

Minutes of the Village Board Meeting held at Town Hall on August 9, 2018 at 7PM

Present: Michael Queenan, Mayor
Timothy Egan, Thomas Flood and Anthony Mickolajczyk, Trustees
Absent: Neil Crouse, Trustee
Also Present: Richard Golden, Attorney for the Village; Scott McClennan, Fire Chief; Sandra Capriglione, Planning Board

I. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to accept the minutes of the regular meeting held July 26, 2018.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Egan, to approve Abstract 5 containing vouchers 180382 – 180456 and totaling \$127,585.99.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
NOES 0

c. Fire Department Equipment Requests:

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to approve Fire Department Equipment Request 2018-23 totaling approximately \$3723.00 for the purchase of air monitoring equipment and 2018-24 totaling approximately \$1889.11 for the purchase of various equipment items.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
NOES 0

d. Fire Department Membership:

Motion was offered by Trustee Flood, seconded by Trustee Egan, to accept the application for membership to the Highland Mills Fire Company from Dennis Kippel, pending physical.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
NOES 0

e. Use of Building Request:

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to approve the request to use the meeting room on October 7, 2018, Noon-4PM received from Fireman Francesco Valente.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
NOES 0

II. Old Business:

a. Reschedule of Public Hearing – Annexation Petition:

At the request of the Town of Monroe, the public hearing that was scheduled for September 10 needs to be rescheduled to September 24. Motion was offered by Trustee Mickolajczyk, seconded by Trustee Egan, to reschedule the Joint Public Hearing with the Town of Monroe Town Board to be held at 7PM on September 24, 2018 at the Monroe Senior Center located at 101 Mine Road, Monroe, to discuss and entertain public comment on the application for annexation received from Richard Birdoff,

on behalf of FBG Shop Center and its affiliates (Harriman Business Park) and to take all other actions as required by law at that time.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to reschedule the September 13 regular meeting to September 12 at 7PM at the Village Hall due to the primary election. It was noted that only an abstract will be discussed at this meeting.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

b. Acceptance of Bids – Water/Sewer Vehicle:

A bid opening was held on July 30, 2018 at 10AM for the purchase of a 2018 Dodge 3500 with dump body and plow. The public notice was printed in the Times Herald Record on July 17, 2018 and the following bids were received:

Chrysler Jeep Dodge Ram of Warwick, Warwick, NY \$49,699.00

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Egan, to accept and award the bid to Chrysler Jeep Dodge Ram of Warwick, NY for the purchase of a 2018 Dodge 3500 with dump body at a bid of \$49,699.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

III. New Business:

a. Grant Waiver – Public Assembly Fee – Lions Club Community Yard Sale:

Motion was offered by Trustee Flood, seconded by Trustee Mickolajczyk, to approve the waiver of the public assembly application fee for the Woodbury Lions Club annual community yard sale scheduled for September 22, 2018.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

b. Resolution – Attorney No Conflict of Interest in Litigation:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to adopt the following resolution authorizing special counsel to represent the Village of Woodbury in the annexation petition involving the Town of Monroe and the Village of Woodbury:

WHEREAS, the Village of Woodbury (“Village”) requires the services of Dennis E. A. Lynch, Esq., of Feerick Lynch MacCartney & Nugent, PLLC (“Special Counsel”) to represent the Village in the Annexation Petition regarding Harriman Business Park; and

WHEREAS, the Village has been advised of a potential conflict of interest as Special Counsel represents the Village and the Town of Monroe (“Town”); and

WHEREAS, having been informed of such potential conflict in writing by Special Counsel, the Village hereby waives any conflict, but reserves its right to assert such a conflict at any time in the future; and

WHEREAS, the Village desires its Special Counsel to represent the Village and draft any necessary papers with regard to said Annexation Petition at its current hourly rate charged to the Village.

THEREFORE BE IT RESOLVED, that:

1. The above “Whereas” are incorporated by reference as if set forth fully herein.
2. The Village Board hereby authorizes Special Counsel to represent the Village in this Annexation Petition under the same terms and conditions as Special Counsel is currently

representing the Village in other matters. This representation shall be in addition to all legal services currently performed by Special Counsel.

3. The Mayor is hereby authorized to take any and all necessary actions and execute all necessary documents, including a Conflict Waiver to carry out the provisions of this Resolution.
4. This Resolution shall be effective immediately.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

IV. Public Comment: *There were no public comments received.*

V. Board Member/Department Comment:

Trustee Mickolajczyk noted the traffic pattern for the Route 32/6/17 interchange improvements will be getting worse over the next few days as they changing the location of the access ramp to Route 17W. He asked all to be patient and drive safely. Mayor Queenan added the new temporary entrance to access Route 17W will be across from the Route 6 intersection with Route 32.

VI. Adjournment:

With no further comments received or business to discuss, a motion was offered by Trustee Egan, seconded by Trustee Flood, to adjourn the meeting at 7:10PM.

