

Minutes
Warrensburg Planning Board
October 3, 2023

Board Members Present: Susan Hull, Sharon Sutphin, John Franchini, Tony Fortino

Board Member Absent: Suzanne Tyler

Others Present: Jim Hull, Adam & Brooke Langworthy, Darby Langworthy, Laurie Rinke, Patti Corlew (Zoning Administrator), Rebecca Webster

Meeting Commenced at 7:00 p.m.

Mrs. Sutphin - Okay, today is October 3rd. It's 7 p.m. I'm going to call the Town of Warrensburg Planning Board meeting to order. We do have a quorum tonight. First on the agenda is the approval of the minutes of August 2, 2022.

Mrs. Hull - I make a motion to approve them.

Mr. Fortino - Second.

Mrs. Sutphin - Okay. All in favor.

RESOLUTION #2023-1

Motion by: Susan Hull

Second by: Anthony Fortino

RESOLVED, to approve Planning Board minutes of August 2, 2022 (without correction).

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, Tony Fortino

Nays: None

Mrs. Sutphin - Okay, first on the agenda since the... The new business SPR 2023-1, the applicant is not here at this time. It's 7:00. We're going to put her aside and go to application #2 and that is 2023-2, tax map 210.12-2-21, 3922 Main Street. Applicant is Darby Langworthy and it's to renovate an existing structure with an addition for a restaurant/brew pub. Okay, do you want to tell us...

Mr. Darby Langworthy - A little bit about it?

Mrs. Sutphin - Yeah.

Mr. Darby Langworthy - Sure, happy to. So myself, Adam, Laurie, Brooke, we are going to be hopefully opening a restaurant/brew pub called Bandstand Brew Works. We are in active contract to acquire the property right now. We're just in the final days of waiting for our SBA loan to come through, so we should have it even this week. 3922 Main Street, as you know is the property just south of the post office on the same side. There is a house right up on the sidewalk. Currently, we are not going to renovate that house at all. We are going to do some modifications to it after the actual restaurant's complete. The restaurant will essentially be where the barn is that sits behind the house. There is a barn with two extension wings on the left and the right side. The right side extension wing we're going to remove that. It's in pretty poor shape anyway.

Mrs. Sutphin - Right side as you're facing it from the street?

Mr. Darby Langworthy - Correct, yes. That's right. We're going to remove that extension wing and build a new building into the side of that perpendicularly. I believe, on the plans you have in front of you, you should see a new structure. Yep, yep. You'll see a new structure built into the side of the barn and in that, in that new building, you will have a full kitchen, a brewery which is on the right side of the building. The kitchen is in the back of the building and we'll have interior seating on the inside in the main building that we're building as well as in the barn, and we'll have some outdoor seating in the front of the building as well. You will also see our plan for creating a curb cut off of Route 9, which we've already contacted New York State Department of Transportation. And we're actively meeting with some engineering firms to draw us specifications because they were quite specific and we want to make sure we do it properly. And we have our layout for our parking that has met all the code requirements of the Warrensburg Town Code as far as spacing is concerned. Our primary method of ingress and egress to the property will be in that curb cut, though we do have deeded rights to use the Kreinheder private road, which we'll only use if necessary for, ya know, going in an out; maybe for employees or something like that. It won't be used that often.

Mrs. Sutphin - Would it be... Would you be using that for deliveries?

Mr. Darby Langworthy - We possibly could. Right now, we plan to use the main entrance because it's closer to the right side of the building where we would receive deliveries. We've spoken to

the owners that are in the back and let them know our intentions. They seem to be very excited about it as well. And anything else, guys? The sign.

Mr. Adam Langworthy - Yep.

Mr. Darby Langworthy - That's another part. We've labeled on that plot plan where the sign will be located. It's right up by the sidewalk with the appropriate setbacks and there's another picture you should have of what our intentions of what the sign will look like.

Mr. Adam Langworthy - Yes.

Mr. Darby Langworthy - Correct.

Mrs. Sutphin - What type of food will you be serving.

Mr. Darby Langworthy - A lot of pub fare, so we'll have some burgers, some pizzas, salads. We actually have quite an extensive menu. We'll go slow into it a little bit, but it's, it'll be enough that you'll at least have to flip the page. Put it that way.

Mrs. Hull - Good deal.

Mrs. Sutphin - Do you have any drawings of what the building itself is going to look like?

Mr. Darby Langworthy - Yes. We'll let you... Keep these as a closely guarded secret though, okay.

Mrs. Sutphin - Top secret?

(Tape inaudible).

Mr. Darby Langworthy - We brought two so you can see it. That's sort of a rendering. (Inaudible) flip through the pages.

Mrs. Sutphin - One of my questions was would there be outside seating.

Mr. Darby Langworthy - Yes. It'd be contained I'd say probably within about 15 foot (inaudible) of the building.

Mr. Adam Langworthy - We'll have some boundaries to separate the seating from the parking area and to keep people contained in the, the building property itself.

Mr. Darby Langworthy - It's represented by the shaded area on the plot plan.

(Tape inaudible).

Mrs. Corlew - Yes, that's we were thinking.

Mr. Adam Langworthy - Yeah, so this is all the old, old and this is all the new.

Mrs. Corlew - Old, old, new?

Mr. Adam Langworthy - Correct.

Mrs. Hull - I do better with pictures.

Mr. Darby Langworthy - The barn's actually got a great foundation. In fact, it's...

(Tape inaudible; people talking at once).

Mr. Fortino - The roof on the new building is going to be lower.

Mr. Darby Langworthy - Just a touch.

Mr. Fortino - Yep. That's fine.

Mr. Darby Langworthy - We're actually going to... The ceilings in the barn are quite low if you've been in there, it's, I'd say, just under 8 feet. I'm 6'6". It's real low to me. We're going to raise them up to basically the rafter level, so it'll be at about, it's almost 14 feet on the inside but this building will also be about 14 feet with some cathedral..

(Tape inaudible; people talking at once).

Mrs. Sutphin - That's where your pizza oven's going to be.

Mr. Adam Langworthy - Sorry, one more. That's lighting.

Mr. Darby Langworthy - There'll be bathrooms for, men's and women's bathrooms, as well as a handicap accessible bathroom, so we will (inaudible) five toilets, 2 urinals, five sinks, something like that.

Mrs. Sutphin - What are your hours going to be?

Mr. Darby Langworthy - 11 to 9.

Mrs. Sutphin - (Inaudible).

Mr. Darby Langworthy - Correct...

(Tape inaudible).

Mr. Darby Langworthy - And we'll stay open until 10 on Fridays and Saturdays.

Mrs. Hull - Oh, here it is.

Mr. Darby Langworthy - It's red. We're going to create some new (inaudible) walls...

(Tape inaudible; people talking at once).

Mr. Adam Langworthy - ...cold storage. This is the actual brewery itself and then we have our...

Mr. Darby Langworthy - The tables and chairs are just representative (inaudible) map. That's not necessarily what we'll end up doing, but.

(Inaudible).

Mr. Adam Langworthy - Yep. So that's that extension wing on the barn that we are not tearing down.

Mrs. Hull - If you... Are you going to have parties? Is that... Yeah, is that...

Mr. Adam Langworthy - Our hope in the future is to host some private events type stuff.

Mrs. Hull - I couldn't think of the word I wanted.

Mr. Darby Langworthy - I was just telling the gentleman. The tables aren't really necessarily what we'll have. They were just showing capacity.

Mrs. Hull - Right.

Mr. Darby Langworthy - We very well may have some events. We'll ease into that.

Mrs. Hull - That will be wonderful. ADA compliant.

Mr. Darby Langworthy - Yep. It'll all be on one floor. We're going to have polished concrete floors, simple access.

Mrs. Sutphin - Will you be giving tours of the brewery?

Mr. Darby Langworthy - Yeah, hope to. Yeah, that's the plan. There's going to be a nice window all right here so you can see in. While you're dining you can kind of see back into the space.

Mrs. Hull - It looks like quite a project, that's for sure.

Mr. Darby Langworthy - Hm.

Mr. Adam Langworthy - Definitely going to be. Definitely has been up until this point.

Mrs. Corlew - Sharon, I left the room for a minute. Did you ask about hours of operation?

Mrs. Sutphin - I did.

Mr. Darby Langworthy - Yep.

Mrs. Corlew - What was it?

Mrs. Supthin - 11 to 9.

Mr. Darby Langworthy - 11 to 9. Friday and Saturday, it's 11 to 10.

Mrs. Corlew - Okay.

Mr. Darby Langworthy - I actually did have a question, if... And this, Patti, this may be a question for you too. The, to have some lights in our parking lot, what is the code for the height of those lights? I saw two different answers in the code book, 14 feet and 20 feet. I don't know what the rule is.

Mrs. Corlew - Okay. I'll have to look at that.

Mr. Darby Langworthy - Whichever it is, we will make sure that we're...

Mrs. Corlew - Yeah. And they have to face down.

Mr. Darby Langworthy - Yes.

