

**Village of Kinderhook
Planning Board
Minutes of May 5, 2022 meeting**

This meeting was in person at the Village of Kinderhook's town hall

All documents were available to view at:
<https://www.villageofkinderhook.org/planningdocuments.html>

- Present:** Chairperson Kristina Lang, Abram Van Alstyne, Kevin Monahan, David Pesano, Andrew Pelleteri, Secretary Kari Van Buren, Village Clerk Nicole Heeder, CEO Peter Bujanow, Attorney Rob Fitzsimmons, Village Board Liaison Susan Patterson, Village Trustee Mark Browne
- Call to order:** 7:11 pm
- Minutes:** Approval of minutes from the February 3, 2022 meeting so moved by Mr. Van Alstyne and seconded by Mr. Monahan.
- Funds remaining** \$1360.45
- Correspondence:** None
- Old business:** None
- Organizational meeting:** Board chair Kristina Lang appoints David Pesano Vice Chair and Abram Van Alstyne Secretary. Motion to approve by Mr. Van Alstyne, all in favor.
- New Business:** Trustee Susan Patterson, on behalf of the mayor Mike Abrams, has asked the board to consider an amendment to the zoning board application for local businesses to apply for outdoor seating outside of their establishment. As of right now, only 1 business, Broad Street Bagel, has permitted outdoor seating for patrons. The Village Board would like the zoning board to amend the online form for outdoor seating without the need for a public hearing. Discussion then ensued about the process of adding an amendment to the planning board application. Mr. Bujanow asked if there is a section in the code for site plan amendment and suggested the board consult with the village attorney. Mr. Pesano asked to see a copy of the form. Mr. Bujanows that a site plan amendment falls under public hearing in the village code, section 130-36, which addresses the protocol for a site plan approval process.

New Business(cont.):

Mr. Pesano asked if we need to have a site plan amendment for each existing restaurant. Mr. Bujanow answered that the code enforcement officer does the initial review for a site plan amendment. Mr. Pesano asked if the village is going to start issuing fines to businesses that do not have outdoor seating approved. The Village will communicate to businesses that they need to apply for a site plan amendment to include outdoor seating at their establishment. Mr. Bujanow said that it will not be enforced immediately, there will be a time limit for businesses to come into compliance. Mr. Bujanow is concerned for peoples safety in terms of egress and right of way. It is suggested that businesses can have outdoor seating on sidewalks from a certain distance of feet from the front of the building.

Attorney Fitzsimmons said that the Village needs to come up with a reasonable plan and accommodation for outdoor seating, this can be done with a public hearing. The Village will adopt a local law which will take some time, this will happen at the Village Board level. The planning board needs to determine what they would like to see in that law. Mr. Bujanow suggested the planning board follows the current protocol, with business owners coming in to present to the board at a meeting. He suggests the Village board communicates to business owners who have outdoor seating they need to submit an application, he suggests the village waive the application fee.

Next meeting: June 2, 2022

Adjournment: Motion to adjourn at 7:45 by Mr. Van Alstyne, motion seconded by Mr. Monahan. All approved

Respectfully submitted by:
Melanie Brodowski on behalf of Kari Van Buren
Secretary to the Planning Board