

Approved February 3, 2022

**Village of Kinderhook
Planning Board
6 Chatham Street
Kinderhook, New York 12106
Final Minutes of January 6, 2022 meeting**

This meeting was held remotely as part of the Village of Kinderhook's COVID-19 response plan.

All documents were available to view at:

<https://www.villageofkinderhook.org/planningdocuments.html>

- Present: Chairman Bruce Charbonneau, Susan Patterson, Abram Van Alstyne, Kevin Monahan, Tina Lang, Secretary Carol van Denburgh, CEO Peter Bujanow, Attorney Rob Fitzsimmons, Village Board Liaison Mark Browne, Applicant Paul Calcagno III, and 24 other remote participants.
- Call to Order: B.Charbonneau opens the regular Planning Board meeting at 7:07pm.
- Minutes: T.Lang motions to approve the Planning Board minutes of November 4, 2021.
K.Monahan seconds, all in favor.
- Funds Remaining: \$2091.94
- Correspondence: Email dated January 6, 2022 from A.Arpino in objection to a Used Car Dealership at 5 Hudson Avenue, Kinderhook, NY. Email was read and will be on file with the final minutes.
- Old Business: **Trustee M.Browne - Establishing the position of Alternate for the Planning Board**
During the November 2021 Village Board meeting, text was finalized and we are moving forward with changing the code. Legal review was required and shared with the Columbia County Planning Board. On December 21, CCPB reviewed and we received a letter stating the Village of Kinderhook Board may take action with a simple majority vote. The CCPB did have one comment/concern regarding that an alternate could not speak at a Public Hearing as a resident or as an alternate. The VOK Board feels alternates should listen in and not comment on applications unless voted on to be a member of that activity by the Planning Board at that time. This will be voted on at the next Village Board meeting (January 12, 2022). No questions from the Planning Board for M.Browne.
- New Business: **Site Plan Amendment**
5 Hudson Street 43.20-2-31
Paul Calcagno III proposing Heel Motors, LLC
Used Car Dealership
P.Calcagno III started Heel Motors about 3-4 years ago mainly because he is a car enthusiast. It is not his intention to set up the parking lot as a used car lot area. His intention is to use the business office to conduct business. Not listing cars for sale there, not posting ads or sending out flyers. Whatever he sells online, he does his minimums

each year, they come to the business address, he writes up the business and they are done. B.Charbonneau asks where are the cars kept. P.Calcagno states there is one car there now. A.VanAlstyne asks where will the cars be kept. P.Calcagno states he does not buy cars like that. Someone wants a car, he buys it, does the paperwork and they are done. Not making it into a used car lot. He has a dealer plate and uses it for his own personal needs. S.Patterson asks what the minimum is. P.Calcagno states in NYS it is 6 cars per year. He has had the car business in Stuyvesant for about 3 years across the street from Wil-Roc Farms. As he said to the HPC, at most there would be 5 cars in the parking lot (the parking lot has enough space for 20 vehicles). He is doing this to have his dealer license and attend auctions. He does not live in NY full time; he lives in Florida. B.Charbonneau asks if he owns the building. P.Calcagno states that the building is owned by his father. B.Charbonneau states to amend the site plan, we first have to have a site plan to review as one was not turned in. The paperwork has to get in order, be discussed, and then go to a Public Hearing. P.Calcagno asks why a site plan adjustment is needed if we are not changing the site at all, not adding parking spaces, he is just using the business office for conducting business. S.Patterson asks why he is considering changing from his current location. P.Calcagno states that it costs money to heat and cool the space and to pay rent every month. His father owns the building at 5 Hudson Street and he has his office there and is running heat and air conditioning. It does not make sense to keep it anywhere else. How you see it today and how it will look will not change at all. A.VanAlstyne states it seems reasonable, runs primarily as an online business, and he sees no issue with moving forward with it. T.Lang states that based on the high number of people on this meeting, people are worried as to what will happen. Do we have any type of protection and she asks Attorney R.Fitzsimmons to speak to this. R.Fitzsimmons states a site plan or a sketch showing the parking lot and delineating any parking spaces or areas used and a floor plan sketch of the building that would show where the office would be is needed. This would be done with any business that wanted a site plan amendment or change of use. Also, a narrative in writing from P.Calcagno stating what was presented tonight with number of vehicles in the parking lot, number of transactions, and level of service that would be provided. This would give us enforceable limits for the future. The Board should set reasonable limitations so it stays the scope of what is being proposed. P.Calcagno does understand people's concerns and he offers to answer any questions. B.Charbonneau states we do need the documentation that has been discussed, a site plan, or sketch showing where the parking places are, and where the building is. Next month we will go through the paperwork, and if we can approve acceptance of the application, we go to a Public Hearing the following month which gives everyone the opportunity to ask questions.

Next Meeting: February 3, 2022

Adjournment: 7:24 pm –A.VanAlstyne motions to adjourn. S.Patterson seconds; all in favor.

Respectfully submitted,

Carol van Denburgh
Secretary to the Planning Board