

Minutes of the regular meeting of the Planning Board of the Village of Rouses Point, New York, held on Monday, October 26, 2015 at Halstead Hall, commencing at 6:00 p.m.

**CALL MEETING TO ORDER:** Chairperson Cooper called the meeting to order at 6:00 p.m. and began with the Pledge of Allegiance.

**ROLL CALL VOTE:** John Cooper, Shirley Hall, Tom Batha, Donald Gladd, Charles Roush

**ALSO PRESENT:** CEO Clifford Sterling, CEO; Attorney Thomas Murnane

**RECORDING SECRETARY:** Carol A. Hanfield, Planning Board Secretary

**PUBLIC HEARING: A REQUEST FROM THOMAS & ELIZABETH BRILOTTI FOR A SPECIAL USE PERMIT TO OPEN AN ITALIAN RESTAURANT & BAKERY AT 216 LAKE STREET.**

Donald Gladd made a motion to open the Public Hearing; Seconded by Thomas Batha; AYE CARRIED

Mr. Cooper asked three times if anybody from the public wanted to make a statement about the application. No one responded so he asked for a motion to close the Public Hearing.

Shirley Hall made a motion to close the Public Hearing @ 6:01 p.m.; Seconded by Thomas Batha; AYE CARRIED

Shirley Hall made a motion to go into Regular Session @ 6:02; Seconded by Donald Gladd; AYE CARRIED

**REGULAR SESSION:**

Shirley Hall made a motion to deem the application an Unlisted Action and that the Planning Board be Lead Agency of this project; Seconded by Charles Roush; AYE CARRIED

Attorney Murnane said that attached to the application was the Short Environmental Assessment Form with Part I completed and signed by the applicant and Part II which needs to be reviewed and completed by the Planning Board. He proceeded to review the questions 1 - 11 in Part II. Attorney Murnane said based upon those statements if anyone had any questions that there would be any kind of impacts with respect to this project.

Shirley Hall questioned about the property being on the corner and all the trucks and activity coming and going how will it be for the people going in to the restaurant. Attorney Murnane said that it is not right on the corner so looking at the plan, Mr. Brillotti incorporated entrance and exit signs which he thought was a good idea, so it is like a circular driveway around the building. This will eliminate trucks having to park on the road or back out of the driveway. It appears that there is enough room for the trucks to turn around behind the building.

Mr. Brillotti expressed his concerns about the amount of traffic being horrendous and he said he has concerns about the people crossing the street because he plans on developing the other side of the road. They will probably have picnic tables there but he is really concerned about people crossing the street and getting run over. CEO Clifford Sterling said that it would have to be addressed with the State to have a crosswalk put in. Attorney Murnane told Mr. Brillotti that because it is a State road he would have to get in touch with NYS DOT to have a crosswalk put in.

Attorney Murnane asked Mr. Brillotti what his intentions were for the other side of the road. Mr. Brillotti said it depends on how it goes with the restaurant. He asked if he was going to have a bar, serve meals or just a place for people to go and hang out with chairs and stuff. Mr. Brillotti said it depends how it goes on the other side because the plan is to eventually develop across the street where perhaps they can have something they can serve. It will have to be separate because he doesn't want anybody getting killed while crossing the street. Attorney Murnane agreed that it would be a liability concern. If you wanted to put in a bar or gazebo you would have to have power, water, and other things so logistically you will have to work that out that would be something else but you would still have a liability.

Mr. Brillotti said that he bought the property for a reason. He would like to attract in boats and sea planes, so that is another avenue for bringing in more traffic. Attorney Murnane told him that he would have to get in touch with DEC and Army Corp of Engineers that he will have to deal with to get approval for this.

Shirley Hall expressed her concerns about the delivery vehicles and how they will go in and out on Lake Street. Attorney Murnane explained that it is a circular drive that will go around the building with a designated entrance and exit in the front. Clifford Sterling said that they already talked about the deliveries and they will be before or after hours. Tom Batha agreed that it will be a lot easier with the exiting traffic head out instead of backing out on the road.

John Cooper told Mr. Brillotti when he applies for a crosswalk to make sure that the proper signage is installed. Clifford Sterling said that the coffee shop fought for a long time for that so she could probably help with that. It took her a couple of years to get a crosswalk. Attorney Murnane suggested that the signage be placed so that they don't block the sight of view and suggested that where it is put does not hinder cars driving in and out.

Mr. Brillotti expressed his concern about the state signs protruding on the other side and they look awful. Shirley Hall said that she had some taken off from her land so they will do it. Mr. Brillotti said that all of this property has been surveyed so he has markers now. There are a lot of huge State signs that are so large once he develops the property they will look awful.

