

**Minutes  
Warrensburg Planning Board  
September 4, 2018**

**Board Members Present:** Danielle Robichaud, Sharon Sutphin,  
Laura Moore, Gary Cooper

**Board Member Absent:** John Franchini

**Others Present:** Attorney Rob Simon, Joseph Tennyson & Patti  
Tennyson, Tom Duffy, Patti Corlew (Zoning Administrator)

**Meeting commenced at 7:00 p.m.**

Mrs. Moore - We'll bring tonight's Town of Warrensburg Planning Board meeting to order. It's September 4<sup>th</sup> at 7:00. We do have a quorum this evening. First item of business is the approval of previous minutes from May 1 of 2018. Anybody have any changes or any amendments to that? I'm hearing none at the moment. Can we have a motion for approval of the minutes?

Mrs. Robichaud - I make a motion that we approve the May 1, 2018 minutes.

Mr. Cooper - Second.

Mrs. Moore - All those in favor.

**RESOLUTION #2018-11**

Motion by: Danielle Robichaud

Second by: Gary Cooper

**RESOLVED**, to approve the Planning Board minutes of May 1, 2018 (without correction).

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

Mrs. Moore - Under new business, we have a public hearing scheduled for the subdivision of 2018-1. This is tax map #153.-1-2.1 and 2.2. This is the west end of Art Tennyson Road. The applicant is Joseph A. Tennyson and Kathryn Smith, to allow a three lot subdivision, and I believe the attorney is here to

represent them. You want to give us an overview of the application?

Mr. Simon - Sure.

Mrs. Moore - Thanks.

Mr. Simon - And it's going to change.

Mrs. Moore - Is that after discussion with the APA at all?

Mr. Simon - Yeah.

Mrs. Moore - Okay.

Mr. Simon - They, they were just no fun.

Mrs. Moore - I figured. Okay.

Mr. Simon - The weirdest, the strangest thing.

Mrs. Moore - And just for the record, can you...

Mr. Simon - Oh, Rob Simon.

Mrs. Moore - Thank you.

Mr. Simon - Smith and Simon. Sorry about that.

Mrs. Moore - That's alright.

Mr. Simon - (Inaudible). Okay. There are two things happening.

One, this little lot is being carved off of this. This lot is sub-size, but we designed the line to track the land use...

Mrs. Moore - District.

Mr. Simon - ...boundary.

Mrs. Moore - Yep.

Mr. Simon - And the APA says, "fine, no problem; go ahead".

However, there is wetlands that run...

Mrs. Moore - Oh.

Mr. Simon - ...along the tree line.

Mrs. Moore - So they want them...

Mr. Simon - So we were within 200 feet of that wetlands.

Apparently subdividing the line, the boundary trumps wetlands. I was like, "okay, fine". So they didn't care. Which is, it's just very weird. But we're going to have to, we want to build where the barn used to be.

Mrs. Moore - Correct.

Mr. Simon - So what we're going to do... I walked the wetlands with the APA. We've got blue flags all over the place. The surveyor is out in Canada, hunting trout. He'll be back tomorrow. We'll have a new map which is going to very carefully, more than 200 feet away from all the wetlands. And we'll come back to you with a new map for that.

Mrs. Moore - So they want it... My guess is they, whatever's left on that, that side...

Mr. Simon - Well, every, everything for miles in every direction is owned by the Tennyson Trust.

Mrs. Moore - Tennyson's. So they just want to enclose, enclose, I guess the wetlands on one property?

Mr. Simon - Yeah, basically that's what we'll do.

Mrs. Moore - That's my understanding.

Mr. Simon - And that will work and it will make the APA happy and we'll move on and we'll keep the septic system more than 100 feet from the wetlands and hopefully we'll keep them happy and we'll be done. That's the plan.

Mrs. Moore - Do you think where that barn is that deviation of that line will be much closer to the new house proposed?

Mr. Simon - I think the line is going to have to be out here.

Mrs. Moore - Oh.

Mr. Simon - The wetlands are like, basically it's a streamy thing that runs like a tongue here.

Mrs. Moore - Hm hm.

Mr. Simon - We have to extend that line out somehow. More... We can't... 200 feet hits the barn, so we're going to have to take this boundary and stick it out there somewhere. So long as we get...

Mrs. Moore - Okay.

Mr. Simon - And I just can't picture it yet until I see what it looks like, but as soon as I see the new map showing me where the wetlands are, we're going to draw a new line.

Mrs. Moore - Hm hm.

Mr. Simon - And nobody seems to care within the family so.

Mrs. Moore - Okay. Will the surveyor put those wetlands line on the map?

Mr. Simon - Yes. The, the wetlands will be marked. That's the whole plan so that you can see that as well.

Mrs. Moore - Okay. Do board members have any other questions?

Mr. Cooper - I do not.

Mrs. Corlew - Laura, did you open the public hearing?

Mrs. Moore - I did not. I said there was a public hearing. I did not open it yet.

Mrs. Corlew - Okay.

Mrs. Moore - Okay.

Mrs. Corlew - I just want to make sure we don't forget.

Mr. Simon - Don't close it.

Mrs. Moore - Okay.

Mr. Simon - Adjourn it, something, but it's bad if you close it.

Mrs. Moore - I know. If there's no other questions for the applicant, so we'll open the public hearing at this time. Is there anyone in the audience that would like to speak on the public hearing of this project?

Mr. Duffy - I just have a question? He has to be 200 feet from the wetlands?

Mr. Simon - Yep.

Mr. Duffy - But the septic only has to be 100 feet?

Mr. Simon - Yes.

Mrs. Moore - Correct.

Mr. Duffy - Strange.

Mr. Simon - Well... Yeah, but...

Mr. Duffy - It's the APA, so...

Mrs. Moore - It's not just APA. It's...

Mr. Simon - (Inaudible). The 100 foot distance is normal. The only time it's more is if you've got a slope.

Mr. Duffy - Oh, okay.

Mr. Simon - And the septic system is above the wetlands, then sometimes, depending on the slope, you have to do 200 feet.

Mr. Duffy - Okay. Just curious. It just seemed odd.

Mrs. Moore - So no other questions at this time. So my understanding is that we'll need to table this?

Mr. Simon - For next month, hopefully.

Mrs. Moore - Okay. For October, perfect actually. I have something to go on for October's agenda anyways.

Mr. Simon - (Inaudible).

Mrs. Moore - Okay. So if that... So if everyone is acceptable to that we'll need to table this application until our meeting in October?

Mr. Simon - No, that's a good point. I have a question. The APA said they didn't care about the little one. Is it possible to approve that one? And I come to you with a map which just talks about that one?

Mrs. Moore - Shows the two lot subdivision?

Mr. Simon - Yeah. It's not a change. It's just half of the story.

Mrs. Moore - It's half of the story. Is it... I would prefer not to. Is there a closing that's happening or... Okay, there's a closing happening.

Mr. Tennyson - We need a tax map for the bank.

Mrs. Moore - I.D.

Mr. Tennyson - I.D., (inaudible).

Mr. Simon - This is... Well you know him.

Mrs. Moore - 'Kay. It's technically not the right process only because you have...