Mrs. Corlew - I don't know why there's a contradiction in there.

Mrs. Sutphin - What about lights on the sign and on the building itself? Are you going to be having any...

Mr. Adam Langworthy - So lights on the sign are actually two, possibly a third downlit directly on the sign.

Mrs. Sutphin - Hm hm.

Mr. Adam Langworthy - And the lights on the building, there's some exterior lighting you can see here, like around our garage doors that open...

(Tape inaudible; people talking at once).

Mrs. Hull - That would be good.

(Tape inaudible).

Mrs. Sutphin - Okay, how far from the existing house is this parking, do you know? 'Cause it looks like it's really close.

Mr. Darby Langworthy - Yeah, so it's, I'd say from the nearest point, it's probably about 15 feet.

Mr. Adam Langworthy - I think she was referring to the back.

Mrs. Sutphin - Yeah.

Mr. Darby Langworthy - Oh, oh okay. Yeah, so that's actually quite close. It's coming right up... There's a, like a little porch there. It's coming close to that. And I'll tell you what our future expectations are for the house and why this is sort of here. You see how the house juts in, in the back of it right here?

Mrs. Hull - Right.

Mrs. Sutphin - Hm hm.

Mr. Darby Langworthy - That was an addition put onto the house. Unfortunately, it was not built to the same quality as the original house. So it would be very difficult to save that, so in back of the house, our next phase will be to remove the back of that house and bring it back to its original form and there is a porch that runs along the south side of the house and it's also falling in on itself. We're going to get that removed. It's really not safe the way it is and we'll get that cleaned up and bring the house back to what it was and then eventually we'll turn that house into probably our offices on the first floor and probably rent the second floor as an apartment.

Mrs. Hull - I think that's a good use.

Mrs. Corlew - Darby?

Mr. Darby Langworthy - Yes?

Mrs. Corlew - How, what is the height of the building going to be?

Mr. Darby Langworthy - I, we have the...

(Tape inaudible).

Mr. Darby Langworthy - It's not too high. It's in the low to the mid 20's.

Mrs. Corlew - Okay, that's good enough.

Mr. Darby Langworthy - It's under 40. I know that's the...

Mrs. Corlew - Okay, that's good enough. Alright, so it says here parking lot light poles...

Mr. Darby Langworthy - Yep.

Mrs. Corlew - ...no higher than 20.

Mr. Darby - Langworthy - No higher than 20.

Mrs. Corlew - Yeah. I see where you're talking about the 14. I don't... I don't know really why it's different, but I would say 'cause it says public spaces and sidewalks 14, but if you're talking specifically parking lot, it's going to be 20.

Mr. Darby Langworthy - Okay.

Mrs. Corlew - So you can go to 20.

Mr. Darby Langworthy - I've been looking around town. I haven't been able to find one that's 14 or less so I was, I was thinking it was probably the 20. Just wanted to make sure. Okay.

(Tape inaudible).

Mrs. Hull - This is certainly a lot more to look at.

Mrs. Sutphin - Yeah. It's a lot to take in. John, do you have any questions?

Mr. Franchini - Sure. I think some of them have already been answered, but I'll try to jump around a little bit here. Let's see. How was the number of proposed parking spaces determined?

Mr. Darby Langworthy - We tried to maximize our space while keeping the length and turn radius requirements per the code in mind.

Mr. Franchini - Okay. And I know we don't have any requirements to tell you what you need, but I was just curious if you used a formula, say per the amount of people you would have in the building, the maximum amount of people you would have in the building and how that would relate to the number of parking spots. So you didn't use any kind of formula?

Mr. Darby Langworthy - We don't, we didn't because we know we can have more people in the building than we're even going to have for total parking.

Mr. Franchini - Okay.

Mr. Darby Langworthy - Yeah. So the code requires us to have 24 foot two way in between the spaces. I believe it's 22 or 23 depth of the spaces. We kept all those in mind and we tried to maximize the space. We didn't want to get too close to the building 'cause we did want to leave a little comfort zone there for some outdoor things (inaudible).

Mr. Franchini - And I'll stay on the parking issue just for a second because...

Mr. Darby Langworthy - Okay.

Mr. Franchini - In the proposed parking, excuse me, the proposed access, you have a two-way aisle.

Mr. Darby Langworthy - Right.

Mr. Franchini - Right, and if you take a left in front of the building and run in parallel with the building, you have a two-way aisle, then you get out to the existing driveway and that's

showing as only one way in, and I'm just wondering if that's going to cause a conflict. People possibly leaving that...

Mr. Darby Langworthy - It will still be two way out there. It shouldn't just have the one (inaudible). It'll still be two way.

Mr. Franchini - Okay, so maybe you can adjust that on the plan, show it two way?

Mr. Darby Langworthy - Yeah, absolutely.

Mr. Franchini - I think you have the width there.

Mr. Darby Langworthy - Absolutely. It's two way now, so...

Mr. Franchini - Yeah.

Mr. Darby Langworthy - ...it'll just be (inaudible) what exists. We can make it two way.

Mr. Franchini - Why don't you just do that for the plans?

Mr. Darby Langworthy - No problem.

Mr. Franchini - And there's an, I believe there's an existing older sign out in front of that driveway entrance, like a framework of a sign? Is that something that...?

Mr. Darby Langworthy - I think it's a "For Sale" sign.

Mr. Adam Langworthy - Yeah, the realtor sign is out front of that house, but there's no frame of a sign that I'm aware of.

Mr. Franchini - Maybe I was confused. I thought there was an old wooden frame out there next to that house.

Mr. Adam Langworthy - No.

Mr. Darby Langworthy - I don't believe so.

Mr. Franchini - Either way, you'll probably end up eliminating it.

Mr. Darby Langworthy - Correct.

Mr. Franchini - By recreating a new sign. Can you only have one sign for both entrances, correct?

Mr. Darby Langworthy- Yeah. Maybe, I think we might have talked about this right before you walked in. We don't intend to use this road as our primary entrance. It's sort of, if people happen to go that way, it's totally fine. We have a deeded right to do that. We're going to really focus people to use that as the primary entrance and exit.

Mr. Franchini - It might require some additional signage here to discourage cars from coming out of the parking lot and taking a left to go out to the road.

Mr. Darby Langworthy - We can do that.

Mr. Franchini - And I think you mentioned something about lighting the parking, correct?

Mr. Darby Langworthy - That's right.

Mr. Franchini - Are you going to have a separate plan? Are you going to include an update to your plan to show some lighting?

Mr. Darby Langworthy - We can provide an update, yeah, as far as what the, the lighting will look like. I want to dig a little deeper into the code 'cause I know it... It reads by light candles. That's not a good measurement from my world. When I go to try to purchase lights, nothing really is out there advertised as such 'cause we need to understand what the flooding is and know what it is to (inaudible).

Mr. Franchini - This paved surface that you're showing proposed around most of the building?

Mr. Darby Langworthy - Yeah.

Mr. Franchini - Is that you (inaudible) being flush with the parking lot or will you step up almost like a curb?

Mr. Darby Langworthy - It will be flush.

Mr. Franchini - It will be flush?

Mr. Darby Langworthy - Yeah. We're just really (inaudible) apron primarily just for the comfort of having easy access for the patrons, but also for our deliveries to the side.

Mr. Franchini - There will be no steps there?

Mr. Darby Langworthy - No.

Mr. Franchini - Okay. Do you plan on, at any point, submitting or creating a landscape plan for the site?

Mr. Darby Langworthy - I think we want to get a little bit further underway with regard to (inaudible) elevation. As it stands right now, it slopes in a little bit. We're going to get that graded out nice and smooth. Once we get there, see how this all lays out. I think we'll have... We'll certainly have some plantings here to isolate the house and we will more than likely have some things along here. There is an existing fence there we will update and replace that fence.

Mr. Franchini - Is that fence on your property?

Mr. Darby Langworthy - It is.

Mr. Adam Langworthy - Yes.

Mr. Darby Langworthy - Yeah. Yeah.

Mr. Franchini - Okay. I, I'd like to see that on the plan, showing your existing fence there. And as you get into some landscaping, I believe there's an existing house right to the south of the proposed parking lot?

Mr. Darby Langworthy - There is.

Mr. Franchini - So maybe there could be some potential screening here.

Mr. Darby Langworthy - There is. Yes. So...

Mr. Franchini - Of course, that's not your property but you're going to have to make, try to do something...

Mr. Darby Langworthy - Well, we'll make sure that we put some... I was actually looking at this the other day because they had a sale on some giant arbervites (inaudible) sort of like a hedge row (inaudible) obscure them a little bit.

Mr. Franchini - You'd only need like three to five feet.

Mr. Darby Langworthy - Yeah.

Mr. Franchini - Maybe the same thing back here. I don't know if that's a consideration or not.

Mr. Darby Langworthy - We will...

Mr. Franchini - Put some landscaping to separate the two story apartment building?

Mr. Darby Langworthy - Yeah.

Mr. Franchini - So this area here?

