

**Town of Kinderhook
Planning Board Meeting
January 17, 2013**

Approved

Minutes

The Meeting of the Town of Kinderhook Planning Board was held on Thursday, January 17, 2013 beginning at 7:05pm at the Kinderhook Town Hall, 4 Church Street, Niverville, NY. The meeting was called to order by the newly appointed Chairperson, Mary Keegan-Cavagnaro. The Roll was taken by the Secretary.

A. Call Roll

Present:

Mary Keegan-Cavagnaro, Chairperson
Andy Howard, Attorney
Patrick Prendergast, Engineer
Chris Simonsen
Guy Rivenburgh
William Butcher
Cheryl Gilbert
Daniel Weiller
Dale Berlin
Nataly Dee, Secretary

Excused:

Jake Samascott
Peter Haemmerlein

Absent:

None

B. Correspondence

1. Review of Minutes:
 - December 13, 2012
 - December 20, 2012

A Motion was made to approve the minutes listed above by Mr. Rivenburgh. Motion seconded by Mr. Simonsen. All in favor. Motion carried; minutes approved.

C. Public Hearings

1. James Egnasher – Lot Line Adjustment

The Public Hearing originally scheduled for January 17, 2013 needs to be rescheduled for February 21st, 2013.

A Motion to reschedule the Public Hearing was made by Ms. Gilbert. Motion seconded by Mr. Weiller. All in favor. Motion carried: Public Hearing rescheduled.

D. Old Business

1. Drake Petroleum – Site Plan Review

No one was present to represent the project. However, communication has been received from the representatives as a result of their appearance at the previous week's workshop meeting. Mr. Prendergast stated that the applicant had contacted Mr. Visconte at the Department of Transportation as recommended by the Board. The applicant will return in February for further review of the project.

E. New Business

1. Halinen, Maret: Application for Special Use Permit for Bed And Breakfast

Ms. Maret Hallinen was issued a violation from the Building Department for operating a Bed and Breakfast at her residence on Mile Hill Road without Site Plan Approval from the Planning Board.

The applicant was in attendance and addressed the Board. She was unsure as to why she had received the violation and was seeking clarification on the matter.

Mr. Howard referred the applicant to the Code 250-29 of Zoning Code which addresses what one needs to do for the operation of B&B. Mr. Howard noted that the town needs applicants to address the standards outlined in the Code, and that the regulations are in effect to protect the

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health, welfare, safety, and additional interests of the residents of the Town. To cure the notice of violation would be to go through the Site Plan Review process. Mr. Howard offered some options and suggestions to the applicant if she felt she required some assistance negotiating this process. The Board was willing to provide the applicant with references to local surveyors, engineers, or attorneys that would be able to help her.

The applicant was informed that to conform with the Code a Site Plan would include such information as the location and size of the property, the residence and parking area. The applicant was additionally informed about the Ag Data Statement, Environmental Assessment Form, application fee, and a brief narrative that would complement an application. The Board will be looking at compliance to Health Department regulations. Given the size of the property it appears that if the property is 6.1 acres there are sufficient lands to meet the density requirement. One parking spot for each guest room needs to be designated on the side or rear of the property. Additionally, it is required that this is the primary residence of the applicant. Any exterior lighting also needs to be reflected on the Site Plan and cannot interfere with neighbors.

The applicant was informed that a Public Hearing would need to occur and neighbors would need to be notified of this action. The applicant requested that additional forms be provided to complete the application process.

The fees for a Special Use Permit for the purposes of this application will be reviewed by the Board.

The applicant was provided with new forms and the schedule for upcoming workshop and regular meetings in February.

F. ZBA Opinions

None

G. Liaisons

1. Village Planning Boards – No new items to report.
2. Town Board – Organizational meeting was held on Monday. Mr. McManus was appointed Chair of the Zoning Board of Appeals. Ms. Keegan-Cavagnaro was appointed Chair of the Planning Board. Mr. David Jonas presented an Emergency Plan Development proposal to the Board. He would like to review the Town’s Emergency Plan and a committee was formed to work with him on this issue.
3. Comprehensive Plan Review Committee – Waiting on consultant with revisions to the final draft.
4. NYSEG Project – Nothing new to report.

H. Other

Ms. Gilbert informed the members that the New York Planning Federation Conference is scheduled for April 21-23 in Saratoga.

The secretary will check with the Building Department for any additions or changes to the Fee Schedule.

Public Comment:

None

A Motion to adjourn was made by Mr. Berlin. Motion seconded by Ms. Gilbert. All in favor. Motion carried; meeting adjourned at 7:35pm.

Respectfully submitted,

Nataly Dee. Secretary