Mr. Simon - No, I know. I was depressed.

Mrs. Moore - I know. I apologize for asking. When is the closing, so that...?

Mr. Tennyson - We don't have a closing. The bank is waiting for the I.D. number so that they know what they're mortgaging.

Mr. Cooper - The acreage of what they're mortgaging, the tax map number that they're going to need for the mortgage...

Mr. Tennyson - Yeah.

Mr. Cooper - Completely understand that.

Mr. Larkin - Is there an existing house on that?

Mr. Simon - Yeah.

Mr. Tennyson - Yeah. That's our former home.

Mr. Larkin - Thank you.

Mr. Simon - The remaining parcel has the house.

Mr. Cooper - So why...

Mrs. Moore - But you don't know what the remaining...

Mr. Simon - No, I do know. In this case... Can I...?

Mrs. Moore - Yeah. Can you...?

Mr. Simon - Absolutely.

Mrs. Moore - I apologize (inaudible).

Mr. Simon - No, no (inaudible). It's easy.

Mrs. Moore - Hash it out. This one...

Mr. Simon - So don't look at this 'cause that isn't happening.

Mrs. Moore - This one is.

Mr. Simon - This one is, and what's going to happen is, this piece is joining the rest of Tennyson land.

Mrs. Moore - And it goes around.

Mr. Simon - So this will be the remaining parcel.

Mrs. Moore - With everything else?

Mr. Simon - Nope. Just this little quadrilateral-ish thing.

Right now, this is an existing tax parcel. Okay? Don't, don't look above the road. It'll only confuse you. This piece...

Mrs. Moore - Is one parcel.

Mr. Simon - ...exists. Correct. We're taking this piece...

Mr. Cooper - Enlarging it?

Mr. Simon - ...and turning... Yes, getting... Thank you. So it becomes all part of the whole of Tennyson land.

Mrs. Moore - This goes around.

Mr. Simon - Yeah, you got it, all around. That's the one subdivision we actually can do. The APA didn't care and I've requested a simple N.J. that says that's the case.

Mr. Larkin - Is the size of that lot going to increase because of the wetlands that you want to expand on?

Mr. Simon - No, that's the amazing... What's amazing is that because it's on the land use boundary, they don't care about size.

Mrs. Moore - But this lot will actually get smaller.

Mr. Simon - It will become part of... This lot becomes part of the bigger one. This becomes smaller. And the wetlands run... Not that it matters 'cause we're running along the land use corridor, but the wetlands are running along this tree line.

Mrs. Moore - Okay. What's this parcel number? Is it the 2.1 or 2.2?

Mr. Larkin - I don't know that we want to set a precedent by breaking something up.

Mrs. Moore - It's actually not breaking it up. It's actually an existing lot that's being subdivided into two and then the lot adjacent to it...

Mr. Cooper - The lot, 2.2, is the...

Mr. Simon - 2.2

Mr. Cooper - The 2.2's being enlarged.

Mr. Simon - Being reduced.

Mrs. Moore - Being reduced.

Mr. Cooper - That's being reduced.

Mr. Simon - Correct. Here. Let me show you.

Mr. Cooper - Okay. I see it.

Mr. Simon - Right now...

Mr. Cooper - I see it.

Mr. Simon - ...that exists.

Mr. Cooper - Yes.

Mr. Simon - So this is becoming part of...

Mr. Cooper - Right.

Mr. Simon - ...the big lot.

Mr. Cooper - Yes.

Mr. Simon - And this is just going to be smaller.

Mr. Cooper - Hm hm.

Mr. Simon - And the APA said they didn't care.

Mr. Cooper - And their concern is the bank, who really do care.

Mr. Simon - Not... Yes, exactly.

Mr. Cooper - I deal with it everyday.

Mr. Simon - The two parcels are not co-dependent as... I mean, they're kind of independent issues altogether.

Mr. Cooper - Hm hm.

Mr. Simon - So the changing of the one doesn't really have an impact on the other.

Mrs. Moore - So 2.2 is... I apologize. You have the larger map.

Mr. Simon - I have a (inaudible).

Mrs. Moore - I just want to get the, a reso. that reads correct acreage.

Mr. Simon - Sure. Hold on. There you go. So it's lot...

Mrs. Moore - .99 plus...

Mr. Simon - It's lot 1... Lot 1.

Mrs. Moore - (Inaudible).

Mr. Simon - Yeah.

Mrs. Moore - 9.04 acres is being reduced to 3.99,

Mr. Simon - Right. And this bit, whatever it is, is becoming part of 2.1. You can keep that.

Mr. Cooper - So that'll be the 153, lot 1, point... 2.1.

Mr. Simon - Correct.

Mrs. Moore - (Inaudible).

Mr. Cooper - So it's current, it's currently 5.05 acres?

Mrs. Moore - This portion is being added...

Mr. Simon - Correct.

Mrs. Moore - ...point...

Mr. Cooper - And that's going to be added to the...

Mr. Simon - To the big lot.

Mr. Cooper - 2.1, the big lot.

Mrs. Moore - And do we know what the final acreage of 2 point or...

Mr. Simon - I do.

Mrs. Moore - What current... What it currently is.

Mr. Simon - It's not surveyed 'cause we didn't really need to have the whole thing...

Mrs. Moore - Yep. What do the tax records say it is?

Mr. Cooper - Well, you're only taking a small portion, correct?

Mr. Simon - Correct.

Mr. Cooper - So that could be 40 acres and you're only adding like two and half acres to it.

Mr. Simon - Correct. And I think it's more than 40 acres.

Mr. Tennyson - Yes. A hundred plus that (inaudible) outer boundary (inaudible).

Mr. Cooper - Hm hm.

Mrs. Moore - But I'm curious what the tax records have given you.

Mr. Simon - It's a hundred... Right now, 2.1 is 104.57 acres, give or take.

Mrs. Moore - Give or take.

Mr. Simon - So we're adding to it the 5 point whatever. The 5.05. In my cover letter, I drew a little picture.

Mrs. Moore - Yeah. That's what I remember. Okay. Alright, just so I can explain to the board and see if they want to go in that direction and I don't know for sure. So for the board's information and maybe the public audience information, so parcel 2.2 right now is 9.04 acres. It is its own lot. The applicant has asked if we could potentially review that portion of the

property independent of APA review of parcel 2.1. 2.2 would be reduced by 5 acres and leaving it at 3.99 acres. A separate application that we would be subject to next month would be in regards to parcel 2.1, which would include currently it's a 104.57 acres, will include 5.05 acres, which is approximately 110.07 acres, will potentially also create a two lot subdivision that will reduce it by...

Mr. Simon - You can't say.

Mrs. Moore - I can't say, but we will probably say it's greater than 10 acres to deal with the wetlands that the APA has identified. Now if I can poll the board to see where, if they want to pursue that or if they want this to be all decided as one unit in October. I'll offer my suggestions. I don't mind that the 2.2 parcel is being subdivided on its own. It's an APA jurisdiction. I'm okay with that. Parcel 2.1 would be something that would come back to us in the first of October. I'll start down at this end.

