

**Village of Millbrook
Village Planning Board
September 25, 2008 Meeting**

Call to Order Meeting began at 7:30 p.m.

In Attendance Linda Roberts, Chairman, Joe Still, Joe Forte, Charles Colomello, Dr. Thomas Murray

Review of Minutes Minutes of last meeting were reviewed. Joe Still accepted and Joe Forte seconded. All were in favor.

Old Business **Ken McLaughlin-Update on Zoning Violations**

The Building Inspector/Code Enforcement Officer, Ken McLaughlin came before the Planning Board to update the members on outstanding zoning violations. The first discussed was Seany B's 101 and a sign that they have in front of their place of business. A letter was sent to them, dated August 11, 2008 to which they have yet to respond. At no time have they come before the Board for a sign review. Ken is going to be getting in touch with them again regarding a sign review.

The next issue the Planning Board wanted to discuss was the lighting outside of Houlihan Lawrence on Franklin Ave. When they had originally come before the Planning Board for their sign review the Board went over the type of exterior lighting that they were allowed to have as well as the code. Currently, they have 3 high intensity light bulbs in each fixture outside of their place of business without any shielding. In January or February, 2008 a letter was sent to them sighting this violation and reminding them of the lighting code to which they have never responded. Ken said that he will discuss this with them and suggest 25 watt bulbs along with frosted glass on the front of their fixtures.

Next on the agenda was China Tokyo. They were given until August 1, 2008 to complete their upgrades per the site plan approved by the Planning Board. So far the only thing that has been fixed has been the exterior lighting on the front of their restaurant. The lighting in the rear of the building is still the COBRA lighting and is not acceptable. The lights must be changed to the lighting originally proposed on the site plan by Morris Associates. Ken is going to be contacting them in regards to the lighting. Another issue for china Tokyo is the striping in the parking lot. New striping needed to be done to allow for the larger

parking spaces as well as additional handicapped parking. Joe Forte stated that striping had been done but that the old footprint of the parking lot was re-striped and that not only were there no additional spaces made but the spaces are not to the current allowable size based on the code. Ken said that the current code states the parking spaces must be 8 feet wide with an 8 foot aisle, where under the old code they were allowed to be 5 feet wide with a 10 foot aisle. Again, he will be checking on this and if he has to issue a violation, he will.

On another note, Ken updated the Planning Board on the National Title Insurance Company sign that was not within Village code, hanging on Jeff Lark's building along Franklin Avenue. That sign has now been removed.

Lastly, Joe Forte asked about the neon lobster hanging in the window of Slammin' Salmon. They were also sent a letter in regards to this violation back in January/February 2008 and have yet to respond. Currently the Village Diner is the only business in the Village that predates the zoning and Slammin' Salmon must be held to the same code as every other business in the Village. The members of the Planning Board went back and forth as to whether or not they should offer some sort of compromise but it was decided by all that they are against code and it must the code must be enforced.

In the end, Ken stated that he will look into these violations and do some research and come back to the Board with his findings.

Other Business

Thompson Shaw-Advisory on future site plan expansion

Thompson Shaw came before the Planning Board to discuss possibly expanding his last approved site plan to add parking and a doctor's office. He had bought the original Agway with 2 apartments above. His first application was to turn the rear warehouse into 3 apartments and subdivide the Agway for retail space in the back. Then he came before the Board to put a laundry matt in the rear of the building, and further subdivide the front of the Agway to make 4 different retail spaces. Currently, he has the 3 apartments in the old warehouse, the Agway, a retail space and a storage space in the front of the main building, the laundry matt in the rear of the main building and the 2 apartments above. Now he would like to turn the old Train Depot building into a doctor's office. Parking is an issue.

Under the last approved site plan he needed 51 spaces per the square footage. He showed 52. However, Thompson is saying that did not include 6 extra spaces used for the apartments that were not counted in the original 52, making a total of 58. By his calculations, with this proposed expansion he will need a total of

61 spaces per the new square footage. He feel he has the space and showed the Planning Board where he will add 3 additional spaces to make for the required 61 spaces. Linda Roberts mentioned that where Thompson is showing the added spaces, he has to be careful to maintain driveway width and right of way.

Joe Still brought up the issue of parking all around the Village adding that Thompson has the most parking of any of the other businesses in the Village and at any given time of day his parking lot isn't even half full. Suggesting the possibility of a variance. Joe feels that a variance for parking in this project would be a no brainer, however Charles Colomello suggested waiting to hear back from Village Engineer/Planner, David Clouser on what is needed and allowed for a project like this before talking variance. Since this will be an amendment to prior site plans, a whole new site plan will need to be filed and any prior application approvals will become void. This project will require a full site plan review with a new application and escrow. Thompson will be placed on the October meeting's agenda and the Planning Board will look at scheduling a Public Hearing for November if this project is feasible.

Proposed Joint Meeting

The Village Board of Trustees has proposed a joint meeting with the Planning Board to discuss possible code and zoning law changes needed in the Village prior to a Master Plan update. The Village Clerk, Linda Wiltse, asked that the Planning Board come up with some dates that they may be available for such a meeting. After speaking with David Clouser, Linda Roberts mentioned that a meeting of this nature may be premature since a Master Plan update is years away.

The Planning Board members did discuss available dates but states that a written agenda by the Village Board is necessary to determine if, in fact, a meeting is necessary at this time.

Motion to Adjourn

Motion was made to adjourn by Dr. Murray and seconded by Joe Forte. The meeting adjourned at 8:16 p.m