Tom Murnane asked to focus back on SEQR and asked the Board if they had any questions about any impacts with respect to this project as far as SEQR. As there were not comments of any impact of this project he requested that a motion be made to declare this a Negative Declaration. John Cooper polled

the Board and they were all in agreement with the project. Charles Roush made a motion to declare this a Negative Declaration; Seconded by Donald Gladd; AYE CARRIED

Attorney Murnane stated that this application was referred to the Clinton County Planning Board and we received a letter back from them that this was a Local Issue and they did not impose any comments so that was a good sign.

Attorney Murnane said that the parking is fine and Clifford Sterling said that he is aware of the 20' rule for the fire trucks to get in and out. He is also aware that the loading dock deliveries will be made either before the place opens or after hours. Attorney Murnane commended Mr. Brilotti that his application was very well done, reviewed the pictures and said that some schematics look bigger than others. Mr. Brilotti pointed out the one that is drawn to scale. He wanted to present to the Planning Board that eventually he wants to develop a balcony for formal dining. He intends to have non-formal an formal dining. Mr. Brilotti said he was surprised of the size of the lot. Mr. Brilotti took actual measurements of the property that he used in his software program. Discussion followed.

Attorney Murnane asked if the fence will be up front and Mr. Brilotti said it would be wrought iron. What you see here is what it will be. They don't want to change the siding. The siding is blue and seems to be in decent shape which will be cleaned. He is putting on a new roof with all the awnings and he does want a balcony and nice pavers in the front with a wrought iron fence so they can serve outside. Color scheme wise, it will be tasteful and look nice.

Charles Roush asked what the capacity will be for the balcony. Mr. Brilotti said it needs to be reinforced and will probably have four or five tables with a nice awning. Charles Roush asked if he was going to have receptions as he recalled his and if you get a lot of people going out on the balcony to look at the lake. Mr. Sterling said that the seating capacity will be labeled. Discussion followed.

Mr. Sterling said he went around last night to a couple of places working on seating capacities. If there is excess at one time he can get permission to know that and make the fire department aware of it. The building inside is 2500 sq. ft. The kitchen will be a good size. They want something cozy, tasteful, with good authentic Italian cooking. They want it to be developed so if it works out nicely they will be able to expand. If it works out nicely they will eventually expand. He is taking a minimal risk on the property and what they develop they will develop it themselves.

Attorney Murnane asked Clifford Sterling if there were any area variances required or green space issues. Clifford Sterling said that he was not aware of any other issues. Mr. Brilotti asked what an area or use variance was. Attorney Murnane explained to Mr. Brilotti what an area variance and a use variance are. Mr. Brilotti asked if there was a problem with putting the pavers in. He was told it would be for a structure only like an addition to this building. Mr. Brilotti had concerns about a balcony and making it bigger and he was told he would have to follow the building code which he will have to work out with Clifford. Discussion followed.

Attorney Murnane explained that the reason Mr. Brillotti is here tonight is because the Zoning District he is in, a restaurant requires a Special Use Permit. Site Plan is a different component that includes review of the parking, signage, exterior lighting, which fall under the realms of the conditions of a Special Use Permit. He requested that two motions be made tonight to approve the Special Use Permit and at the same time approve of the Site Plan.

Charles Roush asked if Mr. Brillotti wanted to put in a wet bar to minimize traffic flow in and out of the place and had a wet bar near the road would a variance be required. Attorney Murnane said that a wet bar or a gazebo would be an accessory structure but if it is too close to the road it may require an area variance. Clifford Sterling said that he would have to be so many feet from the highway. Discussion followed.

Mr. Brillotti again said that his plan is to develop one side and then once they see how things are going they will work on across the street. He is aware that he will have to follow the guidelines of the Army Corp. of Engineers to bring in business by having sea planes land on the lake. It would be nice to attract more people. He knows that people will be able to walk and drive to the restaurant but being in aviation he would like to bring in sea planes. He has a 7200' strip on the lake to land sea planes so he would like to take advantage of that. He believes that Gaines has access to fuel. Discussion followed.

Charles Roush made a motion to approve the Special Use Permit; Seconded by Shirley Hall; AYE CARRIED

Charles Roush made a motion to approve the Site Plan Review; Seconded by Donald Gladd; AYE CARRIED

**MINUTES:**

Shirley Hall made a motion to approve the minutes of September 28, 2015 as presented; Seconded by Tom Batha; AYE CARRIED

**NEW BUSINESS:**

None

**NEXT SCHEDULED MEETING:**

November 23, 2015

**ADJOURNMENT:**

Tom Batha made a motion to adjourn the meeting at 7:06 p.m.; Seconded by Donald Gladd; AYE CARRIED

Respectfully Submitted,

  
Carol A. Hanfield  
Planning Board Secretary