

Approved 10.3.19

**Village of Kinderhook
Planning Board
Minutes of September 5, 2019**

Present Abram Van Alstyne, Chair; S. Patterson; B. Charbonneau; G. Smith, CEO/ZEO;
Tina Lang, Mayor James Dunham, Nicole Heeder, Village Clerk

Absent Kevin Monahan, R. Phillips, Liaison, R. Fitzsimmons, Village Attorney

Also Attending Heather Scarano, Emily Crowley, Sarah Wehnau

Call to Order 7:15

Minutes A. Van Alstyne motion to approve June 25, 2019 minutes, T. Lang seconds, all
In favor

Funds \$2,125.36

Correspondence None

New Business Heather and Fred Scarano
Emily and Dwight Crowley
Special Use Permit
Nutrition Club (Unique Nutrition, LLC)
43.20-2-44. 2 Hudson Street

The Board discussed the Special Use Permit noted above regarding a Nutrition Club (Unique Nutrition) to be located at 2 Hudson Street. The Club will serve only protein smoothies and energizing teas, no food will be served.

The applicants, located in Averill Park, NY, feel Kinderhook Village is an excellent environment for their establishment, with the attractive Village feeling and good place for young people to meet as well as a gathering place for families and children of all ages. Hours to be Monday, Tuesday, Thursday, Friday 6 a.m. to 8 p.m., Saturday 8 a.m. to 4 p.m., Sunday 8 a.m. to 2 p.m. Closed Wednesday.

Additional Nutrition Clubs are located throughout upstate New York: Ease Greenbush, North Greenbush, Albany (2), Troy, Latham, Averill Park.

No structural work is required to the interior, there will be interior cosmetic work, paint, etc. No Kitchen is planned. Glenn Smith noted that as this location is in the Historical District the existing exterior sign will be allowed. He noted no approval of wording is required, only if they want to change the size of the sign. If the sign size is to be changed the

approval of the Historic Preservation Commission will be required. Should the sign be removed a Code Variance will be required for a new sign. Bruce Charbonneau indicated a "Conditional Use Permit" will be required, there will be no need for a Site Plan. Bathrooms and food preparation area must meet the New York Building Codes. Building Permit is required. Following the completion of the interior cosmetic works Glenn Smith will issue a Certificate of Occupancy.

Sarah Wehnau, owner of a Nutrition Club in Troy spoke indicating product deliveries are via FedEx and usually during the morning hours. Garbage will be collected by County Waste on their route, Village tags to be utilize.

Employee parking in adjacent lot with Landlords approval. Street parking available for public use.

The need for a Public Hearing was proposed by Bruce Charbonneau established to be held on Thursday, September 17, 2019, 7 p.m. at Village Hall. A Notice of Public Hearing will be published in The Register Star on Tuesday, September 10, 2019.

Additional notice to be sent to Economic Development member, Renee Shur.

Old Business

NONE

Discussion:

Continuing discussion regarding Air B and B's; Mayor Dunham noted the need to review Village Code, will they fall under the current Bed and Breakfast Code or should these locations be added as caveats to existing code, i.e. short term rentals, important to solidify the Code requirements regarding the duration of temporary rental,, the type of activities planned for the locations. Glenn Smith questioned whether these locations are considered commercial or private properties, i.e. second homes, is there a Village Code regarding number of people to occupy house? What is the probability that weekend gatherings for events of large groups, would incur liability due to possible injury, additional insurance required? Tina Lang pointed out possible problems with large events resulting in injuries and property damage. Mayor Dunham indicated further discussion is required.

Next Meeting

October 3, 2019

Adjournment

8:34 PM, A. Van Alstyne moves to adjourn; all in favor


Sandra Fels - Barton
Secretary to Planning Board