Mr. Larkin - I have more of a question than a statement.

Mrs. Moore - Sure. Absolutely.

Mr. Larkin - In the event that there's a glitch with this 2 point, lot 2.1, does that get pulled back into 2.2?

Mr. Simon - No.

Mr. Larkin - No?

Mr. Simon - It's just going to be separate.

Mr. Larkin - So you've got a feel from the APA that they're, they're going to...

Mr. Simon - The APA has, has said, that's a non... The 2.2...

Mrs. Moore - The smaller lot.

Mr. Simon - The smaller lot, that's non-jurisdictional. They don't care. Period.

Mr. Larkin - So with that being all said, again, my, my concern might be setting a precedent for somebody else that's going to come through the door down the road. I'm not opposed if the rest of the board wants to do it, I (inaudible).

Mrs. Moore - Okay.

Mr. Cooper - Well, I think it's more of a, an APA situation, as well as moving forward so we can get to a closing, you're taking 2.2 and adding it to the 2.1, that's adding the 5.05 acres in this, in this subdivision, I say we move forward and we don't need to see him in October.

Mrs. Moore - Well, we would see him for October for the...

Mr. Cooper - Just for the...

Mrs. Moore - Separate one (inaudible).

Mr. Simon - The weird one.



Mr. Cooper - Yeah, the weird one. For the change, but, so you can move forward on this.

Mr. Simon - And I will give you a separate map if you do approve it this way.

Mr. Cooper - I saw we move forward.

Mrs. Robichaud - I have no problem (inaudible).

Mrs. Moore - I'll ask Patti if you have some insight that that would not be the proper, the procedure that, as long as we identify verbally, what's happening, is there anything else that you see that would be, we would be subject to some other jurisdictional review of some sort.

Mrs. Corlew - Not that I'm aware of.

Mrs. Moore - Okay. I don't... I don't anticipate anything.

Mr. Simon - No, I wouldn't think so because we're not actually... What you're approving is not changing anything. Do you know what I mean?

Mrs. Moore - Hm hm.

Mr. Simon - It's, it is what we were asking for. It's just half of the loaf.

Mrs. Moore - Okay.

Mr. Cooper - The only thing that's basically changing besides the acres, is changing the tax number.

Mr. Simon - Yeah.

Mr. Cooper - And you need that tax number to be changed so you can move forward.

Mr. Simon - Yep.

Mrs. Moore - So...

Mr. Cooper - Next month it's coming in with a new page, basically.

Mrs. Moore - Okay. So I'll craft a resolution so that, so again, this public hearing is left open. We're going to leave it open to address parcel 2.1. At this time, the board could approve a resolution for tax map 2.2 for a two lot subdivision of a 9 point, 9.15 acres. This would leave 3.99 acres that is to be developed for a single family residence and leave the remaining parcel 5.05 to potentially be merged with the 2.1 acres.

Mr. Simon - It would.

Mrs. Moore - It would be merged with the 2.1 acre parcel, 2.1 parcel. At this time, it would be two separate applications; 2.2 would be a two lot subdivision. A future subdivision of 2.1 would come back to this board in October. That would create, at the moment, it would be adding 5.05 acres to 104.57 acres, making that parcel 110.07, plus or minus. We would see a two

lot subdivision of that parcel as part of the ten point, as part of October's agenda.

Mr. Simon - I'll get you a map.

Mrs. Moore - And we will be provided with a separate map for the sub, two lot subdivision of 2.2.

Mr. Simon - And 2.1

Mrs. Moore - And 2.1, but 2.1 will be in October.

(Tape inaudible).

Mrs. Moore - Is that something... Okay. That's the motion that I would craft. Is there anything else that needs to be added to that motion? Okay.

(Tape inaudible).

Mrs. Moore - So I will need a second to that motion.

Mrs. Robichaud - I'll second it.

Mrs. Moore - Okay. All in favor.

#### **RESOLUTION #2018-12**

Motion by: Laura Moore

Second by: Danielle Robichaud

**RESOLVED**, to approve part of application SUB#2018-1 by Joseph Tennyson and Kathryn Smith for property located on Art Tennyson Road, tax parcel #153.-1-2.2 for a two lot subdivision of 9.15 acres. This would leave 3.99 acres that is to be developed for a single-family residence and leave the remaining parcel 5.05 to potentially be merged with the 2.1 acres. At this time, it would be two separate applications; 2.2 would be a two lot subdivision. A future subdivision of 2.1 would come back to this board in October. That would be adding 5.05 acres to 104.57 acres, making that parcel 110.07, plus or minus.

#### **DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

Mrs. Moore - That addresses that.

Mr. Simon - Do you want to hang onto the map?

Mrs. Moore - I would, if we could. Alright, I'll leave it in the file.

Mr. Cooper - You'll have a new one in October.

Mr. Simon - I'll have two new ones.

Mrs. Moore - Two new ones. Okay.

Mr. Simon - (Inaudible.

Mrs. Moore - What I do probably need is tabling, a tabling motion for the remainder, right?

Mr. Simon - Yeah.

Mrs. Moore - So we will table application for the two lot subdivision of parcel 2.1 for the first meeting in October, and that also leaves the public hearing open for 2.1. I need a second for that.

Mr. Larkin - I'll second that.

Mrs. Moore - All those in favor.

**RESOLUTION #2018-13**

Motion by: Danielle Robichaud

Second by: Rich Larkin

**RESOLVED**, to keep open the public hearing for application SUB# 2018-1 by Joseph A. Tennyson & Kathryn Smith, for tax parcel #153.-1-2.1 located on Art Tennyson Road.

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

(Tape inaudible).

Mr. Simon - Thank you.

Mrs. Moore - You're welcome.

Mr. Cooper - You're welcome.

Mrs. Moore - Thank you. Okay, under our next business under our meeting tonight, we have modification of site plan review. This is site plan 2003 of twenty, or, #10. Tax parcel is 211.13.-3-58. This is at 3812 Main Street. The applicant is Thomas Duffy, to allow placement of twelve 10 x 20 tents out from April to October. So you can address the Board. State your name first and then you can give us an overview of the project that you want to modify.

Mr. Duffy - My name's Thomas Duffy.

Mrs. Moore - Thank you.

Mr. Duffy - I own Maple Tree Books.

Mrs. Moore - Okay.

Mr. Duffy - As it is, the way the business has developed inside since I first opened it with the Warrensburg Garage Sale, I've been having book sales in May, August and the regular big Warrensburg one. Having that said, taking down the tents and putting up the tents, people like it when the books are all spread out; easier access as opposed to stacked up on the shelves. So I'm gradually leaving the tents up longer and longer and apparently we got in trouble for that.

Mrs. Moore - You got reminded.

Mr. Duffy - Yes. Ya know, so... But I'd like to put all the tents up, would only be up during the Warrensburg Garage Sale, when I have a book sale around Memorial Day and then when I do a sale in August, which I didn't do this year because of this situation. And then the tents that are actually on blacktop, I would leave up, the majority, all but one of them up, even or behind the house.

Mrs. Moore - Not year-round, but until October.

Mr. Duffy - Right (inaudible).