Mr. Darby Langworthy - Right. So there's...

Mr. Adam Langworthy - They do have their parking lot there which is going to be one point of contention.

Mrs. Corlew - That's going to be a separate lot. That's not going to be theirs.

Mr. Darby Langworthy - Right. So there is a... That's our line right there.

Mr. Franchini - Right there?

Mr. Darby Langworthy - Yeah. That's our line. Right, so we will... We are going to put a fence on the back line and we can give you some updated plans that show the fencing.

Mr. Franchini - And you mentioned even like building the parking lot and doing, adding some additional fill in there because it's low. Will you be submitting a grading plan?

Mr. Darby Langworthy - Didn't intend on it 'cause it's relatively flat. It's just a matter of getting more flat, to our expectations.

Mr. Franchini - It would be interesting to see where the drainage goes on such a big large hard surface where you're, where you're actually (inaudible) water runoff.

Mr. Darby Langworthy - Well, we're not going to pave that off. We're not going to pave that off.

Mr. Adam Langworthy - Yeah, our parking lot's permeable.

Mr. Darby Langworthy - Yep.

Mr. Franchini - Okay...

Mrs. Corlew - Crushed stone.

Mr. Franchini - ...will it be just like a gravel?

Mrs. Corlew - It says crushed stone.

Mr. Franchini - I see that now. Thank you.

Mr. Darby Langworthy - You're welcome.

Mr. Franchini - And then just when you're looking at the final layout here, I don't know if you want to consider snow removal or storage. You're maxing out your pavement it looks like right to the property line, so you, if, if in fact snow gets pushed beyond your property line if there's a fence there, I'm assuming there's going to be an issue.

Mr. Darby Langworthy - Well we take that into consideration 'cause his Dad is doing it so.

Mr. Franchini - Okay.

Mr. Darby Langworthy - We, we certainly (inaudible).

Mr. Adam Langworthy - We expect a lot of snow will have to be removed and not left on the property.

(Tape inaudible).

Mr. Franchini - And then I, I was curious about the main entrance and now that I see your plan, I see that it might be shifted from where the entrance is now on the existing building, which I believe was in this vicinity, right?

Mr. Darby Langworthy - There is a door on the front of the barn, that door will become a wall. The new, the new building will have the entrance and it will be...

Mr. Franchini - Over here, right?

Mr. Darby Langworthy - Exactly. Yep.

Mr. Franchini - Okay, great. I, so I'm just trying to imagine access to that main entrance area as you get up into the concrete. Is this, are these two spots right here parking?

Mr. Adam Langworthy - Handicap.

Mr. Franchini - Okay.

Mr. Darby Langworthy - They're...

Mr. Adam Langworthy - Right to the left is, that's...

Mr. Franchini - This right here is?

Mr. Adam Langworthy - ...(inaudible).

Mr. Darby Langworthy - It's... This particular layout is implanted right there.

Mr. Franchini - Just this one?

Mr. Darby Langworthy - Correct. This is showing two different versions of handicap accessibility. Sort of a plug in I think all architects have. It's this particular version that's going (inaudible).

Mr. Franchini - Okay. Great.

Mr. Adam Langworthy - That's another reason why we did the apron around the building, to help handicap accessibility.

Mr. Franchini - Okay. Alright. Well, I think I see the point of access them and how you can get to it from the parking lot

without any issue. I just wasn't sure. Wasn't clear with this particular plan on how it layed out.

Mr. Darby Langworthy - Yeah, it helps actually to (inaudible). To put that all into perspective when you see it from there.

Mr. Franchini - Hm hm.

Mr. Darby Langworthy - So you're, like this, the two parking spots you're talking about are right here so you can kind of see how this parking lot here all funnel to this, to this (inaudible).

Mr. Franchini - And then lastly, just going with the parking issue again, if you're going to be renting eventually some space in this house, will the people have access to parking?

Mr. Darby Langworthy - We would certainly give them parking.

Mr. Adam Langworthy - We wouldn't rent until we've removed that back porch from the building and...

Mr. Franchini - You'll have space to...

Mr. Adam Langworthy - For that, yes.

Mr. Franchini - To reserve some space.

Mr. Darby Langworthy - Yep.

Mr. Franchini - Okay. Excellent. Thank you.

Mr. Sutphin - Tony, any questions?

Mr. Fortino - My questions are answered. As far as I'm concerned, ya know, the general layouts here, what John has asked, the nitpicking that went on with Dollar General delayed the progress of the building. These gentlemen have gone through the permit process. As far as I'm concerned, I give them the approval to start because winter's coming and as they come to us, we can turn around and say, ya know, more trees or something like that. I'm definitely not going to hold up progress in this town. As Mr. Rounds said, government moves slow, but the other time, when you move too slow, people start getting discouraged and like that. As far as putting off for light posts, as to how high they've got to be, as far as the bases and what kind they're going to be, we'll take care of that later. This right here as far as I'm concerned, I'm for it. John's had all his questions answered too, so.

Mrs. Sutphin - Do you have any questions?

Mrs. Hull - When are you going to open?

Mr. Fortino - You going to be open on Monday?

(Laughter).

Mrs. Hull - I think everything's been answered that I, and more...

Mr. Fortino - Yeah.

Mrs. Hull - ...that I would've asked.

Mrs. Sutphin - I don't have anyone here... Is anyone here for this? Are you here for this?

Mr. Hull - I think it'll be a plus for Warrensburg.

Mr. Darby Langworthy - Thank you.

Mrs. Corlew - Yes, it would.

Mrs. Sutphin - Does anyone...? Okay, so no one... You're all together? So nobody wants to make any comments?

Mr. Adam Langworthy - They don't object against it.

(Laughter).

Mr. Franchini - It's a great looking building. Good luck with it.

Mr. Fortino - It'll be an asset. It'll be an asset to the town.

Mr. Franchini - Absolutely.

Mrs. Sutphin - Okay. So you know you have to get certain things like lighting details and all that to Patti?

Mr. Darby Langworthy - Hm hm.

Mrs. Sutphin - And they have to meet code. Right?

Mrs. Corlew - Yes.

Mrs. Sutphin - Okay. And...

Mrs. Corlew - So from what I heard John ask them and they agreed to provide, lighting on the plan?

Mr. Darby Langworthy - Hm hm.

Mrs. Sutphin - Hm hm.

Mrs. Corlew - Show replacement of the fence. Show some landscaping on the plan and you should note on your plan that snow will most likely be removed from the property.

Mr. Adam Langworthy - Okay.

Mrs. Corlew - Did I miss anything?

Mrs. Sutphin - I don't think so.

Mr. Franchini - I don't think so.

Mrs. Corlew - Okay. So you'll want to...

Mrs. Sutphin - Okay. Anybody want to make a motion?

Mr. Fortino - I make a recommendation we allow them to go forward.

Mrs. Hull - I second it.

Mrs. Sutphin - All those in favor.

RESOLUTION #2023-2

Motion by: Anthony Fortino

Second by: Susan Hull

RESOLVED, to approve application SPR #2023-2 by Darby Langworthy for tax map #210.12-2-21, located at 3922 Main Street for site

plan review to allow renovation of an existing structure with an addition, for use as a brewery/restaurant. The applicant must submit a revised site plan showing plans of fencing, lighting, and landscape and also note that snow will be removed from site.

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, John Franchini, Tony Fortino
Nays: None

Mrs. Sutphin - Okay.

Mr. Adam Langworthy - Thank you very much for your time, guys.

Mr. Fortino - Well, when the plans come through like this and it's all discussed and everything else, it eliminates a lot of gray area. Makes it easier for us. Thank you.

Mr. Darby Langworthy - No, thank you. Appreciate it.

Mrs. Corlew - You're all set until you're ready to get your permit.

Mr. Darby Langworthy - Okay.

Mr. Adam Langworthy - Okay.

Mrs. Corlew - Okay.

(Tape inaudible).

Mr. Darby Langworthy - Thank you.

Mrs. Corlew - You're welcome. Talk to you soon, hopefully.

Ms. Rinke - Thank you very much.

Mrs. Corlew - You're welcome. Have a happy day next weekend.

(Tape inaudible).

Mrs. Sutphin - I didn't state that this was a Type II.

Mrs. Corlew - Oh, that's okay. It's a Type II. You don't need it anyways, so.

Mrs. Sutphin - Yeah, we don't need SEQRA for either one of these tonight. So next on the agenda is SPR 2023-1, tax map 210.12-2-32, 3958 Main Street, Rebecca Webster is the applicant.

Ms. Webster - That's me.

Mrs. Sutphin - Okay. Rebecca, you want to tell us about what is is you're going to do here?

Ms. Webster - I'm trying to be in compliance with whatever the town wants me to do. As Mr. Hull was nice enough to tell me I needed to get a business permit and then I had to come down do the application and be here for this. So here I am. So I'm not sure what else to do because I've never done this process before.

Mrs. Sutphin - Okay.

Ms. Webster - So whatever you ask me, I'll answer it to the best of my ability.

