

Approved June 4, 2015

# **Village of Kinderhook Planning Board Minutes of May 7, 2015**

- Present M. Cabral, Chair; D. Flaherty, Vice Chair; B. Charbonneau; S. Patterson; M. Browne; G. Smith, CEO/ZEO; R. Phillips, Liaison; R. Fitzsimmons, Village Attorney
- Also Paula Van Meter; Jon Varese; Chris Davison; Katherine Brennan; Steve Phillips; Jim Dunham; Andrew & Conny Chase; Robert Altman; Paul Calcagno; Renee Shur; Warren Applegate; Barry Herbold; Michelle Van Allen; Alex Van Allen; Cathy Boyd; Tina Lang; Paul Colarusso; Paul Rinehart; Paula Van Meter; Michael Devine
- Public Hearing 7:15 PM Site Plan and Special Use Permit Amendments  
The Flammerie 5-7 Hudson Street 43.20-2-31

M. Cabral opens public hearing, he notes that the Board did not need to refer this application to the Columbia County Planning Board. R. Fitzsimmons states that it is exempt due to the addition being less than 50% of the existing building and the Board agrees. Connie & Andrew Chase speak about wanting to add an outdoor fenced-in guest garden for dinner. B. Herbold, 30 Broad St., promotes this business and thinks it is a wonderful idea, they have been open 6 months and are successful and very beneficial for the village. R. Altman, 13 Hudson St., thinks that this is a great idea but is concerned about music being too loud. A. Chase states they will not be having music outside at this time but when they do it will be at a reasonable level and will not be able to hear it outside the fenced-in area. P. Van Meter, 208 School House Rd., lived in the village for 25 years prior and thinks this is a wonderful asset to the village. C. Davidson, 25 Broad St., from The School, states that himself, Jack and Carlos are all in favor. R. Shur, 7 Sylvester St., promotes this business and notes that they have been respectful of the village and their restaurant is a wonderful asset. S. Gillger, 9 Hudson St., owner of apartment building next door since 2001, is concerned for his tenants, there is wood smoke that comes out of the chimney, fan blowing food smells towards the building and there is loose garbage on the side of his building by the fence. He is concerned this will get worse with more production coming out of the kitchen. He is against this addition. G. Smith, CEO, states that all of his concerns are up to code regarding the height of the chimney, proper ventilation and the garbage placement. P.

Calcagno, landlord of 7 Hudson St., states that this building is in the business district and should be used as such, a business. M. Devine, 10 Broad St., also lives in the business district and is happy that people are investing in our community. K. Boyd, 4 Church St., is in full support. T. Lang also states she is in full support. B. Charbonneau motions to close public hearing; S. Patterson seconds; all in favor.

Call to Order	7:36 PM
Minutes	M. Cabral updated and changed minutes. D. Flaherty moves to approve April 2, 2015 minutes with amendments; B. Charbonneau seconds; all in favor.
Funds Remaining	\$3,444.50
Correspondence	NONE
Old Business	Site Plan and Special Use Permit Amendments for The Flammerie 5-7 Hudson Street 43.20-2-31

D. Flaherty recuses himself from considering and voting on The Flammerie application. R. Fitzsimmons goes through the SEQR form with the Board, all answers are no and a negative declaration is declared. B. Charbonneau motions to approve SEQR as having no significant adverse environmental impacts; S. Patterson seconds; all in favor. M. Cabral opens the meeting for discussion on the application to the Board. B. Charbonneau states that none of the tenants of the apartment building next door came to fight against the outside eating area, only the owner of the building who does not live there. M. Cabral questions the applicant regarding music outside. C. Chase states that eventually they would like to have ambient levels of music but for now they cannot afford a surround system. S. Patterson states that they should be sensitive to the concern and maybe put limitations on the noise level. The Board reviews the blueprints and the garbage is in the location that was approved with their prior application so that is not an issue. The applicant and Board discuss extending hours and what she is asking for to clarify. C. Chase updates the existing map for the village files. M. Cabral motions to approve the application with the following conditions: Hours are extended Monday through Sunday 10 am to 11 pm with outside music ending at 9 pm, a maximum of 28 additional seats in the approved outside area, and a maximum of 6 occasions a year when they can stay open until 1 AM (ex. New Year's Eve); B. Charbonneau seconds; all in favor.

New Business

Special Use Permit Alex Van Allen 16 Hudson Street 43.20-2-38  
Alex opens up to speak about the application. They will be occupying the first floor of the building with an American Tapas Style Restaurant, which are small portions of food paired with wine and beer. He will be getting as much of his ingredients from local farms and businesses to be used in this endeavor. There is no kitchen so he will be using panini griddles and counter top fryers, nothing permanent. He will deal with Columbia County Department of Health on the codes regarding cooking. M. Browne asks when he plans to open and he is hoping the second week of July. B. Charbonneau asks about deliveries. A. Van Allen states there will be no deliveries; he will be bringing everything into the restaurant himself. M. Cabral asks about seating and A. Van Allen states he is hoping to have a maximum of 40 seats. G. Smith states this is a retail business so parking is not an issue. The Board and Alex discuss the application further and request more information regarding the patio outside that he is eventually proposing, what hours he is looking to operate, more details on the seating inside and out, noise levels if there will be outside music, where the garbage will be located, lighting outside, update the site plan and get all additional information back no later than May 22, 2015 to have a public hearing on June 4, 2015 at 715. D' Flaherty motions to accept application; S. Patterson seconds; all in favor.

Other

M. Browne updates the board on the Comprehensive Plan Update Committee Meeting.

Next Meeting

June 4, 2015

Adjournment

8:27 PM B. Charbonneau moves to adjourn; D. Flaherty seconds; all in favor.

Kristina Berger

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Secretary to Planning Board