

**Village of Tivoli
Planning Board Meeting Minutes
August 20, 2012**

Call to Order / Determination of Quorum

The meeting, held at the Historic Watts dePeyster Hall, was opened at 7:05 P.M. and a quorum was determined to be present for the conduct of business.

Planning Board Attendees:

Chair Mike Billeci
Leigh Palmer
John Hallstein
Donna Matthews

Also Present:

Trustee Susan Ezrati

Public:

Jeanette Canaday
David Cleaveland
Karen Cleaveland

Absent:

Ginger Grab

New Business

76 Broadway (Murray's) - Site Plan Amendment: Applicants Jake Stortini and Jesse Feldmus appeared before the Board seeking to amend their site plan regarding the lighting and speakers on the back patio. The applicants explained that the flood and spot lights they were previously using were casting light in every direction so they decided to replace those with the string lights. They thought these would be better than other lights which would be more intense. The applicants stated that they want the patio to be dimly lit. The two speakers they were previously using that were low to the ground had to be turned up too high in order to be heard by all the patrons on the patio. So they replaced them with other speakers. The applicants stated that they now have four, less intense speakers. A discussion followed.

The applicants did not feel that they should have to have another public hearing. Chair Billeci stated that he saw the new lights and felt that they shone into the neighboring property which is in violation of Village Code. He also thought the rest of the Board members should go and see the new lights on the patio. The Board thought that the public should have the opportunity to comment on the new lights and speakers. The Board also noted that if they left the lights and speakers up it would enable the Board to get the feedback from the neighbors at the public hearing. The Board will ask for a 239-m review from Dutchess County Department of Planning since Murray's is on a County Road. Donna Matthews made a motion to set a public hearing for Monday, September 17, 2012 at 7:00 pm. Leigh Palmer seconded, all in favor. Motion carried.

The applicants were given the public hearing notice and the address list. The applicants will decide whether or not to go forward with the public hearing by Friday, August 24 and let Deputy Clerk Roff know their decision. If they do not go ahead with the public hearing, then the string lights and new speakers will be removed and the previous lights and speakers will go back into use.

Local Law 3-2012 LWRP Consistency Determination: The Board went through the Local Waterfront Revitalization Program Consistency Checklist regarding *Local Law No. 3 (Proposed) of 2012 - A Local Law Amending Chapter 231 of the Village Code to Provide Supplemental Regulations for Development in the RB District, to Amend the List of Permitted and Specially Permitted Uses, and to Make Other Changes*. Leigh Palmer moved to declare that the Planning Board finds Local Law 3-2012 consistent with the policies of the LWRP and that the Board designates this as a substantive review. John Hallstein seconded, all in favor. Motion carried.

Old Business

The Board reviewed the minutes from the July 16, 2012 Planning Board Meeting. Leigh Palmer moved to approve the minutes as presented, John Hallstein seconded. All in favor. Motion carried.

Adjournment

Leigh Palmer moved to close the meeting at 8:10 PM. Donna Matthews seconded. All in favor. Motion carried.

Respectfully submitted;

Claire Roff, Planning Board Secretary