – nothing yet. Chairman Morse encouraged the Board to review the BCD district.
5. Chairman Morse asked Secretary Gould to relay any ZBA decisions from referred issues to the Board. Will do. She reported that the previously referred Whalen sign was approved in December 2015.
6. Chairman Morse reported that Millbrook Gas Station never responded to the Board’s request to appear before the ZBA for their non-conforming sign. Chairman Morse will attempt follow-up.

7. **Charlie Frisina was re-appointed to the Planning Board for another full term. He will be sworn-in when he is back in town.**

**Adjournment: Chairman Morse moved and Mr. Still seconded a motion to adjourn the meeting at 9:00PM. All were in favor.**