

**VILLAGE OF MILLERTON**  
**Planning Board Meeting**  
**August 10, 2016**

The Village of Millerton Planning Board held a meeting on Wednesday August 10, 2016 at 7:10 pm with Lance Middlebrook presiding. Planning Board members present: Patti Lynch-VandeBogart and Linda Orlando. Planning Board members absent: Carol Gribble and Peter Greenough. Also present: Village Attorney Ian MacDonald, Planning Secretary Stephany Eisermann, Village Building Inspector Ken McLaughlin, Deputy Zoning Administrator Nancy Brusie, Representatives of Corpinco, Representatives of The Millerton Inn (53 Main Street) and members of the public (sign in sheet attached).

**Site Plan application: 53 Main Street (Parcel # 133801-7271-14-408296)**

Ken McLaughlin addressed the board with background information on The Millerton Inn (53 Main Street) formerly known as Simmons Way Inn. Ray Nelson had previously come into the office to file permits for improvements consisting of bathroom upgrades, handicapped access, increased parking (12 spaces to 17 spaces), increased seating count and approval for outdoor seating. The Department of Health required expansion of the septic system to accommodate the increased seating. They also requested approval from the Village Planning Board regarding the increased seating. Ken explained that this matter is before the Planning Board at this time to have a preliminary discussion as to if the board will require a full site plan application.

**Corpinco, LLC Site Plan application on proposed commercial building at property at N Elm Ave (Parcel # 133801-7271-14-277259)**

Planning Board reviewed the response from Dutchess County Planning which stated, "The landscaping planned for along Route 22 could be expanded to improve the appearance of the site". The board then reviewed the landscaping on the updated Site Plan. Attorney MacDonald advises that in order for the resolution to pass without the proposed changes suggested by Dutchess County Planning, the vote must be majority plus one (1). Since there are only three (3) members present, the resolution would not be able to go through this evening without proposed changes by Dutchess County Planning. Corpinco representatives propose adding additional landscape so the Board can move forward with the Resolution. The Board and Corpinco representatives agree that there will be an addition of four (4) dwarf spruces with trees and it was specified within the resolution.

**RESOLUTION- CORPINCO, LLC SITE PLAN APPLICATION**

**RESOLUTION**

VILLAGE OF MILLERTON PLANNING BOARD  
CORPINCO, LLC SITE PLAN APPLICATION

At a meeting of the Village of Millerton Planning Board ("Planning Board"), held at the Village of Millerton Village Hall on the 10<sup>th</sup> day of August, 2016, at 7:00 p.m., a motion was made by Patti Lynch-VandeBogart , and seconded by Linda Orlando, to introduce the following resolution, to wit.

**WHEREAS**, the applicant, Corpinco, LLC, ("Applicant"), submitted an application to the Planning Board seeking Site Plan approval ("Application") to construct two (2) buildings on an existing undeveloped parcel located on North Elm Avenue in the Village of Millerton, identified by tax parcel number 7271-14-277259, the first building to contain an artisan glass making facility/retail shop and the second building to contain a mixture of both retail and office space; and

**WHEREAS**, the documents submitted by the Applicant as part of its Application consist of (1) a completed Site Plan Application, (2) a Site Plan and related maps and drawings, (3) a Full Environmental Assessment Form, and (4) the requisite filing fee for the Application; and

**WHEREAS**, the Applicant has indicated on the Site Plan it intends to develop the project in two (2) separate phases, the first phase being the construction of the building at the rear of the property to be used as a artisan glass making facility/retail shop and the second phase being the construction of the building at the front of the property to be used for retail and office space; and

**WHEREAS**, after conducting a coordinated environmental review, during which both phases of the Site Plan were considered together for their potential cumulative environmental impacts, at its meeting held on June 8, 2016, the Planning Board by Resolution declared itself Lead Agency and issued a Negative Declaration for the Application; and

**WHEREAS**, the Planning Board reviewed and considered all the above referenced documents submitted by the Applicant as part of its Application in accordance with §170-24 of the Village of Millerton Code; and

**WHEREAS**, the Planning Board made the requisite referral to the Dutchess County Planning Department pursuant to Section 239-m of the New York General Municipal Law because the proposed action is an application for Site Plan approval for property located within five hundred (500) feet of the boundary of a right-of-way of an existing state road or highway; and

**WHEREAS**, the Dutchess County Planning Department responded to the referral by letter dated August 3, 2016, with the comment that “the landscaping planned for along Route 22 could be expanded to improve the appearance of the site” and recommending that the Planning Board “rely upon its own study of the facts in the case with due consideration of the above comments”; and

**WHEREAS**, the Planning Board has relied upon its own study of the facts with due consideration of the recommendation by the Dutchess County Planning Department that the landscaping along Route 22 be expanded to improve the appearance of the site”; and

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board hereby approves Phase I of the proposed Site Plan of the Applicant upon review and final approval of the Site Plan by the Village Engineer; and

**BE IT FURTHER RESOLVED**, that the Planning Board hereby imposes the following additional conditions on its approval of Phase I of the Site Plan:

1. That the Applicant expand the landscaping along Route 22 will put in 4 more dwarf Spruce with trees; and

**BE IT FURTHER RESOLVED**, that the Applicant shall return to the Planning Board for approval of Phase II prior to commencing any work with respect to Phase II; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be filed immediately in the office of the Village of Millerton Village Clerk, and shall be mailed to the Applicant.

