**Village of Maybrook**

**Planning Board Meeting**

**October 8, 2020**

SECRETARY JOHNSON – Ok, If I could do a roll call please. Member Keane?

MEMBER KEANE – Present.

SECRETARY JOHNSON – Member Woznick?

MEMBER WOZNICK – Here.

SECRETARY JOHNSON – And Chairman Wilson?

CHAIRMAN WILSON – Here.

SECRETARY JOHNSON – I heard something else. Member D’Angelo?

MEMBER D’ANGELO – (Not present)

SECRETARY JOHNSON – Member Treco?

MEMBER TRECO – (Not present)

SECRETARY JOHNSON – Ok. Ok Chairman. I guess that’s it. We have our attorney John Ahearn here. Is Sean on? Our engineer, Sean Hoffman?

SEAN HOFFMAN – Yep, that’s me.

SECRETARY JOHNSON – [Laughter.] Ok and Ross is with us. Ok.

ROSS WINGLOVITZ – If you’d like I could start with a presentation or I don’t know if you had anything else on the agenda.

SECRETARY JOHNSON – Nope, you’re it.

ROSS WINGLOVITZ – I’m it. So John, I’m going to try to share the screen. You’re going to have to let me.

ATTORNEY AHEARN – It should be open. Let me know if it doesn’t work.

ROSS WINGLOVITZ – Ok. Did it work?

ATTORNEY AHEARN – Yup.

ROSS WINGLOVITZ – There you go. Ok. Good evening. For the record Ross Winglovitz from Engineering and Surveying Properties. Here on behalf of 204 Homestead Avenue, LLC. This is a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ property. They bought in about 2013 I think. Formerly Panera Real Estate. They had done extensive renovations to the building back in 2013 and 14 and had been trying to get a tenant ever since. They currently have a reputable spa owner who actually has a business in New Windsor who’s looking to relocate to this site and they went in for a change of use to permit the spa, and our understanding is, and why we’re here, is that anything in the TDD Zone requires site plan approval from the Planning Board even a change of use and we’re doing some amendments to the site anyway, as far as parking, to improve the parking situation. So the only real changes to the plan that are proposed are we’re going to remove a little bit of pavement at the entryway, there will be some landscaping, parking will be situated so it’s perpendicular to the traveled way, I think currently people used to park pulling in and parallel park on either side so what we’re going to do is revise that, extend it a little bit so these shaded areas are small areas of new pavement that will be required in order to accommodate the parking and then we’re gonna, they’re looking to overlay the entire parking lot after we add this little extension the landscaped island to area to shield the proposed parking. A couple of street trees is required by your code, and we will provide some signage at the entrance. There are no proposed changes to the entrance itself. And again, the use is a spa which is a personal service, which is allowed in the TDD zone. We would be glad to answer any comments you have. I think Kelly, I think, may have already done a 239 Referral to the County John? I’m not sure.

ATTORNEY AHEARN – That was supposed to go out today.

ROSS WINGLOVITZ – Ok.

MEMBER KEANE – Excuse me Ross. This is Eileen Keane. We are we relocating from?

ROSS WINGLOVITZ – They have a business some place in New Windsor currently. And I guess we had looked it up actually we were in a little workshop. An existing business in New Windsor looking to relocate here.

MEMBER KEANE – I also noticed, I went past there today and there’s a ‘For Sale’ sign out front.

ROSS WINGLOVITZ – Maybe that’s just a real estate sign probably for the lease maybe?

MEMBER KEANE – It says for sale or lease.

ROSS WINGLOVITZ – Ok. Yea. Yup, I’m sure they would sell if they got the right price, but now I think they have a tenant looking to move in pretty quickly.

MEMBER KEANE – Ok. Alright. Thank you.

ROSS WINGLOVITZ – Thank you.

CHAIRMAN WILSON - As far as the environmental assessment, we’re going to take the lead agency?

ATTORNEY AHEARN – So because it’s just a re-use and the minimum amount of site work that’s being done this would be a Type II. So when you want to go ahead and do that, we can get the SEQRA and you can just make a motion that it’s a Type II action.

CHAIRMAN WILSON - Ok, does anyone want to make a motion?

MEMBER KEANE – This is Eileen. I’ll make a motion.

CHAIRMAN WILSON - Charlie want to second it?