Mrs. Corlew - But all, from April to October?

Mr. Duffy - Yeah. I put 'em up in April. I really don't... Because it takes times to organize out the books and sort out, ya know, got (inaudible) all the books because all my books are alphabetized (inaudible) so there's a lot of books and they're divvied up, so you have to get 'em...

Mrs. Moore - Systematic.

Mr. Duffy - Yes. To get it done, they need to be spread out and it's a lot easier...

Mrs. Moore - So there'll only be three new tents that would pop up, three or four new tents that would pop up during your specific sale in August and Memorial Day.

Mr. Duffy - Right, in Warrensburg.

Mrs. Moore - And the Garage Sale?

Mr. Duffy - Right.

Mrs. Moore - Okay. Your scale is a little off, I'll start with that one.

Mr. Duffy - Well, it was hand-drawn.

Mrs. Moore - I see that. So it makes it a big, it makes it a little cumbersome to read, but I did notice that in 2003, we approved one large tent to the front of the building and we notice, we had you identify an area for parking of cars. This plan doesn't allow any parking of cars. So I'm curious if you can describe how the business operates where you're using our, the off-street parking. Do you have one to two clients a day?

Mr. Duffy - At a time... It's very rare where I have more than two cars at a same time.

Mrs. Moore - Okay. Everyday?

Mr. Duffy - And, I could have brought my book and showed you. In the Summer, it's actually been really good. Ya know, I count everybody, so if you come in like you would, you would be five customers even though you all came in one car.

Mrs. Moore - Hm hm.

Mr. Duffy - Ya know, so I've been averaging anywhere from 8 to 25 customers a day, as I've been, for most weekends. Some days I get nobody; some days you get two. Other days are busy. A lot comes in groups. Majority of the people end up parking up the street anyway because they drive right on past and they say, oh a book store; park on the other side of Raluca. Ya know, so, but when the tent is gone in the very front, the one in front of the building, people do pull in and park there. Two people did that today, in fact. Two of the three people that showed up today (inaudible) so people do park in the very front, the one space, ya know, that's the adventure, getting back out.

Mrs. Moore - Right. And they have no way to turn around in that car. Okay.

Mr. Duffy - No. I, try to back in myself, when I park there.

Mrs. Moore - That was one of the questions I had. So you own a car. Do you utilize a garage or do you utilize the street parking for your vehicle? I guess, how do you, where do you park?

Mr. Duffy - At the moment, I'm not the one driving my car. When I drove my car, I parked it up in the furthest back corner of the dentist's parking lot next door.

Mrs. Moore - Okay.

Mr. Duffy - I've been asked not to.

Mrs. Moore - Okay. Alright. So that was... If you're not... You're not... You...

Mr. Duffy - Plus the days, the days I'm officially open, because I'm only open... I'm open Friday, Saturday, Sunday, alright and the dentist is open Monday through Thursday, so the days that I'm open, she's off. On the days I'm open, it's because I don't have to go to the job that actually pays money, so the, the days that I'm open, the dentist isn't open. Gary is open whenever Gary has a customer, but, ya know, so I discourage people from parking directly in the... Some people stop (inaudible) drivers are dumb to begin with.

Mr. Cooper - Hm hm.

Mrs. Moore - It makes it difficult.

Mr. Duffy - People do pull in and park in their parking lot.

Mrs. Moore - So...

Mr. Duffy - Because they're not open (inaudible).

Mrs. Moore - Do you do a lot of, is there traffic, primarily customers seeing it, advertise it or do you do internet sales as well? Is that part of...?

Mr. Duffy - No, no internet sales.

Mrs. Moore - Okay. So it's all driven by folks in front of the building?

Mr. Duffy - Correct.

Mrs. Moore - Okay.

Mr. Duffy - (Inaudible) a letter a customer wrote today about it.

Mrs. Moore - Oh, alright. Okay.

Mr. Duffy - Support. When I was telling her the adventures, because I've taken down the tents because... Actually I had one customer who came up because I had backed everything up. She didn't... She said she'll come back when I get 'em back out again for the Garage Sale.

Mrs. Moore - Okay.

Mr. Duffy - Ya know, so...

Mrs. Moore - Do you board members have any other questions?

Mr. Cooper - I'm going to let everybody else speak before me.

Mrs. Moore - No other questions?

Mr. Larkin - I've looked through the books that I've been handed to try to better understand the town codes. I know that Mr. Duffy's a hard-working guy and he is, enjoys books. Believe it or not, your business, I hear more people complement the fact that you have such a nice selection, than I do about the ice cream store or any other stores in town. So you're doing something right. Boy I hesitate to approve more tents, and the reason being, and it, because it's a temporary circumstance. It's, ya know, you, you're describing putting them up and taking them down, but you have some that are up all year long, and let me...

Mr. Duffy - Some of them.

Mr. Larkin - Let me explain where I'm coming from. Again I, I think that what you have is a, it's a too bad you don't have a physical place that you're in, like the old shoe store or something of that nature. I need, I feel that I need to explain to you the train of thought. And, and I've been talking to a large group of people about Warrensburg, how to move it forward, how to bring more business into the community, and the first topic of conversation is the appearance. And it seems like the

National Grid is one of the things, the first thing you see when you get into Warrensburg. It's not all that attractive. And a car wash, then as you're coming up the street, ya know, you've got the dealership and then, ya know, a few antique stores and what have you. And people have, the people on that discussion have mentioned that seeing the tents at your location is, is a little bit of an eyesore. I'm new to this job, so I, I'm still in the learning phase, so forgive me for that. So when I try to take into consideration what, what the town codes are and I don't, I don't know that I fully understand where that falls with a seasonal tent. I do understand how I feel and what people have explained to me about the appearance of it. And ya know, again, I, I restate the fact that people have complemented what you're doing, so I might, I might hold off on an opinion or a vote. I don't, I don't want to stop you. At the same point in time, I wonder if there isn't a different solution for you. Mr. Duffy - There was, but I screwed that up so. That is why, on the map, I didn't put a date or anything on that very first tent, ya know, because that's the one that seems to be the biggest complaint because that's the one you see.

Mr. Larkin - Everybody sees the one out front.

Mr. Duffy - But that's also the one that people see and they stop because they see it, ya know. And all the rest are flush or actually it's about eight inches back of the house is where...

Mr. Larkin - Let me better... Help me better understand, Tom, the, like the tent on the, for sales only, the one right in the front.

Mr. Duffy - Right.

Mr. Larkin - On the front lawn?

Mr. Duffy - Yeah. All the ones on the lawn are only on...

Mr. Larkin - So when you, when you say that, for your sale (inaudible) you only use that for a weekend or a week or a month?

Mr. Duffy - The sale I do in May and I do it for two weekends. That way the locals can... I try and get the Memorial Day sale and then I try and have it open for the locals to come in without all the tourists and whatnot. So that, and then I would take them down because I like to pretend I have a lawn. Ya know, so...

Mr. Larkin - So that's like a ten day period?

Mr. Duffy - Yeah. They would... I put 'em up, ya know, the Monday or Tuesday and then, ya know, and load 'em up and then take 'em down as soon as I can, depending on the weather.

