Village of Millbrook
Zoning Board of Appeals
Meeting Minutes
March 5, 2013

Call to Order: Meeting was called to order at 7:00PM by Chairman Joel Diemond.

In Attendance: Chairman Joel Diemond, Robert Knapp, Earl Meyers and John Hay. Excused: Andrew Doro

Review of Minutes: Minutes from the September 6, 2012 Zoning Board of Appeals meeting were reviewed. Motion was made by Mr. Knapp and seconded by Mr. Hay to accept the minutes as written. All were in favor.

Old Business: **N/A**

New Business: **J. McLaughlin Retail Storefront – 3282 Franklin Avenue – Planning Board referral: Request for area variance for additional signage and canopies on the Church Street side of their building. This request is due to the Village Code's sign criteria (Section 230-20 B(2)(a);230-20 B(2)(b); 230-20 C(2) along with 230-11(K).**

Douglas E. Larson, AIA, Larson and Paul Architects, represented J. McLaughlin for their request for an area variance for 2 blade signs and additional canopies (awnings) on the Church Street side of their building. Mr. Larson explained that the business is owned by brothers Jay and Kevin McLaughlin. It is a retail clothing store with approximately 2/3 for women and 1/3 for men's clothing. J. McLaughlin specializes in villages like Millbrook and each of their stores is a unique boutique, not a chain store. Mr. McLaughlin purchased the building located at 3282 Franklin Avenue. The first floor will house the retail store and the second floor will remain tenant-occupied. Mr. Larson reviewed the drawings and renderings and explained the interior changes they plan to make. He also showed color samples for the awnings on both sides of the building. The J. McLaughlin name will be on the front canopy (awning) and their monogram/logo will be on the Church Street side canopies (awnings). He explained that the front blade sign will hang from the awning for the women's Franklin Street entrance and the Church Street blade sign will hang from the side of the men's entrance door. They also plan to paint a "distressed" J. McLaughlin sign directly on the Church Street side of the building. This sign will be in keeping with the historical signage formerly on this building – Village Historian, David Greenwood, provided historical pictures for this project.

Chairman Diemond noted that the Village Planning Board unanimously supports this request. He also noted that the Dutchess County Department of Planning and Development reviewed this request and found it to be a "Matter of Local Concern Only".

Chairman Diemond asked the Board members if there were any questions or concerns regarding this request before the Area Variance Checklist was reviewed. There were none.

The Village of Millbrook Zoning Law Section 230.68 (b) (2) Area Variances: In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider:

(a) Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of an area variance? The Board unanimously said "NO". The request will be an improvement to the Village and hopefully attract additional business.
(b) Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance? The Board unanimously said "NO".
(c) Is the requested area variance substantial? The Board unanimously said "NO". The requested variance is not considered substantial for this property.
(d) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? The Board unanimously said "NO". There is clearly no impact or adverse effect.
(e) Was the alleged difficulty self created, which consideration shall be relevant to the decision of the Board of Appeals, but not necessarily preclude the granting of the area variance? This request was self-created but is considered an improvement to the property and the surrounding area.

A motion was made by Mr. Meyers and seconded by Mr. Knapp to approve J. McLaughlin's request for an area variance to add two blade signs and additional canopies (awnings) on the Church Street side of the building located at 3282 Franklin Avenue. This approval is conditioned on the Dutchess County Department of Planning and Development finding that this is a matter of local concern. All were in favor.

Other Business: **N/A**

Motion to Adjourn: Motion was made by Mr. Hay and seconded by Mr. Meyers to adjourn. All were in favor. The meeting was adjourned at 7:16PM.

Respectfully Submitted:

Suzanne Gould
Secretary
Zoning Board of Appeals