Mrs. Sutphin - Okay.

Mrs. Hull - I just... I was wondering what you envisioned for this business, as, I see your pictures here and I was just wondering what your vision was for it.

Ms. Webster - My vision would be to actually have a regular, a regular building. Not there. I can't foresee like adding on to the garage. We're not going to go into the apartment building. That's, ya know, that's income for us so that's not going to happen. It's just a, more of a starting point, a jumping off point that will get me started and get me established in town. And then I'd love to be able to either buy, ya know, something small that I could, that I could work out of or rent a space.

Mrs. Hull - And these are most... Are these mostly new items you have? I guess they're a mixture?

Ms. Webster - They are. About 75% of it is new items. And then about 25% is quality used items, from clothing, household goods, garden implements. It could be almost anything. Nothing, ya know, like no guns, no, none of that kind of bad stuff.

(Laughter).

Mrs. Hull - Right.

Ms. Webster - No weapons.

Mrs. Sutphin - Okay so is it your intention to sell out of the garage?

Ms. Webster - Yes.

Mrs. Sutphin- And then you wanted to... Because your plan shows... It's a little confusing. It says that you're going to be selling in front of the garage and it says you'll use this half but then there's a picture showing you using the whole space in front of the garage.

Ms. Webster - Hm, it might look that way with the angle. Do you mind if I come up?

Mrs. Sutphin - No, it's definitely not an angle.

Mr. Fortino - It's not an angle.

Mrs. Sutphin - That's not an angle.

Ms. Webster - Right, it's... But I'm not. It truly is the way... It's truly not that way because this side of the garage, my tenant as to park here. Other than this past weekend for Garage Sale, which I did...

Mr. Fortino - I've been by here many times and you've got the tents down the right-hand side.

Ms. Webster - Correct.

Mr. Fortino - Right up almost to the sidewalk.

Ms. Webster - Right...

Mr. Fortino - Within 10 feet of the sidewalk.

Ms. Webster - Yes, and right on the edge of the lawn.

Mr. Fortino - Right.

Ms. Webster - I'm only on that one side because my tenant has to park. They have two cars that they park there. One that they park in front of the left side of the garage and the other one they park on the grass. Other than this weekend because like I said, we did, I did take the entire driveway this weekend. We just...

Mrs. Hull - I'm wondering where, where the cars are going to park that... You had parking spaces for cars to come in? Would that be where your tenants are parking?

Ms. Webster - No. No, no. Nobody would be coming in. Everybody parks on Main Street.

Mrs. Sutphin - So your tenants are going to park right next to where the people are going to be walking about shopping?

Ms. Webster - No, it's enclosed. They can't... They can't... It's like an aisle, like this. There are sides. They can't come in through the driveway where the tenants are or on the other side where the neighbors are. They have to come in and out one way.

Mr. Fortino - So the, so the tenants will drive into the driveway and then back out onto Main Street.

Ms. Webster - Yes, that's what they've always done.

Mr. Fortino - It's illegal.

Ms. Webster - I apologize. I, I... We've owned the building for four years. I don't know anything about that. I mean, they can back into their driveway. That's what they... That's what my... We have the one on the one side that does.

(Tape inaudible).

Mr. Fortino - ...onto Main Street, especially when people decide to, that they're about ready to leave town and they really don't look...

Ms. Webster - It's terrible there. It absolutely is.

Mrs. Sutphin - (Inaudible).

Ms. Webster - Well, they're not driving. I mean, it's, it's a driveway, so it's...

Mrs. Sutphin - They're not standing still so. They are moving.

Ms. Webster - But they can't touch it. They'd have to go through the tent in order to touch it.

Mrs. Sutphin - Tents.

Mr. Fortino - Tents.

Ms. Webster - Yeah.

Mrs. Sutphin - Okay.

Ms. Webster - It's a big long...

Mrs. Hull - That may be...

Mrs. Sutphin - Yeah.

Mrs. Hull - ...where we need to discuss.

Ms. Webster - The only time the tents are up is when I am open.
I don't leave them up.

Mr. Franchini - Can I ask a question before you...

Mrs. Corlew - I didn't realize that you had tents, but by the code, you're only allowed one and...

Ms. Webster - Okay.

Mrs. Corlew - And it's only for up to 14 days a year.

Mr. Fortino - A year.

Ms. Webster - Okay.

Mrs. Corlew - So...

Ms. Webster - That's probably all... Of course, I use two because I have one big one and then a small one, but that's probably all I've used them up until this past week with Garage Sale, just because the weather's been so crappy this Summer. We haven't been (inaudible) set up as much as I would have liked to have.

Mr. Fortino - And I'm being as a civilian who drives by, you had them up longer than that. As a matter of fact, I think you had them up for 8 days and then you took them down for 2 or 3 days or maybe a weekend and then you put them back up again.

Ms. Webster - I've not... Other than this past week, I've not had them up for that long. I'll take them down for a day or two and then put them back up, especially when it's going to rain and we're going to have a big storm because I can't be sure that they aren't going to blow away.

Mr. Fortino - It's 14 days a year.

Ms. Webster - Got it. I don't, I don't know that. As I said, this is all new to me.

Mr. Fortino - We're trying to educate you, but we're also trying...

Ms. Webster - Yes, please do.

Mr. Fortino - ...to be fair.

Ms. Webster - Please do. And I'm more than happy to listen, but don't come at me 'cause I don't know.

Mr. Fortino - No, no, no.

Ms. Webster - I'm willing to comply. I promise. That's why I'm here. If you don't want me to use tents, I won't use tents.

Mr. Fortino - Can we get from the Code Enforcement Officer exactly what the, what the regs are so we're all on the same standard?

Mrs. Corlew - You were given that.

Mr. Fortino - Alright. There it is, okay. I missed it.

Mrs. Sutphin - That's okay. Yeah, you're allowed one tent.

Mrs. Corlew - It's a fairly new law, so it's something we're all getting used to.

Mrs. Sutphin - For the entire year, only 14 days. Now that can be 14 days in a row.

Ms. Webster - Hm hm.

Mrs. Sutphin - Or 14 days divided up; one day here and one day there, which I doubt that you're going to do because it (inaudible) tend to leave the tents up more than when you're done because I too have driven by there and seen them overnight.

Mrs. Webster - Well, yes, I leave them overnight because I can't take it down one night if I'm going to be working again the next day.

Mrs. Sutphin - Okay.

Ms. Webster - It literally takes half a day to get everything set up. So if I don't have two, two to three days where I can be open, then the tents are up because I can't be open. I can't, I can't have merchandise outside getting wet.

Ms. Webster - Why don't you just put the merchandise in the garage? Wouldn't it be easier?

Ms. Webster - Oh, I have... The garage is full. I mean, I have shelves and ya know, things hang, shelves and tables, but it's just the one side of the garage. It's not both sides.

Mrs. Hull - Do you feel you could still conduct your business with only having 14 days a year to have those tents up?

Ms. Webster - Absolutely, because I was using the tents as, for two reasons; one as to kind of keep customers within the, within the scope of where my sale is, where I'm trying to sell. I don't want them on my neighbor's yard and I don't want them in the driveway. So that was kind of, that was part of the reason. The other reason being is, I'm using it for overnight so that I can drop them down to keep things covered so that the next day, it doesn't take me half the day to set everything up again.

Mrs. Sutphin - You're saying them. It's one (inaudible).

Ms. Webster - I understand. I'm telling you what I've been doing.

Mrs. Sutphin - Okay.

Ms. Webster - What I've been doing was two.

Mrs. Sutphin - I just want to make sure that you know, one.

Ms. Webster - I understand that going forward. Absolutely.

Mrs. Sutphin - And I do believe you've already had your 14 days this year.

Ms. Webster - Oh probably. Well, especially after last week with Garage Sale. I mean, it was up for a week Garage Sale week. Yes, I absolutely was. Yeah, I'm sure I'm... I'm sure I'm over it now. And I have tents up now. I will, in the morning, I will take the one down and I will leave the other up just as long as it takes me to get it down. I mean, it's a big tent and I can't generally get it down by myself, so it may be up all day tomorrow before I can get my boyfriend to help me get it down tomorrow night. But I will get it down. I just thought that looked better because it has sides. You drop it down. Everything is contained. You're not looking at tables with, with tarps over them that can blow off. It's a little more secure. I mean as secure as it can be. It's a tent. Ya know, to have everything in there, it just certainly looks neater to have everything consolidated within, within it overnight, but (inaudible).

Mr. Fortino - I agree with you as far as being neat and like that, but when, ya know, you're looking at that 14 day, ya know, over the course of the year, ya know, that's what makes it tough.

Mrs. Sutphin - Yeah, and you're saying that you, it takes you 3 days to get the tent up or down.

Ms. Webster - Oh no, ma'am, that's not what I said. I said, I have to have at least 2 or 3 good days of weather in order for me, it to be worth it to me to take a half a day to get everything up.

Mrs. Sutphin - Oh, okay. A half day?

