

Town of Northumberland
Planning Board
Subject to Correction by the Planning Board
Monday, January 14, 2019
7:00 pm
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Planning Board Members Present: Susan Martindale, Chair, Chad Reinemann, Melanie Eggleston, Jeff King, Lisa Black and James Heber, Vice Chair

Members Absent: Holly Rippon-Butler and Brit Basinger

Town Employees Present: Richard Colozza, Code Enforcement Administrator, Tia Kilburn, Clerk

Chair Martindale opened the meeting at 7: 050 pm; all in attendance stood to salute the flag.

Application #: 0010-18, Site Plan, DMD Land Holdings, Eric Heym (Tankards)

Chair Martindale stated a use variance was granted January 2nd by the Zoning Board of Appeals and stated the application is open for discussion, she said the residents appeared to be happy with the change from a bar or tavern to a restaurant, she said they were concerned about the lighting, hours and noise. Mr. Reinemann said the Zoning Board decided to leave any requirements or contingencies to this Planning Board he added Mr. Heym agreed to close at 11 pm however, people would still be in there prepping and cleaning for the next day and it was unknown when they would leave the building. Vice Chair Heber stated 11 pm is early, they could have an event begin at 9 pm and have to close by 11 pm. Mr. Reinemann agreed and stated they may have a wedding or something on occasion and need to stay open. Vice Chair Heber said 1 am would probably work better. Mr. Heym said he spoke with his son in law, who ran the bar and was told there were no real complaints about the hours or anything and he felt they have to give the new owners an opportunity to make money because they will have a mortgage and bills. Vice Chair Heber stated if they have people there, they can't kick them out at 11 pm. Mr. Heym asked what the legal closing time was in Saratoga County, he said it is different from Warren County, Vice Chair Heber responded 4 am and added the new owners have to have the potential to make money, he stated he knows the business and on occasion but not all the time events run later like weddings or a reunion. Chair Martindale stated they can make the recommendation however, still a bar over a restaurant, Vice Chair Heber said people are going to use it for what it was, they will have dinner and then may have drinks after, not really kicking them out at 11 pm, he added he believes the bands could be a problem. Discussion ensued on the bar and hours of operation.

Mr. Reinemann stated it is in the R-3 (residential 3 acre) zone and he felt there should be some level of hours restricted, adding 11 pm maybe restricting and to early. Vice Chair Heber said 1 am should be ok and referenced Winslow's in the Town of Wilton. Mr. Heym stated there will be no noise, Vice Chair Heber responded the bands were the noise, it will not be as it use to be, Mr. Heym said it will be a restaurant, the owners will have to work hard and not as a bar, you have to work hard all day and get very tired so you don't want to be there all night because you have to get up for the next day. A restaurant takes a lot of time and effort.

Vice Chair Heber asked about a sign and stated they need a highway permit for the entrance on Rte 32, he stated if they need an entrance there on Rte 32 it should be as far away from the hill as possible, he stated coming off Brownville Road you cannot always see, the closer to the hill the harder it is because of a blind spot, he then asked Mr. Colozza if that was right, Mr. Colozza responded no, actually the State wanted it closer to the hill, it will be a truck entrance and the trucks are higher and can see in both directions. Mr. Reinemann asked if the entrance was approved for use. Mr. Colozza said yes but they put rail road ties there so people would not enter, the delivery trucks enter down further. Mr. Reinemann asked if the current layout was looked at by Department of Transportation. Mr. Heym said his Son in Law wanted it closer to the hill because it is difficult to see coming off Brownville Road, Mr. Reinemann asked if it was approved in that site plan, Mr. Colozza said they can get a letter from Department of Transportation, Vice Chair Heber agreed there should be a record of it and then the sign review, Mr. Colozza stated they can leave that up to the new owners to come back in with. Mr. Heym agreed he

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was not concerned with the sign the new owners can handle that. Mr. Reinemann stated he drove by a couple of times at different hours and does not have a problem with the lighting, there is one street light on the corner turned in toward the building and down lighting on the building, not really noticeable and actually it could use more. Mr. Reinemann asked if the property line was the tree line, Vice Chair Heber replied the neighbor at the public hearing that was concerned with property lines is across the street and was not referring to this property in regards to the property lines. Mr. Colozza stated the hours should be for ensuring the operation time and not when the whole crew goes. Mr. Heym agreed the serving time could end at 11 pm and occasionally a couple hours later. Vice Chair Heber agreed serving food and then a couple hours for the bar. Mr. Heym stated 1 am closing time would be acceptable. Mr. King asked what the opening time should be, Mr. Heym responded he was unsure because a couple of people interested wanted a bakery which would be in the am, probably around 6 am to 4 or 5 pm, he was unsure if they want to serve breakfast, lunch and dinner it could be from 5 am to 1 am. Mr. Reinemann stated he felt the closing time was the important one for this site. Mr. Colozza stated it would be similar to Stewart's hours they open at 5 am and in the summer close at midnight while in the winter months they close at 11 pm. Vice Chair Heber stated option of 5 am to 1 am seems reasonable.

Mr. Reinemann asked if they wanted to make a motion to approve the site plan, Vice Chair Heber said they could have a discussion on more lighting but then it would disturb the neighbors, he said he does not see any problems with it now, they have installed the grease trap in the kitchen, septic and will have Department of Health approval.

Mr. Reinemann stated they just need the paperwork for the curb cut from Department of Transportation.

Vice Chair Heber made a motion to approve application #0010-18, contingent upon the hours of 5 am to 1 am and Department of Transportations approval for the curb cut on Route 32.

Ms. Black 2nd the motion,

All in attendance unanimously agreed.

Mr. Heym asked where he goes from here, Mr. Colozza said he needs to prepare the map and include the hours of operation, the curb cut approval and Chair Martindale with review and sign it as approved. He suggested they just tweak the current site plan map adding notes for the hours and curb cut. Vice Chair Heber agreed.

Mr. Heym asked the Clerk to give him a list of what is needed, the clerk agreed.

The Board reviewed meeting minutes from November and December.

Chair Martindale made a motion to accept the November minutes as submitted,

Vice Chair Heber 2nd the motion,

Ms. Eggleston abstained from vote as she was absent in November, all others in attendance unanimously agreed.

Vice Chair Heber made a motion to accept the December minutes as submitted,

Mr. Reinemann 2nd the motion,

All in attendance unanimously agreed.

Chair Martindale asked what the status of Mr. Weber's application was, the Clerk explained he missed the Zoning Board meeting and she has not received the information requested by the Zoning Board therefore they have not accepted their application as complete yet.

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Mr. Reinemann asked the status of the subdivision for Laura Morse on Brownville Road; the Clerk stated the requested information has not been received to be able to proceed.

Mr. Reinemann asked if they wanted to have a discussion on updates to members status, he asked if Mr. Basinger was still on the Board, Mr. King asked Chair Martindale if she was able to contact Mr. Basinger, she responded no, she tried but had no luck, the Clerk stated she also tried emails and letters in the mail but has not received a response. Mr. King suggested they leave that to the Town Board to contact Mr. Basinger.

Vice Chair Heber stated they could decide that next month after the Clerk send a recommendation to the Town Board to advertise for alternates and contact Mr. Basinger for his status if he wants to be changed from a member to an alternate. He then stated he would like to recommend Ms. Eggleston become a member to take the place of member Mr. Durr. The Board agreed.

Vice Chair Heber made a motion to adjourn the monthly meeting at 7:40 PM,
Mr. Reinemann 2nd the motion,
All in attendance unanimously agreed.

Respectfully Submitted,
Tia Kilburn, Planning Board Clerk