Mr. Larkin - Hm hm.

Mr. Duffy - Ya know, and then the one in August I do for one, only one weekend, ya know, so that goes in the beginning of the week and I take it down on the Monday afterwards, and then the same with the one at the Warrensburg Garage Sale. I started taking (inaudible) sales on the 28<sup>th</sup>. Friday's the 28<sup>th</sup>, so I put that up on Monday...

Mr. Larkin - I think my position might be so that I'm not trying to hold you up... I wonder if the board would consider and you would consider, if they approve this, would you, maybe, may we come back and revisit... Can we approve it for just one year...

Mrs. Moore - You can sunset it, yes.

Mr. Larkin - ...and see how things work out?

Mr. Duffy - Yeah.

Mr. Larkin - I want to... I might take that position.

Mrs. Moore - Hm hm. Good opportunity. Any questions or suggestions or...

Mrs. Robichaud - I would do it in one year too.

Mr. Larkin - Are you okay with that Tom?

Mr. Duffy - Yeah.

Mrs. Moore - So I mean, I guess my concern is, if I looked at this map, I would, I would be concerned about this one against this property line. These have always been here. I don't know if this is new or not.

Mr. Duffy - No, that is new because...

Mrs. Moore - Fairly new?

Mr. Duffy - ...(inaudible) showing up. People are just giving them to me.

Mrs. Moore - Oh oh.

Mr. Duffy - And so I did, last year, at the last Garage Sale, I found some stuff and was able to jerry-rig a thing and it seemed to work 'cause I sort of ran out of space, ya know, and I'm not so sure I'd like it and I've about had it because obviously it ruins the grass right there.

Mrs. Moore - Hm hm.

Mr. Duffy - Ya know, Raluca spends, Dr. Sandler spends a lot of money, ya know, a on her lawn.

Mrs. Moore - Okay. I mean, I would, I'm... This evening when I drove by and realized that you had amended your site over, over the past few days to bring it back to here, sort of being even with your house, I felt that it looked better.

Mr. Duffy - Right, well when I, when I got the first letter in the mail, I was real busy at Tops and I went down and she was on vacation, so, so then...

Mrs. Moore - Matching times.



Mr. Duffy - Right. When I got down there, so I had to come (inaudible) and I got the next letter, take all the tents down. I took that front tent down then and then after that, I got the next letter saying that I had to come to court and that cost me \$75 and then part of going to court was to have the...

Mrs. Moore - Administrative remedies. Okay.

Mr. Duffy - ...a pretty good portion of the tents down by the 4<sup>th</sup>.

Mrs. Moore - Okay.

Mr. Duffy - So that's what I've been doing and since Labor Day was, ya know, just Sunday, or Monday, I was, started doing it yesterday and got the tents down. (Tape inaudible).

Mrs. Moore - These tents in the back, are there three tents out in the back already?

Mr. Duffy - Yeah. That's where... There's...

Mrs. Moore - The staging area?

Mr. Duffy - Yeah. There's two... The way it's organized actually is, there's novels shoot up all the way this way and then mysteries shoot up all this way and then there's a tent horizontal back here and that has the rest of the mysteries and then there's classics, science fiction, all of the just general (inaudible). So there's like four rows of tables right back here.

Mrs. Moore - Okay.

Mr. Duffy - Yeah, four altogether now, so two big tents... So there's two likewise tents this way and then a tent horizontally this way. (Inaudible). I could get another tent, but I had built a shed to try to store stuff and ended up with everything of my father's in it. I might be able to put an additional tent here. Then again, that would be all on grass (inaudible).

Mrs. Moore - So just to follow up with what the, our other board members mentioned is that you may be at the point where you've outgrown your site.

Mr. Duffy - Yeah.

Mrs. Moore - What, I guess, what are your opportunities for other places? Have you evaluated that?

Mr. Duffy - Well, yeah.

Mrs. Moore - What's your...?

Mr. Duffy - Actually I've screwed myself up totally royally.

Mrs. Moore - Oh, I'm sorry to hear that.

Mr. Duffy - I can't do anything 'cause I was attempting to purchase Gary's old place, which would have been absolutely perfect, but I screwed my life and that was that.

Mrs. Moore - Okay.

Mr. Duffy - I (inaudible) really, really deeply in debt.

Mrs. Moore - Okay. And...

Mr. Duffy - That's getting paid off.

Mrs. Moore - Alright. And this hopefully helps. So I guess my suggestion and would conclude that these tents to the front are only, only to be used as Memorial Day, your August event and your Garage Sale.

Mr. Duffy - Right. That's all I (inaudible).

Mr. Cooper - You're speaking of all of them in the front?

Mrs. Moore - Yeah. He's got one, two, three, four. I'm not, again, I'm really hesitant to do this one on this side. So I'd almost, I'd really, my preference is one, two, three tents to the front and eliminate this fourth one and only, they're only sub, only allowed during those events. The remaining tents that you have identified I would say are okay and there's one, two, three, four, five, six, seven.

Mr. Duffy - Right.

Mrs. Moore - That's a lot of tents. And your storage inside, my guess is that you're using that front porch area as some, some sort of a base or is that...?

Mr. Duffy - Right. (Inaudible) they're taking over the garage. They're stored on the front porch and they're taking over the back porch as well.

Mrs. Moore - Okay. I guess, what is the exploration of having some of those books off your shelves... What do you do to get rid of them other than sell them? Do you, do you have another, or another buyer that buys batches of books?

Mr. Duffy - No. I just sell them here.

Mrs. Moore - I guess, I don't want you ever to get, 'cause right now you're, you're overcrowded as it is.

Mr. Duffy - Yes.

Mrs. Moore - So how do I, how do we ensure that you're not going to come back to us and say well now I need 20 tents because I really can't fit. My house is...

Mr. Duffy - There's no more land.

Mrs. Moore - There is no more land.

Mr. Duffy - Yeah.

Mrs. Moore - I just, I, again we think that you're, you're at the edge of your...

Mr. Duffy - Yes.

Mrs. Moore - And I understand your predicament and I, I respect that and I, I can't believe that you opened since 2003 and are still operating today, so that's actually a pretty big deal to be in operation still. So I'll let other board members speak to see what our thoughts are.

Mr. Cooper - Sharon?

Mrs. Sutphin - I, I don't like the idea of tents in town for a business. I think that if you're going to run a business, you need a building and that's just my thoughts. But does my feelings mean that a no vote or a yes vote on this, I don't know where I'm at.

Mr. Cooper - How long is your driveway, Tom? Do you know?  
'Cause right here it's showing...

Mr. Duffy - (Inaudible).

Mr. Cooper - That's what it's showing, is 100 feet.

Mr. Duffy - Yes.

Mr. Cooper - And that's, that's you going out to the front. My whole thought about this is, dealing with the Town of Warrensburg Planning Board, Zoning Board, Town Board, the Warrensburg Comprehensive Plan to better and move forward in Warrensburg, you're out of space.

Mr. Duffy - Yes.

