

MINUTES of the Village of Montgomery Planning Board meeting held in the Court Room of the Village Hall, Clinton Street, on Wednesday, November 18, at 7:30 pm.

ATTENDANCE: Chrm. Conero, Absent-Mbr. Crowley, Mbr. Steed, Absent/Recused-Mbr. Romano, Mbr. Meyer, Atty. Kevin Dowd, Vlg. Eng. Aileen Leahy of Lanc & Tully, Rubin Buck, Krista Wild

OPEN: Chrm. Conero opened the meeting with the Pledge of Allegiance.

RE: OLD BUSINESS

RE: WILDFIRE GRILL PATIO PLAN – 202-2-7

Chrm. Conero stated that at the last meeting with Ross, they had concerns with the parking situation and a few other items. Mr. Buck is representing the applicant. 202-2-5 has enough space for 3 vehicles and is proposing to expand that area with pavement (33ft in length) to add additional 3 spots. 202-2-9 there is enough space for 4 vehicles, it's graveled; they are expanding the top corner with gravel. They are proposing parking and access easements for both lots and once that is complete, there will be enough parking for the residence's, on the adjacent lots and above the restaurant. On Lanc & Tully's comment letter #2, request to look into the grease trap to make sure it's adequate given the expansion. Their office will look into that.

Chrm. Conero asked about the 4 spots (202-2-9) and how will they propose to back in/out of that area, is there enough area? Mr. Buck said it is tight but it is maneuverable. CC asked which proposed spots were for the residence's? Atty. Dowd said the 202-2-5 property is a two-family that requires 4 for those residents. You are showing 6. Mr. Buck said 4 are for that residence and currently, 2 apartments over the restaurant that require 4 and a single family that requires 2, so a total of 10 between all three lots. Atty. Dowd asked if the lots on 202-2-9 would be paved? Mr. Buck said yes and that access off Clinton Street is paved. Chrm. Conero asked, the easements that they are proposing will allow Wildfire Grill to park on these spots? Atty. Dowd said only two on 202-2-9 and two on 202-2-5. Mr. Buck said that 202-2-5 is currently occupied. Atty. Dowd said it is zoned a two-family. 202-2-5 will remain gravel and they will expand the gravel in the back corner. Atty. Dowd said the zoning code states that it should be paved, but the Board can waive the curbing requirements and allow it to be gravel. It shows that the access between Wildfire Grill and 202-2-5 is 9+ or minus feet, the code says it has to be a 10ft access driveway. Mr. Buck says that is what the building currently exists. Atty. Dowd says it may need a variance as it isn't wide enough, it is not compliant and hasn't been for many years.

Atty. Dowd asked the Board members if the layout was acceptable to them. Chrm. Conero said the layout is what it is. You can't move things around. Atty. Dowd said when this was approved as a restaurant, the Planning Board waived the parking only for the restaurant use, not for the apartments. Now they're expanding the back and they need to know, technically how many parking spaces that area would require and continue a waiver for the restaurant use; they are within 500 ft of the Village parking lot. This Board can consider additional parking for additional commercial/restaurant space. Those 4 spaces were supposed to be onsite since the very conception of this site plan. It needs to be as close to compliant as possible. Chrm. Conero said this isn't just Wildfire property. Atty. Dowd said it crosses two other property lines so you have to have access easements and consent of the other property owners. There is an issue that the Board can consider, the fact that these other properties are in the B2, and this is a change to those two sites, they may have to become co-applicants. A site plan is required for all properties involved.. Going forward, you may have to amend the application to add Clancy and Cassandra

Wild to the application because you are actually changing their lots by adding parking spaces whether they are paved or unpaved. Their properties will be encumbered by this parking requirement unless something changes and the easements are terminated. These will follow the properties whether they are owned by Clancy or Wild; it goes with the land. If they are sold, it needs to be stated that the easement goes with it.

Mbr. Meyer said, on the Clancy side, based on the plan, there may be an issue backing out for the last spot, closest to the back of the property; there is no turning radiance. Chrm. Conero also asked about spot 5 on the Wild property getting out. Mr. Buck said there is but is not shown on the plan; the pavement extends down, however, the car in #5 can back toward it. Chrm. Conero said it isn't stated on the plans and should be. Krista Wild said Kassandra's property extends to Ward Street.

Chrm. Conero asked if there were any barriers preventing anyone backing out from hitting the fence and hurting patrons/tables at Wildfire Grill? He said he'd like to see something on the plans. Atty. Dowd agreed.

Atty. Dowd asked if there would be music? Entertainment? Ms. Wild said they haven't had any since COVID. Atty. Dowd said it involves your neighbors, noise, hours of operation. Ms. Wild continued, when they did it was shut down by 10:00, all neighbors were okay with it. Atty. Dowd asked if it would still be part of the application. She said yes.

Chrm. Conero said he'd like to see pictures of what this looks like. Ms. Murphy gives him a copy of an aerial of the property. He asked if the paved area would have concrete barriers and be marked. Mr. Buck said no.

Mbr. Steed has concerns with the parking radiance and the width of the driveway between Wildfire Grill and the Clancy residence. Mr. Buck will provide additional dimensions of the parking on both lots. Mbr. Steed said the dimensions of the spaces themselves, as well.

RE: MINUTES:

A MOTION was made to APPROVE THE MEETING MINUTES OF OCTOBER 28, 2020, by Mbr. Steed seconded by Mbr. Meyer and carried 3 Ayes 0 Nays.

RE: ADJOURNMENT:

A MOTION was made to ADJOURN THE MEETING AT 7:48pm by Mbr. Steed, seconded by Mbr. Meyer and carried 3 Ayes 0 Nays.

Tina Murphy, Deputy Village Clerk