Ms. Webster - Yes.

Mrs. Sutphin - To get everything up?

Ms. Webster - To get 2 tents and everything out, which I won't be putting up 2 tents now. I won't be putting up any tents now.

Mrs. Corlew - Well, your season's almost over probably.

Ms. Webster - It is. I mean, I'm hoping... I'm going to be open tomorrow and then closing and then I'm hoping with any luck maybe get Columbus Day.

Mrs. Sutphin - You're going to be open tomorrow? You're telling me you're going to violate our, our zoning laws tomorrow?

Ms. Webster - What law would I be violating?

Ms. Sutphin - You've already had your 14 days this year.

Ms. Webster - With the tent?

Ms. Sutphin - Yeah.

Ms. Webster - Oh I said I'm going to take the tent down first thing in the morning.

Ms. Sutphin - You just told us you're going to be open tomorrow?

Mrs. Corlew - Without the tent.

Mr. Fortino - Without the...

Mrs. Sutphin - Without the tent

Ms. Webster - I was going to take the tent down.

Mrs. Sutphin - Okay.

Ms. Webster - I'm going to take the small one down first thing in the morning 'cause I can handle that one by myself.

Mrs. Sutphin - But you're still going to have the other one up and be opened.

Ms. Webster - Okay. I don't have to be.

Mr. Fortino - Then you'll be... Let's see, you'll be going into... Actually, you're running a business.

Ms. Webster - Correct.

Mr. Fortino - So you're going to have to fall under the, the business license every two weeks to have to renew the license.

Ms. Webster - Why do I have to do that 'cause I thought I was doing this so that I would not have to renew.

Mr. Fortino - You're selling retail goods.

Ms. Webster - Okay.

Mrs. Corlew - She owns the property, Tony. She's not a transient... She's not a transient merchant, if that's what you're thinking?

Ms. Webster - Yeah, I own the property.

Mr. Fortino - Okay.

Mrs. Corlew - She's not a transient merchant.

Ms. Webster - No. I've owned it for four years.

Mr. Fortino - That's fine.

Mrs. Sutphin - Go ahead.

Mrs. Hull - I was just going to say, aesthetically, I would like to cut down on the amount of tents that we have on Main Street. I know this is not the case, but we've had a lot of problems with another property that was allowed to have tents and is not going to be allowed any longer. I would just hate to have a long drawn out; it's up, it's down kind of a thing going because I just don't think they're something we want to see on our Main Street and that's my personal feeling about it.

Ms. Webster - I wasn't aware that there was a rule about it when I started. I totally went into this blindly. I thought I'm just going to kind of test the waters. I'm just going to do this as garage sales and kind of see how it goes and it, I would've gone way more than 14 days if we'd had some decent weather this summer, honestly. I would have doubled that if not more, but I'm more than willing to take my tents down. That's no problem. I'll take the small one down in the morning because

I can handle that myself and I can get the big one down tomorrow night when my boyfriend comes home from work.

Mrs. Hull - I know we don't want to discourage any retail business in town. We certainly need all that we can get, but this is...

Mrs. Sutphin - It would be great if you could fill one of the vacant stores.

Ms. Webster - Like, I'm not there yet. I mean, I just... I couldn't even hardly work Memorial Day weekend because the weather was so crappy, ya know, and that was like going to be my huge, ya know, to really see if I can do this kind of thing over that weekend, but yeah, it's, the weather just has not cooperated. I would liked to have thought I was going great guns by, by this point.

Mrs. Hull - It's difficult when you have to be outside in this neck of the woods.

Ms. Webster - Hm hm.

Mrs. Hull - You just can't depend on the weather. That's for sure.

Mrs. Corlew - You sure can't.

Ms. Webster - But it is my intention at some point to have my own...

Mrs. Corlew - Shop.

Ms. Webster - My own shop, yes.

Mrs. Hull - Right.

Ms. Webster - My own storefront.

Mrs. Sutphin - And we would definitely welcome that.

Ms. Webster - I can't just get there because I don't have the money to...

(Tape inaudible; people speaking at once).

Mr. Fortino - I understand.

Mrs. Sutphin - Anybody have any other questions?

Mr. Fortino - My only concern, and I believe, Sue, you addressed it, was basically, we don't want the same thing that we had down across from Cumberland Farms.

Mrs. Sutphin - Right.

Mr. Fortino - Because, ya know, we don't want Main Street of Warrensburg looking like tent city. We allow it during Garage Sale and that's with, ya know, with restrictions and code enforcement, but it is a quaint little town and we want to keep it that way but we also want to, ya know, we also want to see business.

Mrs. Sutphin - Do you have anything to say (addressing Mr. Hull)?

Mr. Hull - No. If you decide to let her do this, I'll just monitor to make sure she's not over 14 days in a year.

Mrs. Sutphin - Right. You know that you can't do anymore tents this year?

Ms. Webster - Correct. Yes. I'm going to... I'm going to take them down.

Mrs. Sutphin - Okay.

Ms. Webster - They will be down, both of them by the end of the day tomorrow.

Mrs. Sutphin - I just want to make it clear...

Mr. Fortino - We have to allow you time. We don't expect you to just like that...

Ms. Webster - Yeah, I can't. I physically just can't take that other one down by myself.

Mr. Fortino - Right, right.

Mr. Hull - And I would just add the stipulation if you're going to allow somebody to do that, that they would notify Patti when they start.

Ms. Webster - Yeah...

Mr. Hull - If she, if in the Spring she's, we need to know when she starts it, when she's open, putting the tents back up.

'Cause I don't always go up Main Street that far. If you're going to allow people to do this, they should have to notify the Planning Administrator, the Zoning Administrator when they start doing that. So that the 14 days can be complied with. There's no way to start to know if... I mean, they could be there for two weeks, a month doing that before I go up there.

Mr. Franchini - I would suggest and I don't know if this is out of the question, to literally submit a schedule on when you're going to have the tents up.

Ms. Webster - (Inaudible) weather.

Mr. Franchini - You can't do that?

Ms. Webster - Yeah, just because of the weather.

(Tape inaudible).

Ms. Webster - I'm just going to say that I'm not going to use the tents anymore, other than probably next year Garage Sale weekend again.

Mr. Hull - The trouble with the schedule is, we ran into that with this one over here. He didn't follow the schedule.

Ms. Webster - I just won't use...

Mrs. Sutphin - Yeah, I mean if the weather's bad...

(Tape inaudible).

Mr. Hull - ...was rope-a-dope and when the moon came down in the parking lot his tent was going to go up and then that tent was

going to come down and another tent was going to go up. Nothing against (inaudible). A Jewish lawyer couldn't keep up with what he was doing.

Mrs. Sutphin - Yeah.

Mr. Hull - The plan he submitted to them was 'oh, my God'. You know what I mean? I had, I physically, Patti'll tell you. I physically sat down and took a year's calendar and marked when he supposedly was doing it, supposed to be doing. He didn't do any of it. Ya know, and then the neighbors and the people are (inaudible). Ya know, and that's the people (inaudible). ...people don't understand.

Mrs. Corlew - It did, then we had to create that law.

Mr. Hull - People get into these things and they think it's a good deal, but when the people start complaining, it's the supervisor or Patti and I that end up with the complaints about what's going on.

Mrs. Hull - I wanted to go back to the parking. I, for some reason, get the impression that you were going to have them parking on, in that driveway, the cars coming in there and parking.

Ms. Webster - No ma'am. Nobody would be parking there. That's for my tenants.

Mrs. Hull - Okay, so the only..

Mrs. Corlew - One side for shopping and one side for tenants' parking.

Ms. Webster - Walking in for shopping.

Mrs. Corlew - Hm hm.

Ms. Webster - And one side driving in for tenants.

Mrs. Hull - Okay. So the parking would just be on the Main Street. Okay.

Mrs. Corlew - The side of the street.

Ms. Webster - Yes.

Mr. Franchini - Which brings up another question, whether or not or not you need a sign to discourage people from pulling into your driveway.

Ms. Webster - Because I had tents, that hasn't been an issue.

Mr. Fortino - (Inaudible).

Mr. Franchini - But there's another side to the driveway that's open.

Ms. Webster - Right, but it's like a, you kind of have to, because the cut isn't big enough in the sidewalk, you, it's, you kind of have to, it kind of has to go over. They're not like, she can kind of pull in but then the other tenant, her husband, she pulls right in front of the driveway, but then he has to go

up over onto the grass just 'cause they have two vehicles. They don't want to park one behind each other. They work different shifts.

Mr. Franchini - What are your typical hours?

Ms. Webster - 9 to 5 or 9 to 6.

Mr. Franchini - And this, I'm seeing this submittal here. This is your only sign you put out?

Ms. Webster - I had two of those. I have one that I put in front of the house and one that I put down the street. I put it on the post so like when the people are coming out of Oscar's, it's like right on that pole there. Just in the ground. It's not attached to the pole.

Mr. Franchini - Under the application, I just, a minor issue, it says signage and someone wrote none.

