

Approved October 4, 2018

**Village of Kinderhook  
Planning Board  
Minutes of August 2, 2018**

Present: M. Cabral, Chair; S. Patterson; B. Charbonneau; R. Phillips, Liaison; G. Smith  
CEO/ZEO R. Fitzsimmons, Village Attorney; Abram Van Alstyne

Absent: Kevin Monahan

Also: Stan Gresens; Stuart Peckner; Jenifer Ose-MacDonald; Jake Samascott; Randal  
Dawkins; John Hanks; Paul Calcagno; RS Ryan; Dana Spot; Patrick Harbran;  
Jim Dunham

Workshop: 7:00 PM M. Cabral opens up workshop for J. Samascott to speak about a  
proposed playground area to be added at the orchard located at 5 Sunset Ave.  
Board reviewed plans and told J. Samascott what will be required for an  
official Application before the next meeting.

Call to Order: 7:18 PM

Minutes: S. Patterson motions to approve June 7, 2018 minutes; A. Van Alstyne  
seconds; all in favor.

Funds: \$2,436.10

Correspondence: Letter from Ruth Piwonka regarding application for 5 Broad Street.

New Business: M. Cabral discusses the plans for a playground at Samascott Orchards. The  
Board agrees to accept the map as a site plan and to put the matter on the  
agenda for next meeting. J. Samascott will submit an official application and  
SEQR prior to September 6, 2018 meeting.

**Van Buren Investment Properties**

**43.20-1-3010 Broad Street Site Plan Review**

Paul Calcagno speaks about plan to open an office for his Development and  
Real Estate Company. No floor plan change, nothing on the building  
changing; only change is retail to office space. M. Cabral asks about  
surrounding buildings and P. Calcagno confirms that no other buildings are  
attached. B. Charbonneau asks about parking and the rear of the building. P.  
Calcagno confirms there is no parking in the rear of the building, only a fenced  
in yard for the tenant upstairs which will not change and will not be accessible  
to clients that come in to the office. M. Cabral asks about hours of operation.  
P. Calcagno states Monday through Saturday 9-5, standard business hours.  
Board discusses agrees that they will accept application without a formal site  
plan as nothing is changing in or outside of the building. The Board discusses  
Code parking requirements with G. Smith and R. Fitzsimmons and determines  
that the spaces in front of the building will suffice. M. Cabral asks about

employees and P. Calcagno states that there will be none. The Board discusses the application for site plan review and agrees to accept application with information provided by P. Calcagno. P. Calcagno confirms there is nothing changing on the building; even the sign currently on the building will remain. B. Charbonneau motions to accept application and set up for final review at next meeting on September 6, 2018 pending receipt of SEQR and fee; S. Patterson seconds; all in favor.

#### Van Buren Bed & Breakfast 43.20-2-47

##### 5 Broad Street Special Use Permit

P. Calcagno talks about his plans to open a B & B. He has started building his outdoor eating area with garden. He states that he needs no Board approval for this as the house is still zoned. The house has 8 rooms and a small cottage, but has not decided on how many rooms the B & B will offer. The Board discusses the code definition for a B & B and notes a limitation to no more than 5 beds or 12 occupants at one time. R. Fitzsimmons confirms the property is listed as a 4 bedroom on the taxes. M. Cabral explains that the Board will need a site plan to scale to review prior to accepting the application. P. Calcagno states that he is not ready to submit a full application at this time. M. Cabral asks about the outside eating area being used for the bagel shop next door. P. Calcagno replies that the area has been constructed for use by the future B & B and is not intended for use by the bagel shop. He states that he is not opening it up to the bagel shop but if someone wants to set a blanket and hang out there he is a hospitable person and would not kick them off his property. He also notes there are NO tables and chairs there and there will not be until he is ready to open it up and use it for his proposed B & B. He is in the process of painting, fixing the front steps, makes interior renovations, etc., so the B & B will not be ready until most likely next year. The Board discusses the proposed application with P. Calcagno and all agree to table the special use permit application until the applicant is ready with additional information, including a site plan. S. Patterson motions to table application; A. Van Alstyne seconds; all in favor. P. Calcagno and the Board reiterate that the outdoor area being created is for the B & B only and not the Bagel shop. P. Calcagno states again for the record that this is correct and there are no tables and chairs being put in that area for now.

#### Old Business:

##### New Dumpster Local Law Review

M. Cabral discusses the final law that he has put together with the Board, defining what a dumpster means, how many cubic yards is acceptable, non-business district or ag exemptions, temporary dumpsters, etc. M. Cabral will update and send final law to the Village Board for review. B. Charbonneau motions to accept final local law and send it to the Village Board; S. Patterson seconds; all in favor.

J. Dunham talks to Board about the proposed trail being put in through the Village of Kinderhook. Their first option of going behind the Vanderbilt house was denied by the Historical Society, so the new proposal is through Railroad Ave, Mills Park and Sunset Avenue. Samascott Orchards has agreed to sell a 25' strip to the Village in order to accommodate the trail. He showed the Board the proposed trail route on a map. The Board discussed if an application is needed and was informed that the matter is exempt from having

to go in front of ZBA or PB. All are excited for it to be completed. J. Dunham states next year.

Next Meeting: September 6, 2018

Adjournment: 8:23 PM B. Charbonneau moves to adjourn; S. Patterson seconds; all in favor.

Kristina Berger

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Secretary to Planning Board