

Planning Board Minutes November 2, 2017

Chairman Donald Pollock opened the November 2, 2017 meeting of the Amityville Planning Board at 7:00 P.M. and welcomed the public. He then introduced himself and the other Board members to the public.

Members Present: Donald Pollock, Chairman
 Colleen Nugent, Member
 Mary D’Andrea, Member
 Joseph Morin, Member
 James Squicciarini, Member
 Chris McCarthy, Alternate

Other Attendees: Corliss Baskerville, Secretary to Boards
Absent: Brian Donato, Building Inspector

The Board and attendees recited the Pledge of Allegiance.

Chairman Pollock noted that all applicants are hereby notified that any/all agreed upon concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

The first order of business is to make a motion to approve the minutes of the October 12, 2017 meeting. The motion was moved by Ms. D’Andrea, seconded by Ms. Nugent.

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D’Andrea	-aye
	Colleen Nugent	-aye
	Joseph Morin	-aye
	James Squicciarini	abstained due to absence

Motion carried: 4 ayes 1 abstained

Application of Thomas J. Boyle as agent for Michael Schilling. Applicant seeks a variation from the sign code pursuant to the proposed erection of a non-conforming sign on the front awning of the storefront pursuant to § 144-17 of the Village Code. Premises located on the South side of Merrick Road approximately 202 East of Richmond Avenue in a “Business 2” District known as 127 Merrick Road a/k/a SCTM# 101-7-7-2

Thomas J. Boyle, owner of Tattoo Frenzy, spoke on behalf of application. Chairman Pollock informed the Board that Mr. Boyle has already been before the Board of Trustees for

permission to put up an awning and was approved to put an awning up. Mr. Boyle agrees with the alternations suggested by the Board of Trustees adding scallops on the edges of the awning to be uniformed with other business on Merrick Rd. Chairman Pollock expressed that the Planning Board was concerned about the coloring of the awning as it is the same as another tattoo parlor in the area. Chairman Pollock suggested adding coloring to appear as scalloping as opposed to cutting up awning which would not be appropriate. Ms. D'Andrea does not think the scalloping is appropriate because it does not fit in with the business Tattoo Frenzy. Mr. Squicciarini expressed concern over the width of the awning being in sync with the windows and door.

Joan Donaldson of Bay Village Civic Association spoke to this application. Ms. Donaldson questioned the signage and canopy of Tattoo Frenzy. Chairman Pollock responded that the signage is allowed. He also has communicated with Brian Donato, Chief Enforcement Officer who has stated that the sign is good. Ms. D'Andrea questioned whether a sign was needed on the top and bottom of window. Chairman Pollock responded that the awning will be replacing the sign.

A motion to approve the application with the following stipulations was made by Ms. D'Andrea and seconded by Mr. Morin.

Stipulations:

1. Applicant must abide by all Village, County and State codes
2. Applicant must place awning a good distance from window to door as it appears in photo.

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	James Squicciarini	-aye
	Joseph Morin	-aye

Motion carried: 5 ayes 0 nays

Application of Parrot Design Group as agents for Denis Rodger. Applicant seeks an architectural review and subsequent approval pursuant to the proposed new front entry and façade refurbishment to the northern most tenancy of the existing one story building pursuant to § 24-6-A. (1) (g) of the Village Code. Premises located on the Southwest corner of Broadway and Locust Drive in a "Business 2" district known as 530 Broadway a/k/a SCTM#101-1-2-23

(Inaudible name), architect spoke for this application. Chairman Pollock stated that this is only about the architectural work of the building and nothing more. Architect explained the plan to put in a new 8ft. door, add concrete and stone to the entrance and add exterior gooseneck lighting to give the building a more attractive look. Architecture will also be adding signage. Building will have a rustic look on the inside. Chairman Pollock communicated to the Architect

the concern of the residents over the type of business that states in the signage “restaurant, bar and entertainment” opening in that location. He recalled the police activity over the years. Planning Board members are concerned that the signage, particularly the pink hearts, gives the impression of a Gentleman’s or Strippers Club and overall design materials for the outside of the building.

Mr. Squicciarini stated that the canopy over the door and other items must be properly presented and approved by the Board of Trustees before it is presented to the Planning Board. Mr. Squicciarini feels that this application needs to be referred to the Board of Trustees to pass that level of scrutiny. He also stated that the outside of the building should be in line with the Bay Village Architectural look preferred in The Village. Michael Archer, the potential owner of the business, described the cuisine and desired clientele. Chairman Pollock stated that the Planning Board would not decide tonight because the application must go before the Board of Trustees first. Chairman Pollock suggested that Mr. Archer have a meeting with Bryan Donato, CEO and discuss requirements.

Katrina Conway from the Mcclowss Homeowners Block Association and Enhancement Team of Amityville spoke against the application.

Joanne Donaldson from Bay Village Civic Association expressed concern over the parking and presentation of the business.

Mr. Squicciarini stated that this application and business owner is separate from the previous one and it should not be judged as such with regard to the Planning Board. He communicated that this application should be referred to the Board of Trustees for the awning and design of the establishment and at that time the concerns of the public can be communicated and addressed.

A motion to refer this application to the Board of Trustees was made by Mr. Squicciarini and seconded by Chairman Pollock.

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D’Andrea	-aye
	Colleen Nugent	-aye
	James Squicciarini	-aye
	Joseph Morin	-aye

Motion carried: 5 ayes 0 nays

Mr. Squicciarini proposed a question regarding the topic discussed in the September Planning Board Meeting where the Planning Board made a motion to seek a legal opinion from The Village attorney (George Kennedy) regarding The Village Code section on the elevation of homes. He stated that a

written response had not been received to date. Chairman Pollock responded that Mr. Kennedy did say he would speak with the Planning Board, however Mr. Squicciarini was not present at the last meeting and, therefore Mr. Kennedy was asked not to appear.

Mr. Squicciarini made a motion on a vote, as a Board, that the Village attorney produce a legal opinion regarding section Village Code regarding the elevation of homes and whether a home that exceeds BFE plus 3ft. as the code explicitly states anything above 3ft. would require a variance. He requested that a letter be sent to the Village Board and the Village attorney reiterating our request and inquiring why that request has not been met in the two months since the request was made. This motion was seconded by Mr. Morin.

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Joseph Morin	-aye
	James Squicciarini	-aye

Motion carried: 5 ayes 0 nays

A motion to adjourn the meeting was made by Mr. Squicciarini and seconded by Ms. Nugent

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Joseph Morin	-aye
	James Squicciarini	-aye

Motion carried: 5 ayes 0 nays

Meeting adjourned at 8:00 pm

Respectfully submitted:


Catherine Murdock, Clerk/Treasurer