

Minutes
Warrensburg Planning Board
July 15, 2019

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Board Members Present: Sharon Sutphin, Suzanne Tyler Laura, Moore, Rich Larkin, Susan Miller (Alternate)

Board Member Absent: John Franchini

Others Present: Tom Duffy, Barbara Newill, Patti Corlew (Zoning Administrator)

Meeting Commenced at 7:00 p.m.

Mrs. Moore - I call the Warrensburg Planning Board. Today is July 15th, a special Planning Board meeting. It's 7 p.m. We do have a quorum. Approval of minutes of previous meeting minutes.

Mrs. Corlew - Oh, that wasn't supposed to be in there.

Mrs. Moore - I apologize.

Mrs. Corlew - No. I apologize. I...

Mrs. Moore - At this time, there's no approval of minutes.

Mrs. Corlew - I'm not done with them. I barely started.

Mrs. Moore - So under old business, I have site plan review, site plan 2019-3. This is tax map 210.13-3-58.1 This is 3812 Main Street. The applicant is Tom Duffy, to allow an expansion of a book store by placing ten 10 by 20 tents. And previously we asked for four items to be addressed, the interior layout of the tents with tables, alternate the tent arrangement at the front, alternate the number of tents and the time-table of tent setup and operations for the take-down for the site, for the (inaudible). So the applicant has provided some information. Has everyone on the board reviewed it?

Ms. Miller - Hm hm.

Mrs. Sutphin - Hm hm.

Mrs. Moore - Okay. Do the board members have any questions about the information that Mr. Duffy has shared in his packet? Do you want Mr. Duffy to give an overview of it to the board.

Mrs. Corlew - Excuse me, Laura. Can I say something first...

Mrs. Moore - Yes. Please.

Mrs. Corlew - ...before we go any further?

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Mrs. Moore - Okay.

Mrs. Corlew - In, in speaking with our attorney, I have decided to inter, to change my interpretation of the word structure and

include tents as a structure, which for... For tents that are 100 square feet or over, they would have to meet the setback in the zone, so for... So that starts now and that would mean this application, the tents have to be 10 feet from the property lines. So it might eliminate a tent.

Mr. Duffy - Yeah, the first tent.

Mrs. Corlew - Yeah, so... Yeah, 'cause I don't know what the measurement is from the property line, but it...

Mr. Duffy - Very little.

Mrs. Corlew - ...might eliminate that first one.

Mr. Duffy - It starts at, starts the corner of the driveway and then shoots diagonally.

Mrs. Corlew - I see it does, so anyways, I just wanted to put that out there and I'm sorry about that, but this... I just think for future businesses and... I just think it's better that we have a setback for things like this, so. Anyway, I don't know if you have a question as far as that goes.

Mrs. Moore - Do board members have questions at this time because that eliminates B. It eliminates tents 1 out of the first page. That's our, the...

Mrs. Corlew - The new plot plan.

Mrs. Moore - So the new plot plan, 1 through 6, those are tents that are up from May through October, so it'll eliminate tent #1 at this time. And then if you go to the second plot plan, letter A, B and C are for sales, so it would eliminate...

Mrs. Corlew - It would eliminate B and C.

Mrs. Moore - 1, B and C. And they...

Mr. Duffy - C is more than 10 feet, 'cause my house...

Mrs. Corlew - As long as it's, if it's 10 feet from the...

Ms. Newill - Property line.

Mr. Duffy - Well, isn't my house 10 feet from the property line?

Mrs. Corlew - I don't know how far your house is...

Mr. Duffy - Ya know, because it's...

Mrs. Corlew - I have no idea what your...

(Tape inaudible).

Mrs. Corlew - I don't know. If you can measure back 10 feet from the property line and fit a tent in there, then that's fine.

Mrs. Tyler - If you have a 10 by... If you had...

Mrs. Corlew - But if you have a 10 by 20 situated that way, I think you might make it for C, item, Tent C.

Mrs. Sutphin - What's the clearance from the sidewalk to the beginning of that tent?

Mrs. Corlew - I don't know what it is.

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Mrs. Tyler - I would say...

Mr. Duffy - 10 feet, maybe 11 because the other tent... It's, it's a little bit over 20 feet, the length of the tent from the front of the house to the drive, to the sidewalk. So if you're behind the tree, you're more than 10 feet from (inaudible).

Mrs. Sutphin - 10 feet.

Mr. Duffy - Because the sign is 5 feet from the sidewalk. 'Cause that was what the thing said. The sign had to be 5 feet from the sidewalk.

Mrs. Corlew - Yes, at the time...

Mrs. Moore - So...

Mr. Duffy - So...

Mrs. Moore - ...tent C during sales, would be okay. Is that what we're coming to a conclusion now?

Mr. Duffy - Ya know, I mean, (inaudible) I believe it is.

Mrs. Corlew - Yes, (inaudible).

Mrs. Sutphin - During the sales. Not all the time?

Mrs. Corlew - Yes, 'cause the lettered tents were for sales only. The numbered tents are from May to October, right?

Mrs. Tyler - That's what was the proposed.

Mr. Duffy - Correct. That's what I was saying.

Mrs. Corlew - That's... Yeah, that's what I took it to mean. (Tape inaudible).

Mrs. Corlew - And I noticed that he's added something in here for the garage, so you, you have to address that too 'cause, 'cause...

Mr. Duffy - Somebody asked for it.

Mrs. Corlew - Well, I think somebody suggested that you use it.

Mrs. Moore - Right.

Mrs. Corlew - So, so anyway, it's got to be addressed by the board because if you're going to approve it, that needs to be included to make it all...

Mrs. Moore - A part of the project.

Mrs. Corlew - Yes.

Mrs. Moore - The garage (inaudible) part of your book store.

Mrs. Corlew - I'm just making sure they don't miss anything.

Mr. Duffy - Yeah, I'm (inaudible).

Ms. Newill - No, you're just a trouble-maker.

Mrs. Corlew - So that we don't get in trouble.

Ms. Newill - (Inaudible).

Mrs. Corlew - And I don't know, did you all get Mr. Hull's paper?

Mrs. Moore - Yes. So I wanted to address that to the board.

Mrs. Corlew - Okay.

Mrs. Moore - Mr. Hull has given us... I believe he went through... Mr. Duffy, he went through your letter and he had some questions. And I, I'll go through them. I think we, when Mr. Duffy and I sat down and went through the application, I think some of it may be difficult to read because of the copying (inaudible), so...

Mr. Duffy - Who's Mr. Hull?

Mrs. Moore - He's the Enforcement Officer.

Mrs. Corlew - He's the...

Mr. Duffy - Oh, okay.

Mrs. Corlew - Yeah.

Mr. Duffy - I just...

Mrs. Corlew - You just know him as Jim.

Mr. Duffy - Yeah.

(Tape inaudible).

Mrs. Moore - I'm sorry. I'm just trying to be proper.

Ms. Newill - Not Jim. Jim's good. (Inaudible).

Mrs. Corlew - Oh, yeah.

Ms. Newill - A few years back.

Mrs. Corlew - Oh, okay.

Ms. Newill - 'Cause usually you guys work with us (inaudible).

Mrs. Moore - I apologize. I'm trying to read it and trying to give you some, some guidance, so his first thing is to confirm...

Mr. Duffy - Well, can I just see, see the copy that he wrote.

Mrs. Corlew - Oh. That, yes. You should have that. Just a second. You... Yeah, you should have that and I thought we had an extra copy, so hold on and I'll get you one.

(Tape inaudible).

Mr. Duffy - One question about the 10 foot thing. Does that apply during the Garage, during the Garage Sale? Because if you look at other places s that are set up during the Garage Sale, people are not...

Mrs. Corlew - Here you go.

Mr. Duffy - Thank you.

Mrs. Corlew - During the World's Largest Garage Sale?

Mr. Duffy - Yes.

Mrs. Corlew - That is a special event.

Mr. Duffy - Right. Well that's why I'm asking about the...

Mrs. Corlew - ..(inaudible) thst is...

Mr. Duffy - That's why I was asking.

Mrs. Corlew - The days, it lasts for 3 days, so those days are kind of...

Mrs. Tyler - Do you want me to speak to that?

Mrs. Corlew - Sure.

Mrs. Tyler - On behalf of the Chamber.

Mrs. Corlew - Please.

Mrs. Tyler - You're right. It's a special event and all those tents are taken down by Monday. That's the deadline. If they are not, then Jim goes through and starts giving citations on, based on that. Also, it's a different set of circumstances, especially if it is a private residence setting up a garage sale on their own property with their own belongings. It's a different set of criteria if they're renting to a third party.

Mrs. Corlew - It's a different. Excuse me, it's a different set of criteria as far as the Chamber goes.

Mrs. Tyler - Yes.

Mrs. Corlew - But as far as the Town... The Chamber's holding this event. It's their event.

Mrs. Tyler - Right.

Mrs. Corlew - Right. I, I don't know how to word it, but like somebody doesn't need to go through site plan review to put up a tent for three days. You're, you're good, as long as you get your permits that you're supposed to from the Town Clerk to sell, but you don't need one from me.

Mrs. Tyler - And then anytime there's (inaudible) properties from the Chamber (inaudible) in another set of criteria from the property owners too. Like I have a whole set of rules that (inaudible) that says I can't be, I have to be 10 feet back from the driveway, 10 feet... We cannot be on the sidewalk anywhere in town, anywhere, for any reason and then whatever else they want to say about the use of their property. But the basic rule is that they have to be down by Sunday night really, actually.

Mrs. Corlew - Hm, yeah, most of them are.

Mrs. Tyler - Yeah. Rarely is it... If there are any left-over tents, then...

Mrs. Corlew - It's usually on a private property.

Mrs. Tyler - It's usually private. And that's, it's their property and they can, then code enforcement...

Mrs. Corlew - Yep.

Mrs. Tyler - That's another set of problems, in that you cannot have a continuous garage sale on your property and a whole other ball of wax though.

Mrs. Corlew - Yes. Yeah, Jim has had to get after people for not picking up in a timely manner after the Garage Sale.

Mrs. Tyler - But usually it's a, I would say...

Mrs. Moore - So does that answer the question? Can he, can he maintain during Garage Sale Weekend a tent in the sales loca, in his proposed sale location?

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Mr. Duffy - Tent B.

Mrs. Corlew - B and the one that you can't any other sales time?

Mr. Duffy - Yeah.

Mrs. Corlew - I... I guess. You could.

Mrs. Tyler - My, my thought overall was that when, when we were looking at that, it kind of...

Mrs. Corlew - I... Ya know what, I'm going to say yes.

'Cause I mean, we're not going all through the town and tell everybody you have to keep your r tents...

Mrs. Tyler - 10 Feet.

Mrs. Corlew - Whatever's in... I mean, it's not 10 feet in every zone. You go up the street and it might...

Mr. Duffy - Right next to mine...

(Tape inaudible).

Mrs. Corlew - So for those, for Friday, Saturday and Sunday (inaudible). I mean, yes, you can have that there.

Mrs. Tyler - For 3...

Mr. Duffy - Yeah.

Mrs. Moore - 3 days.

Mrs. Corlew - You can have B there for those 3 days only.

