

**Village of Millbrook
Planning Board Meeting
Minutes**

April 15, 2014

Call to Order: Meeting was called to order at 7:27 PM by Chairman Stanley Morse.

In Attendance: Chairman Stanley Morse, Joseph Still, Charles Colomello, Charles Frisina, Joseph Forte and David Clouser (David Clouser & Associates).

Review of Minutes: Minutes from the March 18, 2014 Planning Board meeting were reviewed. Motion was made by Mr. Still and seconded by Mr. Colomello to accept the minutes as written. All were in favor.

New Business: R Design Landscape Architects – Ryan Manning – 46 Front Street. Request for sign approval.

Mr. Manning gave a brief history and background on his Millbrook roots and new business. He explained that he recently relocated from Colorado where his business partner still resides and maintains their current client base (mostly urban design projects). Mr. Manning does not yet have any local clients and plans to focus on residential work.

Chairman Morse asked Mr. Clouser to comment on this sign request. Mr. Clouser said simply - “it works” – it is in compliance with the Village Code requirements.

Mr. Still moved and Mr. Frisina seconded a motion to approve this request for sign approval. All were in favor.

Old Business: Public Hearing for Hillaire Properties LLC (Millbrook Electric) – Michael Shultz. Request to construct a 40ft x 60 ft Pole Barn addition to their existing building located at 105 Church Street in the Village of Millbrook.

Mr. Still moved and Mr. Forte seconded a motion to open the Public Hearing portion of the meeting – at 7:37PM. All were in favor

Mr. Shultz restated his request to construct the Pole Barn on his property. Chairman Morse asked if Mr. Shultz had contacted his abutters. He had - with the exception of Mr. Manzi. Mr. Still said that he had spoken with Mr. Manzi and Mr. Manzi has no objection to this request. Mr. Shultz said that all the abutters were in favor of this request. The Planning Board received 2 letters of support from abutters (Town of Washington and Kathleen Godfrey). Copies of the letters are attached to these minutes.

Mr. Clouser noted that this site plan application is considered to be a “SEQRA Unlisted Action” for its environmental review. The Planning Board accepts Lead Agency Status in this review. Chairman Morse asked for a voice vote to approve this Lead Agency status. All were in favor. Mr. Still moved and Mr. Colomello seconded a motion stating that this request presents as a

“Negative Declaration”. All were in favor.

Mr. Clouser supplied and reviewed his Memorandum dated 4/14/14 on this Site Plan Review (copy attached to these minutes). A discussion ensued regarding the portion of the building located on pervious ground. Pervious surfaces allow rainwater to pass through them and soak into the ground instead of flowing into storm drains. It was determined that the storm water on this property flows south to the stream causing very minor (if any) impact. There has never been a drainage issue on this property. Mr. Clouser then addressed the fact that this property has 13 parking spaces vs the 14 required by Code. It was determined that the 13 spaces are more than adequate for this business. Chairman Morse called for a voice vote to approve a waiver for 13 parking spaces for this property. All were in favor.

Mr. Clouser noted that the pole barn was shifted 10 ft to the south on the revised plans. Mr. Shultz explained that this was a good will gesture to give his abutter more of a buffer.

Mr. Clouser asked that they provide the Planning Board with a copy of their deed (showing easements). The next discussion involved the rear floodlight wattage. Mr. Shultz explained that it will be 115 watts. This light will only be on when he is there working. It will be on a switch – not on 24/7 and it will not shine directly on any of the abutters.

Mr. Loedy and Mr. Clouser discussed the necessity of a topographical map for this request. It was decided that this would cause an unnecessary expense to Mr. Shultz and was not necessary.

Chairman Morse called for a voice vote to waive this requirement. All were in favor.

Chairman Morse asked if there were any opinions regarding the appropriateness of the proposed pole barn in the Village. Mr. Frisina suggested that Mr. Shultz might consider any future philosophical implications of this building if and when the property reverts to residential use.

