

TOWN OF TAGHKANIC PLANNING BOARD

MINUTES OF THE OCTOBER 27, 2015 REGULAR MEETING

A regular meeting of the Town of Taghkanic Planning Board was held on Tuesday, October 27, 2015 at the Town Hall.

Those present were:

- Katherine Bainer - Chair
- Kent Sammons
- Eric Gaylord
- James Alvarez
- John Roberts
- Ralph Gorgane - Alternate

<p>Approved December 1, 2015</p>

Those absent were:

- Stephen Kling
- Raymond Keyser

Also present were:

- John Lyons, Esq., Counsel to the Planning Board
- Kimberly Garrison, Counsel to the Planning Board

Ms. Bainer opens Public Hearing Carley/Hoffman

The Board reviews the information to be sure all is good. The Col. Cty. Planning Board gave an OK on the application.

Mr. Roberts makes a motion to close the public hearing, seconded by Mr. Gaylord and approved by all those present.

Approved 5Aye (Bainer, Roberts, Sammons, Gaylord, Alvarez)
0 Nays
2 Absent (Keyser, Kling)

Ms. Bainer opens the regular meeting at 7:15 p.m. with the pledge.

Site Plan Review –
Carley/Hoffman

The Board takes the time to review and go over the resolution that Mr. Lyons prepared for the Boards approval. Mr. Lyons will need to revise the resolution.

Mr. Sammons makes a motion to approve the resolution, seconded by Mr. Roberts and approved by all those present.

Approved **5 Aye** **(Bainer, Roberts, Sammons, Gaylord, Alvarez)**
 0 Nays
 2 Absent **(Keyser, Kling)**

**Final Resolution of the Town of Taghkanic Planning Board
Site Plan Approval for Spirit and Wine Barn**

Date: October 27, 2015
Applicant: James Carley and Loretta Hoffman
Matter: Application for Site Plan Approval
Property: 624 Old Route 82, Craryville, NY 12521
Property ID: 172.-2-11

WHEREAS:

1. On September 28, 2015, the Applicants, James Carley and Loretta Hoffman, submitted an application for site plan review for a change of use of their Ice House a.k.a. Antique Shop to a small liquor store (“Spirit and Wine Bar”) that will specialize in offering for sale craft beverages produced in Columbia County, although that will not comprise the exclusive inventory.
2. The property, located at 624 Old Route 82 in the Town of Taghkanic, is situated in the B-1 General Business District, and the use is permitted, subject to site plan approval.
3. The proposed liquor store is proposed to be located where the present Antique Store is situated. It will occupy 376 square feet of area within the building and will have one side entrance. The proposed hours of operations will be from May to December, opened five to six days per week.
4. If site plan approval is granted by the Planning Board, the Applicant will apply to the New York State Liquor Authority for the necessary license(s) to operate a liquor store at that location.
5. On October 6, 2015, the Applicant submitted a site plan map to the Planning Board for our review.
6. At the Planning Board’s October 6, 2015 meeting, the Board acknowledged receipt of the application and all applicable fees paid by the Applicant.
7. On October 6, 2015 the Planning Board accepted the application as complete.
8. On October 6, 2015, the Planning Board classified this subdivision as a Type II Action under the State Environmental Quality Review Act (SEQRA) regulations pursuant to Part 617.5(c)(7). Accordingly, this application is exempt from SEQRA and no environmental review of this application is required
9. On October 6, 2015, the Planning Board passed a motion to schedule a Public Hearing for October 27, 2015 at 7:00 P.M. to be held at the Town Hall, and directed the Town Clerk to publish the required notice for the public hearing in accordance with the requirements of the Town of Taghkanic Zoning Law. The Planning Board also directed the Applicant to provide notice of the public hearing to their neighbors via certified mail.

10. On October 6, 2015, the Planning Board authorized and directed its counsel, Grant & Lyons, LLP, to determine if the application was subject to referral to the Columbia County Planning Department under the New York State General Municipal Law Section 239-m, and to submit the referral if necessary.
11. On October 14, 2015, Grant & Lyons submitted a full statement to the Columbia County Planning Board for referral under the New York State General Municipal Law Section 239-m because the real property was located within 500 feet of a state or county road (NY State Route 82 and County Route 10).
12. On October 21, 2015, the Columbia County Planning Board stated reviewed the application for site plan review and stated that “the proposed action does not appear to have any significant county-wide or intercommunity impacts associated with it.” The Columbia County Planning Board advised the Town of Taghkanic Planning Board that it may take final action with a majority vote.
13. The Columbia County Planning Board did, however, offer some comments for consideration, on the issues of access, parking, lighting, water supply and septic, New York State Liquor Authority, and proposed restrooms.
14. In response to those comments, the Applicant has modified their site plan map to address the comments made by the Columbia County Planning Board.
15. The Applicant will not install any additional exterior lights on the premises, and will use the same sign size and location as is presently on the premises for the Antique Store. The only change to the sign will be in name only.
16. The Applicant contacted the Town Highway Superintendent, Foster Hotaling, for a determination of whether the current access is appropriate for the change in use or if additional improvements need to be made. In an email, dated October 27, 2015, Mr. Hotaling stated there were no problems with the present entrance and exit on the premises for the new Spirits and Wine Barn.
17. On October 27, 2015, a duly noticed public hearing was opened and all comments from the public were heard by the Planning Board. The public hearing was closed that same night.
18. In its review, the Planning Board has considered the criteria set forth in Town of Taghkanic Zoning Law Section VII (B) entitled “Zoning Permit” including traffic access, circulation and parking, and landscaping and screening. The Board has also considered the possible impacts on increased traffic, adequate parking on site, the signage to be used for the Spirits and Wine Barn, exterior lighting on the premises, safety, storage, and hours of operations.