Mrs. Tyler - My question about B as we're talking about it is 'cause I thought it, the 20 feet was too long when I was reviewing this and my thought was... Also because there was a traffic concern addressed, brought by your neighbors on that side too. Someone said they couldn't see oncoming traffic if you were turning, ya know.

Mrs. Corlew - (Inaudible) dentist.

Mrs. Tyler - Yeah, and the dentist. So my thought was not necessarily to eliminate B altogether, but to maybe swap it out for a 10 by 10 to, that would meet the setback and you would be giving an extra 10 feet for traffic, ya know, visualization. 10 by 10 is a standard size of tents. (Inaudible), ya know, a little bit smaller just to make everybody happy, so you can meet the setback. Would that work?

Mrs. Sutphin - No.

Mrs. Corlew - No.

Mrs. Moore - But it would during the sales.

Mrs. Corlew - The 20 by 20 is fine as long as it's 10 feet back.

Mrs. Sutphin - (Inaudible). And it's... I mean, for, for those three days, it'll be fine 'cause everybody else is going to be having tents out.

Mr. Duffy - She's not open that, those three days.

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Mrs. Corlew - Well, like I said, they're all throughout the town. There's going to be tents everywhere, so I don't see how we could tell you no for those three days.

Ms. Miller - My question is, if, if they have to be up and down within a certain period of days, and he's stated here somewhere that it's going to take a week to erect them a week to take them down...

Mr. Duffy - Yeah, 'cause we're talking...

Ms. Miller - ...then you're not talking Garage Sale weekend, right?

Mrs. Corlew - No.

Ms. Miller - Because that would mean you were up for what, almost two and a half weeks with the tents that other people who are having garage sale weekend tents are taking down on Sunday night?

Mr. Duffy - Well, the sale tents would be down, ya know, within two, ya know, that night or the next day, ya know, the one special...

Mrs. Corlew - Well, I think she's... I think she's addressing all the periods where you say you, it's going to take a week to put 'em up and then a whole week to take 'em down. It's, so I'm thinking...

Ms. Miller - Instead of being up for a week here and there, it's going to be up for three weeks...

Mrs. Corlew - Right.

Ms. Miller - ...here and there?

Mrs. Corlew - Right. Well, I had... I had a question on the second paragraph, of how many weeks total that would be because it, it sounds like it's going to be up for three or four weeks. It says one week prior to Memorial Day, set up three additional tents for duration of the weekend sales. These tents will be removed by the end of the week after the second weekend sale. So my question is, how many weeks total is that period of time?

Mr. Duffy - Four. Well no, three. Three 'cause you got the weekend...

Mrs. Corlew - Well, I think that the Board... And I'm sorry if I'm talking too much, but I think the Board wanted...

Mrs. Moore - So on Memorial Day week... So the start of Memorial Day, two weeks prior to set up because he's setting up tents 1 through... Sorry. ...1 through 6. Because it takes times to set up tents 1 through 6.

Mr. Duffy - Right.

Mrs. Moore - Get them organized. They'd be set up for two weeks, then Memorial Day weekend is one weekend sale and then

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there's a second weekend sale during most likely it's Americade or our Warrensburg Bike Week.

Mrs. Corlew - Okay, so...

Mrs. Moore - So it's... In those tent, those specific tents, 1 through 6 would be, they would be ...

Mrs. Corlew - Well, they would be from May to October.

Mrs. Moore - May to October. But it takes him...

Mrs. Corlew - Right, but he's talking about the sale tents.

Mr. Duffy - Right.

Mrs. Corlew - That's why... That's what I'm asking about.

Mrs. Moore - Okay.

Mrs. Corlew - The sale tents, on the second paragraph, he's talking about the sale tents.

Mr. Duffy - Alright, so if Memorial Day is, for example, the twenty...

Mrs. Corlew - It's confusing.

Mr. Duffy - Yeah. If Memorial Day's the 27th, starting the week of...

Mrs. Tyler - This year.

Mr. Duffy - Yeah, just saying the 27.. I don't know what day it is.

Mrs. Corlew - I don't know either.

Mr. Duffy - Starting from the week, from the 20th on, is when I would be setting up the other tents. I would set the sets up from the 20th to the 26th or the twenty... ..fourth.

Mrs. Moore - A, B and C tents...

Mr. Duffy - Because it's Friday, Saturday, Sunday...

Mrs. Corlew - A, B & C tents is what we're talking about.

Mr. Duffy - Right.

Mrs. Moore - So for Memorial Day weekend and...

Mrs. Corlew - But not B 'cause B's not going to meet the setback.

Mr. Duffy - Can't do B.

Mrs. Moore - So A and C would be.

Mr. Duffy - Okay. And then there would be another... So that would be the sale for Memorial Day weekend, which would be the 27th. Alright, so June would be the following weekend in June, which would be the 5th approximately, alright, would be the second sale. After that sale, by the 12th, seven days following.. It should be less. We're only talking two tents now.

Mrs. Moore - So you would take A and C down.

Mr. Duffy - Right.

Mrs. Sutphin - So you would be taking A and C down for a few days and then putting them back up again?

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Mr. Duffy - In August.

Mrs. Moore - In August.

Mrs. Sutphin - In August.

Ms. Newill - You better start getting pop-up tents.

Mrs. Tyler - Is it... It's not necessarily the tents that take a long time. It's ~~getting~~ all the merchandise out.

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Mr. Duffy - It's all the books. There is... Each table takes 14 boxes of paperbacks. There six tables, so that's in... At least six tables in each tent, so that's 60, 80, 82 tents, 84, boxes and 84 times 6, plus additional ones (inaudible). Some are heavy.

Mrs. Tyler - Americade's the second week... No because...

Mr. Duffy - ~~The~~ 10th.

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Mrs. Tyler - The 10th?

Mr. Duffy - Around the 10th. It's around my mother's birthday.

Mrs. Tyler - It's around Father's Day.

Mr. Duffy - Yeah. The week before Father's Day.

Mrs. Tyler - So would you want to keep it up for Bike Week and Americade because they're, that's two weeks?

Mr. Duffy - Yeah, that's why I keep the second week...

Mrs. Tyler - Memorial Day...

Mr. Duffy - ...and the weekend following.

Mrs. Tyler - That week, and then there's Warrensburg Bike Week and then that goes into Americade, so that's actually three weeks of tents sales.

Mrs. Sutphin - (Inaudible) three to four weeks.

Mr. Duffy - Yeah, but bikers don't stop. There's nowhere to put a book on the bike.

Mrs. Tyler - Okay. We're just trying to figure out...

Mr. Duffy - Yeah.

(Tape inaudible).

Mr. Duffy - I don't get very many bikers.

Mrs. Tyler - We started with the Memorial Day weekend.

Mr. Duffy - Right.

Mrs. Tyler - 'Cause we get a lot of tourists and traffic.

Mr. Duffy - Correct.

Mrs. Tyler - And that would be, for next year, when I looked up the dates, that'd be, would be May 18th is Memorial Day.

Mr. Duffy - Really?

(Tape inaudible).

Mrs. Tyler - Is that right? Yeah.

Ms. Newill - Sounds like it's really early for Memorial Day.

Mrs. Corlew - It does sound early.

Mrs. Tyler - It is. I'm sorry. That... If you wanted to set up...

Mr. Duffy - That would be the week...
(Tape inaudible).
Mr. Duffy - ...setting up, yeah.
Mrs. Tyler - Okay, so Memorial Day is the 25th.
Mr. Duffy - Yeah.
Mrs. Tyler - So...
Mrs. Sutphin - (Inaudible).
Mrs. Tyler - So, because you're asking to set up two weeks prior to Memorial Day. That actually puts us at May 11th, so we have one, two, three weeks of the front tents basically. Based on your proposal. Or two to three weeks, depending. The way I read it is that... So May 11th for next year, you would set up the driveway.
Mr. Duffy - Right.
Mrs. Tyler - Okay? Then the next week, the next Monday would be the 18th, that's when you would start setting up the front tents.
Mr. Duffy - Correct.
Mrs. Tyler - It takes you a week to get...
Mr. Duffy - Right.
Mrs. Tyler - ...to be ready for that next Monday, which is Memorial Day and, and then in the proposal you said it would take you about a week to break it down. Right?
Mr. Duffy - Right. There's one more sale after the Memorial Day.
Mrs. Tyler - Okay. So then... Sorry.
Mr. Duffy - That would be like the 2nd of June.
Mrs. Tyler - So then we're looking at June 1st, the week after Memorial Day.
Mr. Duffy - Right.
Mrs. Tyler - To have it down. Alright? You want to do it... No, that's not right.
(Tape inaudible).
Mrs. Tyler - We have one more week. So we're really looking at June 8th to have them down. So we all.. So it's about four weeks that you're, the front tents are up in, in the beginning of the Summer, for next year. With, with your breakdown, setup schedule.
Mr. Duffy - (Inaudible) Memorial Day's the 25th.
Mrs. Tyler - Right.
Mr. Duffy - So it's set up, start setting up, start setting up the 18th. I don't know when I'd get it... Ya know, during that, during the week of the 18th, I would set it up.
Mrs. Tyler - Right.
Mr. Duffy - Alright. And then the first week...

Mrs. Moore - That's only one week... I thought you needed two weeks to set that up.

Mr. Duffy - This is just the sale tents.

Mrs. Moore - Oh, sales tents.

Mr. Duffy - Alright? So, and then on the first of June is the second... Or the 1st of June is the second, is the Monday after Memorial Day.

Mrs. Tyler - That would be a sale week for you?

Mr. Duffy - Right. And then it'd be done by the 8th of June, by seven days later, the 7th of June. By that weekend, that front tent would be down.

Mrs. Tyler - Okay.

Mr. Duffy - Alright, 'cause I'm only having two weekends for sales.

(Tape inaudible).

Mr. Duffy - Those tents would be gone.

Mrs. Tyler - They'd be gone? Okay.

Mr. Duffy - Yeah, the sale ends on second (inaudible).

Mrs. Tyler - So to put it for the permit... 'Cause we're trying to figure a permit that will be all encompassing (inaudible) opportunity to do this. So would it be fair to say it takes you seven... If we gave you seven days on that, seven calendar days, whatever...

Mr. Duffy - Right.

Mrs. Tyler - ...those calendar days are, that's enough time for you?

Mr. Duffy - Correct.

Mrs. Tyler - Okay.

Mr. Duffy - (Inaudible), yes.

Mrs. Tyler - Okay. Does that make sense to everybody?

Mrs. Moore - is that... That's the way I understood this to, the way this is read because we were trying to avoid specific numbers, like...

Mrs. Tyler - Actual dates.

Mrs. Moore - Of actual dates.

Mr. Duffy - The actual days, just floating off Memorial Day.

Mrs. Tyler - When I was writing my notes to, to kind of try and figure out when we were talking about this, to, (inaudible) something like seven days, removal would be seven days after the last day of the approved sale. I'm just trying to figure (inaudible). Does that make sense?

Mrs. Moore - It does.

Mrs. Tyler - Okay.

Mrs. Moore - So it's like seven days after the second weekend sale.

