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2.19.2020

PB

Village of Kinderhook
PO Box 325
Kinderhook, New York 12106

PLANNING BOARD APPLICATION

CHECK APPROVAL(S) REQUESTED

- Minor Subdivision
- Major Subdivision
- Site Plan
- Site Plan Amendment
- Subdivision Amendment
- Special Use Permit
- Accessory Apartment or Home Occupation
- Sketch Plan Review

FOR OFFICIAL USE:

PB No.: _____
 Date Received: _____
 Fee Paid: _____

1. Tax Map Designation - Section 43.20-2-46 Block Broad of Lot(s) _____
2. Site Location: On the North side of Broad Street
 (direction) (street)
 _____ feet _____ of _____ (street)
3. Total Land Area _____ Zoning District(s) Business Current Use Cottage
4. Name of Proposed Development Spymani Gardens
5. Name of Applicant PCS Development Phone _____
 Address PO Box 425 Kinderhook NY 12106
 (Street Number & Name) (Town) (State) (Zip)
6. Owner of Record Same as above Phone _____
 Address _____ (Street Number & Name) (Town) (State) (Zip)
7. Engineer/Architect/Surveyor _____ Phone _____
 Address _____ (Street Number & Name) (Town) (State) (Zip)
8. Attorney _____ Phone _____
 Address _____ (Street Number & Name) (Town) (State) (Zip)
9. PROPOSAL: Use Ice Cream Shop No. of Lots _____ No. of Parking Spaces _____
 No. of Buildings _____ Total SF of All Buildings _____ Other _____

PLEASE CHECK APPROPRIATE SPACE: I consent to the extension of the 62-day Public Hearing and review period. See instructions item #4.
 Yes No

BY SIGNING THIS APPLICATION, THE UNDERSIGNED DOES HEREBY GRANT PERMISSION TO MEMBERS OF THE TOWN OF KINDERHOOK PLANNING BOARD TO ENTER UPON MY PROPERTY FOR THE PURPOSE OF EXAMINING SAME BY REASON OF AN APPLICATION NOW PENDING BEFORE SAID BOARD.

STATE OF NEW YORK)
 COUNTY OF COLUMBIA) SS
 TOWN OF KINDERHOOK)

I, _____ hereby depose and say that all the above statements contained in the papers submitted herewith are true

SWORN to before me this _____ day of _____, 20____.

NOTARY PUBLIC _____

Rev. 10/06

NOTE: APPLICANT TO PROVIDE ADDITIONAL DETAILS AS ADVISED.

PB/

**Village of Kinderhook
Planning Board
6 Chatham Street
Kinderhook, New York, 12106
Minutes of March 5, 2020**

- Present:** Abram Van Alstyne, Chair; Tina Lang, Susan Patterson,
Rob Fitzsimmons, Village Attorney, Rich Phillips, Liaison
- Absent:** Bruce Charbonneau, Kevin Monahan
- Also Attending:** Paul Calcagno
- Call to Order:** 7:21PM
- Minutes:** A. Van Alstyne motions to approve both the PB minutes of January 02, 2020 and the Special Joint Meeting Minutes of February 6, 2020.
S. Patterson seconds; all in favor.
- Funds:** \$867.80
- Correspondence:** NONE
- Old Business:** NONE
- New Business:** **1. PCJ Development (Paul Calcagno) 43.20-2-46 Site Plan Review
1-3 Broad Street Proposed Ice Cream Shop “Spumoni Gardens”.**

Paul Calcagno discusses the cottage and outdoor seating area from 5 Broad Street is now part of 1-3 Broad Street. He has proposed the following: Remove pea stone, pour a concrete slab, utilize cottage “carriage house” for Ice Cream, Italian Ice, Spumoni. A. Van Alstyne asks what is behind cottage. P. Calcagno states as much space behind as there is in front. Number of employees, 4 Part Time and 1 Full Time, 2 employees at a time, seasonal hours 11-8 (July & August), keep everything (bagel and bakery) open until 8 (during summer months). New signage not yet proposed for Spumoni side. Perhaps sandwich board. Concrete better than pea stone for clean-up of food spills. A. Van Alstyne asks about lighting? Triangle shades on the poles with old fashioned lights underneath them (LED but old-fashioned Edison bulb look). These changes would be up for HPC approval. R. Fitzsimmons states we would consider that tonight as modification to site plan to utilize those post with triangle shades and lighting. Using new piece of land as outdoor seating and Ice Cream shop. Outdoor eating versus outdoor seating. Concrete would need to be pitched properly, 6 foot fence behind trees. Per P. Calcagno, all up to Historic Review. R. Fitzsimmons states a public hearing would be necessary. R. Fitzsimmons states heavier lift will be HPC then the Planning Board. If not approved by May, will wait until next year. Tables, chairs and concrete, HPC has no say per P. Calcagno. If HPC wants poles out, they will remove and put up umbrellas. Poles are considered permanent fixtures as they are cemented into the ground. Umbrellas considered temporary fixtures.

