

Minutes of the Village Board Meeting held at Village Hall on November 8, 2018 at 7PM

Present: Michael Queenan, Mayor
Neil Crouse, Timothy Arone, Thomas Flood and Anthony Mickolajczyk

Absent: None

Also Present: Jessica McClennan, Deputy Village Clerk; Robert Weyant, Village Streets Superintendent; Scott McClennan, Fire Chief; John Ahearn, Attorney for the Village; Valerie Monastra, Planner for the Village; Sandra Capriglione, Chris Gerver and Maria Hunter, Planning Board; John Smith Parks Commissioner

I. Public Hearings:

a. Introductory Local Law 9 – Devises in Public Right-of-Ways:

A public hearing was held to entertain public comments on Introductory Local Law 9 of 2018 entitled "Zoning Regulations of Devises in Public Streets, Right-of-Ways and Easements". The public notice was printed in the Times Herald Record on October 31, 2018 and the following comments were received:

Matt Higgins asked who has cameras on the telephone poles and asked that the purpose of the law be explained. Mayor Queenan stated the law is to regulate what is placed/erected in right-of-ways. He added the public hearing is for the public to state their opinion of the law, not for the Board to explain the law. It has been available for public review and if Mr. Higgins wants to make an appointment to discuss it during business hours he can do so.

Mayor Queenan stated the GML review from the County has not been received yet so he would like to keep the hearing open.

Motion was offered by Trustee Egan, seconded by Trustee Flood, to continue the hearing to the next meeting.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

Mayor Queenan noted that all comments received have been noted and will be provided to the Village Attorneys and Planners for review and any appropriate response.

b. Comprehensive Plan Amendments – Hotels and Motels:

A public hearing was held to entertain public comments on amendments to the Village Comprehensive Plan relative to hotels and motels within the Village of Woodbury. The public notice was printed in the Times Herald Record on October 31, 2018 and the following comments were received:

Jason Pitingaro, engineer representing 100 Estrada Road, stated he had a brief opportunity to review the proposed amendments to the Comprehensive Plan. He believes the Village's intent is to amend the areas to create a floating zone to allow hotels in certain areas within the Village and in areas that are consistent with the Comprehensive Plan but he does not feel that what has been proposed is consist with the Comprehensive Plan or the zoning. He feels what has been provided was referred to creating or enhancing the hamlet of Woodbury but he does not see how confining the areas south of the hamlet will improve the hamlet or revitalize it. He added that service oriented businesses are referenced in the Comprehensive Plan and the proposed amendments specifically reference hotels and what is being restricted and other uses as well. Those uses which are included in the amendments are not restricted and are some of the only other uses permitted in the IB district.

George Lithco stated he has some procedural questions and asked if the Board is allowing a written comment period as some of his comments are fairly extensive in nature. There is concern about whether other areas are appropriate for hotels and it was raised during to the Planning Board that

hotels can be compatible within residential areas. He believes there are relevant issues that he would like to introduce into the record. He also requested the Board consider grandfathering, which has been done in the past. One of the concerns is the IB district has been there for 40 years and has allowed hotels during that time as well as other commercial uses. This amendment is restricted to hotels and he would like to see other commercial uses considered as well. If the Board is considering eliminating all or some of those uses then what uses it wants to allow should be addressed. He feels that is an issue the Board needs to address in connection with this action. Mayor Queenan asked Attorney Ahearn if a written comment period is permissible and he stated there is no requirement, adding that there will be another public hearing once the law is drafted.

With no further comments received, a motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to close the public hearing.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Crouse, to accept written comments until close of business on November 16, 2018.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

II. Administrative Business:

a. Acceptance of Minutes:

Motion was offered by Trustee Flood, seconded by Trustee Crouse, to accept receipt of the minutes of the meeting held October 25, 2018.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

b. Approval of Abstract:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Crouse, to approve Abstract 11 containing vouchers 180923 - 181036 and totaling \$199,604.76.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

c. Fire Department Equipment Requests:

Motion was offered by Trustee Egan, seconded by Trustee Flood, to approve Fire Department Equipment Request 2018-30 totaling approximately \$2219.04 for the purchase of an MDT terminal for Ladder 503; 2018-31 totaling approximately \$10 to hem a pair of pants; 2018-32 totaling approximately \$257.85 for new radio equipment.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

d. Reschedule 11/22 Meeting to 11/27:

Motion was offered by Trustee Mickolajczyk, seconded by Trustee Crouse, to change the November 22 Board of Trustees meeting to November 27 at 7PM due to the Thanksgiving holiday.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

EXTRA ITEM - Fire Department Membership:

Motion was offered by Trustee Egan, seconded by Trustee Mickolajczyk, to accept the application for junior membership to the Highland Mills Fire Company from Tom Poutsma.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

III. Old Business: *There was no old business to discuss.*

IV. New Business:

a. CV Property Management Stormwater Control Facility Maintenance Agreement:

Central Valley Property Management was an application before the Planning Board that received a conditional lot merger, site plan, special permit and architectural review approval in July. The project is located on the northeastern side of the intersection of Estrada Road and Route 32. The application is approved for the construction of an 8640 square feet of mixed-use commercial/retail/office space, including 1479 square feet of restaurant use and eight residential units on the second floor. Per the Village Code requirements, the applicant must submit a "Stormwater Control Facility Maintenance Agreement". Attorney Naughton has reviewed the document submitted and has found it satisfactory. Clerk Potvin noted the required \$9720 bond has been posted in escrow. Motion was offered by Trustee Egan, seconded by Trustee Crouse, to authorize the Mayor to sign the agreement and approve the bond amount of \$9720 as recommended by Engineer Lindsay.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

V. Public Comment:

Joe Zlato commended Building Inspector Thomasberger for his help to locate a pipe that was causing flooding. He appreciates him taking the time to assist.

VI. Board Member/Department Comment:

The Board collectively wished the public a Happy Thanksgiving. They also congratulated the individuals that won their election and thanked all the individuals ran for election. Trustee Mickolajczyk also thanked the individuals that worked the election. The Board members each acknowledged the employees and volunteers that worked during the recent storm to help with the flooding that was experienced in the Village. Trustee Egan recognized Ben Conques for reaching the 5000 response mark while serving as a volunteer for the Ambulance Corps. Mayor Queenan thanked all that attended the meeting this evening.

VII. 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 7:25PM.

ADOPTED AYES 5 Queenan, Crouse, Egan, Flood, Mickolajczyk
 NOES 0

Desiree Potvin, Village Clerk