Ms. Webster - Well, it was probably me.

Mr. Franchini - Was it a mistake?

Mrs. Corlew - Well, she doesn't have a business name. She doesn't have a business sign. She just wants to use the garage sale signs. So she's not having a...

Mr. Franchini - So just the temporary one's acceptable?

Mrs. Corlew - That's what she needs.

Ms. Webster - I can come up with a business name. I'm not going to put a sign out.

Mrs. Corlew - But she wouldn't be able to put that business sign down the street though either, so. I mean, I'm fine with it as long as she picks them up. And she seems to.

Ms. Webster - They get kicked. They get...

Mrs. Corlew - Stolen?

Ms. Webster - And stolen, but generally just stomped on, kicked.

Mrs. Corlew - Just for kicks, yeah. Just because they can. I know they don't really want them.

Ms. Webster - Exactly. They don't take them anywhere. And I mean, I'll discontinue using those if you don't like those. I mean, I, I can just... Garage Sale weekend, I had a little, just a little open sign. Little open sign and little closed sign that I had on the front table. And I can do something like that if you like that idea.

Mr. Fortino - Basically it's, the garage sale is probably, by the looks of it, it looks like it's no more than 30 by 24 inches. 30 inches wide and 24 inches high, probably at the most.

Ms. Webster - Probably.

Mrs. Corlew - Yeah, it's not very big.

Mr. Fortino - Post Star signs.

Ms. Webster - It's one of those old, old ones, yep. I've had it forever.

Mr. Fortino - The election signs, the voting signs are bigger than that.

Mrs. Corlew - Yeah, I think so.

Mr. Fortino - That people put out for candidates.

Mrs. Corlew - Yeah.

Mrs. Sutphin - Does anybody have any questions or comments?

Mrs. Hull - I don't know. I'm just thinking about garage sales period. What are the..?

Mrs. Corlew - We don't have any rules anymore, but when we do the zoning, I think we're going to look to put it back in.

Mrs. Hull - Okay. I was thinking..

Mrs. Corlew - That'll be one of the suggestions.

Mr. Hull - The only thing we have is 14 days for a pop-up.

Mrs. Sutphin - Right.

Mrs. Corlew - For the tents itself; not for garage sales.

Mrs. Hull - Right.

Mrs. Sutphin - So when the zoning is redone and the rules change.

Mrs. Corlew - Well, she's going through site plan review, she will go by what you guys say here.

Mrs. Sutphin - Okay.

Mrs. Corlew - And if we change the zoning, that won't affect her..

Mr. Hull - She'll be grand-fathered.

Mrs. Corlew - ...because she'll be..

(Tape inaudible).

Mrs. Corlew - Right.

Mr. Hull - The 14 days came from the people who had habitual garage sales, forever. I mean, not for three or four days. I mean, for months and months.

Mrs. Corlew - For the whole summer.

Mr. Hull - From the time the snow..

(Tape inaudible).

Mr. Hull - So that's where 14 total days come from.

Mrs. Corlew - For the tent, yes. But specifically garage sales, I'm thinking.. Other towns have regulations.

Mrs. Sutphin - Right.

Mrs. Corlew - And we used to, but it didn't allow for very many, so I don't know if that's why they took them out, but anyway we'll have to come up with another number. And I say we, as in the town; not me.

Mr. Fortino - Basically with the elimination of tents, your racks are going to be eliminated. In the case that you have bad weather, you can put them in the garage, correct?

Ms. Webster - When I pick everything up, when I'm not leaving it out, everything does go into the garage, but it leaves me no room to move or work or... I mean, it's a (inaudible).

Mr. Fortino - What I'm saying is...

Ms. Webster - I can get them all in there, yes.

Mr. Fortino - Right, right. But you have the, in the garage, when you, at the end of the evening or something like that with the tents set up, everything will be able to go into the garage.

Ms. Webster - Oh, you're saying instead of... Not leaving it overnight. If I'm open two days in a row, is what you're asking about?

Mr. Fortino - Correct.

Ms. Webster - No. I don't have the ability to do that because they're too heavy. They don't have wheels on them. I will have to tarp them.

Mr. Fortino - Okay. In other words, you just (inaudible).

Ms. Webster - Yes. Yep.

Mr. Fortino - I'm just thinking about damage to, to your articles plus the possibility of theft.

Ms. Webster - Right. And that's why I was going with the tent. And 'cause it looked better. It's going to look better than tarps over stuff, but it's fine.

Mr. Hull - If she goes with tents, she's only got 14 days.

Mr. Fortino - We know that.

Mr. Hull - If you hypothetically opened up on Friday, Saturday, Sunday, that's three days.

Mr. Fortino - Right.

Ms. Webster - Right.

Mr. Hull - So you got 4 weeks in a month. That's 12. You're talking a month, a month and a few weeks that she can use them.

Ms. Webster - Yeah, so it's just not... I'm just going to have to come up with a different system. I just don't, ya know, just going to tarp.

Mrs. Corlew - Yeah, I don't know. It's kind of... It's tough.

Ms. Webster - Well, the thing is... Like you're saying I don't have too much time like because of the way the weather's going to be. I mean, I might get lucky and get a few more times to be able to be open before it gets real cold, but then I'm just... My wheels have been spinning trying to figure it out, ya know, the best way to revamp everything. What's the easiest way to move things. Ya know, I do have some of my racks on wheels now so

that I can move them. Some are just so big or I just have to take everything off and then put them all back on. It's very time consuming. Ya know, it takes an hour to an hour a half just to open up every morning and that's with things already in place from the night before. Just uncovering and doing other things, so I mean, to physically move other things like that, that's kind of why having the tents was, was good 'cause I could keep them, keep everything in place.

Mr. Fortino - Now just, I'm looking at one picture here and it looks like a silver SUV. It must be one of your tenant's. A grey SUV?

Ms. Webster - Yes.

Mr. Fortino - I'm just wondering, when they're parked in that driveway, does it allow people to be able to get around to look at your, look at your, your clothing and stuff like that?

Ms. Webster - Well, because I had everything in the tents, everything was, you were walking into the tents.

Mr. Fortino - Okay, 'cause this is the one that I'm looking at right here.

Ms. Webster - Yeah, so that's standing out in front so the tent went from...

Mr. Fortino - Okay.

Ms. Webster - The tent went from here over.

Mr. Fortino - Okay.

Ms. Webster - So yeah, this is just a little shelf that was there so everybody walks in. You walk the whole length like you're saying (inaudible) and so then in and out. So there's no going on there.

Mr. Fortino - Okay. Okay.

Ms. Webster - Where the tenant parks. So I think what I'll do is I'll put... I will put all my tables along the side where the tenant parks so that people are not going to walk over into where she drives, where either of them drive.

Mrs. Sutphin - John, do you have anything?

Mr. Franchini - I'm just curious about one other thing. You may not know the answer to this though.

Ms. Webster - And I'll say if I don't.

Mr. Franchini - The width of the curb cut for the driveway where the curb, where the driveway opens on each end.

Ms. Webster - Hm hm.

Mr. Franchini - Is it the same width as you paved driveway is now?

Ms. Webster - I believe so.

Mr. Franchini - Pretty close?

Ms. Webster - Pretty close, yeah. I mean, it hasn't been, it hasn't been changed probably in the last 10 years or so. It's got to be older than that whenever it was done. And I only say that because I worked for Julie Harrington when she had Gallup Farms right next door. I worked for her five days a week for 7 or 8 years, so I'm very familiar with that property before I bought it. So it hasn't, it hasn't been changed in at least that many years.

Mr. Franchini - I guess the reason I asked is because it sounded like to me, and please correct me again, if I'm wrong here, that when you have the displays up, your tenants can't really get into the driveway all that well.

Ms. Webster - No, they can. The one can drive right straight in because that's where she parks. The other tenant, her husband, chooses to park over on the lawn because they work... She works nights and he works days.

Mr. Franchini - I see.

Ms. Webster - So they don't want to park one behind each other.

Mr. Franchini - Okay. Now I understand.

Ms. Webster - It makes it harder for him to get in and out 'cause he's got a big truck and he just goes over the curb. It could be... I feel like it could be a little bigger.

Mr. Franchini - It's certainly long enough for two vehicles.

Ms. Webster - Oh absolutely. Most definitely.

Mr. Franchini - Thank you for clearing that up.

Mr. Hull - The only problem I see is that, I mean, you call it a garage sale and it's really a business.

Ms. Webster - Right.

Mr. Hull - So if you make her take her tents down, don't use the tents and now she's got merchandise for sale down the length of her driveway, are you going to let other people do that with their business?

Mrs. Hull - I would rather not see...

Mr. Hull - That was one of the screamers I heard the last time we were in here for months on end that they were going to have merchandise outdoors. You want to remember, whatever you do here goes a long ways in the town. Because everyone else looks at it and says they're doing it or he's doing it or she's doing it. I mean, I, ya know it's, you can call it a garage sale or whatever, but if you run merchandise down the length of your driveway and you're running a business there, I, I don't know how that would effect everybody else. That's all I'm saying. I mean, 'cause you're going to deal with the crying about it; not

me. Somebody else is going to come in and want to do the same thing.

