

Approved April 1, 2021

**Village of Kinderhook  
Planning Board  
6 Chatham Street  
Kinderhook, New York 12106  
Draft Minutes of March 4, 2021**

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

Present via Zoom: Chairman Kevin Monahan, Vice Chairman Bruce Charbonneau, Susan Patterson, Abram Van Alstyne, Village Attorney Rob Fitzsimmons, Code Enforcement Officer Peter Bujanow, Village Board Liaison Mark Browne, Secretary Carol van Denburgh, Trustee Dorene Weir, Economic Development Director Renee Shur, Jennifer Ose-MacDonald, Stuart Peckner.

Absent: Tina Lang

Workshop: 7:02pm J.Ose-MacDonald has two questions. She asks about the site plan review that was approved at the last Planning Board Meeting (January 7, 2021) for 6 Broad Street. The documents that were on the Village website showed changes including a door and stairs that were on the side of the building between 6 and 8 Broad Street. She has an easement to that alleyway and there cannot be stairs there as that violates the easement which is in the deeds for these two buildings. B.Charbonneau asks if she has spoken to P.Bujanow about this. She can do that but wanted to bring this to the PB as they approved the site plan. The deed (from 1897) states that 6 & 8 Broad Street gave up an equal amount of distance to create this alleyway. The alleyway is forever and it is for use for egress and ingress of pedestrians and vehicles only from the highway (Broad Street). R.Fitzsimmons clarifies that this is between The Dutch and the Old Labellas. B.Charbonneau states that if stairs are put there, you cannot get a vehicle back there to unload. R.Fitzsimmons asks if J.Ose-Mac-Donald can email the documents to us. She will after she gets them digitized. The PB does not approve someone to start or do a commercial use that encroaches on another property, but we have to know about it. If she can pass on the information, we can inquire and if need be, bring P.Calcagno back to discuss his intended access way there. To date, a building permit application has not been completed for 6 Broad Street. Also discussed the change of village code for hotels to be exempt from the offsite parking requirement in the B1 district. Did this in fact happen? R.Fitzsimmons confirms that per Local Law #1 of 2019, this did pass.

B.Charbonneau asks C.van Denburgh if the pictures for 6 Broad Street are available. J.Ose-MacDonald said they were architectural drawings and one showed a ramp off the back and stairs and door on the long side of the building. A.VanAlstyne finds the email from December 30, 2020 with the drawings that shows a door about  $\frac{3}{4}$  of the way down the alley. J.Ose-MacDonald states the door cannot be at ground level as there is a 2' foundation there. B.Charbonneau asks who owns the alley. J.Ose-MacDonald states she has an easement on P.Calcagno's half and he has an easement onto her half. She does not object to a door as long as there are no stairs as they would block use of the alleyway. K.Monahan states you can't have a door with a 4' drop. Perhaps the door could be on the right side of the building as P.Calcagno owns that adjoining property on the east side of 6

Broad Street. B.Charbonneau states the PB approved the site plan based on the property line, but the PB did not know about the easement.

B.Charbonneau asks R.Fitzsimmons what the outcome was of the art vs. sign matter. R.Fitzsimmons states it was deemed a temporary, accessory, political message exempt from zoning requirements. J.Shainman and the Village Trustees are going to sit down and review the future plans of the site and see what accommodations can be made and any reasonable regulations be drafted for that type of use. K.Monahan asks if this gives The School “carte blanche” to put up any sign or piece of art that they want? R.Fitzsimmons states it is case by case.

Call to Order: Meeting called to order at 7:15pm by B.Charbonneau.

Minutes: K.Monahan motions to approve the Planning Board minutes of January 7, 2021, A.VanAlstyne seconds; all in favor.

