

**BOVINA PLANNING BOARD
JANUARY 19, 2015
REGULAR MEETING MINUTES**

RESOLUTIONS: 2015-1 - 1

BOARD MEMBERS: Don Farley, John Cianci: Secretary, Chris Ingvordsen: Chair, Tom Hilson, Ed Weber and Carrie Hewitt Choquette: Planning Board Clerk

ABSENT BOARD MEMBERS: None

GUESTS: Kent Manuel: Del. Co. Planning Dept. Rep., Ken Brown: Town Board Member, Ed Denison: Denison Builders, Wendy Buerge, John Hilson and Tim Bray: Bray Engineering.

For 2015, Chris Ingvordsen will be the Chairperson and John Cianci will be the Secretary.

Regular Meeting was called to order by Chairperson Chris Ingvordsen at 7:00 pm.

2015-1 – FINN/BUERGE SPECIAL USE PERMIT:

Tim Bray: Bray Engineering gave the Board a Site Plan of the property, an Application for Site Plan Review/Special Use Permit, Short Form EAF and a letter from John Finn, potential owner. John Finn and Wendy Buerge are under contract to buy the former Hilsons Store & single family residence. They would like to restore the Store and open a café and retain the house to use as a vacation rental. Café is not listed in the Schedule of Uses in Zoning; Restaurant is the closest fit to their use. They have met with John Reynolds regarding an access permit since the property is on County Highway 6. The Store building will need to be hooked to the Town Water and Sewer. There is a lateral already run for the Sewer, but there is not for the Water. The Board doesn't need the details on how they will hook up to the water just that they intend and are able to.

Don Farley asked if there is a related business between the café and the house. Buerge said the house would be considered a "hotel" for pursuing an alcohol license in the future. They plan to keep the exterior design of the building the same as it is. If parts cannot be restored, it will be rebuilt as it is now. Farley asked about their timeframe. They may open in the fall; it depends on how much work needs to be done and the builder can't start construction until late summer. Kent Manuel said they can get a Special Permit and it will remain valid as long as they get a building permit within a year and the Code Enforcement Officer can extend the building permit if needed. The County will review access and drainage.

Chris Ingvordsen asked about parking. It will be behind the building because the area will need a little grading and some drainage. A 25 seat restaurant would need approx. 10 parking spaces. The proposed lighting in the parking area will be shown on the plan. John Reynolds from the County will have to be satisfied for the Stormwater. Ed Weber asked how the house would meet the "hotel" requirement for a liquor license. Manuel said the State Liquor Authority is lax in the rules in granting licenses in Bovina. Home rule would prevail, however this may not be an issue for the Planning Board.

Farley said that lighting, noise and hours of operation were all concerns the Board had with Brushland (Zandi Special Use Permit). Some of the Site Plan checklist items can be addressed in a narrative and not necessarily shown on the map since this is an existing building. Farley said the Board is looking for a view of how the café will operate. They should put in everything they may want to do as they can always do less but to add functions may require them to come back to amend the Permit. Farley said the Board would like them to create a business plan with what they propose to do, ie: hours of operation, number of employees, entertainment, etc. The Board wants to understand what is proposed, what to expect and what the community impact will be. Some of the items like stormwater, drainage, water, access, etc. will be determined as they go, but Manuel said there are a lot of checks and balances on those types of items.

Buerge said that they both grew up locally, John in Bovina and herself in Margaretville, and have an affection for the building and want to preserve it.

Don Farley was excused early (8:00 pm)

Ingvordsen gave the clerk an e-mail from CEO Downin regarding the uses of the property.

Manuel said the State Liquor Authority has issued, in Bovina, an Inn License, a Restaurant License and a Catering License. This is not what the voters intended on the ballot. The Town or a citizen could pursue with the Liquor Authority why these licenses are being issued for these uses. Bovina is considered a “moist town” serving only beer and wine.

The Board can base the permit on the uses they specify and they are bound to the footprint on the plan whether they restore or teardown. Any changes would require a change to the Special Permit. The Code Officer determines if it adheres to the plan. They can bring application as potential owners as long as they have a letter from the owner allowing them to do so.

MINUTES:

2015-1 - Motion to accept the December 2014 minutes as written was moved by Cianci and seconded by Ingvordsen. All in favor, 4 ayes, 0 nays.

The Board signed their Annual Training Records for 2014.

With no further business, the meeting adjourned at 8:20 pm

Respectfully Submitted,
Carrie Hewitt Choquette, Planning Board Clerk