The foregoing resolution was voted upon with all councilmen voting as follows:

Lance Middlebrook, Chair	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Lance Middlebrook</u>
Peter Greenough	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>ABSENT</u>
Carol Gribble	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>ABSENT</u>

Linda Orlando

Yes No

Linda Orlando

Patti Lynch-VandeBogart

Yes No

Patti Lynch-VandeBogart

**Site Plan application: 53 Main Street (Parcel # 133801-7271-14-408296) Discussion Continued.**

Ray Nelson presented the Site Plan for The Millerton Inn (53 Main Street). He & Elena Stefanopoulos explained what would be taking place within the building; the bar will be moved, both bathrooms will become handicapped accessible and will be upgraded, the kitchen will be upgraded, and there will be additional parking. The outdoor seating will remain the same. There will be increased seating compared to what the Department of Health has on file as well. Mr. Nelson & Miss Stefanopoulos both pointed out that the size of the building has not changed and will not be changing and that Simmons Way Inn (former business name) had been operating at this capacity for an extended period of time. The Board did voice concerns as to why the Department of Health had referred the matter to the Planning Board for approval when the project had not presented before the Board initially. However, the board agreed that there did not seem to be any sizeable changes. Attorney MacDonald suggested that a letter be sent from either Building Inspector Ken McLaughlin or Deputy Zoning Administrator Nancy Brusie stating that nothing has changed as far as the capacity that the restaurant was running previously.

*Motion made* by Planning Board member Patti Lynch-VandeBogart that upon review, no Site Plan Approval is needed for 53 Main Street. Seconded by Planning Board member Linda Orlando, all three (3) board members in attendance approved and motion was passed.

Planning Board requested that Secretary: Stephany Eisermann e-mail Kathleen at the Department of Health to inform them of the Board’s decision and to find out if they require any further documentation.

Building Inspector Ken McLaughlin then clarified how the Department of Health came to request approval from the Planning Board. He reached out to the Department of Health as some individuals had expressed concerns as to the work that was taking place on site. Since they were looking for expanded seating (from what the Department of Health had on record), Ken wanted it referred to the Planning Board for their approval prior to the approval from the Department of Health.

**Approve Minutes from 06/08/16 Meeting**

A motion could not be made to approve the minutes from 06/08/16 meeting as there were not enough Board members in attendance. Only two (2) Board members in attendance: Lance Middlebrook and Linda Orlando attended the meeting on 06/08/16. This will need to be added to next month’s agenda for approval.

**Escrow Bills:**

**RE: North East Fire District**

Invoice #4773, from Daniels, Porco, & Lusardi in the amount of \$132.00  
Planning Board Chair will be discussing with Fire District Commissioners.

**RE: Site Plan Application – Getty Realty Corp. – Parcel # 133801-7271-15-518268**

*Motion made* by Planning Board member Patti Lynch-VandeBogart to pay invoice numbers 4405 in the amount of \$164.12 and 4770 in the amount of \$114.83 from Daniels, Porco & Lusardi, LLP from the escrow established for the Getty Site Plan Application. Seconded by Planning Board member Linda Orlando, all three (3) board members in attendance approved and motion was passed.

**RE: Corpinco Site Plan Application – Parcel # 133801-7271-14-277259**

*Motion made* by Planning Board member Patti Lynch-VandeBogart to pay invoice numbers 4406 in the amount of \$231.00 and 4772 in the amount of \$968.00 from Daniels, Porco & Lusardi, LLP from the escrow established for the Corpinco Site Plan Application. Seconded by Planning Board member Linda Orlando, all three (3) board members in attendance approved and motion was passed.

**Other Business:**

**Delora Brooks – ZBA Resignation**

Chairman Lance Middlebrook asked if there was any other business. Delora Brooks stated that she would like to discuss her resignation and stated there was a lack of support. The board then discussed how the standards

and regulation have become extremely stringent. Ms. Brooks stated that there needs to be consistent practice and enforcement within the village.

**Adjourn-** *Motion made* by Planning Board member Patti Lynch-VandeBogart to adjourn the meeting at 8:45 pm, seconded by Planning Board member Linda Orlando, all three (3) board members in attendance approved and motion was passed.

Respectfully submitted,

Stephany Eisermann  
Secretary- Planning Board