Mrs. Tyler - Yeah. It, so if we, and if we were looking at this as far as the, when you were setting your schedule, I would say, okay, well when's Tom's, when Tom's sale and we would say it is, his sale weeks are Memorial Day weekend and then...

Mrs. Moore - Bike Week.

Mrs. Tyler - ...Bike Week. For Warrensburg's schedule.

Mr. Duffy - Okay.

Mrs. Tyler - Just for...

Mrs. Moore - Right, as...

(Tape inaudible).

Mrs. Tyler - Right. That's how I would put that.

Mrs. Sutphin - And then again in August.

Mrs. Tyler - And then...

Mrs. Corlew - And then... Oh, yeah.

Mrs. Tyler - And then it would go away.

Ms. Miller - Just the sale tents?

Mrs. Corlew - Just the sale tents. So then you'd have 2 through 6 out from, in July.

Mrs. Moore - (Inaudible) have a July event?

Mrs. Corlew - There's no sale dates in July.

Mrs. Tyler - No sale dates in July. Correct?

Mrs. Corlew - Okay.

Mrs. Tyler - May, June, then August. (Inaudible). Prior to the town... So when would the August sale be at?

Mrs. Moore - It's usually the first or the second weekend.

Mr. Duffy - Yeah, it usually flows in the first half of August.

Mrs. Tyler - The first or second week?

Mr. Duffy - Weekend.

Mrs. Tyler - Weekend, okay.

Mr. Duffy - I just do that for one weekend.

Ms. Miller - (Inaudible) set up and then... That pretty makes takes care of August.

Mrs. Tyler - Well, would it be fair to say in August the same, like criteria, that you would put, you would have them down seven days after the end of that sale?

Mr. Duffy - Yes.

Mrs. Tyler - Okay. First or second week of August, to schedule.

Mr. Duffy - Yeah, so (inaudible) talking 17 days. 'Cause it will seven days...

Mrs. Tyler - 'Cause it takes you a week to...

Mr. Duffy - The max would be 17 days. It would be (inaudible) put the tent up, ya know, within the 7 days of the Friday it

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starts and then the sale is Friday, Saturday, Sunday and then seven days after to try and get it down by.

Mrs. Tyler - Would it be... Could you do it in 14? Just to make a, around two weeks? Instead of the 17.

(Tape inaudible).

Mr. Duffy - Yeah.

Mrs. Corlew - Well, yeah I understand but I don't want him to, like if that... I don't want to set him up to...

Mrs. Tyler - No.

Mrs. Corlew - ...to not comply is what I'm saying, so...

Mrs. Tyler - So one week to set up, one week to break down.

Mr. Duffy - Right.

Mrs. Tyler - And then the three days. (Inaudible). I think it would depend on when he started. But how is his permit written. (Inaudible) number of days?

Mrs. Corlew - It's... You guys are going to do your resolution first of all and then he's just going to... My permit is going to, to be pretty vague but it's going to be based on your resolution.

Mrs. Tyler - Three days to sell? Right?

Mrs. Moore - August is a three day sale.

Mrs. Tyler - Like Friday, Saturday, Sunday?

Ms. Newill - Tom?

Mrs. Moore - Sorry.

Mr. Duffy - What was that? Sorry... I was trying to figure... I'm trying to figure, read his...

Mrs. Moore - August it's only a three day sale?

Mr. Duffy - Correct, one weekend (inaudible) before the big sale.

Mrs. Tyler - Right. So that's that. And then for the Garage Sale weekend...

Mrs. Moore - A week prior and two weeks after (inaudible). (Tape inaudible).

Mrs. Corlew - By... Yeah. By when in October?

Mrs. Tyler - I, I was kind of looking at the application as two different chunks in that we were dealing with like the sale tents one half and then the driveway tents on the other half.

Mr. Duffy - Right.

Mrs. Tyler - So I would say... My thought is for ~~Garage Sale~~ weekend, again, give... Just trying to (inaudible) clear to say in October, same thing, one week to set up, three days to sell and one week to break down. Just the front tents.

Mr. Duffy - Right.

Mrs. Moore - Just the fr, just the sales tents.

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Mr. Duffy - Yes.

Mrs. Tyler - And we can address the driveway tents after we've...
That's my... That's how I'm (inaudible).

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Mr. Duffy - Pretty much...

Mrs. Corlew - Semi-permanent.

Mr. Duffy - After that sale, get 'em all down, so...

Mrs. Tyler - Right. I would... I'm thinking just as far as trying to keep the neighbors happy, to keep those sale tents up and down, up and down, gone as fast as possible and because it seemed to me that your neighbors were okay with the driveway tents being there all, all Summer. And understood that it took you more time to get... Obviously, it's more stuff. So I would think that the actual breakdown of the driveway tents... How long would that take you do, you think? Now considering, with this thought, that we've already taken down the front.

Mrs. Corlew - Yeah, you've already taken down the sale tents.

Mrs. Tyler - That's already done. How long is it going to take you to take care of the rest?

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Mrs. Corlew - The 2 through 6.

Mrs. Tyler - Before it snows.

Mr. Duffy - (Inaudible) before it snows?

Mrs. Tyler - Yeah.

Mr. Duffy - (Inaudible) snow on October 15th.

Mrs. Tyler - Best case scenario, it will not snow..

Mrs. Corlew - Well, yeah.

Mrs. Tyler - Yeah.

Mrs. Corlew - Yeah, you have to consider it might snow in October.

Mrs. Tyler - It could.

Mrs. Corlew - We have...

Mr. Duffy - Yeah.

Mrs. Corlew - ...gotten snow in October.

Ms. Newill - First weekend.

Mrs. Tyler - Would it be fair to say like two weeks?

Mr. Duffy - Two weeks should be enough 'cause, 'cause the only real time-consuming bit after the sale is to close all the books up so there's less boxes to move, so I got, ya know... Books have sold hopefully, so...

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Mrs. Tyler - Right. It's a little bit less.

Mr. Duffy - Condensed down, so there's a lot less books to maybe move.

Mrs. Tyler - So would it... If we said two weeks after the Garage Sale?

Mr. Duffy - (Inaudible) so close.

Mrs. Tyler - The Garage Sale is...

Mr. Duffy - It's...

Mrs. Tyler - I looked up the date, the dates for two thousand or 2020 or do you want to deal with 2020 or do you want to deal with 2019? The Garage Sale this year is the four, third, no, 4th, 5th and 6th. Yeah, so and that's the thing, if it takes you two weeks to do...

(Tape inaudible).

Mr. Duffy - Definitely by the 19th.

Mrs. Moore - By the 19th.

Mr. Duffy - Because I do take, get time off... I take time off from Tops to, to get the stuff down after the Garage Sale.

Mrs. Tyler - So one week... The 19th is a Friday.

Mrs. Moore - It's a Saturday.

Mr. Duffy - No, it's a Saturday.

Mrs. Tyler - Oh, you're right.

(Laughter)

Mr. Duffy - ...my calendar's set up weird.

Mrs. Tyler - So the 19th is a Friday and that would be two weeks after. Hopefully it doesn't snow by October 19th.

Mrs. Corlew - I hope not. I don't want snow in October.

Mrs. Moore - That brings us into what is your contingency plan? You're...

Mr. Duffy - (Inaudible) and pay you guys money.

Mrs. Moore - I don't want, and that's obviously what we're trying to avoid.

Mr. Duffy - Yeah.

Mrs. Moore - We did bring up the fact that if you were, which we discussed, that you pay money up front in case something didn't work, that the town would be able to come in and take, take it down for you and I'm sure that's not what you want, but that is something that the Board could explore.

Mr. Duffy - Yeah.

Mrs. Moore - I mean, my, my thought, and I remember we discussed this. My thought is, do you have a contingency plan? Possibly you have your friends. You have the churches nearby. They have a church group that can, you can maybe lean on or a Boy Scout Troop that you could lean on and say hey, I, I could use some help specifically during this week to get it down because I am against the, a code requirement. So...

Mr. Duffy - I can... I can talk to the nun and see what's going on.

Mrs. Moore - You never know.

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Mrs. Tyler - I, wearing my Chamber hat, if you want to come talk to me, I can probably put you in contact with some organizations that might be able to help.

Mr. Duffy - Yeah.

Mrs. Tyler - With that... Can't guarantee you anything, but I can always give you contacts of, of groups and organizations that might be, I think, willing and able to help potentially, if you need that.

Mr. Duffy - Yeah.

(Tape inaudible).

Mrs. Moore - We're trying to discuss (inaudible). The opportunity that would exist is, ya know, what's the contingency and then potentially if, what are you going to do in three years? What are you going to do in five years? Is this what you want to do every single year is put these tents up? Could you ever put on an addition or are you, would you look for different space? You discussed in your, in your notes you would consider doing an addition (inaudible).

Mr. Duffy - Yeah.

(Tape inaudible).

Mrs. Tyler - Are you financially able to do that? That's the plan?

Mr. Duffy - Yeah. That's the plan. I'm trying to... I'm trying to pay off all these bills other people ran up on me, so.

Mrs. Sutphin - Do you have any anticipation when that would be... Any idea?

Mr. Duffy - Well, in theory, when I set up with this company that's supposedly going through it and they've gotten rid of a couple, they said it would take five years and that was last year. So, four, five years or so, four or five years I should have all the other bills done and then I can get my retirement back.

Mrs. Tyler - Okay. So you're thinking about five years you'd be in a position to...

Mr. Duffy - Do something...

Mrs. Tyler - Do a more permanent structure?

Mr. Duffy - Yeah.

Mrs. Tyler - As opposed to the tents. We can talk more about that later too. 'Cause they do small business...

(Tape inaudible).

Ms. Miller - ...kind of new at this. If this is permitted, does that mean if I should inherit 199 quilts, that I don't have room for in my house, that I can take that great big yard of mine and cover it with tents to put those quilts in? And Rich, who's

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been collecting antiques forever and ever and doesn't have room in his house, can he put up 10 or 12...

(Tape inaudible).

Mrs. Corlew - If you go through site plan review...

Ms. Miller - Is that what needs to... Site plan review needs to take care of that?

Mrs. Corlew - Well that's what this is. That's what this is.

Mr. Duffy - But I'm a business though.

Mrs. Tyler - He's zoned as a business, so what you're talking about probably would be a garage sale. (Tape inaudible).

Mrs. Corlew - No, but if she wanted to make it a business, she would have to go through site plan review, just like he is.

Ms. Miller - But it looks like there's 20 tents there and...

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Mrs. Corlew - I mean, I don't know if you can in the zone you're in, but say that you can, you have to go through site plan review.

Ms. Miller - If Ms. Frasier wants to do the same thing and have tents up for six months and maybe Clark Orton down here wants to have a bunch of tents up. I'm just worried that, it sounds like if we let one person do it, then anyone else who's in that kind of a zone can come in and say he's doing it and I've got a ton of stuff that I can't put in my house 'cause I don't have enough room, so I'm going to do it too and I, it just seems like Warrensburg would...

Ms. Newill - Warrensburg is a lousy, dumpy town anyhow.

Ms. Miller - ...not look...

Mrs. Corlew - No, it's not, Barb.

