

Approved October 7, 2021
**Village of Kinderhook
Planning Board
6 Chatham Street
Kinderhook, New York 12106
Minutes of September 2, 2021**

This meeting was held in person at the Kinderhook Village Hall,
6 Chatham Street, Kinderhook, NY.

All documents were available to view at:

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

Present: Chairman Bruce Charbonneau, Susan Patterson, Tina Lang, Abram Van Alstyne, Kevin Monahan, Village Board Liaison Mark Browne, Village Clerk Nicole Heeder (acting as PB Secretary), CEO Peter Bujanow, ZBA Chairman Jerry Callahan, Katie Shaw, Mary Ose and Barry Herbold. Secretary Carol van Denburgh and Attorney Rob Fitzsimmons were absent.

Workshop: Katie Shaw, Owner of KT Hair Studio on Main Street Valatie, discusses her business and how it is thriving. Her shop is very small and she is looking to move to something bigger. Looked at two available spaces in the Village. She has yet to make a decision on which space but wanted to come to the Planning Board and see what steps were necessary for her to move forward. She has three chairs in her current salon and she would like to have at least four. She wants to grow her business and offer more stylists and more services (esthetician, waxing). The PB looks at the Village Code book. It would be a retail shop or service establishment permitted with a special use permit. One of the locations she is looking at is the Flammerie (7 Hudson Street) and the other location is the former Certified Reports (5 Hudson Street) on the bottom floor. Certified is more move in ready but rental only while the Flammerie could potentially be purchased down the road. Considered retail so parking is not an issue. The Flammerie has more storefront space. Signage would have to be approved by the HPC. Concern regarding signage for Certified as to where she would be allowed to put a sign, put one near the road? She is established with a client base but if she gets new stylists, a walk-in store front would be nice for foot traffic. The code is set-up for this to be a 60-day process. She would come in with a site plan staying within the existing footprint of the building along with a written description of what she is planning to do. The PB would review the site plan and ask any questions. A Public Hearing would be held (which is part of the 60 days). Any major structural interior changes would not be the PB's concern. P.Bujanow states that Beauty Salon (in definition section of code book) falls under Service Establishment in the Village Code which has the same requirements as retail shops. There are other salons in the Village that would be competition. They have their clientele with the potential to grow more. They are friends with Jordan at Bones Barbershop and they would reach out to the other hair salon. A PB application would be needed which can be downloaded for the Village website or emailed to her. K.Shaw will fill out the form and be on the agenda for the next Planning Board meeting.

Call to Order: B.Charbonneau opens the regular Planning Board meeting at 7:08pm.

Minutes: A.Van Alstyne motions to approve the Planning Board minutes of August 5, 2021. K.Monahan seconds; all in favor.

Funds Remaining: \$2694.65

Correspondence: NONE

Old Business: Trustee M.Browne – Establishing the position of Alternate for the Planning Board. Apologizes for the delay as he had other Boards who also wanted this alternate position added (Rec Commission, HPC, ZBA). Hopes to have a consolidation of this then a Public Hearing so by the second week of October, we will have established alternates for all of the Boards. Then we will do recruiting to get alternates for all of the boards. T.Lang asks about the process which would be a recommendation by each board to the Village Board for an appointment. B.Charbonneau states the alternate is a good idea but have to be careful if he/he has to be at every meeting, when do they vote. Alternate would be allowed to ask questions but they can't vote unless they are moved up to make a quorum or if the Board is missing one person. Alternate would have to be moved up each time you wanted/needed to move them up. One alternate per board, not an extra member. The same person should not be an alternate for more than one board due to conflict of interest. Alternate would need to attend all meetings to assist and be brought up to speed to be a voting member if necessary.

Open meetings law is once again allowing remote meetings for municipalities. The Village Board has not yet decided if we will go back to that format. Can we offer a mixed format of live and zoom? Very difficult to manage.

New Business: Advisory opinion discussion on ZBA application for Area Variance at 30 Rothermel Lane, B.Herbold, Lot#43.20-1-83.200. J.Callahan, Chair of the ZBA, states that the Code requires the ZBA to send to the PB 10 days prior to the meeting, any application that is received. If the PB does not act upon it, it is considered an affirmative Advisory Opinion. B.Herbold is requesting a front and rear yard variance to build at 30 Rothermel Lane to build a house. This is the empty lot on the left on Rothermel Lane where the trees were recently taken down. The lot is adjacent to B.Herbold's property, not attached so this is not a subdivision of property. This vacant lot overlooks B.Herbold's property and swimming pool so he purchased this lot to maintain privacy. Code calls for a rear yard setback of 50' minimum. B.Herbold is requesting that be changed to 25' so he can place the house further back on the property. Code also requires a 50' maximum setback from the street. He is requesting that be increased to 70'. The side yards do not change. A circular driveway will be proposed for the front. This will be further back than the houses already on the street but not the shop (C&E Rothermel) across the street. The lot is wider than it is deeper. The property is in the HPC district and he is willing to conform with certain restrictions on architectural style. A detached garage could be accommodated in the future.

B.Charbonneau makes a motion to advise the ZBA that the PB has no objection to the proposed Area Variance, K.Monahan seconds, all in favor.

K.Monahan asks M.Browne if the alternate would automatically move up if a member of the PB stepped down. No, the position still would need to be appointed by the Village

Board and they could pass over the alternate and assign someone else. T.Lang states that the alternate position is like having someone in training.

Next Meeting: October 7, 2021

Adjournment: 7:31pm – A.Van Alstyne motions to adjourn. K.Monahan seconds; all in favor.

Respectfully submitted,

Carol van Denburgh
Secretary to the Planning Board