R Fitzsimmons, for Planning Board purposes, (20) 4 seater tables, seating for 80 people. P.Calcagno states if can't use poles and sails, he would use umbrellas. Could use awning off of side of building, can do other things. If not structural, off of staircase, or something not poured in concrete. Metal poles that sail can hook to. Previous CEO deemed posts as structural, that was before when this was a house but now in business district. No inside seating for ice cream shop. P Calcagno discusses windows of ice cream shop and would like to restore to what was there before. This is for HPC review and approval.

Future development of possible outdoor bathroom (seasonal) attached to cottage behind that would be handicapped accessible. For first year, bagel shop bathroom would suffice. Bagel Shop has 1 handicapped restroom. R Fitzsimmons brings up certain level of people you will need certain number of bathrooms. Has Village water and sewer. Parking, still relaxed in the B-1 district. Looking at new granite steps for bagel and bakery. Concrete steps there now not proper height. Railing on both ends of steps.

A Van Alstyne, what can we approve? Outdoor seating, appropriate shading, contingent on HPC. If HPC denies poles, take out. A Van Alstyne looking to expedite. Approve the use of the cottage as an ice cream shop. HPC would have to approve aesthetic. R.Fitzsimmons states we could accept application being outdoor seating of 20, 4 seat tables, shading with either sails or patio umbrellas, fence, replacing pea stone with concrete and utilizing carriage house as ice cream shop. Next year install 2 bathrooms (seasonal). That property is allowed to be on the sewer. N.Heeder brings up Broad Street Bagel is the last building on sewer, end of business district no one can add on until bond paid. P. Calcagno states he would tap line from basement of Broad Street Bagel into cottage. Water line would be one, one meter for BSB and Cottage, same as electric would be off of BSB. A.VanAlstyne, any off season use? P.Calcagno states all tables and chairs go away, maybe do something there for holiday season such as a decoration, or Christmas trees.

S.Patterson recalls hours of Broad Street Bagel to close at 3pm? Check minutes.

R. Fitzsimmons summarizes the modification of site plan:

1. Replace pea stone with concrete
2. Utilize carriage house to sell ice cream and ice cream like wares seasonally
3. Hours of operation 11-8 on ice cream later in July/August
4. Modify Broad Street Bagel hours 8-8
5. Lighting incorporated with shading
6. Code fence between residential and business use
7. Adding outdoor Seasonal seating- 20 tables with 4 seats each (8 tables now outside of bagel shop)

No waitstaff envisioned at either BSB or Ice Cream Shop.

A.Van Alstyne moves to accept the application for a Public Hearing of Planning Board.
T. Lang seconds. All in favor.

**2. PCJ Development (Paul Calcagno) 43.17-1-60
Site Plan Amendment 7 Hudson Street
Flammerie 2nd Floor Dining Area**

Upstairs of 7 Hudson Street, was front half office, back half apartment. Apartment has been removed, now one open space. Has all electric, flooring, HVAC, plumbing, bathroom. P. Calcagno wants to use as a 2nd floor private dining space, no additional equipment to be added. There is a call for this for 15-30 people (KBPA, Library trivia nights, Jack Shainman). Trustee Phillips asks if the second floor can hold that many people. P. Calcagno states 50 people up there when Certified Reports. Lots of steel up there. Ceiling was opened up by previous tenant and beams installed so all up to code. 2 entrances per code. Not handicapped accessible up there, current downstairs restaurant is. No bar upstairs, tables only. Same hours? 11am-10pm Flammerie hours? Another day would be added, Monday or Tuesday. No additional signage. Private parties only, not for additional seating for restaurant. Limited menu planned in advance. Outdoor is additional seating in Summer. Paint colors would change to match downstairs. Downstairs in bar area re-open access to upstairs. (sheet rocked now). Flammerie front door dangerous. Pushes out. Walk up porch, open door, step down off of porch. Proposing to leave that door as an emergency exit with panic bar. Use other door to the right. Stops from freezing out restaurant, can walk up steps as door opens in. Wants to talk with HPC to see if they would like a historical door.

P. Calcagno discusses outdoor area, fence of biergarten. Make it more appealing so people can see the restaurant's activity. Fence is an HPC issue, dining room area is Planning Board.

S. Patterson moves to accept the application for a Public Hearing of the Planning Board for upstairs dining area and defer to HPC on fencing, T. Lang accepts. All in favor.

Next Meeting April 2, 2020

Adjournment 8:22 PM - A. Van Alstyne moves to adjourn; seconded by T. Lang. All in favor.

Carol van Denburgh

Secretary to the Planning Board