Ms. Newill - It is too.

Ms. Miller - We're, we're here to try to make it...

(Tape inaudible).

Ms. Newill - ...health center first.

Tape inaudible).

Ms. Newill - Eyesore.

Mrs. Moore - Each application that comes in...

Mrs. Corlew - I think it looks nice.

Mrs. Moore - ...(inaudible) and look at it on its own merits. The applicant...

(Tape inaudible).

Mrs. Moore - The applicant can say to you, well, he did it.

You, as the board, can say, but it's your application in front of this board. We have to look at your application and we're not comparing you to someone else's application.

Ms. Miller - Alright, and he's going to come back and sue us, that person who we turn down after we've said yes to this one.

Mrs. Moore - That's correct.

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Ms. Miller - Alright.

Mrs. Moore - And just a note on site plans, and I discussed this with the town attorney, some of the, the difficulty with Planning and Zoning... The most difficult things to do in Planning and Zoning is to deny a site plan, that's one, denying a site plan is extremely difficult and two, is specific to the Zoning Board, is to grant a use variance. Those are the two most difficult things in the Planning and Zoning world. So if we were to deny a site plan, any site plan for that matter, you have to identify the specific reason for denial and there, ya know, you go through your criteria. You have to be extremely specific or else you may be considered arbitrary and capricious. Article 78, which is a method that an applicant would use to sue you, sue the town. Not you personally, but... They can sue you personally, but...

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Mrs. Tyler - But that... I think I understand where you're coming from. And that, and part of our process is also trying to enhance the, the quality of life in Warrensburg.

Mrs. Corlew - Balance it with...

Mrs. Tyler - With an aesthetic thought.

Mrs. Corlew - ...encouraging businesses.

Mrs. Tyler - Yeah, of course. That's why we're here talking about it. We're trying to come to a reasonable compromise that works for all the parties.

Mr. Duffy - Because the customer I had today did mention that his sister didn't want to stop because she didn't see the tents up.

Mrs. Tyler - Sure.

Mr. Duffy - So she didn't know if (inaudible). He chose to stop in when they went to Price Chopper, which isn't even in Warrensburg.

Mrs. Corlew - Once you get established, then you can... Clients will come back.

Mrs. Moore - I know you had some questions or comments.

Mr. Larkin - This is probably the appropriate time for me to address the code book that we're given as a Bible (inaudible) or any applicant. So I may not fully understand or have the definitions down correctly, and I'll be glad to be corrected. I'd like to go through the list that I have looked at that I think are pertinent. First, Tom, I'd like to ask you a question. Do I remember correctly that you're already using two tents in the rear of the building as a storage unit?

Mr. Duffy - Now?

Mr. Larkin - I thought that at one of the meetings, the last meeting you stated that you, you're not setting up the two tents to the rear of the house for sales.

Mr. Duffy - Oh.

Mr. Larkin - You're using... Because you have such an abundance of books...

Mr. Duffy - Normally, ya know, because I get those books sales over the winter and whatnot and Thurman and all that, I try and... They're not up now. I didn't put any up because I (inaudible). I put the tent up just to sort books in. Alright, it's not there now and I haven't done it.

Mr. Larkin - So the reason I asked the question is because I was, I thought that you'd made a statement that you're already using two sheds for storage and according to Chapter 5, 211-26, you're allowed a maximum of two storage sheds per parcel, or two sheds it says per parcel.

Mr. Duffy - Okay, well there's one shed out there. There's a shed, constructed shed there.

Mrs. Tyler - And there's a garage.

Mr. Duffy - And the garage.

Mr. Larkin - The second part of that 211-26 is the exterior siding shall be uniform in appearance and must reflect a residential character. Excuse me. Materials may include, but not limited to clapboard, (inaudible) clapboard. Everything.. Nothing here states anything about tents or taking it out of the character of the neighborhood, which the tents which definitely, in my opinion, take it out of the aesthetic value of what Main Street is. So now I'm going to jump up to 211-28, which talks about temporary structures. Everything in this paragraph, if I'm reading it correctly, states that you have to have a building project or construction project going on in order for you to have a temporary structures. It doesn't say anything about any sales or anything else like that in the entire chapter.

Mrs. Moore - Just caution...

Mr. Larkin - Okay.

Mrs. Moore - Is that you... If you're, the board cannot interpret what the code is. That's the Zoning Administrator's position. So you're reading it in the way that you're trying to interpret what a temporary structure is.

Mr. Larkin - Okay.

Mrs. Moore - And that's not a position the Planning Board, under the purview of the Planning Board that would be, maybe it's more of a discussion with the Zoning Administrator. I mean, you can

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go through them but I'm just going to caution you about (inaudible) because I don't want to give the impression that you're deciding what a temporary structure is.

Mr. Larkin - I don't mean to be deciding (inaudible).

Mrs. Moore - I know, but I just want to...

Mr. Larkin - What I'm trying to do is read the codes.

Mrs. Moore - Yep.

Mr. Larkin - See where Tom's project fits in and I haven't been...

Mrs. Moore - That's not our position.

Mr. Larkin - Well..

Mrs. Moore - That really is the... We were given an application of site plan review. We have to follow the guidance of the site plan review and if the Zoning Administrator has given us an application for a site plan, that's where we're directed to.

Mr. Larkin - I...

Mrs. Moore - And I apol... Is that..?

Mrs. Corlew - That's fine.

Mrs. Moore - Okay. I mean, you can continue. I just, I don't...

Mr. Larkin - Well either I've got guidelines to follow or I, I don't.

Mrs. Moore - You do. You have site plan. You go to the section on site plan.

Mr. Larkin - Which is which section, do you know off the top of your head?

Mrs. Corlew - Article...

Mrs. Moore - (inaudible).

Mrs. Corlew - Article 9.

Mrs. Moore - (Inaudible).

Mrs. Corlew - 211...

Mrs. Moore - 211-54 is criteria for site plan.

(Tape inaudible).

Mrs. Corlew - It starts at 211-49 and then like Laura said, it's, the criteria is 211-54.

Mr. Larkin - So 211... I'm in 211-54. I had three subject matters that...

(Tape inaudible).

Mrs. Moore - That's information that's to be on the site plan.

(Inaudible) criteria checklist.

(Tape inaudible).

Mrs. Moore - Yep. So, but if you look for criteria for site plan, that's what we're guided by. So you said you had some comments on this.

Mr. Larkin - Specific to 211-54.

Mrs. Moore - Okay.

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Mr. Larkin - A) number two is harmony of the area. You got a residence on one side; you've got a business on the other side.

Mr. Duffy - There's a business on both sides. The insurance agent.

Mrs. Tyler - Hm hm. And it's zoned multi-use commercial.

Mrs. Corlew - It's Hamlet Mixed Use.

Mr. Duffy - Yeah. I mean... Yeah, 'cause... Businesses...

Mrs. Tyler - Which allows for...

Mrs. Corlew - Businesses and residential.

Mrs. Tyler - Homes, yeah. And sometimes in the same building. Correct?

Mrs. Corlew - Yeah.

Mrs. Tyler - Yes. Just like Tom.

Mrs. Corlew - Just like Tom's and just like the insurance company. They have...

Mrs. Tyler - (Inaudible) actually on that street, including my office.

Mrs. Corlew - (Inaudible) got apartments too.

Mr. Larkin - Okay. Again, the three things there were, is it harmonious with the rest of the activities in the district. Is it a public hazard, and there were some questions last time we talked to you about the possibility of, ya know, the ropes and things of that nature. Somebody could trip on them. And is there an adverse impact on the community or on the, in the zone. And the adverse... In my mind at least, the adverse impact is that it doesn't (inaudible), an improved site. It's a less attractive, less aesthetically pleasing set of circumstances. It's... And then on the B section of that it talks about capability again what the adjacent properties are taken, how they're taken care of and then the aesthetics of the, of the property. I guess my take on it is that when you create as many as are being proposed, it (inaudible) changes the aesthetics of what Main Street is. And I'm, and that's what I wanted to bring the attention.

Mrs. Tyler - (Inaudible) when we were talking about the sale tents again. On your original site plan, you, 'cause you did adjust it from the original to the new plan.

Mr. Duffy - Based on what Gary said.

Mrs. Tyler - C... C is cut down to 10 by 20, so, and you eliminated 1, 'cause you originally had three and then you cut it down to two.

Mr. Duffy - Right.

Mrs. Tyler - So by, by putting that new 10 by 20, C, tent, I know the, the dentist had some concerns about the...

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Mr. Duffy - Right.

Mrs. Tyler - ...the...

Mr. Duffy - The visibility.

Mrs. Tyler - The (inaudible) too. Would that address that, that concern?

Mr. Duffy - Yeah, it would because they're behind the tents, they're behind the trees there, so there's a tree there and the sign there already. So...

Mrs. Tyler - Before it was kind of poking out past the house. Is that..?

Mr. Duffy - Yes.

Mrs. Tyler - Okay.

Mr. Duffy - Yeah.

Mrs. Tyler - So the new one that you propose, it would be right in line with your property, shortening up those... What are they called? Ya know, the ropes.

Mr. Duffy - Guidelines.

Mrs. Tyler - Guidelines. So hopefully, ya know, I think that, he's, he has addressed his neighbor's concerns with, with that because, ya know, and... And having only one tent right out in front might also be a compromise in the aesthetic because it's not tent, tent, tent, tent. It's just one tent. 'Cause I think we already addressed that ~~just probably won't work ya know,~~ unless maybe it's a much smaller tent. So really kind of what we're talking about, I think with the sale tent, is we're talking about just... I know you're probably not happy that it's, it's a lower amount of inventory, but it's a compromise in that you'll still have that big tent out in front.

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Mrs. Corlew - C.

Mrs. Tyler - C.

Mr. Duffy - C.

Mrs. Tyler - To kind of grab visitors that are going down Main Street, to say hey, we're open and here's our big tent and come on in. And whatever that means in, as far as how you display your, your items. So I think, in my mind, that kind of addresses the aesthetic concern. It's, it's a compromise, really. It's one tent in, instead of three. So that, ya know that's what I'm (inaudible). Anybody else? Any thoughts?

Mrs. Moore - One of the questions I have for the Board is, this leaves tents 2, 3, 4, 5 and 6 and letter A and letter C as part of the project. Are those (inaudible) how many tents... Is that suitable for the amount of tents on the site? Do Board members wish to see less tents than that?

Mrs. Tyler - I had a question about 6 and, 5 and 6.

Mr. Duffy - Hm hm.

Mrs. Tyler - Just 'cause we kind of changed things around. It's hard for me to tell... It's... Again, it's... We're talking about a little bit smaller of an area, so there's more walk-through area which was a concern of ours, ya know, as far as safety and things of that nature. I almost think that it might be, might be too many maybe but he's only going to be there temporarily. Right?

Mr. Duffy - Right. Because Gary said he didn't like it, so.

Mrs. Tyler - So he can still get... And that was a concern too with like the plowing and getting in and out of your property.

Mr. Duffy - Long gone before the plow.

Mrs. Tyler - That's... When I was looking at this, where's the... (Tape inaudible).