**BASED ON THE FOREGOING, NOW
BE IT RESOLVED THAT**

- Section A. The Town of Taghkanic Planning Board determines that there will not be any adverse impact to the community and character of the neighborhood where the proposed liquor store will be situated.
- Section B. The Town of Taghkanic Planning Board determines that there will not be an increase in traffic. There proposed use will have adequate parking for the location of the liquor store, and there will be no additional lights or signage on the premises that would change the appearance of the existing use.

- Section C. The Planning Board determines that the proposed use does not create any safety concerns.
- Section D. The Planning Board feels that adding such a use in the B-1 General Business District will have favorable impact on the local economy. The Applicant has discussed this project with current customers and neighbors and received favorable feedback. The Planning board believes this use will have a benefit for the Town of Taghkanic.
- Section E. For the reasons set forth herein, the Town of Taghkanic Planning Board approves the site plan for the change in use from an Antique Store to a liquor store for the retail sale of liquor, spirits and wine with an emphasis on the sale of craft wine and spirits from local wineries and distilleries.
- Section F. Upon receiving this approval from the Town of Taghkanic, the Applicant will continue with their application process to the New York State Liquor Authority for their appropriate liquor license and permit.
- Section G. This site plan approval requires that the operation of the business shall be consistent with any conditions and restrictions that may be set forth by New York State Liquor Authority and any liquor permits that will be obtained by the Applicant.
- Section H. Pursuant to this approval the Applicant shall be permitted to repurpose the existing wooden sign for the Antique store to a sign for the liquor store. Any new sign shall require the Applicant to apply for and receive the necessary sign permit.
- Section I. The Town of Taghkanic Planning Board directs that a copy of this resolution shall be filed in the office of the Town Clerk, and the Planning Board further directs the Town Clerk to send a copy of this resolution to the Columbia County Planning Board within thirty (30) days of the adoption of this Resolution.

On a motion by: Kent Sammons
 And Seconded by: John Roberts

Roll Call Vote on Resolution:	Aye	Nay	Absent/Abstain
Katherine Bainer, Chair	<u> X </u>	<u> </u>	<u> </u>
John Roberts	<u> X </u>	<u> </u>	<u> </u>
Kent Sammons	<u> X </u>	<u> </u>	<u> </u>
Stephen Kling	<u> </u>	<u> </u>	<u> X </u>
Eric Gaylord	<u> X </u>	<u> </u>	<u> </u>
James Alvarez	<u> X </u>	<u> </u>	<u> </u>
Raymond Keyser	<u> </u>	<u> </u>	<u> X </u>
Ralph Gorgone (Alternate)	<u> </u>	<u> </u>	<u> </u>
Final Vote:	<u> 5 </u>	<u> 0 </u>	<u> 2 </u>

Resolution Passed: 5-0 Failed:

Dated: October 27, 2015
 Town of Taghkanic Town Hall, Taghkanic, NY

Filing: This Resolution and the attached Decision of the Board was filed with Town of Taghkanic Town Clerk on October ____, 2015, by Jean-Adele Howard, Planning Board Secretary

Copies of this Resolution were sent to:

- Applicant
- Dennis Callahan, Zoning Enforcement Officer, Town of Taghkanic
- Erik Tyree, Taghkanic Town Board liaison to the Planning Board
- Craig Surprise, Taghkanic Assessor
- Patrice Perry, Senior Planner, Columbia County Planning Board

Minutes –

Ms. Bainer seats Mr. Gorgone at this time.

The Board cannot approve neither the April 7th nor the October 6th minutes due to missing Board members.

August 4, 2015 –

Mr. Sammons makes a motion to approve the minutes, seconded by Mr. Gorgone and approved by those present.

Approved	4 Aye	(Bainer, Sammons, Gorgone, Alvarez)
	0 Nays	
	2 Absent	(Keyser, Kling)
	2 Abstain	(Roberts, Gaylord)

Mr. Gorgone is unseated at this time.

Mr. Alvarez moved to adjourn the meeting at 7:30 p.m., seconded by Mr. Gaylord and approved by all present.

Approved	5 Aye	(Bainer, Roberts, Sammons, Gaylord, Alvarez)
	0 Nays	
	2 Absent	(Keyser, Kling)

Respectfully submitted,

Jean-Adele Howard
 Secretary, Town of Taghkanic Planning Board
 Next Regular Meeting Scheduled: Dec. 1, 2015 at 7:00 p.m. with a Public Hearing

Accepted by: _____
 Title: _____
 Date: _____