Mr. Cooper - I know that. I have people come from South Africa and when they come visit us, we go to Tom's book store and he buys books and he gets them shipped and everything else. I have people from Romania that come here and they go to your book store and they come to see Tom 'cause they look for that specific book. I have no problem with that, but we get too many... We literally get too many complaints, and I don't think there's a board member up here that hasn't heard something. Tom, you've been in business a long time.

Mr. Duffy - Hm hm.

Mr. Cooper - You've done a great job. You have outgrown your space. But at the same time, this man is working and he's working hard. He's not sitting on his front stoop, drinking, smoking and waiting for the next check. Okay? That's my opinion. But we do get a lot of complaints. People coming and going, in and out of the doctor's office, Monday through Thursday.

Mr. Duffy - Yes.

Mr. Cooper - From 8:45 to 7 o'clock at night, and they do complain, and they complain to us, but we've known you for years. We've went back and forth on things before. Not issues. Not major anything issues with property lines and stuff, but yes, we built a building and we were too close. Tom gave us ten feet, we gave him ten feet and everything was solved. It's not pretty, but the man is working and give him his dates and he has to, they have to come down at times. There was just an accident last week in front of your building.

Mr. Duffy - Yes.

Mr. Cooper - Which drove that car into the telephone pole in front of my wife's dental office, which the man was in my wife's dental chair.

(Tape inaudible).

Mr. Cooper - He didn't have a good day. There's been many accidents there.

Mr. Duffy - (Inaudible) my car.

Mr. Cooper - And your car, your other car was totaled out. Okay? Is it because of your tents? Not necessarily. I'm not saying it is. When I was at the other, my other office, people would pull out of my, of the parking lot and when they took a left or a right, they just, there's cars parked there and at your place you have tents out there and cars parked out there. My wife has cars parked out there. Why people don't go in the parking lot, I don't know, but it is what it is. I think back in 2003, you were approved for six tents. Is that what it was?

Mrs. Moore - No.

Mr. Duffy - Not that I was told.

Mr. Cooper - You were approved for the tents along the driveway and in the back, correct?

Mrs. Moore - No.

Mr. Duffy - I was told I wasn't approved for any.

Mr. Cooper - So they... He was...

Mrs. Moore - It was this just (inaudible).

Mr. Duffy - I was just told the front porch...

Mrs. Moore - Oh, the front porch.

Mr. Duffy - ...and the...

Mrs. Moore - You didn't have any tents.

Mr. Duffy - ...the living room.

Mr. Cooper - Oh so you didn't have tents approved at all.

Mr. Duffy - No, because...

Mr. Cooper - Oh, okay.

(Tape inaudible).

Mr. Cooper - Okay, I'm sorry.

Mr. Duffy - Because I was just doing the Warrensburg Garage Sale and gradually, ya know, the weather being so wonderful, we've been getting...

Mr. Cooper - So in 2003 you were approved to have your bookstore in the house?

Mr. Duffy - Yes.

Mr. Cooper - Front porch and everything else. Okay, now that's where I was a little lost 'cause I thought you were approved for six tents on the side of the...

Mr. Larkin - I thought so also.

Mr. Cooper - Yeah, that's where I was...

Mr. Duffy - (Inaudible) with the citation.

Mr. Larkin - I didn't see the... I didn't notice the citation.

Mr. Cooper - This is my opinion. I talked to Tom; asked me about it, what, what to do and I said go to the town and, and just like our sandwich boards, we have to come in and get a permit for a sandwich board and it's for a certain length of time and we have to come back in and do it again. I think you're doing it right. I think it could be prettier, but as far as this decision being made tonight, I am going to recuse myself from making a decision here, only because it probably wouldn't go the way, in your favor. And, and only for this reason, we're trying, and we're trying to better Main Street and stop people to shop and they are stopping at your store. So for me to say a yes or no here and it's because we're neighbors, I think it would be wrong. Okay? But I will give my opinion.

Mrs. Moore - Hm hm.

Mr. Cooper - I gave my opinion. I'm done.

Mr. Larkin - What was that citation for?

Mr. Duffy - Not having the tents down by the 28<sup>th</sup> of July.

Mrs. Corlew - The citation was for the fact that he expanded beyond what he was approved for on his site plan back in 2003.

Mr. Cooper - From 2003. So basically that was just the house.

Mrs. Corlew - Right.

Mr. Cooper - Porch.

Mrs. Corlew - 'Cause he asked for it to be in his living room porch; parking out back.

Mr. Cooper - Okay.

Mrs. Corlew - So he expanded without getting your approval.

Mr. Larkin - So it's feasible that we could approve him for a shorter number of tents?

Mrs. Moore - Yes. Hm hm, and a timeframe to evaluate it.

Because you, on top of us making restrictions, if you come back and say, I, ya know, express to us what your business outcome is because of (inaudible) of tents, you have the opportunity to explain to us as well. So there's a two way street there that if we've limit, eliminated those front tents...

Mr. Duffy - (Inaudible) only the one tent.

Mrs. Moore - This one. Yeah. These are your, these are your special sales tents.

Mr. Cooper - The 10 x 30, next to your porch. Correct? That's the one you're looking for, basically.

Mrs. Moore - No, so... Well, he has...

Mr. Duffy - Yeah, those would only be up to three or four weeks, a month, ya know. That's only up during the Garage Sale...

Mr. Cooper - This is the one that you use and I'm familiar with it. It's between the tree and the front porch.

Mr. Duffy - Right.

Mr. Cooper - And that's the 10 x 30.

Mr. Duffy - Right.

Mr. Cooper - It goes along basically the whole front.

Mr. Duffy - Yeah.

Mrs. Moore - And that'll only be used for special sales (inaudible) times. I guess, what's, we'll go through the tents, so what is the board's feeling about the tent that's closest to the Raluca's? Do you eliminate that completely?

Mrs. Robichaud - Yeah.

Mr. Sutphin - Yeah.

Mr. Larkin - That's the one on the left of the porch?

Mrs. Moore - Yep. And, and the special sales tent would only be these two in the front that he's, he's got a 10 x 30 and 10 x 20.

Mr. Larkin - The one in the driveway.

Mrs. Moore - The one in the driveway we eliminate completely, but that's my suggestion. That's not the other board member's. Unless you want to leave... Unless you want to give that opportunity as part of the special sales event.

Mr. Cooper - Why would we eliminate the one in the driveway? If we're, if the Board's going to approve the one on his sidewalk and the one in front of his...

Mrs. Moore - For special sales events.

Mr. Cooper - Right.

Mrs. Moore - During the regular course of business from April through October, you would see a, you would have a clear line of sight.

Mr. Cooper - Hm hm. Okay. I see what you're saying.

Mrs. Moore - That's my thought. I don't know if that's the rest of the board's members thoughts. Or during special sales events, maybe we, the Board would give him this, this number... I don't, I can't tell what the number is on that one.

Mr. Duffy - Four.

A couple board members - Four.

Mrs. Moore - Number four. It would be number four and the other two tents that are in front for special sales events, because then I know that I have... I've potentially increased your opportunity to gather those people that are walking on the sidewalk to entice them to come in, and those are, those that

are already driving by are going to pass you anyways and come back. I guess, what's the board's feeling on that 10 x 20 that's out front? Do you want that as special sales event?