Mrs. Tyler - We have to think about snow (inaudible) unfortunately. Where's, on this picture...? I feel like I saw it on another map, the pine tree that's in the back of the house?

Mrs. Moore - It's right here.

Mr. Duffy - It didn't show up. I didn't (inaudible).

Mrs. Tyler - Oh okay.

Mr. Duffy - Directly across from the #6 outside the...

Mrs. Corlew - Outside that area that you...

Mr. Duffy - Yeah. It sort of hangs both on my driveway and his driveway.

Mrs. Sutphin - This is the revised. This is the original.

Mr. Duffy - (Inaudible). It's really faint.

Mrs. Sutphin - (Inaudible) 10 by 30.

Mr. Duffy - Right, that was the one that was up front.

Mrs. Tyler - So the...

Mr. Duffy - Right. So it's even with...

Mrs. Sutphin - This is the new one.

Mrs. Tyler - Oh, okay. You're looking... Okay, I'm looking at the wrong page.

Mrs. Sutphin - There's the pine tree right there. (Tape inaudible).

Mr. Duffy - I missed it on the second page.

Mrs. Moore - Sharon, you just mentioned that tent 6.

Mrs. Sutphin - Grew.

Mrs. Moore - Grew. What was it originally?

Mrs. Sutphin - 10 by 20.

Mr. Duffy - Right.

Mrs. Tyler - And now it's a 10 by 30 and 10 by 20.

Mr. Duffy - Yeah. 'Cause it was, it was a 10 by 30 that was in the front.

Mrs. Corlew - Oh, so you moved the 10 by 30 to the back.

Mr. Duffy - Right, because in the back, ya know, between, you have the garage and the, my shed and then the trees and then the...

Mrs. Tyler - What's behind tent #6?

Mr. Duffy - A hill.

Mrs. Moore - It's a little hill.

(Tape inaudible).

Mr. Duffy - Yeah. There's the shed and then there's a, a, the one (inaudible) flower bush right there.

Mrs. Tyler - So can you walk around tent 6 and 5, even if there's a slope?

Mrs. Corlew - Yeah, can you go to the back of that tent, 6?

Mr. Duffy - I don't know. I haven't set up like this. I assume I can because there's, because I only have...

Mrs. Tyler - Maybe it's going to butt up against the hill.

Mr. Duffy - Yeah. No, it's not.

Mrs. Tyler - No?

Mr. Duffy - Because I haven't set it up, so I don't know how it would.

Mrs. Tyler - That's just the general idea, is that there...

Mr. Duffy - Yeah.

Mrs. Tyler - ...would be nothing else behind that.

Mr. Duffy - Right. 'Cause basically all I did is took the previous set up of the tents with the two long touching the house and the horizontal one next to it, just flipped it around.

Mrs. Tyler - Okay.

Mr. Duffy - Alright, the way it was before.

Mrs. Sutphin - And how do you... So from... If I'm looking at this map, the "no sale" map, 1 through 6, how do you access the back of your house? Like is there a little...? I, I know there's a pine tree there, but is there like a dr, a back driveway or...?

Mr. Duffy - No.

Mrs. Tyler - It's all grass, okay.

Mr. Duffy - It's all grass right over there and there's a little bush by the back door and then there's an open space which is what, two, four, six, eight...

Mrs. Tyler - Then towards the back door is where everything kind of collapsed during the winter, right?

Mr. Duffy - Yeah.

Mrs. Tyler - Okay.

(Tape inaudible).

Mrs. Tyler - Okay. For clarification. So you're... To go back to your original question, does anybody have any problems with

the amount of tents that he was... On... Let's start with non-sale weekends, 1 through...

(Tape inaudible).

Mrs. Moore - 2 through 6.

Mrs. Tyler - 2 through 6.

Mrs. Moore - 2 through 6 and the garage (inaudible).

Mrs. Tyler - How are you going to get... How are you getting access to the garage if there's a tent right in front of it.

Mr. Duffy - There's no back on that tent.

Mrs. Tyler - So those you'll be able to walk through.

Mr. Duffy - So it's flush in there and the door, I unplug the garage so it doesn't get shut.

Mrs. Tyler - Okay.

Mr. Duffy - So you need any books, ya know, I'm usually asleep by 2 o'clock. (Laughter).

Mrs. Tyler - (Inaudible), right?

Mr. Duffy - Yeah.

Mrs. Tyler - Okay. That's fair.

Mr. Duffy - Ya know, so it's pretty much a continuous run all the way back.

Mrs. Moore - And I guess during this, the month of May through October, do people ever venture into side, inside the store?

Mr. Duffy - Yes.

Mrs. Moore - What I would call the store? Okay.

Mr. Duffy - Yes, usually through the front. Some people come into the back, in the back (inaudible) into the kitchen.

(Inaudible).

Mrs. Moore - Is there any other questions of the applicant?

(Inaudible). I'll explain, I think there's, there's too many tents. I think... I think the business should have a lot of business through the building versus the tents. But I understand that he has stock that is significant. I don't think that's this board's purview; however, I'm not... I would like to see one less tent.

Mrs. Sutphin - One less...

Mrs. Corlew - Other than the ones that are being eliminated because of setbacks?

(Tape inaudible).

Mrs. Moore - I have... Number one's eliminated, letter B's eliminated.

Mrs. Corlew - Letter B, okay. So you'd like to see one less?

Mrs. Moore - And I would... I would probably say #6 or 5 would probably be the easiest, but I don't know how anybody else feels?

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Mrs. Tyler - Like, 6 or 5 to eliminate or just #1, B and 1?

Mrs. Corlew - No, besides B and 1. She's saying eliminate one more and she's suggesting 5 or 6.

Mrs. Moore - And I'll explain why. I think that... I think there's a bit of a safety concern, and I think providing adequate area for your customers and for any safety vehicles that need, or safety personnel that need to access that. I think that would, (inaudible) be, assist them in that.

Mrs. Tyler - I would, I share your concern and I would suggest 5, only because it's in such close proximity to the garage, and number 4 just in case there was an emergency, if there was a fire, if somebody fell. Ya know, again, I agree, nobody wants to limit your ability to sell, but I think there is potential for hazard there. Even with A being gone on non-sale weekends. Ya know, I think that... And I don't... And actually, looking at this, I don't, I don't think a 10 by 30 tent like this, 6 and 5, I don't think those are to scale the way that they're presented there. I think 30, 30 feet over would actually probably... Yeah, that's not to scale.

Mrs. Corlew - No, it's not.

Mrs. Tyler - Yeah, so that's the thing. So 6 is almost as big, if we were looking at it, to scale, it's still going to actually, probably mirror A, really. If 1's a 10 by 10...

Mr. Duffy - Each 10 by 10 was...

Mrs. Tyler - (Inaudible).

Mr. Duffy - ... (inaudible) long.

Mrs. Corlew - Well, I think that's what... His shed's going this way. See this is 10 by 20 and this is 10 by 30. I think that's the way... I'm not sure.

Mrs. Tyler - Oh, I was thrown off by this, this...

Mrs. Corlew - That line. I know I was too. I was too at first, but then I just figured I think that's the way this, the tents are going, is that way.

Mrs. Tyler - 30 long.

Mrs. Moore - Yes.

Mr. Duffy - Long, yes.

Mrs. Corlew - Yes, we all misunderstood at first.

Mrs. Tyler - It's just 'cause there's like an extra line, so it's look like it's a 10 by 10.

Mr. Duffy - That's the side of the shed.

Mrs. Corlew - This is a confusing one.

Mr. Duffy - The one tent ends and then there's another ten feet. I just take the broken bits off the tents and add onto it.

Mrs. Tyler - It's a monster tent. So I mean, I think, even with that clarification, I think, I think maybe if we had to get rid of one, maybe 5. Just to, to keep that area clear for emergency situations.

Mrs. Moore - A question that will come up is the, the length of time of this project so he (inaudible) move forward (inaudible) back here. I'm not sure if the board would like to see that. It's possible that they want to see you come back. And so, if the board... What is the feeling of the board in having him come back, in a year to make sure this worked or are you okay with keeping it as is and (inaudible).

Mrs. Sutphin - I would say come back in a year.

Mrs. Moore - You would like him to come back in year?

Mrs. Sutphin - Hm hm.

Ms. Miller - Yes.

Mr. Larkin. I'm not completely satisfied that the things I addressed earlier are being taken into consideration.

Mrs. Moore - Okay.

Mr. Larkin - And, ya know, the (inaudible) existing Raluca's and Mr. Cooper's driveway with the temp... I know it's... Tent #7 is a temporary for your sales.

Mrs. Corlew - There's no 7.

(Tape inaudible).

Mrs. Corlew - There is no 7.

Mr. Duffy - That's the old map.

Mrs. Sutphin - I think he means C.

Mr. Larkin - C, I'm sorry.

Mrs. Corlew - C.

Mrs. Moore - That's okay. So this will...

(Tape inaudible).

Mrs. Corlew - Well, that's pushed back. Remember, there was more than one tent out there before.

Mr. Duffy - (Inaudible) behind the trees anyway, so, ya know, there (inaudible) trouble seeing past the tree and sign right there than there is the tent. Ya know, because you can fit a car on her driveway between the tree and the end, the end of the road, ya know.

Mrs. Moore - So letter C is your concern?

Mr. Larkin - Well, that's one of my concerns. And the other concern is that, ya know, the aesthetics of the community. Having it up for the entire season, even though they're back in your yard, then the (inaudible) further back on this proposal, it's, my concern is the same as Susan had stated earlier, about allowing, if we allow you to have X number of tents right now,

then the whole street can be covered in tents by the end of the Summer.

Mrs. Tyler - Well, I think we addressed that with if somebody did that, then they would have to go through this process also.

Mr. Larkin - That's the truth, but...

Mrs. Sutphin - But how do we...

(Tape inaudible).

Mr. Larkin - (Inaudible) makes it more difficult for us to regulate it.

Mrs. Corlew - It does, but then it opens up... I mean, it could open it up for the Town Board to make more rules about it. I mean, that's what happens in, with every...

Mrs. Tyler - Tom, how long have you been in business now with the tents?

Mr. Duffy - With the tents, I think they're like three or four years that they've been...

Mrs. Corlew - But not to this, not to the level that it occurred last year.

Mrs. Tyler - Last year (inaudible).

Mrs. Corlew - He had tents before that, but not, not that many that he had.

Mrs. Tyler - Is it a fair to say, again in cutting back on some of the tents, it kind of, it does address the aesthetic value... This is a temporary situation, those sale tents in the front. Especially with having some additional empty space without having...

Mr. Duffy - There's only one...

Mrs. Tyler - ...1 and B. (Inaudible) super sale (inaudible) potentially could be... I like... Personally I, I, as a resident and somebody that values the aesthetics of downtown, I do like the idea of the tent. I mean, it does signify that it is a special event. When it goes up, here it is and then when it goes down, the sale is over. And I understand addressing the concerns that this is not a permanent situation...

(Tape inaudible; people talking at once).

Mrs. Tyler - That's why we're here.

Mr. Miller - That's what worries me. Ya know, if it snows early again this year and he gets sick, then...

Mrs. Tyler - Potentially...