MEMBER WOZNICK - I’ll second it.

CHAIRMAN WILSON – Tina, can we get a roll call please?

MEMBER KEANE – Tina you’re on mute. There you are.

SECRETARY JOHNSON – Ok. Member Keane?

MEMBER KEANE – Aye.

SECRETARY JOHNSON – Member Woznick?

MEMBER WOZNICK – Aye.

SECRETARY JOHNSON – And Chairman Wilson?

CHAIRMAN WILSON – Aye.

SECRETARY JOHNSON – Ok. Thank you.

CHAIRMAN WILSON – I see nothing but improvement, so I have no problem.

MEMBER KEANE – I’m glad it won’t be sitting empty.

ROSS WINGLOVITZ - Sean, I saw you have some comments we don’t have a problem addressing those I think there may be a few that we need clarification on. If you want to go through that Sean, I’d be glad to chime in.

SEAN HOFFMAN – Sure. There are a couple of dimensional requirements that the applicant doesn’t make. I spoke to Kelly earlier this week. It’s her opinion that these are legal, pre-existing, non-conforming conditions. That would be the front yard setback and side yard setback and the building is there; it’s been there for a long time. There is a requirement in the Code for a loading space. A 12 x 25 foot small loading space. There is the ability for the Board to offer a waiver however it would actually be somewhat of a difficult research through the Building Department files. John actually had a great idea earlier today and Ross, I don’t know what you think about this. The suggestion of taking that one parking stall, I think parking stall number 8, and actually calling that a loading space. Obviously your applicant doesn’t really need that loading space but it’s there then it’s complying site plan and you don’t need to go through the trouble of researching Building Department files.

ROSS WINGLOVITZ – Ok, that’s fine.

SEAN HOFFMAN – Ok. I understand from our conversations early on this application that there is no change in the drive way so you don’t need to get a permit from the DOT. Is that still the case?

ROSS WINGLOVITZ – Correct.

SEAN HOFFMAN – Ok. And I really just have two open items. One was the front sign. Whether there is any changes to that sign proposed. I would imagine so.

ROSS WINGLOVITZ – Yes. I believe there will be a new sign. Does that need to be approved by the Planning Board or the building…? I think they want to use the existing sign and just change the colors obviously and the name on the sign.

SEAN HOFFMAN – If uou can get something to the Planning Board in time for their next meeting, then that can be incorporated into this approval.

ROSS WINGLOVITZ – Ok.

SEAN HOFFMAN – As long as it complies, of course.

ROSS WINGLOVITZ – Yup.

SEAN HOFFMAN – And then the last question I had was just is there going to be a dumpster and if so where is that going to be on the site?

ROSS WINGLOVITZ – Nope, there would just be garbage cans in the back of the building. Not a lot of waste out of this use. So no need for a dumpster. I assume the Village is all curb-side pick-up through the Village or is there private haulers? Whichever one that’s what we would do for just typical garbage cans and recycling cans.

SEAN HOFFMAN – Ok. You mentioned you had questions, I don’t know, about my comments. I don’t know if you or the Board have any questions.

ROSS WINGLOVITZ – Public Hearing, if that could be waived that’s great. If not, I know we have time we need to hear back from the County anyway. We could set that hearing for the next meeting that would be great, or if we could waive it that would be also be great.

ATTORNEY AHEARN – That would be to the Board’s pleasure. Under the Code, you don’t have to have a public hearing for your site plan applications if the Board doesn’t feel that it’s necessary given the circumstance. The Board can go ahead and take a motion on waiving that.

CHAIRMAN WILSON - What’s the Board’s thought on the waiving?

MEMBER KEANE – Well, it’s been a commercial enterprise already so I don’t see the neighbors, and it’s not manufacturing or anything, but I really don’t see the neighbors having a problem. You know with there being \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ next door or the people across the street. Carmen had a business there so

ATTORNEY AHEARN – Charlie, do you have any comments?

MEMBER WOZNICK - My only comments are do you have any idea what the hours of operation would be?

ROSS WINGLOVITZ – I can add that to the plan.

CHAIRMAN WILSON - I need a motion to waive the public hearing.

MEMBER KEANE – Did we get an answer on the hours of operation or are they going to get back to us?

