

Village Clerk

From: jessicaarobison@aol.com
Sent: Thursday, November 11, 2010 8:59 PM
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Cc: villageclerk@village.millbrook.ny.us
Subject: DRAFT copy of October 28, 2010 minutes
Attachments: Oct 2010 minutes.doc

PLEASE NOTE: These minutes do not include attachments of Dave Clouser's memorandum dated October 28, 2010 or Veneziano and Associates letter dated October 13, 2010.

11/12/2010

Village of Millbrook
Village Planning Board
October 28, 2010 Meeting

Call to Order

Meeting began at 7:31 p.m.

In Attendance

Linda Roberts, Chairperson, Joe Still, Joe Forte, Charlie Colomello, Dr. Thomas Murray, Dave Clouser, Planner/Engineer

Review of Minutes

Minutes of the September 23, 2010 meeting were reviewed. Joe Still made a motion to accept and Dr. Murray seconded. All were in favor.

Old Business

Eleanor Pelc Bed and Breakfast-Special Use/Site Plan Application

Linda Roberts, Planning Board Chair went over the specifics of this application, which was presented at the August meeting and continued on at the September meeting. Dutchess County Planning responded to their referral by stating this was a matter of local concern. The Mayor, Laura Hurley also had responded to the inquiry if Russell Knolls is a Village Road or not. Her response was that it is, in fact, not a Village Road but located on a Town of Washington owned parcel, therefore making it an easement or right of way. To date, no response has been received from Ken McLaughlin, the Village Building Inspector and Code Enforcement Officer as to the inquiry of any current violations to the home occupation operated by Ms. Pelc. A referral still needs to go out to the Millbrook Fire Department for their input.

Dave Clouser began by again going over the memorandum he had prepared for this meeting. He went on by first speaking of the combined use of an Inn and a Beauty Salon. At one point Ms. Pelc had considered changing her application for the Bed and Breakfast to an application for an Inn. This way owner occupancy would not be an issue. Per code, it is not required for an Inn. However, per code, if she were to open an Inn, that being the principal use of the property, Ms. Pelc could not continue to run the Salon which is her current home occupation.

Next Dave went on to discuss the easement rights that Ms. Pelc has. Seeing as though the Mayor's letter stated that Russell Knolls is not a Village Road but actually is located on a Town of Washington parcel, a copy of the easement is important to show if there are any restrictions to the allowed usage of the 15 foot easement. While the deed provided by Ms. Pelc shows the easements, it does not show whether there are restrictions on the use of the easement. Dave stated that he is concerned about the 15 foot easement because that is the main access to the property. It is not wide enough for two way traffic which makes it difficult for commercial use. Also, if the easement shows any restrictions to the use of the easement, as there are usually, the application cannot go any further. Photos of the property, lighting and landscaping were submitted and it all seems adequate.

A referral will go out to the Fire Department requesting their input on the accessibility for the fire apparatus on Russell Knolls. Ms. Pelc will work on getting the easement specifications as well. This application will be back on the November agenda.

A copy of Dave Clouser's memorandum, dated October 28, 2010, is attached to these minutes and submitted for the record.

New Business

Bennett Redevelopment- Preliminary Subdivision PLAT Review

Kevin McManus, Project Director for the Bennett Redevelopment project as well as Tony Veneziano, Attorney, Veneziano and Associates came before the Board requesting Preliminary PLAT approval.

Linda Roberts, Chair, went on to briefly go over where this application left off back in November of 2008. She stated that 2 years had gone by since the application had last been before the Planning Board. At that time the negative declaration and preliminary sketch plan approval had been granted. There were a few key elements missing from the application at that time, including a Planning Board site visit, which is required for Pre-PLAT approval.

Tony Veneziano, referring to the Veneziano and Associates letter submitted prior to this meeting and dated October 13, 2010, went on to state that the 5 or 6 design criteria that were needed have been addressed and noted on the site plan, the Planning Board has done their walk around and he would like to clean up the preliminary and move onto final approval.

A copy of the letter submitted by Veneziano and Associates, dated October 13, 2010, is attached to these minutes and submitted for the record.

The Planning Board went on to discuss some of the design points that they have been concerned about. The Board members feel as though they need more time to go over not only the newer information submitted but the older submittals as well before any approvals are given for Preliminary PLAT. Dave Clouser reminded the Board that the new maps, S1 and S2, submitted with the October 13, 2010 letter is what the Preliminary PLAT approval will be for. Linda agreed and reiterated that the technical information that is included in the new PLAT was not there before which is why Preliminary sketch plan approval was given. Once the application goes into the stage for Final approval a public hearing will have to be set.

Other Business

The Zoning Board of Appeals currently has an application for an Area Variance before them for Bethany and Seth Gross on 6 Old Orchard Lane for an addition to their home. They recently requested a building permit from the Building Inspector to build the addition. This application was denied without prejudice because the lot is non-conforming. At the last Zoning Board of Appeals meeting, Joel Diamond, ZBA Chair, requested the Gross' have a survey map done, with specific setbacks as well as lot coverage. Once that is completed, the Gross' will need to go before the Planning Board for their input prior to coming back before the Zoning Board of Appeals for public hearing and possible approval. Joel also mentioned to the Gross' that they may want to also have an elevation done for Planning Board input.

Motion to Adjourn

Motion was made for the Planning Board to adjourn by Joe Still and seconded by Dr. Murray. The meeting adjourned at 9:06 p.m.