Mr. Miller - ...it's going to go through the whole thing.

Mrs. Tyler - Lessening the amount of tents that you, you are putting up already, that will again lighten the load on you, so hopefully, ya know, we're kind of trying to alleviate some of

these problems, ya know, foreseeing what we, could potentially happen. So...

Mrs. Sutphin - But this is in addition to having merchandise inside the house...

Ms. Tyler - Right.

Mrs. Sutphin - ...too. He's got merchandise in there.

Mrs. Corlew - And now the garage.

Mrs. Sutphin - Out on the porch and garage. So all of these tents...

Mrs. Tyler - So we've, we've talked about eliminating one, two, three tents, right?

Mrs. Moore - Hm hm. At this point, yep.

Mrs. Tyler - At this point.

Mrs. Corlew - Definitely 5 or, are you just talking about 5?

Mrs. Moore - I'm talking about 5, eliminating one more. At this point, it's one, two, three... Eliminating tent 5.

Mrs. Corlew - But I guess Tom would have to agree to that.

Mrs. Moore - Right.

Mrs. Tyler - We're just, we're talking.

Mrs. Moore - This is discussion. I want to make sure the Board's either comfortable or not comfortable. I need to... I'd like to be able to move forward if they think... If they think tents 2, 3 and 4 and the garage and then a tent sale C is sufficient, that would be, that would be even less.

Mrs. Tyler - I would, I would propose 2 through 4, 6 as a per, as permanent Summer tents and then A and C for his Summer events, sales.

Mr. Duffy - So I couldn't have five during the sale.

Mrs. Corlew - They're saying eliminate that altogether.

Mrs. Tyler - My concern with that one is really safety. I don't want somebody to fall down and sue Tom because...

Ms. Newill - I just heard somebody mention up street the other night. Not about his. With those cutter blades on that farm equipment. (Inaudible) if one of the derelicts, Ernie or anybody... That's safety. That's safety.

Mrs. Corlew - But that's not under their review.

Mrs. Tyler - That has nothing to do with this.

Ms. Newill - No, but I'm saying you're by the safety rule.

Mrs. Tyler - Well...

Mrs. Moore - His applicants... His application is in front of us.

Mrs. Tyler - Right.

Ms. Newill - There's too many things that are just...

Mrs. Tyler - There's a lot, lot to it. We have to consider, ya know, everything that goes into this.

Mrs. Moore - I guess what your suggestion would be no tents at all? I'm curious.

Mrs. Tyler - If that's your position.

Mrs. Moore - That's fine.

Mrs. Corlew - Yeah.

Mr. Larkin - I didn't take that position.

Mrs. Moore - I haven't heard it, but I was like, let's find out.

Mr. Larkin - Ya know, when you read through the codes and ya know, I thought that was the guideline I was supposed to work with. A bunch of different things pop up.

Mrs. Moore - Yes.

Mr. Larkin - And then you, you kind of steer me into the section that I had also made notes on.

Mrs. Moore - Good. You had valid points.

Mr. Larkin - When, when you look at the town, and that's not the question. If you want me to answer the question, I think it would be a lot easier for me to swallow if he had the sale tents up for sales no tents other than that. Again, any, anybody can... Anybody could help a family have a garage sale or a tent sale and, and they're all temporary. If it was more temporary than permanent, I, it would be easier for me to, to work with, to accept. This is a, this is a wholesale, permanent operation and I don't think it's... I think it's incongruent with the direction the town should be going. It's... Ya know, things that I thought I could take into consideration... I, I'm learning. This is a learning experience.

Mrs. Moore - I had to do it in the middle of a meeting, but...

Mr. Larkin - It's okay.

Mrs. Moore - ...at some point...

Mr. Larkin - I don't take it personally.

Mrs. Moore - Good.

Mr. Larkin - I'd rather have you teach me then...

Mrs. Moore - Hm hm.

MR. Larkin - ...ya know, let it slide and (inaudible) huge error. I know this man's a hard working guy. I've said that in the past and ya know, it, when you set here, you represent the people of the community and ya know, I didn't do my do diligence as much, prior as I have recently and I've learned a lot more about the codes. I think the codes could use some help and perhaps the Planning, the Town Board should take, revisit and review them, but that's not the case today. We've got what we have to work with. It's... Ya know, you've got an approved business operation inside the house and now you're using your garage, which I do not object to. It's, the appearance of the tents

takes away from the aesthetics of our Main Street. I'll, I'll leave you off with that.

Mrs. Moore - Thank you. Are, are you echoing that?

~~Ms. Miller~~ - Yes, I, I agree. I'm not sure that the Town needs to address the hundreds of thousands of books that he's got. I don't think it's our issue that he's got so many books that he needs to have tents all over the property. I, I really don't like the looks of them either. Just, especially this Winter when... We have so much tourism that goes through here (inaudible) to see that.

Deleted: Mrs. Miller

Mrs. Moore - That's not our issue.

~~Ms. Miller~~ - No, this is true. No, I would rather not have the tents up.

Deleted: Mrs. Miller

Deleted: - No, this is true. No, I would rather ...

Mrs. Moore - Were you okay with the sales tents.

Ms. Miller - If the sales tents can come up and come down in a reasonable amount of time, yes but I thought that was what the issue was before with all the tents. They didn't come down when they were supposed to and then...

Mrs. Moore - And now it's potentially coming up with a contingency plan which...

Ms. Miller - Yeah.

Mrs. Moore - ..which I think is extremely important.

Ms. Miller - Right.

Mrs. Moore - So, I have two thoughts on this side. I have (inaudible) thoughts on this side.

Mrs. Tyler - My overall thought is I don't have any issue with the tents for the Summer, 2 through, ya know, the ones that are up during...

Mrs. Moore - October?

Mrs. Tyler - May through October. In my opinion, Warrensburg is a seasonal community. We have lots of temporary structures that go up, whether, ya know, we've talked about the farm stands and things of that nature. I don't know it detracts from the aesthetics of our community. If anything I think it actually adds to it in that it gives some visual interest to downtown. Warrensburg is lacking retail in general, so this gives some diversity to, to Main Street. And at, ya know, I under... And I look at it as a temporary project for this business; that they do it during the Summer. I, I also do have issue with the fact that he ran into trouble last year and I agree that I think he started to encroach... Ya know, it did. It started to look a little junky, for lack of a better term. I'm sorry. But at the same time, I really do think it is a, it does give value to, to our retail picture here in town.

Ms. Newill - I know, I have enough people asking about where it is.

Mrs. Tyler - I think it's a...

Ms. Newill - (Inaudible) business.

Mrs. Tyler - I think, ya know...

Ms. Newill - Where's the book man?

Mrs. Tyler - And that's the thing. If anything, it gives, it, it adds to the character of our, of our town. Ya know, because you do have the tents out and it does have... It does, in my mind, ya know, during the Summer season, have people stopping and buying things in Warrensburg and having some tax base in Warrensburg. That's what, ya know, I, I can live with some tents for a couple of months, (inaudible) ya know, short and sweet. I agree that, ya know, tent C, that front tent, coming up and down at high traffic, high tourist times is probably your best bet. That would probably... So most of... A lot of the Summer, us, everyday driving by, you're not going to notice it. And also with the elimination of, of tent 1 right up in the front, again, it's going to solve the traffic issue and address some of the aesthetic issue, but we're still going to, ya know, benefit from the additional tents that are in the driveway. So with some modification, I'm, I'm for the proposal.

Mrs. Moore - That's fine. That's what I was looking for. (inaudible) information how the board, (inaudible).

Mrs. Sutphin - Well, I feel like there's too many tents there with the plan and tent B and tent 1 definitely need to go. 2, 3 and 4, okay. I think that you can come up with a better plan maybe put some shelves, build some shelves with wheels on them and put them in the garage. Pull them in and out of the garage. It'd be much easier. You'd be more organized and put them under the tents. That way at night you can put 'em in. Wouldn't have to worry about them getting wet or vandalism or anything like that. Not that we have uncontrolled vandalism here or anything, but I just feel that there's too many tents as written.

Mrs. Moore - Okay. So at, at this time point, just so you understand, you have more against the project...

Mr. Duffy - Hm hm.

Mrs. Moore - ...than for the project. So you have an opportunity either to address some of the tent situation that you have now. We can table the application at your request or you can have a vote, and I would, as the Chairperson, I would not recommend asking for a vote. I would recommend...

Mr. Duffy - Well, we've already eliminated...

Mrs. Moore - Eliminated B.

Mrs. Corlew - B and 1.

Mrs. Moore - And 1. And number 5 is the one I proposed. It's a suggestion.

Mr. Duffy - I'm not sure there's... So there's only the four tents.

Mrs. Moore - Right. So what I'm...

Mr. Duffy - Well, I'm trying to understand how many tents is four tents too many.

Mrs. Moore - So what I'm thinking is... What I, what I heard is maybe only allowing tents 2, 3 and 4, the garage and your sales tent C.

Mr. Duffy - What about A?

Mrs. Moore - I'm getting the impression that they're not, that's...

Mrs. Tyler - I'm okay with A for the sales.

Mr. Duffy - It's at the back of the house. 5 and 6 are eliminated.

Mrs. Tyler - I think 6 we said we were okay with.

(Tape inaudible; people speaking at once).

Mr. Duffy - ...down to four tents and she still said there was too many tents, so I was trying to understand.

Mrs. Sutphin - I'm fine with 2, 3 and 4 and either 5 or 6.

Mr. Duffy - That's where we're at.

Mrs. Tyler - 5 or 6. I said 5 because I didn't like how close it was to the garage and the shed.

Mr. Duffy - Yeah. So I'm going to have 2, 3, 4 and 6 were the only tents left.

Mrs. Sutphin - You're going to have four tents.

Mrs. Moore - And then...

Mrs. Tyler - For regular selling,

Mrs. Corlew - From May to October.

Mr. Duffy - Correct.

Mrs. Tyler - And then during the sales, would be allowed C and A? One in the front and one in the back.

Mrs. Moore - I'm thinking only C.

Mr. Larkin - So would 6 be eliminated or not? Is 6 going to remain? 2, 3, 4 and 6, is that what I'm hearing?

Mrs. Corlew - I think that's what I heard.

Mrs. Tyler - - 2, 3, 4 and 6.

Mrs. Moore - Keeping 5.

Mrs. Corlew - Eliminating 5.

Mr. Larkin - Eliminating 5.

Mrs. Moore - Eliminating 6 and 5?

Mr. Larkin - No.

Mrs. Sutphin - But I don't know what 5 is going to do for safety?

Mr. Duffy - Well, that's what I didn't understand either.
(Tape inaudible; people speaking at once).

Mr. Duffy - Gary didn't like it.

Mrs. Corlew - He didn't like any of them in the back.

Mr. Duffy - Well, yeah. He didn't like any of, right.

Mrs. Corlew - That's what I recall.

Mr. Duffy - Right. He didn't like the three that were on the side, directly behind the house, so I took, that's why I flipped it over and pushed them back so they're even with his building and even with the, pretty much even with the building, his building and with the garage and behind the pine tree.
(inaudible).

Unknown Speaker - The pine tree's right there.