Mrs. Sutphin - Patti?

Mrs. Corlew - Hah?

Mrs. Sutphin - What if she were to reapply under her business name instead of her, the garage sale because she's doing the business?

Mrs. Corlew - What would that do?

Mrs. Sutphin - Yeah, I guess not much.

Mrs. Corlew - I mean, that's what we're doing. It's not going to change the situation.

Mrs. Sutphin - Yeah.

Mr. Franchini - Well an established business versus just a garage sale to the point...

Mrs. Corlew - Well, that's why we're here, because it's not really a garage, so...

Mr. Franchini - But it really is.

(Tape inaudible).

Ms. Webster - ...started as, to test the waters and that's why I continue using those signs.

Mrs. Corlew - It's gone beyond a garage sale.

Mr. Franchini - Then if it's gone beyond a garage sale, can you go beyond it with an official business name and...

Ms. Webster - Sure.

Mrs. Franchini - ...(inaudible) your business?

Ms. Webster - Yeah.

Mrs. Corlew - I think that she's working on that.

Ms. Webster - Yeah, I mean, I have, I have a business name. I have, ya know, I wanted to use but it's not like I was going to put a big sign up. I can put a sign up if you want to, just on the garage or something.

Mr. Franchini - You can put a small sign up, but... If you establish a business, it maybe gives us a different prospective on what's happening.

(Tape inaudible).

Mr. Franchini - Or maybe it falls under different rules.

Mrs. Corlew - No. I mean...

Ms. Webster - I thought that's what we were doing here.

Mrs. Corlew - We don't have rules for really out... She's like, has an outdoor...

Mrs. Sutphin - Outdoor sales.

(Tape inaudible).

Ms. Webster - ...I mean, I have it inside.

Mrs. Corlew - Outdoor retail, yeah. Outdoor retail sales.

Mr. Fortino - The only thing we have right now on the books is basically the, the tents.

Mrs. Sutphin - Yeah.

Mr. Fortino - On the books. No more than 14 days a year, basically.

Mrs. Corlew - Just for tents, and that isn't just for garage sales though. That's just...

Mr. Fortino - No, no, that's in general.

Mrs. Corlew - ...in general, yeah. So that it's...

Mrs. Sutphin - That's the closest thing we can come up with is the 14 day tent thing.

Mrs. Corlew - That's why it's...

Mrs. Hull - I have to go along with what Jim said. I'm afraid if this is okay the way it is with the driveway filled with all these lovely things, but what's the stop the next person down the street from wanting to do the same thing in having their whole front of their property covered with merchandise and it just seems to me that that's what we've crowing about on this planning Board, to have our town look like a perpetual garage sale. That would be my feeling about it. And I'm not sure how we can avoid it, even tents or no tents, if all that merchandise is out there.

Mrs. Corlew - Is it... Since the season's almost over, is it something that you could have something different figured out for next year to have in the, all in the garage?

Ms. Webster - There physically isn't enough room. It's literally a one car garage. Okay. It's a two car garage. I'm only using one. Ya know, it's got a center divider down the middle between the two bays.

Mrs. Corlew - Right. So you can't use the whole thing?

Ms. Webster - (Inaudible).

Mrs. Corlew - You can't use the whole thing?

Ms. Webster - No. I mean, we need it for, we need it for the snowblower and ya know, the lawn mower.

Mrs. Corlew - Yeah, I know.

Ms. Webster - And I all the stuff.

Mrs. Corlew - No, I understand.

Ms. Webster - Construction stuff. I mean...

Mrs. Corlew- Just trying to figure things out.

Mr. Hull - She's in the same situation that Tom Duffy who started out on his front porch.

Mrs. Hull - Right.

Mr. Hull - And he bought more books than he had room for in the front porch of the house...

Mrs. Sutphin - Right.

Mr. Hull - ...and everywhere else (inaudible).

Mrs. Sutphin - (Inaudible)... I'm sure.

Mr. Hull - ...merchandise to sell than she has a place to put it.

Mrs. Sutphin - Right.

Mrs. Hull - Well...

Ms. Webster - So for now I can just... I can just...

Mrs. Corlew - What they want...

Ms. Webster - (Inaudible) sell.

Mrs. Hull - Pardon?

Mrs. Corlew - I don't know. I don't know.

Mrs. Sutphin - This is a tough one.

Ms. Webster - I can limit it so that I don't have things outside. I mean, I'm (inaudible)...

Mrs. Corlew - I think that's what we want to see.

Ms. Webster - ...my, my time.

Mrs. Sutphin - Yeah, that's what we would like to see. You not to have things outside. But on the other hand, you could put the tent out for 14 days.

Mrs. Corlew - I mean when you're, during the day when you're selling is one thing.

Ms. Webster - Well, I've already used the 14 days.

Mrs. Sutphin - This year.

Mrs. Corlew - This year.

Ms. Webster - Right.

Mrs. Corlew - She's talking about next year.

Mrs. Sutphin - Next year.

Ms. Webster - Yeah. I, well, I have to come up with something different for next year because if I can't have my merchandise outside then it's not going to work. I'm, I just have... Because it's the end of the season, I don't have as much to put out, especially after, ya know, last weekend with Garage Sale. Ya know, I sold a lot of my merchandise, so I can, I can certainly pair it down and just make it so that I have what's in the garage and can I, can I put like a table outside with some chairs around it and do things on like that, would that be okay, right up against the garage? Like a table. No clothing racks.

Mrs. Sutphin - Anybody?

Mrs. Corlew - Right and that... When you're done for the day, you could put that one table away?

Ms. Webster - Correct.

Mrs. Corlew - So that wouldn't be out.

Mr. Hull - I'm not trying to restrict her business.

Mrs. Corlew - No.

Mr. Hull - I really don't.

Mrs. Corlew - That's the thing.

Mr. Hull - But what I'm telling you is this, I don't care if it's her or Joe Smith, if you allow them to sell stuff outside their stores or on their property and you say it's okay for them to do it, the guy down the street starts doing it and the guy after him starts doing it or over on Third Street or First Avenue or wherever, he's going to say, "you're letting Jack Toney do it. You let him put stuff out in the parking lot to sell". I'm just talking from an enforcement point of view.

Mrs. Hull - Right.

Mrs. Sutphin - Right.

Mr. Hull - So what are you going to tell them? You can't do it, but he can? No. That's selective enforcement.

Mrs. Hull - With Dollar General, that was one of the (inaudible).

Mr. Hull - I don't care about Dollar General.

Mrs. Hull - No, I know it, but we're talking about letting somebody do something.

Mr. Hull - Who decides to go into business and get a truck load of sneakers and now decides to set (inaudible). They don't have a store so they put them out in the front lawn and start selling.

Mrs. Hull - I agree.

Mr. Hull - Yeah. I mean, I think that she's... I think some of the stuff she's got there is nice. I went and looked at it, but you're on a dead, you're on a teetery thing here. If you say yes, you can do that...

Mrs. Sutphin - Yeah, basically...

Mr. Hull - ...then the next guy that comes in, what are you going to tell him, you can't?

Mrs. Sutphin - Yeah.

Ms. Webster - And I understand that. That's why I'm trying to...

Mr. Fortino - Right. Well, we're trying... (Tape inaudible).

Mr. Fortino - We're trying to be equally fair, ya know what I'm saying. We're also looking at down the road. What, what kind of headaches are...

Ms. Webster - Absolutely. I understand that.

Mrs. Sutphin - In the past, what has happened is we've approved things and people have taken advantage of it and expanded way beyond what was approved. And it just got out of control and we don't want to see that happen again. I'm not saying that you are going to do that. I'm just saying that we don't want to

have that happen again. Basically what it is, is a retail, an outdoor retail store.

Ms. Webster - An outdoor, yeah.

Mrs. Sutphin - Yeah. Yeah.

Mrs. Hull - So we've agreed there'll be no more tents for the rest of this year.

Ms. Webster - Correct. They'll both be down by, by the end of tomorrow night.

Mrs. Hull - And it's kind of the end of the season, so you'd be able to...

Mr. Fortino - Allow her to use the one table outside the garage, which is removed every night? Like you said, her, her space is getting bigger because of the material you have sold.

Ms. Webster - Yes. I mean, there is a glass, I think it's a patio table. That's what's out there. The tenants use it when I'm not using it. That's what I'm asking to use. I mean, it's there all the time.

Mrs. Hull - It seems like that would be reasonable.

Mrs. Sutphin - And approve the 14 days of tents.

Mrs. Corlew - That's there in the...

Mr. Hull - I don't care who's sitting in that chair.

Mrs. Corlew - The 14 days of tents is in the code anyways.