All agreed that it will be appropriate.

Mr. Still moved and Mr. Forte seconded a motion to close the public hearing portion of the meeting.

Mr. Still moved and Mr. Colomello seconded a conditional motion to approve the request for Mr. Shultz to construct the pole barn on his property. All were in favor. The conditions are listed in Mr. Clouser’s memorandum. Mr. Loedy will prepare and submit a narrative (to the Planning Board) addressing the conditions. He will also provide a copy of the deed for this property.

Other Business:

Chairman Morse had three items to review with the Planning Board members:

1. “Single Alternate Concept” for the Planning Board. He said that that the Village Board has not taken any action on this concept at this time.
2. Required Annual Training for Planning Board members. He reminded everyone that each member is required to take four hours of continuing education credits annually. He will pass along any training opportunities as they become available.
3. There are 3 potential items for the May 20th Planning Board agenda:
 - a. RG Couture – 114 Church Street – Rowena Gill – Request for sign review.

- b. Manchester Holding Co LLC – 3208 Franklin Avenue – Joshua Mackey – Request for sign review.
- c. Millbrook Roundtable – Journal Register Co – Corner of Merritt and Front Streets – new owner??
- d. The Village Board reached an amicable monetary settlement with Mr. Downing on the lease agreement for the Thorne Building on Franklin Avenue.

Adjournment:

Mr. Still moved and Mr. Colomello seconded a motion to adjourn the meeting at 8:13PM. All were in favor.

David Clouser & Associates

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MEMORANDUM

To: Chairperson Stanley Morse and Planning Board Members
From: David B. Clouser, PE, LS
Date: April 14, 2014
Re: Michael Shultz (Millbrook Electric) Site Plan Review (105 Church Street)
(SBL: 6764-01-431986)

Our office has reviewed the updated submittal for the new 40'x60' pole barn for Michael Shultz of Millbrook Electric. The submittal contained:

- Cover letter (1 page) dated March 27, 2014 from Edmond G. Loedy, Architect P.C.,
- Site Plan application, undated, signed by Michael A. Shultz, for the Residential Multi-Family zoning district,
- Site Plan application, dated March 18, 2014, signed by Michael A. Shultz, for the Agricultural district,
- Revised/updated Short EAF dated March 28, 2014, signed by Michael A. Shultz and prepared by Edmond G. Loedy, Architect P.C., and
- Site Plan (A-1/Sheet 1 of 1) dated March 27, 2014, prepared by Edmond G. Loedy, Architect P.C.

The new pole barn is proposed to be located at 105 Church Street behind and immediately adjacent to the existing building in a commercial parking lot within a fenced in area. The property is located on the southern edge of the RMF – Residential Multifamily zoning district (on the west side of Church Street) and contains 1.62 acres.

A review of the submitted survey map indicates that the parcel has approximately 101 feet of frontage on Church Street and it contains the access to the property via a 20 foot wide asphalt drive. The Applicant has indicated that this building will be used to garage his service vehicles. Parking required for the existing building is 11 spaces and 13 are being provided. There is a stream, a regulated wetland, and 100 year flood plain on the southern portion of the parcel, but outside of the developed area of the site and there will be no encroachment into these sensitive areas by the new pole barn improvements.

The lot conforms to the bulk requirements (i.e., setbacks, area, height, etc.) of the RMF zone as listed in the Schedule of Lot and Bulk Requirements (230 Attachment 2:1).

The site plan application will be considered an Unlisted action for its SEQRA environmental review. The Planning Board can consider accepting Lead Agency status in an uncoordinated environmental review.

visually impact adjacent properties. If the new building addition would only be seen by other similar commercial establishments, screening may not be required. If this building were in plain view of nearby residences, some landscape screening may be warranted. Refer to §230-17. Describe existing neighboring properties with regards to potential visual impacts, particularly the La Fata residential property to the southeast. Please also note that §230-16 E requires landscaping (and curbing) in the parking areas.