Mr. Duffy - Yeah, the pine tree didn't show up on the second map.

Mrs. Tyler - So does the pine tree kind of hide 6?

Mr. Duffy - Yes.

Mrs. Corlew - Kind of hides 6?

Mrs. Tyler - 6?

Mr. Duffy - Yes, it does.

Mrs. Tyler - Okay.

Mr. Duffy - Yeah, I was pretty going to...

Mrs. Tyler - Pine tree's right there.

Mr. Duffy - I mean, I haven't put 'em up, so I don't know where it'd be, but it should be behind the pine tree.

Mrs. Tyler - You need to readjust your map and then go by your map.

Mr. Duffy - Yeah.

Mrs. Tyler - But I mean, and Gary wasn't happy with seeing them, so it was kind of tucked away...

Mr. Duffy - Right.

Mrs. Tyler - ...in back of the tree.

Mr. Duffy - Behind the pine tree and his building.

Mrs. Tyler - A would only be up potentially...

Mrs. Corlew - For the sales.

Mrs. Tyler - ...for the sales.

Mr. Duffy - For the sale.

Mrs. Tyler - And then it would go down.

Mr. Duffy - Right.

Mrs. Tyler - And he would be happy 'cause it's nice and clean and orderly.

Mr. Duffy - Right.

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Mrs. Tyler - Right.

Mrs. Corlew - So are you still talking about eliminating 5?

Mrs. Moore - Yes.

Mrs. Tyler - 5 would be gone.

Mrs. Corlew - Yeah, okay. Alright.

Mrs. Tyler - 6 would be there.

Mr. Duffy - Okay, so we have 2, 3, 4 and 6 and then A and C for the sale.

Mrs. Corlew - Right.

Mr. Duffy - Is that correct?

Mrs. Tyler - That's what I would propose, but...

Mrs. Corlew - Okay.

Mr. Duffy - So does that address your question about too many tents?

Mrs. Corlew - Does that?

Mrs. Moore - I'm looking at Sharon and I'm looking at you.

Ms. Newill - I never noticed these tents.

Mrs. Sutphin - Yeah.

Mrs. Moore - It will be 2, 3, 4 and 6.

Mrs. Sutphin - 2, 3, 4 and 6. A and C only when there's a sale, a garage sale. Correct?

(Tape inaudible; people speaking at once).

~~Ms. Miller~~Ms. Miller - If I have to compromise, I would go with that, but I, I just don't know like the tents, period.

Deleted: Mrs. Miller

Mrs. Sutphin - And we'll come back next year and review it.

Mrs. Moore - And you like to see him back (inaudible)?

Mrs. Sutphin - Yes.

Mr. Larkin - Definitely.

Ms. Newill - The health center is a suicide mission with that entrance on Main Street.

(Tape inaudible).

Mrs. Tyler - My thought is like, I don't want to...

Ms. Newill - Where they go in and out by the pharmacy? That's like a suicide mission.

Mrs. Corlew - Well, I think most people use the other one.

(Tape inaudible; people speaking at once).

Mrs. Tyler - And I ask the question as to how you've had the tents out because, 'cause the fear of anybody just setting up a tent store, having a pop-up store, (inaudible) I don't see that as a trend in our community happening. I don't... I, I...

Ms. Newill - Only on garbage sale weekend.

Mrs. Tyler - Well, it's, and...

Mr. Duffy - Fireworks.

Mrs. Tyler - What's that?

Mr. Duffy - Fireworks in June, but then they get a permit for that, to set that up.

Mrs. Corlew - The commercial fireworks have to have permits now, yeah.

Mr. Duffy - Yeah, so they have a tent set up. That's the only tent that I've seen.

Mrs. Tyler - And it goes down in a week.

Mr. Duffy - Right. So other than...

Mrs. Tyler - And the farm stands, again, special, special type of permit.

Mrs. Corlew - Yeah, they come under a different law altogether (referring to fireworks tent). They... Yeah.

Mrs. Tyler - But...

Mrs. Corlew - They're transient merchants.

Mrs. Tyler - The trend has not been that there's been an over, ya know, abundance of merchandise for any other business.

You're unique to the community. That's why we're actually...

Mrs. Corlew - That's why this happened.

Mrs. Tyler - Yeah.

Ms. Miller - I guess it just feels like it leaves the door open though. I know every case is judged on its own merits, but still somebody could come up here and argue the same thing. Ya know, this is my livelihood. I've got this, that and the other and I need to have these tents up and then I would feel that we would have to say okay again, if we said okay now.

Mrs. Tyler - I don't feel like it sets a precedence. I think we would take it case by case and review why they want to do it, how they want to do it and what means that they have to do it.

Mrs. Corlew - And ya know (inaudible) area of town, there's other considerations to make.

Mrs. Tyler - If it's in... I think... I do really feel like this is a very specialized and unique circumstance.

Mrs. Corlew - Project.

Mrs. Tyler - Yeah, project. Really, I mean, it... Because again, it's, there is nobody... And that fact that he is only, I take it into consideration the only book seller in town.

Mr. Duffy - In the County.

Mrs. Tyler - Is that really true?

Mr. Duffy - The only used, only dedicated used book store in Warren County. Isn't one in Essex County. There's one, two in Washington. Other than that, you've got to go to down to Saratoga before you get to the next one. And that's...

Mrs. Tyler - That's the way I look at it, is that it's a unique set of circumstances and with these adjustments, it might be a, a compromise that the community can live with.

Mrs. Moore - And just so the Board understands, prior to this application before us, the garage wasn't part of the book sale space and I believe he used as a book sale space.

Mr. Duffy - Yeah, it was then, but it wasn't brought up (inaudible).

Mrs. Moore - But now that... Now that that is (inaudible), it would be part of his permanent operations with 2, 3, 4, garage, keeping tent 6 and the sales tents would be A and C.

Mrs. Tyler - And you put a layout of your proposed garage layout in there.

Mr. Duffy - Well, that is the way it's set up. I haven't been in there to move anything. So yeah, actually the measurement... Where's that page?

Mrs. Tyler - (Inaudible) we review either, so you don't have to worry about that.

Mrs. Moore - After understanding the sales tent, the permanent operation from May to October with 2, 3, 4, garage and 6 and then the sale, specific sales events, Memorial Day, including some June sales, an August sale and then Garage Sale. So that's three, I call it three sales events, specific to tents A and C. Everybody clear on that? Patti, do you have any other questions...

Mrs. Corlew - No, I don'[t.

Mrs. Moore - ...that you need answered?

Mrs. Corlew - Nope.

Mrs. Moore - Alright. I'm going to review Jim's letter again to make sure I didn't miss something that he wanted (inaudible). (Tape inaudible). I believe we've answered all Mr. Hull's (inaudible).

Mrs. Corlew - I think you did address them.

Mrs. Moore - Does the Board... There's a couple things I can, with the Board's help, we could draft a resolution, table it (inaudible) resolution drafted to move forward and at the moment, I think it's, it's (inaudible) if the Board would like to move forward on a motion for approval (inaudible) hearing.

Mr. Larkin - I'd like to ask Mr. Duffy one more question.

Mrs. Moore - Sure.

Mr. Larkin - Tom, with the reduced number of tents.

Mr. Duffy - Hm hm.

Mr. Larkin - Do you really need that, a full week ahead of time and a full week after to take down two, two tents? I think it's A and C that you (inaudible).

Mr. Duffy - Probably would not. Ya know, could do it in three days. I'm assuming I can get the time off from work because I still...

Mr. Larkin - I understand that.
(Tape inaudible).

Mr. Larkin - And I wouldn't box you in so that you, you...

Mr. Duffy - Yeah, I mean (inaudible) get it down as soon as I can, sort them and then put them away.

Mr. Larkin - It just seems like, a lower, a lesser amount, it shouldn't take as much time.

Mr. Duffy - Yeah.

Mr. Larkin - But I know how the, ya know, how things go when you have to work.

Mr. Duffy - Yeah.
(Tape inaudible).

Mr. Duffy - I only went from three tents to two tents, so.

Mrs. Moore - So one week to set the sales tents up, sale, and then one week to take them down.

Mrs. Tyler - (Inaudible) 17 days.

Mrs. Moore - Right.

Mr. Duffy - Basically.

Mrs. Moore - You have 17 days to (inaudible) so that works for you?

Mr. Duffy - Yeah.

Mrs. Moore - (Inaudible).

Mr. Duffy - Yeah. Except for the two-week one.

Mrs. Moore - (Inaudible) to 4 days.

Mrs. Tyler - I just, like... 14 days to me means 2 weeks to me. It's just a little bit easier number to digest, but at the same time, we were being considerate of...

(Tape inaudible; people speaking at once).

Mrs. Tyler - I have... I do have one, one question about resolving this tonight. My concern would be, I feel like a little bit more thought and planning needs to go into your contingency, the what-ifs. And I don't know if we can decide tonight?

Mrs. Moore - So you could...

Mrs. Tyler - And then say we'll address that...

Mrs. Moore - Potentially, you could condition the application based on all the merits that we see and they, the applicant will also submit a contingency plan as part of that, so you couldn't

set up any tents until your contingency plan was in place. And that, whether you work with the Chamber or whether you work with the church, you would have a contingency plan that would be written out.

Mrs. Tyler - And I also, for the record, actually want to say that Tom is not a Chamber member, but, ya know, so I don't want you to feel that I am biased towards him as opposed to another business or not or, ya know, but I certainly, as just based on my position will, I can help you do that and, and some resources certainly. That would my one, one point, I guess.

Mrs. Moore - In place.

Mrs. Tyler - In place.

Mrs. Moore - So there's two things to talk about, a contingency plan, (inaudible) specifically discuss (inaudible) Garage Sale weekend. There's also, should this contingency plan also be discussed for the 17 days of one week up and one week down for your sales tents. So it's just something to think about. I don't know if the board would like to have that because that 17 days is, it's longer than two weeks. Is something that the board would also be in favor of, a contingency plan for the sales?

Mr. Duffy - (Inaudible) two weeks. We're only talking two tents. Three tents.

Mrs. Moore - Right.

Mrs. Tyler - 14 business, no, 14 calendar days.

Mr. Duffy - Calendar days, ya know, including the three days of the sale.

Mrs. Tyler - Especially with the, there are few tents.

Mr. Larkin - And, and with regard to the revisit, the sunset clause..

Mrs. Moore - When would you like to revisit this?

Mr. Larkin - I think we would be all better off to revisit it prior to next season. So sometime, anytime, I would be, I would say anytime after the,

Unknown Speaker - Like in November?

Mr. Duffy - November, half of the tents are gone, so November, December.

Mrs. Corlew - This, this year, you mean?

Mr. Larkin - Well, anytime between now and..

Mrs. Corlew - In this next Spring. Oh, okay.

Mr. Larkin - And the reason I say that is, ya know, everybody's timing might get a little (inaudible) up. He might be busy with his work. So, but I think we're better off doing it that way as

opposed to next year, in July or August. Ya know, (inaudible) do it before next season.

Mrs. Moore - So November 2019?

Mrs. Corlew - Or do you want to do it in the Spring?

Mrs. Tyler - I think the sooner, the better if there's anything that needs to be addressed, so we can give him an opportunity to...

