

DRAFT

Village of Millbrook Planning Board Meeting Minutes

June 16, 2015

Call to Order: Meeting was called to order at 7:29 PM by Chairman Morse.

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

Pledge of Allegiance: Led by Mr. Forte.

Review of Minutes: Minutes from the May 19, 2015 Planning Board meeting were reviewed. A motion was made by Mr. Still and seconded by Mr. Frisina to accept the minutes as presented. All were in favor.

Old Business:

1. Public Hearing for Nooch's Pub and Grill – Paul Iannucci and Jessica Pastre – 156 Church Street – Sign Review and Special Use Permit. Mr. Iannucci and Ms. Pastre, their attorney, Allan Rapplyea and architect, Steven Hackbarth attended this evening's meeting. Mr. and Mrs. Lang – neighbors – and more than 100 supporters also attended this meeting.

Chairman Morse outlined the meetings leading up to this Public Hearing along with the process for this Public Hearing.

Chairman Morse asked for a motion declaring the Village of Millbrook Planning Board as the Lead Agency under SEQRA leading to a Negative Declaration regarding these requests. Mr. Frisina moved and Mr. Forte seconded this motion. All were in favor.

Chairman Morse asked Mr. Iannucci to reiterate his intentions for Nooch's Pub and Grill. He also commended Mr. Iannucci for his fast and complete response to all the requirements necessary for this Public Hearing. Mr. Iannucci stated that he plans to be open Nooch's from 11AM to a maximum of 1AM – on the weekends and 11AM – 10PM (approx) during the week. He plans to serve lunch from 11AM – 2PM daily with delivery available Monday through Friday. Only the front entrance will be available for use. The side door will be marked "Emergency Exit" with an alarmed crash bar. The back yard has already been sealed off and exterior clean-up will commence asap. Mr. Hackbarth noted that Nooch's sign will be the same size as that of Coach's (the immediate predecessor).

Chairman Morse asked for a motion to open the Public Hearing portion of the meeting. Mr. Still moved and Mr. Frisina seconded this motion. All were in favor. Chairman Morse polled the Board for comments. Mr. Frisina recommended that the side door entrance be alarmed with a crash bar. Mr. Still

spoke in support of Mr. Iannucci's superior reputation, intentions and long-standing history in the community and restaurant business. All the attendees agreed.

Mr. Tim Collopy, a Village Board member and liaison to the Village Police Department – mentioned that the Village police end their coverage at midnight on weekends. Extended hours (overtime) would prove a financial hardship for the Village. He asked if Mr. Iannucci would consider closing Nooch's at midnight instead of 1AM. Mr. Still noted that the NYS Liquor authority permits a 4AM closing time. After discussion, it was decided that the maximum 1AM closing would remain. Mr. Iannucci affirmed that he, Ms. Pastre or a manager from Fireside (their other restaurant) would always be present during the weekend hours along with a certified security guard from 8PM to closing on Friday and Saturday. Mr. Iannucci responded to a question regarding entertainment. He said the only possibility would be acoustic music. He also responded to a question regarding the noisy disposal of empty bottles. All bottles will be pre-sorted and placed in boxes inside Nooch's. Only boxes would be put out – not empty bottles.

Mr. Clouser reviewed and completed the Short Form Environmental Assessment Form (EAF) and Resolution - and noted the conditions on page 4 of the Resolution (copies attached to these minutes). Chairman Morse explained that the Special Permit can be revoked if the noted conditions are not met. Attorney Rapplyea reaffirmed that Mr. Iannucci has to comply with all the conditions.

Chairman Morse read 2 letters supporting Mr. Iannucci's requests – from Architect Edmond Loedy, and William F. Murphy.

Mr. and Mrs. Lang and their daughter asked that Mr. Iannucci be respectful of their neighbors and try to limit poor/inappropriate behavior. They want to work together and asked them to remember that 2 families (with a child) live right behind Nooch's. The Lang's wish Nooch's well and explained that their comments are not meant to be "personal". Chairman Morse thanked the Lang's for their input. A former bartender in attendance noted that a bartender can only control what is happening inside the establishment – not outside. Residents can and should call the police with outside issues.

Chairman Morse called for a motion to close the Public Hearing portion of the meeting. Mr. Still moved and Mr. Frisina seconded this motion. All were in favor.

Mr. Still moved and Mr. Frisina seconded a motion approving their proposed sign. All were in favor.

Mr. Forte moved that "the Planning Board grants a special use permit and site plan approval of the Nooch's Pub and Grill and renovation plans and proposed intended use and operation of a restaurant and bar in the Village of Millbrook in accordance with Section 230-44 of the Village Code" (with the conditions outlined on Page 4 of the Resolution – attached). Mr. Still seconded the motion. All were in favor. All in attendance clapped in support.

New Business:

1. Alicia Adams Alpaca – John and Alicia Adams – 3262 Franklin Avenue – Request for Sign Review. Alicia and John Adams attended this meeting.

Chairman Morse asked that they explain their business history. They currently have an alpaca farm in Stanfordville where they have had a US and worldwide wholesale and internet business for the past 5

years. They have rented 3262 Franklin Avenue to expand into retail sales. There will not be any production or assembly in their retail location. They plan to add bedding to their product line with “John Robshaw”. John Robshaw currently sells wholesale but will now offer retail – as a “shop within a shop”. PUNCH formerly carried some of Alicia Adams Alpaca and John Robshaw items. They hope to open by mid-July. Their proposed signs include one hanging sign - a white & beige round drawing of an alpaca head - over the left door entrance. It will be hung at least 7 ft above ground level. The John Robshaw window decal (navy blue with white lettering) will be placed on the bottom half of the window to the left of the right door entrance. They plan to use only the left door entrance right now. Mr. Still moved and Mr. Frisina seconded a motion to approve their sign requests. All were in favor.

2. The Painted Peach – Martial and Sarah Zulkifli – 45 Front Street – Request for Sign

Review. Martial Zulkifli attended this meeting with his attorney, James Constantino.

Chairman Morse asked that Mr. Zulkifli explain his new business. Mr. Zulkifli said that they plan to sell repurposed furniture, home décor, some hand-made designer jewelry and have a small coffee shop. They will only serve coffee – no pastries, etc. They will have a few inside seats – but no outside seating. All work on the furniture (refinishing, etc) will be done off-site - in their home – not in this retail location. Their proposed sign will be 7.33 sq ft – just under the maximum 8 sq ft allowable under the Village Code. It will be black on white with a “peach” colored peach drawing. They hope to open in early July.

Mr. Still asked about the parking lot outside this location. The cars pull in - head first – up to the sidewalk – without parking restraints (barriers) to stop them if they come too far forward. Mr. Still expressed concern that a car pulling too far forward could injure a pedestrian walking on the sidewalk in front of the shop(s). This is a long-standing issue and does not impact the Painted Peach’s sign approval request. Attorney Constantino said he would look into the parking lot issue.

Mr. Still moved and Mr. Forte seconded a motion to approve The Painted Peach’s sign request. All were in favor.

Other Business/Administrative Items:

Chairman Morse reminded the members to keep up with their training requirements.

Adjournment: Mr. Frisina moved and Mr. Forte seconded a motion to adjourn the meeting at 9:10 PM. All were in favor.