Mrs. Sutphin - Why can't you take and get rid of this one and turn this one this way? Then have all this...

Mrs. Moore - It would be clear at all times?

Mr. Cooper - Say that again.

Mrs. Sutphin - Take this tent and you turn it.

Mr. Cooper - (Inaudible) sidewalk?

Mrs. Sutphin - Yeah. This one here, you turn it this way and then is clear all the time. It eliminates this here.

Mrs. Moore - So it only... It would be two tents. It eliminates one tent, yeah.

Mr. Duffy - It eliminates one tent.

Mrs. Sutphin - Right, which you're doing if you're taking this one out anyhow.

Mrs. Moore - Right. If we do that and it's, but this is his... Do I... Special sales event, he wants to use that sidewalk all the way to the, his own sidewalk to the sidewalk and a tent that goes all the way to the sidewalk and the driveway. And my guess is, no different than any other vendor that's in a garage sale, is they're, you're...

Mr. Duffy - You want to go...

Mr. Cooper - This is...

Mr. Duffy - ...to the sidewalk.

Mrs. Moore - It's a marketing issue. It's not a...

Mrs. Sutphin - Special sale tent this would only be?

Mrs. Moore - Yes. So these four, or these three; one, two, three, would be special sales event tents.

Mr. Cooper - I think it's a 4, 9 and the 10 x 30 in front of this building. So you're telling me they would be going up...

Mrs. Moore - Memorial Day...

Mr. Duffy - Memorial Day; come down in, after the first week in June, one week in August.

Mrs. Moore - August.

Mr. Duffy - And then the Garage Sale weekend.

Mr. Cooper - So basically you're saying Memorial Day weekend or Memorial Day week?

Mr. Duffy - Week because I, I do it Memorial Day weekend and the following weekend.

Mrs. Moore - He does two weeks in Memorial Day.

Mr. Cooper - So you're doing two weeks in May, you're going to be doing two weeks in August...

Mr. Duffy - One week in August.

Mrs. Moore - One week in August.  
Mr. Cooper - One week in August. So June is completely...  
Mrs. Robichaud - And July...  
Mr. Duffy - June and July is clear.  
Mr. Cooper - When you can grow your grass.  
Mr. Duffy - Right. I can kill it again and it grows back a little bit in...  
Mr. Cooper - And then it grow back up in September...  
Mrs. Moore - October.  
Mr. Cooper - ...for garage sale.  
Mr. Duffy - Duffy.  
Mrs. Moore - Yeah.  
Mr. Duffy - What you got going on in October? Are you considering that the Garage Sale?  
Mr. Duffy - Yeah. 'Cause it's supposed to be...  
Mrs. Corlew - It usually is, yeah.  
Mr. Cooper - Yeah.  
Mr. Duffy - (Inaudible).  
Mr. Cooper - End of the September.  
Mr. Duffy - It's the weekend, it's the first weekend in October, ya know the weekend before...  
Mrs. Moore - So there's one other question I have that... Have you ever considered, if you did an addition, you're probably subject to other reviews or variance reviews.  
Mr. Duffy - Correct.  
Mrs. Moore - Have you explored that at all? What it costs for construction of an addition?  
Mr. Duffy - Not, no because of my money situation, I haven't don't anything 'cause...  
Mrs. Moore - Alright.  
Mr. Cooper - It's going to be difficult to even put in an addition there.  
Mr. Duffy - Yeah, the lot is really small. The only other option realistically would be similar to what she did, which was change the garage into a building.  
Mrs. Moore - Right.  
Mr. Duffy - Ya know. Ya know, I mean, but then I'd have to be 20 feet from her building and I don't know how wide the line, the property is right there.  
Mr. Cooper - But it's...  
Mr. Duffy - Ya know. Ya know, and that would be basically...  
Mrs. Moore - Okay.  
Mr. Duffy - ...making another building and whole, yeah, double my taxes probably.



Mr. Larkin - So... May I?

Mrs. Moore - Yes, please.

Mr. Larkin - If I understood what, what's been said correctly, we're proposing that he eliminate the tent closest to Raluca's office.

Mrs. Moore - Correct.

Mr. Cooper - Even for the garage sale?

Mr. Larkin - I think (inaudible).

Mrs. Moore - I just...

Mr. Larkin - Let me put this in the form of a motion. And we can change the motion if you like. So my motion will be to eliminate that...

Mrs. Moore - So it would be... So start with a motion to approve. Motion to approve with these following conditions.

Mr. Larkin - Thank you.

Mrs. Moore - So the tent on the left closest to Raluca's we're not going to consider at all.

Mrs. Moore - Hm hm.

Mr. Larkin - The tents to the rear and into the driveway, with the exception of the one on the road that reaches out the road would be up there through the season, which would be April...

Mrs. Moore - To October.

Mr. Larkin - ...through, through October. And the three tents that are in the front we would allow for the specified sales of Memorial Day, August and Garage Sale. All of this to include... This is only an approval for one year, all this to be revisited and approved, I would suggest after the Garage Sale next year.

Mrs. Moore - I agree. I think that's a good, good start to the motion.

(Tape inaudible).

Mrs. Moore - Right.

Mrs. Corlew - Or November, depending on when the Garage Sale is.

Mrs. Moore - So we'll do the first meeting in November of next year.

Mrs. Corlew - Okay. So that was a motion?

Mrs. Moore - I will second that motion. Is there any discussion on the motion? Okay. Patti is there any clarification you need from that?

Mrs. Corlew - Nope.

Mrs. Moore - Okay. All those in favor of that motion.

#### **RESOLUTION #2018-14**

Motion by: Rich Larkin

Second by: Laura Moore

**RESOLVED**, to approve modification to SPR #2003-10 by Thomas Duffy, located at 3812 Main Street, tax parcel #211.13-3-58. The modification is to allow placement of tents in the rear of property and right side of house. Also allowed is the placement of three tents in the front yard only during these 3 specified times periods, 1) two weeks around Memorial Day, 2) one week in August and 3) World's Largest Garage Sale. (See approved site plan for clarification). This is approved with the condition that the applicant come back to the Planning Board in November of 2019 for another review.

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

Abstention: Sharon Sutphin

Mrs. Moore - Okay. Alright, so your motion's passed.

Mr. Duffy - Thank you.

Mrs. Moore - In your favor. We will see you next November. If there... What I would suggest you do is, do another drawing to submit to Patti that eliminates those tents and ident... Or eliminate the tent and identify these tents as special sales tents and identify those weeks that you're going to be out. So that that map is in the file.

Mr. Duffy - (Inaudible).

Mrs. Corlew - Unless this one's good for your purposes. I've been marking it.

Mrs. Moore - Yeah, that's fine. I just, whatever. I apologize... I didn't read the comment from the customer that seen you. So I will read that into the record so that we do, we are aware that there was a public comment that was offered.

Mr. Larkin - And Tom, just, you see what's going on here. (Tape inaudible people talking at once).

Mrs. Moore - It's probably 14 days.

Mrs. Corlew - Okay.