Ms. Miller - Unless, in case something comes up again and then he's into July and August.

Mrs. Corlew - Okay. So November.

Ms. Miller - And it seems to me that November would be a good time.

Mrs. Corlew - Okay.

Ms. Miller - ...to iron out whatever might need to be ironed out.

Mrs. Tyler - Is November okay with you?

Unknown Speaker - Hm hm.

(Tape inaudible).

Mrs. Corlew - Election Day is on your Planning Board meeting day.

Mrs. Tyler - Does that mean we can't have a meeting.

Mrs. Corlew - Usually. I, I have the day off, so I don't know.

Mr. Duffy - (inaudible) get the day off?

Mrs. Tyler - I didn't know that. I just go and vote before I go into work.

Mrs. Corlew - Actually, ya know what? Sometimes we trade it, so we might not be closed that day.

Mrs. Sutphin - We can do it in January.

Mrs. Tyler - I would say leave it December.

(Tape inaudible).

Ms. Miller - ...I'll be at the...

Mrs. Corlew - You'll be at the Election, you'll be working.

(Tape inaudible).

Mrs. Sutphin - ...May, yeah. Prior to May.

Mrs. Corlew - Well, yeah, but we have to...

Mr. Duffy - Prior, a little bit more prior than that so there's enough time to.

Mrs. Sutphin - Well, it's the beginning of May.

Mr. Duffy - ...so January. You only have one meeting a month.

Mrs. Sutphin - April.

Mrs. Corlew - By April.

Mrs. Sutphin - Yeah, by April.

Mrs. Corlew - By your April meeting.

Mr. Duffy - So we can set it up in January or February.

Mrs. Sutphin - Would that be a special meeting?

Mrs. Corlew - No, we'll have it at your regular meeting.

Mr. Duffy - Regular meeting, then, ya know, so that (inaudible) another meeting before May, if needed.

Mrs. Corlew - So, do you want... So I guess I'll set it up. I can let you both know or the group.

Mrs. Tyler - I would say sometime before February. How's that?

Mr. Duffy - Is there a meeting in January?

Mrs. Tyler - We meet... We're supposed to meet every month if there's something to discuss. So... This would obviously merit discussion, but then again the, people travel during the winter and holiday and whatnot, so, so November won't work because of the Election and December is hard because of the holidays, I'm thinking, so that puts us in January. Let's say January.

Mrs. Corlew - Well, you might be having a... I mean, I don't know, if there's something on the agenda, you'll have a meeting in December, so I could put it on there. We could just... I don't know if you want to leave it open and let me just put it on...

Mrs. Sutphin - Yeah. I think that's...

(Tape inaudible; people speaking at once).

Mrs. Corlew - Okay. As long as it's by April.

Mrs. Sutphin - (Inaudible) three foot snowstorm in January and then we (inaudible).

Mrs. Corlew - I know. That has happened. Not with this Board maybe, but...

Mr. Larkin - So we're tabling this until the contingency comes in or?

(Tape inaudible).

Mrs. Corlew - No, no, not tabling it. You're voting tonight.

Mrs. Moore - Potentially we can do a condition tonight with the resolution that says a contingency plan has to be submitted before any tents get put up.

Mrs. Corlew - Before I can issue a permit for him to sell.

Mrs. Moore - At this point, I have potentially approve site plan 2019-3 for the expansion of book store and placing tents 2, 3, 4 which are ten by twenty's, tent 6, which is one tent of ten by thirty and books in the garage Memorial Day through Garage Sale weekend, then to be removed two weeks after Garage Sale weekend. Set up two weeks prior to Memorial... Then sale, sale event tents labeled A and C which are ten by twenties for Memorial Day weekend...

Mrs. Tyler - Warrensburg Bike Week?

Mrs. Moore - And Warrensburg Bike Week for one week... I'll read this again. Now we're going to talk about sales events. Sales

events tents A and C, ten by twenties for Memorial Day weekend and Warrensburg Bike Week or the one week after Memorial Day. Then August, the first or second week, one week only. Then the Garage Sale weekend. (Inaudible).

Mrs. Moore - One week prior, take down, one week after. No greater than 17 days. In addition, it helps me to write it down (inaudible). In addition... And I'll reread it so it's one motion. In addition... I apologize. I missed the conversation about we were going to come back in January or December?

Mrs. Tyler - She said she's going to put on the agenda and... (Tape inaudible).

Mrs. Sutphin - Yeah, after November.

Ms. Miller - ...but before April.

Mrs. Moore - So do you want me to read that all again?

Mrs. Tyler - And then we'll put the condition (inaudible).

Mrs. Moore - I have a contingency plan prior to issuance of a permit or tent removal... And site plan to be revisited in December 2019. Alright. So this is, this would be a motion for approval, site plan 2019-3 for expansion of bookstore by placing tents 2, 3, 4 10' x 20' tents and tent 6 which is one 10' x 30' tent and books in the garage Memorial Day through Garage weekend, then tents to be removed two weeks after Garage Sale weekend, noting setup is two weeks prior to Memorial Day weekend. Moving on to specific sales events. Sales events, the tents A and C, which are 10' x 20' for Memorial Day weekend and Warrensburg Bike Week or one week after Memorial Day weekend. The next event would be August... Next sales event would be August, which is either the first or second week, for only one week... The Garage Sale the one week, then the Garage Sale weekend and after Garage Sale weekend, all tents would be removed. Set up for sales is one week; take-down is for one week and no greater than 17 days. In addition, the condition is to have a contingency plan prior to issuance of a permit to address tent removal. Following that, a condition for the site plan to be re-visited by the Planning Board in December of 2019. So that's the motion. If someone would like to second that, then we can have discussion.

Mrs. Tyler - I'll second that motion.

Mrs. Moore - Are there any amendments to that motion that the board feels would be necessary?

Mrs. Sutphin - The one thing we didn't address was parking.

Mrs. Moore - We don't have parking.

Mrs. Corlew - We don't have requirements anymore.

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Mrs. Moore - S

Mrs. Moore - Good question. Okay. So we have the motion that's been made and seconded and our actual vote. So all those in favor.

Mrs. Tyler - Aye.

Mrs. Moore - Aye.

Mrs. Sutphin - Aye.

Mrs. Moore - All those against.

Mrs. Corlew - If you're against, you have to say nay or no. So, 'cause I have to take down your votes.

~~Ms. Miller~~Ms. Miller - No.

Deleted: Mrs. Miller

Mrs. Corlew - Rich? Is he voting?

Mr. Larkin - I'm going to vote yes at this time.

Mrs. Corlew - Thank you.

Mrs. Moore - So that motion has passed.

RESOLUTION #2019-14

Motion by: Laura Moore

Second by: Suzanne Tyler

RESOLVED, to approve Site Plan Review application SPR 2019-3 by Thomas Duffy for tax map #210.13-3-58.1, located at 3812 Main Street, to allow expansion of bookstore by placing tents on the property with the following conditions:

Permitted are tents 2, 3 & 4 which measure 10' x 20' and tent 6 which measures 10' x 30', and books in the garage, Memorial Day through Garage weekend. Tents are to be removed two weeks after Garage Sale weekend and setup is two weeks prior to Memorial Day weekend.

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For specific book sales events, tents A and C, which measure 10' x 20' for Memorial Day weekend and Warrensburg Bike Week or one week after Memorial Day weekend. The sales event in August is allowed either the first or second week, for only one week, then the Garage Sale weekend, and after Garage Sale weekend all tents would be removed. Set up for sales is one week, take-down is for one week, and no greater than 17 days.

A contingency plan must be submitted to the Planning Office prior to issuance of a permit, to address tent removal.

This site plan must be re-visited by the Planning Board on December 3, 2019.

DULY ADOPTED ON THIS 15TH DAY OF JULY, 2019 BY THE FOLLOWING VOTE:

Ayes: Sharon Sutphin, Suzanne Tyler, Laura Moore, Rich Larkin
Nays: Susan Miller

Mr. Duffy - Thank you.

Mrs. Corlew - Okay. Did you make the contingency thing?

Mrs. Moore - I did.

Mr. Duffy - She did.

Mrs. Corlew - Okay. Alright, so get that and then I can issue you a permit.

Mrs. Moore - And I also put in there December 2019 (inaudible) come back.

Mrs. Corlew - Okay. I'll hear it in here anyway.

Mrs. Moore - Okay. There's... I don't believe there's anymore communications. Comments and adjournment. Before the adjournment, there is one communication, October 8th is the Warren County EEC Planning and Zoning training session, which is from 8 to 12:30 and that's usually (inaudible) it's a really good one and this year, there's really nice topics that (inaudible) I would encourage folks attend.

Mr. Larkin - October 8th?

Mrs. Corlew - October 8th.

Mrs. Sutphin - And where is it?

Mrs. Moore - It'll be at the Fort William Henry.

Mrs. Sutphin - Okay.

Mrs. Moore - It's a really good (inaudible).

Mr. Larkin - Is it day or evening?

Mrs. Moore - It's a day, a morning. It's 8 to noon.

Mrs. Corlew - 8 to noon or noon-thirty.

(Tape inaudible).

Mrs. Moore - You should sign up with Patti. (Inaudible) down to the wire, just call me.

(Tape inaudible).

Mrs. Tyler - Motion to adjourn.

Mrs. Sutphin - Second.

Mrs. Corlew - Okay. I don't have anything on it yet, so...

Mrs. Sutphin - Okay.

Mrs. Corlew - But I'm sure there's something to...

Mrs. Moore - All those in favor of adjournment.

Mrs. Corlew - Is there something, a form for everybody to fill out or?

Mrs. Moore - Not yet.

Deleted: Sutphin

Mrs. Corlew - Not yet. But there will be.

Mrs. Moore - There will be.

Mrs. Corlew - Okay. I'm sure I'll get it and then I'll send it to you.

Motion by Suzanne Tyler, second by Sharon Sutphin and carried to adjourn the Planning Board meeting of July 15, 2019 at 8:38 p.m.

Respectfully submitted,

Patti Corlew
Recording Secretary

Pb07152019

RESOLUTION #2019-14

Motion by: Laura Moore
Second by: Suzanne Tyler

RESOLVED, to approve Site Plan Review application SPR 2019-3 by Thomas Duffy for tax map #210.13-3-58.1, located at 3812 Main Street, to allow expansion of bookstore by placing tents on the property with the following conditions:

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For specific book sales events, tents A and C, which measure 10' x 20' for Memorial Day weekend and Warrensburg Bike Week or one week after Memorial Day weekend. The sales event in August is allowed either the first or second week, for only one week, then the Garage Sale weekend, and after Garage Sale weekend all tents would be removed. Set up for sales is one week, take-down is for one week, and no greater than 17 days.

A contingency plan must be submitted to the Planning Office prior to issuance of a permit, to address tent removal.

This site plan must be re-visited by the Planning Board on December 3, 2019.

DULY ADOPTED ON THIS 15TH DAY OF JULY, 2019 BY THE FOLLOWING VOTE:

Ayes: Sharon Sutphin, Suzanne Tyler, Laura Moore, Rich Larkin
Nays: Susan Miller