

**Village of Millbrook
Village Planning Board
March 26, 2009 Meeting**

Call to Order

Meeting began at 7:40 p.m.

In Attendance

Linda Roberts, Chairman, Joe Still, Joe Forte, Charles Colomello,
David Clouser, Engineer

Review of Minutes

Minutes of the February 26, 2009 meeting were reviewed.
Joe Still made a motion to accept the minutes, Charles Colomello
seconded. All were in favor.

Public Hearing

Lot Line Adjustment- Grace Church/Kevin McGrane

Kirk Horton came before the Board to go over the application for the lot line adjustment, taking a parcel from the Grace Church and adding it to Kevin McGrane's property equaling the size of 1/10 of an acre. He mentioned that eventually the old shed, which currently is not being utilized for anything, will be torn down but there is no future plans to build on that lot.

The floor was then opened up for public comment. The only request was from Mrs. Shequine, asking to review the site plans. The rest of the Millbrook Hollow residents followed Mrs. Shequine up to the table where they viewed the site plans. Ms. Barbara Rooney from Grace Church then added that the Church was in full support of this adjustment.

With no further questions or comments from the public, Joe Still made a motion to close the public hearing, Joe Forte seconded.

Dave Clouser then took the Planning Board through the Short Form EAF. With no actual land disturbance being proposed, no adverse effects were found, therefore Joe Still made a motion to issue a Negative Declaration, Charlie Colomello seconded. All were in favor.

Also, since there was no land disturbance occurring, Joe Still made a motion to approve all appropriate waivers, Joe Forte seconded. All were in favor.

Joe Still then went on to make a motion for preliminary subdivision approval, Charlie Colomello seconded. All were in favor.

Joe Still then made a motion to waive the final public hearing, Charlie Colomello seconded. All were in favor.

Joe Still then made a motion to approve final subdivision approval, Charlie Colomello seconded. All were in favor.

New business

Sign Review-Phoenix Art LLC

No applicant appeared before the board for this sign review

Special Use/Site Plan Application- The Thorne Project

Mike and Erica Downing came before the Planning Board to discuss their proposal for the Thorne Building. The Downing's would like to breathe life back into the Village by holding events on the first floor of the Thorne Building such as concerts, Art Galleries, music lessons, etc. They are also going to be using local restaurants to cater on site events, therefore giving them business as well. Dave Clouser made mention that what the Downing's are proposing is a non-conforming use in a residential district and requires a site plan review. Dave feels as though it could be defined as "public assembly" use. A referral also should be made to the Zoning Board of Appeals to determine whether this is a less non-conforming use than prior uses as well as a referral to Dutchess County Planning. No Building Permit or CO can be issued until the Planning Board approval of the site plan.

Parking was discussed. If the Downing's were to go by code, under the most intense use, 91 parking spaces would be needed. Currently, 33 spaces are provided for on the site plan and the Village has agreed to construct 15 additional spaces within the year. The Thorne project will not interfere with things that the Village already puts on, for instance concerts at the Band Shell, the Firemen's Carnival, First Night, etc. so this will not compete with municipal parking spaces. Dave Clouser mentioned that if the Downing's could not show 91 spaces within 500 feet of the Thorne Building, a parking variance may be needed.

Neighborhood Compatibility was next on the list. Mike Downing went on to discuss the renovations they are planning for the first floor of the Thorne Building to cut down on noise. He also discussed scheduling of events so that it would increase foot traffic through the Village.

Performances would most likely start at 7 p.m., so as not to disturb surrounding neighbors. Mike went on to mention that many of the concerns raised by Dave Clouser and the Planning Board can be answered in the Business Plan provided to the Village. Dave did say that while many of these points can be found in the Business Plan, it would be a good idea to add excerpts from the plan to the application to address the specific questions of the application.

The Downing's Attorney than spoke up and requested a waiver of the site plan application. He stated that the Board may use its discretion in the non-conformity of the proposal. The prior uses for the past 20 plus years have been the same uses that the Downing's are proposing and therefore should not require a site plan application approval. Mike Downing went on to say that there are time frames that are needed to be met in order to make this project successful. Because of the renovations required before any event can take place, prolonging the application would make it more difficult to succeed. If the doors cannot be opened until fall or winter time frame, it would be like opening a department store the day after Christmas. Joe Still told the Downing's that no one is trying to hold this project up and would like to see this go quickly but at the same time, the Planning Board has a code to follow. Linda Roberts said that a public hearing must be scheduled to protect the neighbors and abide by the code. Mayor Ciferri than spoke up and mentioned that the Village Board is in full support of the project and would urge the Planning Board to move as quickly as possible. He went on to mention that the Village Board held three public hearings and notices in the paper have been done with no negative feedback.

After discussing all that is required for the application, a workshop will be scheduled for April 13, 2009 with a public hearing to follow April 26, 2009.

Other Business

Haight Avenue Associates

Thompson Shaw on behalf of Haight Avenue Associates, came to discuss the current application before the Board. They would like to change two office spaces on the top floor of their building on Front Street to one apartment. At the February meeting, he was told that in order to pursue a single apartment, a ZBA use variance would be needed since this building is located in the General Business district and only multi-family dwellings are allowed.

For now, the application is being put on hold.

Executive Session

Joe Still made a motion to go into Executive Session to discuss records keeping with the Mayor at 9:20 p.m. Dr. Murray seconded. All were in favor.

Motion was made at 10:08 p.m. by Charlie Colomello to exit Executive Session, Joe Still seconded. All were in favor.

Motion to Adjourn

Motion was made to adjourn by Joe Still and seconded by Joe Forte. The meeting was adjourned at 10:09 p.m.