ADOPTED AYES 4 Queenan, Egan, Flood, Mickolajczyk
 NOES 0

Desiree Potvin, Village Clerk

WORKSESSION WITH CONSULTANTS to discuss Hotel/Motel District Overlay

(meeting notes taken by Attorney Golden)

Meeting Minutes 8-9-18 Workshop meeting of V/Woodbury BOT (7-19-18) (7:15 -9:14) (Queenan, Flood, Egan and Mickolajczyk, present; Crouse absent). Open meeting. Some members of public attended to listen.

Valerie M. Monastra of VHB (outside planning consultant to assist in BOT review of potential zoning modifications regarding hotels) made presentation detailing draft parameters for a Hotel Overlay District, consistent with her 7-6-18 memorandum.

Ms. Monastra noted that part of the analysis was to try and keep hotel use away from residential areas of the Village. Discussed northern and southern boundaries of proposed District.

Mayor Queenan spoke about keeping hotels out of older developed areas and residential areas of Village. Trying to encourage larger hotels. Discussed that some areas are presently fully developed, such as shopping centers etc. are, in the event that hotels are proposed in the future.

Ms. Monastra discussed proposal to modify the definition of hotel – excluding motels and motor courts. Trustee Egan asked whether we need to define motel, etc. so that it is clear what we are excluding. Ms. Monastra will work on definitions for those. Definition can be made so as to exclude TV District, but discussion resulted in not dealing with hotel definition differently in TV District.

Accessory uses were discussed for limited service hotels. As noted in her memo, other accessory uses than those specifically identified should only be subject to an approval by BOT, not PB. All present agreed that noted accessory uses are acceptable, as it appears that these are the usual types of accessory uses for hotels. In response to whether accessory uses, such as a restaurant can be leased from the hotel, rather than being restricted to hotel owned restaurant. Attorney Golden advised that zoning cannot regulate form of ownership (fee, vs. leasehold, etc.), so a sub-tenancy would be allowed.

Site planning standards and bulk requirements as noted in VHB memo discussed. Mayor Queenan queried whether shopping centers and business parks should be addressed differently for purposes of 100-foot road frontage. Trustees conflicted over several 100-foot frontage issues and its consequences. Mayor Queenan thinks maybe 100-foot is OK. Ms. Monastra will do a survey of all available properties on Rte. 32 as to existing frontage; will also look into frontage definition to ensure that frontage is useable frontage, not theoretical frontage.

Discussion of existing Hampton Inn and likely lack of frontage, and whether that issue if repeated is something that is acceptable.

Discussed bulk area of minimum 2 acres. Ms. Monastra noted that this would accommodate a 120-room hotel, with adjusted parking requirements – consistent with industry standards. Also discussed appropriate height of hotel - 5 stories and 60 feet - because this district would be in more developed commercial areas. What this height limitation included/excluded also discussed, and BOT liked memo discussion of this issue.

Discussion regarding whether to allow hotel rooftop recreation use. Trustee Egan initially thought that he would like to prohibit recreation rooftop use. Others may want it to occur. BOT would like to think about it further. Ms. Monastra will propose potential rooftop uses allowed and prohibited, for BOT's further consideration.

Setbacks for hotel use also discussed, and the desire of BOT regarding whether parking should be located in front or rear of hotel. Present proposal is to allow greatest flexibility. Also discussed what, if anything, will be allowed in setback area (parking, covered entrance way, etc.), and discussed landscaping buffers for parking areas, etc. Ms. Monastra will suggest specific landscape buffer requirements to BOT.

Parking: Ms. Monastra brought up likely need for modified parking requirements. 1.5 per hotel unit, plus accessory use requirements. Issue discussed at length.

Supplementary Regulations as noted in Ms. Monastra's memo discussed, including cooking facilities (allowing microwave, coffee machines, but not allowing stoves, full refrigerators, etc.). Board noted preference to have regulations that would not allow extended stay hotels.

Discussed whether there was a need to modify Comp Plan. Ms. Monastra noted that there is nothing in the Comprehensive Plan that is inconsistent with the proposed hotel use in the proposed area. However, it could be clarified in a Comprehensive Plan amendment that the hotel uses and areas proposed are part of the Village's vision.

BOT wants Ms. Monastra's modifications as discussed to be submitted to BOT two weeks before next meeting.

SEQRA process discussed. Although rezone would be a Type I action, in her opinion she doesn't don't anticipate the need for an environmental impact statement because of the focused nature of proposed modifications, and their concomitant impacts. Instead, she recommends that the BOT utilize an expanded EAF Part 3 – Attorney Golden discussed in detail that process.

New special meeting set for 9-20-18 at 6:00; Mayor Queenan to advise Village Clerk Potvin of special meeting date to have it properly noticed. Ms. Monastra will start circulating new materials to attorneys Golden and Naughton for comment, which then will be shared with BOT two weeks prior to 9-20-18 meeting.