

**Village of Tivoli  
Planning Board Meeting Draft Minutes  
Monday, March 28, 2016**

**Call to Order / Determination of Quorum**

The meeting, held at the Historic Watts de Peyster Hall, was opened at 7:00PM and a quorum was determined to be present for the conduct of business.

Planning Board Attendees:

Chair Mike Billeci  
John Hallstein  
Ginger Grab  
Pamela Morin  
Donna Matthews

Also Present:

Village Planner Michele Greig  
Applicant's Ricardo and Marisi Fernandez  
Trustee Susan Ezrati, Board Liaison

Public:

Dave and Karen Cleaveland

Chair Mike Billeci opened the meeting at 7:00 PM.

**ROJO Tapas and Wine Bar**

Donna Matthews moved to open the public hearing regarding ROJO, the potential new Tapas and Wine Bar on Broadway, John Hallstein seconded; all in favor.

Marisi and Ricardo provided a summary of their project. The Site Plan was reviewed, and it was brought up that one more table should have been included in the back as existing, and this is to be corrected in the legend.

Marisi feels as though they have been responsive to all of the Board's comments and suggestions. She went on to say they both enjoy the Village, its quality of life, the art of the community, and they hope to enhance the Village while offering something new.

Public Comment was invited by Chair Mike Billeci:

Karen Cleaveland of 72 Broadway inquired about the tables which were possibly going to be in the front of the restaurant. Karen is concerned about dining with alcohol on the sidewalk due to open container laws, and she believes there will need to be a barrier between the tables and the pedestrian walkway.

Marisi will check with the Liquor Authority and follow their instructions on a barrier.

Karen brought up handicapped accessibility; she feels this is an issue, however, it appears the business will be grandfathered in.

Karen made mention of the Zoning Code 231-65 regarding garbage. She is concerned about the sight of trash cans. She read from the Zoning Code, and reiterated that trash cans need to be in an enclosed structure. Space where the trash cans could be placed, along with being enclosed, was discussed.

Dave Cleaveland of 72 Broadway asked how servers will serve food without entering into the pedestrian sidewalk. A discussion took place regarding the tables on the sidewalk, once again, and the barrier.

Dave mentioned parking and its' availability for patrons off street and on street.

Noise was Dave's next issue, and he expects ROJO will meet code requirements. It appears his confidence in ambient and background music is minimal. Michele Greig reiterated the code and stated ROJO will comply. If in the future there is no compliance, Code Enforcement will have to be notified.

Regarding lighting, Dave expressed concern about the lighting in the front, as well as the rear of the building. ROJO will not be incorporating more lighting in the front or rear, and it will be directed towards their sign.

On a motion to close the public hearing by Donna Matthews, and seconded by Pamela Morin; the public hearing was closed at 7:25 PM; all in favor.

Chair Billeci reviewed the memo by Michele Greig, and it was determined that the applicants will move the dumpster and enclose the dumpster in a specific space. Dumpsters will be enclosed within a wooden fence, at least 70 inches in height.

The Board agreed the Resolution would be amended to show these modifications, along with a date correction, along with adding the revision date.

Content for a Signature Block is to be forwarded to the applicant; and a new Site Plan reflecting changes will be provided to the Planning Board Chair for signature.

Frontage of the space and planters were touched upon, and should be shown on the plan.

### **Sweeny**

On a motion by Ginger Grab, and seconded by Pamela Morin, a public Hearing will be set for April 4, 2016 at 7:30 in the Town of Red Hook. There will be 5 postings, along with published in the Village's specific newspaper. The posting will also be forwarded to Sue McCann, Town of Red Hook Clerk. Kathleen Flood has notified all required regarding farm operations and the Ag data report.

The Planning Board reviewed the LWRP. On the LWRP notes were made on 7A, not applicable, 24A was fine, 25A should be yes. It was recommended that Chair Billeci initial and date the changes to the LWRP. On a motion by Pamela Morin and seconded by Ginger Grab, the LWRP was accepted and approved; all in favor.

### **Solar Guidelines – Village Board**

Trustee Ezrati made a presentation regarding the Solar Guidelines. Documents were provided to each Planning Board member; the Village is requesting permission to use Solar Guidelines and make them available to residents.

The Chair and Board reviewed the LWRP; a motion was made by Ginger Grab that the guidelines and the LWRP were consistent, seconded by Pamela Morin; all in favor.

The Board reviewed the DRAFT minutes from the February 22, 2016 meeting; on a motion made by Donna Matthews and seconded by John Hallstein; the minutes were accepted.

### **Adjournment**

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

Respectfully submitted,

Robin L. Bruno  
Village Clerk

Attachment