Funds Remaining: \$671.48

Correspondence: None

Old Business: -Proposed Zoning Law change to the two agriculture uses under general uses in the Use Regulations Table from the November 5, 2020 and December 3, 2020 PB meetings. M.Browne discusses the “chicken regulations” that have been previously discussed and distributed in a written memo to the Planning Board. S.Patterson asks about restrictions on peafowl (peacocks or peahens) as they are very noisy. M.Browne states that it is limited to chickens that are hens. All other fowl, including guinea hens and roosters, are outlawed. M.Browne will discuss with R.Fitzsimmons and the Village Board trustees to see if they want to go forward with a public hearing and go through the process to make this a law. R.Fitzsimmons asks if the zoning code would be amended to allow chickens and then the applicant would get a review and approved or would the applicant get a permit to have chickens? M.Browne says it would be the permit process and it would be denied if there were problems. CEO P.Bujanow would review the permits and property setbacks.

-Establishing the position of alternate for the Planning Board from the December 3, 2020 PB meeting. M.Browne discusses the edited Town of Kinderhook verbiage that was distributed to the Planning Board. B.Charbonneau asks if the alternate would attend all meetings and have no voice unless standing in for one of Planning Board members. R.Fitzsimmons recommends that the alternate member gets all of the documentation and is present at the meetings, and if one of the regular members is absent or has to recuse themselves, then the chairman installs the alternate as an acting member for that application and then he/she can vote and participate. K.Monahan had presented the idea of an alternate to M.Browne as he does not want to hold up an application if someone could not be present for the meeting. Should the alternate be allowed to ask questions? M.Browne to bring this topic to the Village Board trustees as well to see if they want to go forward.

-Mills Park, Albany Avenue, Directional Signage from November 5, 2020 PB meeting. M.Browne states that back in September, former Mayor Dunham and EDC Director R.Shur came to him to help with this sign to direct people on the trail back into the

village or to the MVB burial site and other places. There have been several renderings of the sign, discussion of the positioning of the sign as well as content of the sign. There are residents who do not want any additional signage to be installed as there is currently too much signage. M.Browne showed the sign to the HPC and they suggested a couple of changes. 1. That the historic district is not only in the middle of the village but includes all of Albany Avenue. 2. They would like the sign to be smaller. The signage regulations, 130-19, A2, allows the village trustees to put up a sign to maintain the welfare of the public. Another section, 130-19, D19, states the village can establish special public information centers for approved directional signs for businesses. K.Monahan asks how many signs are in the current area. M.Browne states there is one on Railroad Avenue and one on Albany Avenue stating it is Mills Park. In order to accommodate the public, R.Shur would like to reuse one of the Mills Park signs and have it also do the directional pointing to the center of the village. B.Charbonneau discusses the signs placed in that area from NYS and the information kiosks. NYS Greenway (Andy Beers) was asked to limit signage as much as possible while still following NYS and parks guidelines. Although excessive, a lot of the signs are for safety of the people on and off the trail. In the future, 1/3 of the people on the trail, based on studies from other counties, will not be people from Columbia County. We don't want them to ride through Kinderhook, we want to direct them to ride into Kinderhook and support our businesses and see our historic sites. B.Charbonneau asks what M.Browne needs from the Planning Board. M.Browne would like the opinion of the PB on the proposed sign as he did with the HPC. He discusses the proposed two-sided sign that the PB received a copy of. K.Monahan asks how many NYS regulated signs there are for the trail, is it close to 20? M.Browne can research this. There is a metal sign (2'x1') that points people to the center of the Village, that may be able to come down. A sign that is already there (faces Albany Avenue) would be repurposed and moved closer to the trail and be placed behind a bush so people who are on the trail can see it but not the homeowners. We have to pay attention to the homeowners and try for the common good of the village. B.Charbonneau suggests looking at the size of the sign at the library but he supports what M.Browne is doing. M.Browne looking into how much smaller the sign can be as well as adding a QR symbol to the sign for a link to events and to keep the sign updated via digital recognition. A.VanAlstyne likes the addition of this symbol to the sign. D.Weir states there had been a discussion for the directional sign to be mounted to an existing Mills park sign and have it facing the trail. M.Browne does confirm that this is under consideration as is putting the sign at Rothermel Park.

New Business: None

Next Meeting: April 1, 2021

Adjournment: 7:52pm -K.Monahan motions to adjourn. A.VanAlstyne seconds; all in favor.

Respectfully submitted,

Carol van Denburgh  
Secretary to the Planning Board