Mr. Hull - I don't care who's sitting in that chair. The thing I'm cautioning you about it, from an enforcement side of it, once you tell someone they can do that, have an outdoor store, you're going to have outdoor stores all over Main Street and wherever somebody decides to go by some stuff and decides to sell. And I won't just be the grass Nazi. I'll be the outdoor store Nazi.

Mrs. Hull - Well, I'm not certain right now. I'm, I think that this would have to be revisited. We've got a lot of changes to what is there now and I'm honestly not seeing how, how it's going to work without the tents and is not going to be able to have the tents.

Ms. Webster - 'Cause I'm going to take half the merchandise away. I'm just not going to be outside.

Mrs. Hull - Whatever can fit in your garage, I guess. It's just... I don't see this, as Jim said, I don't see us being able to say yes to this and then no to somebody else down the road who wants to have another outside store.

Ms. Webster - Right, and that's fine. (Inaudible).

Mr. Fortino - Restrict it to the inner domains of the garage.

Mrs. Hull - Yes.

(Tape inaudible).

Mr. Fortino - And then next year hopefully you'll be able to find a suitable location where you can be, ya know, full retail.

Ms. Webster - Well, that's what I'd like to do. I mean, the idea was to make some money this year in order to do that (inaudible) and the weather man hasn't cooperated.

Mr. Franchini - I think we'd certainly support the idea. Your concept is good. I know we lost a consignment shop on Main Street this past year and an antique store, I think due to retirement, so ya know, a good store like that would be welcome. Especially if you could find a storefront that, to work yourself into. Maybe in your future there's a partner or some other way of investing into something like that because I think we really would like to see that happen.

Ms. Webster - I don't foresee being able to pay rent someplace and have a business. I don't know, it would have to be something that I could purchase and then be able to rent something else out. Ya know, there's just no way. I'm simply not making... I'm making a little bit better than garage sale money having these sales throughout the Summer. I'm not making... I'm not making high end dollar money here; not at all.

Mr. Fortino - Well, whatever you made, it, it's a plus for you, it's a plus for bringing people in the community. But we also got to look at it, like Jim said and we discussed up here, if we do it for one, we got to do it for somebody else.

Ms. Webster - And I understand that.

Mr. Fortino - Ya know, and like you said, we don't need people coming in to the town hall and going in to the Supervisor and saying well they let him do this and they're letting him do this and the Supervisor goes to the Code Enforcement Officer and says, and Jim goes... So we've got to, we've got to turn it around and make a precedence. I would say just what can be held in the garage for right now and then that's it. No tents, nothing outside. Just basically retail it out of the garage.

Ms. Webster - That's fine.

Mrs. Sutphin - So you're okay with that?

Ms. Webster - Yes, that's fine. That's what I said.

Mr. Fortino - You're here to find out what the regulations are.

Ms. Webster - Yeah, yep. I'm not asking for anything special. I want to... And I do agree with you because once you let one do it, then everybody else wants to. I totally get that and I totally agree.

Mr. Fortino - We appreciate that, ya know.

Mr. Hull - She has nice stuff and she has nice racks. I've been up there. It's nicely displayed, but we had somebody over on that back street...

(Tape inaudible).

Mrs. Corlew - It didn't look so nice.

(Tape inaudible; people talking at once).

Mr. Hull - Especially when you have to bring 'em into court. Then it cost the town money and you have to have a town attorney, ya know, and they... I mean, I think she's got a nice... I looked at her stuff and it's nice merchandise.

Mr. Fortino - Nice merchandise.

Mr. Hull - She's not selling trash and treasures. She's got a nice thing and I think people, ya know, will support it little by little. I think she'll grow a business there.

Mr. Fortino - I do too. I really do.

Mrs. Sutphin - We look forward to you expanding your business in a building where you can...

Mrs. Hull - Expand.

Ms. Webster - As long as I can make some money to get there. That'll be the...

Mr. Fortino - We hope you do. Like we all agree, we want business in town, we need business in town and, but we can't, because businesses are coming to town, they have to abide by the rules and regulations. Otherwise you'll have... We want the town to look nice. We want the businesses to succeed and we have to set... (Inaudible). Solid table. Everybody on this table is playing with the same baseball.

Mrs. Sutphin - We're going to need a motion that (inaudible) sell out of her garage, as agreed.

Mrs. Hull - I make the motion that she's going to sell out of her garage as we agreed and...

Mrs. Sutphin - Can I get a second.

Mr. Franchini - I'll second that.

Mrs. Sutphin - All in favor.

RESOLUTION #2023-3

Motion by: Susan Hull

Second by: John Franchini

RESOLVED, to approve application SPR #2023-1 by Rebecca Webster for tax map #210.12-2-32, located at 3958 Main Street for site plan review to allow retail sales inside the garage.

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, John Franchini, Tony Fortino

Nays: None

Mrs. Sutphin - (Inaudible) to sell out of the garage.

Ms. Webster - Okay.

Mr. Hull - One thing you could check with is the Economic Development Committee. Maybe somebody on there would have an idea of somebody (inaudible).

Mrs. Hull - Yeah. I was thinking that.

Ms. Webster - Yeah, I... Julie had talked to me about that and she (inaudible) a long time ago and talked to some people and that was something I was going to look into.

Mr. Hull - They might know somebody else...

(Tape inaudible).

Mrs. Corlew - When you get a chance, you can come down and get a permit to have this.

Ms. Webster - And then what, do I have like display it somewhere or something or is it for me?

Mrs. Corlew - No, it's just for your files and ours.

Ms. Webster - Okay. And then do I have to like do anything else. I don't have to redo this.

Mrs. Corlew - No, you don't have to redo it.

Ms. Webster - I'm going to follow the rules so there will be no reason for me to come back.

Mrs. Corlew - You don't have to redo it.

(There was technical difficulty; therefore the remainder of minutes was typed as a summary.)

The Board went on to Organization of the Board. They discussed whether the vote for officers should be for the remainder of this year or carry over through 2024. The decision was made to carry over through 2024. They will continue to meet on the first Tuesday each month. The resolutions for officers are as follows:

RESOLUTION #2023-4

Motion by: Susan Hull

Second by: Tony Fortino

RESOLVED, to appoint Sharon Sutphin as Planning Board Chairperson

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, John Franchini, Tony Fortino

Nays: None

Abstention: Sharon Sutphin

RESOLUTION #2023-5

Motion by: Sharon Sutphin

Second by: John Franchini

RESOLVED, to appoint Susan Hull as Planning Board Vice Chairperson

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Sharon Sutphin, John Franchini, Tony Fortino

Nays: None

Abstention: Susan Hull

RESOLUTION #2023-6

Motion by: Susan Hull

Second by: Sharon Sutphin

RESOLVED, to appoint Suzanne Tyler as Planning Board Secretary

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull Sharon Sutphin, John Franchini, Tony Fortino

Nays: None

A motion was made by Mr. Fortino,
was seconded by Mrs. Hull and carried to adjourn the Planning Board meeting at 8:19 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

Pb10032023

RESOLUTION #2023-1

Motion by: Susan Hull
Second by: Anthony Fortino

RESOLVED, to approve Planning Board minutes of August 2, 2022 (without correction).

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, Tony Fortino
Nays: None

RESOLUTION #2023-2

Motion by: Anthony Fortino
Second by: Susan Hull

RESOLVED, to approve application SPR #2023-2 by Darby Langworthy for tax map #210.12-2-21, located at 3922 Main Street for site plan review to allow renovation of an existing structure with an addition, for use as a brewery/restaurant. The applicant must submit a revised site plan showing plans of fencing, lighting, and landscape and also note that snow will be removed from site.

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, John Franchini, Tony Fortino
Nays: None

RESOLUTION #2023-3

Motion by: Susan Hull
Second by: John Franchini

RESOLVED, to approve application SPR #2023-1 by Rebecca Webster for tax map #210.12-2-32, located at 3958 Main Street for site plan review to allow retail sales inside the garage.

DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING VOTE:

Ayes: Susan Hull, Sharon Sutphin, John Franchini, Tony Fortino
Nays: None

RESOLUTION #2023-4

Motion by: Susan Hull
Second by: Tony Fortino

RESOLVED, to appoint Sharon Sutphin as Planning Board
Chairperson

**DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING
VOTE:**

Ayes: Susan Hull, John Franchini, Tony Fortino
Nays: None
Abstention: Sharon Sutphin

RESOLUTION #2023-5

Motion by: Sharon Sutphin
Second by: John Franchini

RESOLVED, to appoint Susan Hull as Planning Board Vice
Chairperson

**DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING
VOTE:**

Ayes: Sharon Sutphin, John Franchini, Tony Fortino
Nays: None
Abstention: Susan Hull

RESOLUTION #2023-6

Motion by: Susan Hull
Second by: Sharon Sutphin

RESOLVED, to appoint Suzanne Tyler as Planning Board Secretary

**DULY ADOPTED ON THIS 3RD DAY OF OCTOBER, 2023 BY THE FOLLOWING
VOTE:**

Ayes: Susan Hull Sharon Sutphin, John Franchini, Tony Fortino
Nays: None