Mr. Cooper - So that's two weeks.

Mrs. Moore - Two weeks; he said two weeks. Two weekends.

Mr. Cooper - Two weekends is the one in May.

Mrs. Moore - Yes.

Mr. Duffy - Memorial Day...

Mrs. Corlew - So like a ten day period...

Mr. Duffy - Basically, yeah.

Mrs. Corlew - ...covers it 'cause it's Saturday, Sunday, Monday...

Mr. Duffy - Well, yeah, but it takes a day... It takes about a week to get it set up.

Mrs. Corlew - So two weeks or 10 days?

Mrs. Moore - I assume two weeks.

Mr. Duffy - Yeah.

Mrs. Corlew - Okay. Very good.

Mrs. Moore - Because there's a set-up period.

Mr. Duffy - Yeah. Because I... Taking it down is a lot quicker than setting it up and then organize...

Mrs. Moore - But that, that allows you two full weekends.

Mr. Cooper - It allows two full weekends for...

Mrs. Corlew - For your sales.

Mr. Cooper - For the two, for...

Mr. Duffy - For the sale in May.

Mr. Cooper - ...May.

Mr. Duffy - May only.

Mr. Cooper - And July?

Mrs. Moore - No.

Mrs. Corlew - No, August.

Mr. Duffy - August.

Mr. Cooper - August?

Mr. Duffy - It's only one weekend in August.

Mr. Cooper - So basically in August, you're looking for seven days?

Mr. Duffy - Pretty much, yeah. 7 to 8, yeah. Depending on the weather. 'Cause you can't take the tents down in the wet.

Mrs. Corlew - And then Garage Sale weekend.

Mr. Duffy - And Garage Sale weekend, yes. So that those tents... (Tape inaudible; people talking at once).

Mr. Cooper - Hold it. You say you can't take them down while they're wet. These are vinyl tents. I take them down everyday I go camping.

Mrs. Moore - Alright. Just for public information, I'll, I'm going to, let me read the public comment in. So this is to those who, those concerned. It is dated 9/4 of '18. Maple Tree Books is a one of a kind book store in Warrensburg and all of Warren County. Very few independent book stores survive in this economy and Tom has made a long-standing business here. It's impossible to imagine the store without its outdoor tents. This allows patrons to take over time... ..take our time, sorry... ..to take our time and browse through his amazing selection of books while being outdoors. It's truly a fascinating collection and I

encourage the Planning Board to allow this business to keep the outside tents store... ..tented store. Thank you. Sincerely, Julian Stanton, a Maple Tree Books customer.

Mr. Cooper - I wonder where Julian Stanton lives.

Mrs. Moore - She lives at 518-409, so it's south of here.

Mr. Duffy - She didn't say 'cause she, she made the comment that she, ya know, that she wasn't a Warrensburg resident, and I said, well, they're trying to get people in to Warrensburg.

Mrs. Moore - It's a good, it's a good public, public piece, I think was nicely written. And if there's... Is there any additional information that the board needs to discuss?

Mr. Larkin - Just one last comment.

Mrs. Moore - Hm hm.

Mr. Larkin - With the project that's going up, on up by Oscar's, by the post office.

Mrs. Moore - Hm hm.

Mr. Larkin - Some of the things the board asked was that they try to... When they approved that, was that they try to do some landscaping that would be conducive to, ya know, a nicer appearance and I realize you're restricted there. I guess that's why we didn't ask for anything in that particular thing, but I, I don't know that it's going to go as smoothly for you next year. You really need to, in my opinion, you really need to give some consideration with where else you might locate all these books. And that's not for any other reason than because we're trying to...

Mr. Duffy - Right.

Mr. Larkin - Have that positive appearance on Main Street.

Mrs. Moore - That's it? I have two items that maybe the board members need to evaluate is, abstaining and recusing. We should... I'll put out a little notice and share it with Patti to give that information to you to explain those process to when you wish to abstain and when you need to, would like to recuse because they border issues with presentation on the board in voting, so you really should be aware of how that works.

Mrs. Corlew - Okay.

Mrs. Moore - I'll just send a note to Patti. No, that's alright.

Mr. Cooper - Yeah, I understand what you're saying.

Mrs. Moore - Hm hm. I don't have any further business. You saw in the packet there's an EDC conference coming up. I definitely recommend you going to it. It's half day. There's generally some timely topics and we try to make it relevant to board members that are new and board members that would like

additional information on how to process/reviewing applications, and what I really like about EDC is, is how it's tied into the economic development. So it's a really good program, and I hope to see you there. Anything else? Okay. Motion to adjourn?

Mrs. Robichaud - (Inaudible).

Mr. Larkin - Second.

Mrs. Robichaud - I'll make the motion.

Mrs. Moore - Great. All those in favor.

**Motion by: Danielle Robichaud, second by Rich Larkin and carried to adjourn the Planning Board meeting of September 4, 2018 at 7:58 p.m.**

Respectfully submitted,

Patti Corlew  
Recording Secretary

Pb09042018

**RESOLUTION #2018-11**

Motion by: Danielle Robichaud

Second by: Gary Cooper

**RESOLVED**, to approve the Planning Board minutes of May 1, 2018 (without correction).

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

**RESOLUTION #2018-12**

Motion by: Laura Moore

Second by: Danielle Robichaud

**RESOLVED**, to approve part of application SUB#2018-1 by Joseph Tennyson and Kathryn Smith for property located on Art Tennyson Road, tax parcel #153.-1-2.2 for a two lot subdivision of 9.15 acres. This would leave 3.99 acres that is to be developed for a single-family residence and leave the remaining parcel 5.05 to potentially be merged with the 2.1 acres. At this time, it would be two separate applications; 2.2 would be a two lot subdivision. A future subdivision of 2.1 would come back to this board in October. That would be adding 5.05 acres to 104.57 acres, making that parcel 110.07, plus or minus.

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin

Nays: None

**RESOLUTION #2018-13**

Motion by: Danielle Robichaud  
 Second by: Rich Larkin

**RESOLVED**, to keep open the public hearing for application SUB# 2018-1 by Joseph A. Tennyson & Kathryn Smith, for tax parcel #153.-1-2.1 located on Art Tennyson Road.

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Sharon Sutphin, Laura Moore, Gary Cooper, Rich Larkin  
 Nays: None

**RESOLUTION #2018-14**

Motion by: Rich Larkin  
 Second by: Laura Moore

**RESOLVED**, to approve modification to SPR #2003-10 by Thomas Duffy, located at 3812 Main Street, tax parcel #211.13-3-58. The modification is to allow placement of tents in the rear of property and right side of house. Also allowed is the placement of three tents in the front yard only during these 3 specified times periods, 1) two weeks around Memorial Day, 2) one week in August and 3) World's Largest Garage Sale. (See approved site plan for clarification). This is approved with the condition that the applicant come back to the Planning Board in November of 2019 for another review.

**DULY ADOPTED ON THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2018 BY THE FOLLOWING VOTE:**

Ayes: Danielle Robichaud, Laura Moore, Gary Cooper, Rich Larkin  
 Nays: None  
 Abstention: Sharon Sutphin