ROSS WINGLOVITZ – Yea, I’ve got to get back to you. I don’t know what their intention is. Typically these things are done by 9:00.

MEMBER WOZNICK - Ok. Alright. I have nothing further. I’d make that motion to waive the public hearing.

MEMBER KEANE – What? I didn’t understand what you said Charlie.

MEMBER WOZNICK – I’ll make a motion that we waive the public hearing.

MEMBER KEANE – Ok, then I will second it.

CHAIRMAN WILSON - Ok, can we have a roll call please?

SECRETARY JOHNSON – Sure. Member Woznick?

MEMBER WOZNICK – Aye.

SECRETARY JOHNSON – Member Keane?

MEMBER KEANE – Aye.

SECRETARY JOHNSON – And Chairman Wilson?

CHAIRMAN WILSON – Aye.

SECRETARY JOHNSON – Thank you.

ROSS WINGLOVITZ - So we’ll work on getting a revised plan in for the next meeting and hopefully you’ve heard back from the County and we could be in position for approval.

ATTORNEY AHEARN – Alright, so there was a couple of things. Sean had pointed out site lighting in his memo.

ROSS WINGLOVITZ – Yup.

ATTORNEY AHEARN - Let me comment number for you.

ROSS WINGLOVITZ - That was comment B3. So there are two existing light poles, one here and one here that service the property. They’re going to remain. There’s the potential we could add something over on this end. There is no electric to the garage.

ATTORNEY AHEARN – As long as there’s compliance because we, our position is that you’re going to need to comply with that portion of the Code.

ROSS WINGLOVITZ – Ok. We’re probably going to have to change these fixtures out then because these are colonial style, but they’re not night-sky friendly I don’t believe.

ATTORNEY AHEARN – Alright.

ROSS WINGLOVITZ – We’re going to have to change those heads out and we can add another one.

SEAN HOFFMAN – The Code requirement is.. the very foot candles required isn’t a lot Ross, it’s not very intense. I think it’s half a foot candle.

ROSS WINGLOVITZ – Half a foot candle. Ok.

SEAN HOFFMAN – Can I just jump in real quick. Ross, you mentioned getting a new plan in. Unless the Board really wants to see a new plan that shows these light fixtures I think it may be easier if we just do it by conditions. Again, nothing really dramatic is going to change on the plan. It seem kind of, it’s just an extra step to have the applicant prepare another plan for John, I and the rest of the Board to review it.

ROSS WINGLOVITZ – That’s fine. That could be a condition. Do we have to wait for the County referral?

ATTORNEY AHEARN – So, what we did… the Referral was going out today so that would give us, the 30 days would have passed by the next meeting. So our question for the Board was if they wanted to authorize us to draft a resolution for the next meeting given that the changes that need to be made are relatively minor and that could all be handled with conditions.

CHAIRMAN WILSON – Can we get that in the form of a motion?

ATTORNEY AHEARN – That would be good. If you do a motion for us to prepare a draft resolution for the next meeting.

MEMBER KEANE – Ok. I will make a motion.

MEMBER WOZNICK – I’ll second it.

CHAIRMAN WILSON - Ok, Tina.

SECRETARY JOHNSON – Member Keane?

MEMBER KEANE – Aye.

SECRETARY JOHNSON – Member Woznick?

MEMBER WOZNICK – Aye.

SECRETARY JOHNSON – Chairman Wilson?

CHAIRMAN WILSON – Aye.

ATTORNEY AHEARN – Ross, we just wanted to confirm there’s no exterior changes to the building or anything right?

ROSS WINGLOVITZ – No.

ATTORNEY AHEARN – Unless anyone has any questions, I think we are pretty much set for what we have to cover.

ROSS WINGLOVITZ – Very good. Thank you very much.

CHAIRMAN WILSON – The next meeting will be November 12th, 7 p.m.

MEMBER KEANE – Is that all we had on the agenda?

SECRETARY JOHNSON – Yes, that was all for tonight.

ROSS WINGLOVITZ – Thank you very much.

MEMBER KEANE – We’re adjourned right?

SECRETARY JOHNSON – When we get a motion to adjourn.

MEMBER KEANE – Go ahead Charlie.

MEMBER WOZNICK – I’ll make the motion to adjourn the meeting.

CHAIRMAN WILSON – Aye.

[All ayes.]

Good night. Good night.