- §230-44 C (6) allows for the waiver of any site plan requirement due to reasonable circumstances of an application. If the applicant has a list of waiver requests (i.e.: topography, etc.), they should be submitted to the Planning Board for consideration.

Please feel free to call our office at your convenience with any questions or comments regarding this matter.

cc: Edmond G. Loedy, Architect P.C.

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Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information																		
Hillaire Properties, LLC (Millbrook Electric)																		
Name of Action or Project: Pole Barn Addition																		
Project Location (describe, and attach a location map): 105 Church Street, Millbrook, NY 12545																		
Brief Description of Proposed Action: Construction of a 40'x60' pole barn addition to be located behind the existing building.																		
Name of Applicant or Sponsor: Hillaire Properties, LLC (Millbrook Electric)		Telephone: 845-677-0445																
Address: 105 Church Street		E-Mail: millbrookelect@optonline.net																
City/PO: Millbrook		State: New York	Zip Code: 12545															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"><tr><th>NO</th><th>YES</th></tr><tr><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Village of Millbrook Building Department, Building Permit			<table border="1" style="width: 100%; text-align: center;"><tr><th>NO</th><th>YES</th></tr><tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td></tr></table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>											
NO	YES																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>																	
3.a. Total acreage of the site of the proposed action? _____ 1.62 acres																		
b. Total acreage to be physically disturbed? _____ .055 acres																		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.62 acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input checked="" type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
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<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		NO	YES	
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____		NO	YES	
<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		NO	YES	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES	
<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		NO	YES	
<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES	
If Yes,		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties?		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
If Yes, briefly describe: _____		<input type="checkbox"/>	<input type="checkbox"/>	

Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Hillaire Properties LLC, Michael Shultz, President		
Signature: <u>Michael A. Shultz</u>		Date: 3/28/14

Prepared by: Edmond G. Loedy Architect P.C.

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Millbrook Planning Board
Name of Lead Agency

April 15, 2014
Date

Stanley Morse
Print or Type Name of Responsible Officer in Lead Agency

Chairperson
Title of Responsible Officer

[Signature]
Signature of Responsible Officer in Lead Agency

[Signature]
Signature of Preparer (if different from Responsible Officer)

PRINT

OFFICE OF THE SUPERVISOR
GARY E. CIFERRI
(845) 677-3419



Town of Washington

10 RESERVOIR DRIVE
P.O. Box 667
MILLBROOK, NEW YORK 12545

April 15, 2014

Village of Millbrook Planning Board
35 Merritt Avenue
Millbrook, NY 12545


RE: Hillaire Properties LLC (Millbrook Electric)

Gentleman:

The Town of Washington Town Board has no issues with Hillaire Properties constructing a 40ft by 60ft pole barn on their property located at 105 Church Street, Millbrook, NY.

Any questions should be referred to the undersigned.

Very truly yours,


Gary E. Ciferri
Town Supervisor

April 5, 2014

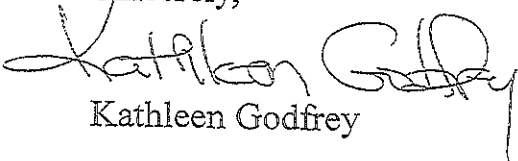
Kathleen Godfrey
109 Church Street
Millbrook, NY 12545

Re: 105 Church Street Project

To whom it may concern,

My name is Kathy Godfrey, and I live next to Millbrook Electric. I have lived in the same yard for 57 years. Before Mike purchased the property next door, it was rented by New York Telephone. It is unbelievable what Mike has done with the building and surroundings. He is always doing something to improve the property, which has been beneficial for everyone. Mike is a considerate, hard-working, honest, and caring neighbor. I have no objections because I am confident that Mike will do a great job.

Sincerely,



Kathleen Godfrey