

Minutes of: Oct. 11, 2017
Date Approved: Nov. 8, 2017
Date Filed/Village Clerk:

October 11, 2017

TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

Present:	Tom Ringwald	Chairperson
	John Palladino	Member
	David Scalzo	Member
	Nathan Jackman	Member
	Daniel Lang	Member
	Anthony Fiore Jr.	Member (Ad Hoc)

Also in Attendance:

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector

Pledge of Allegiance

Chairman Ringwald announced the agenda as follows:

Item #1	Approval of minutes from the July 12, 2017	
	Regular Meeting	
Item #2	5 Circle Rd.	Return
Item #3	180 Lake Ave.	Adjourned
Item #4	138 Columbus Ave.	Renew Special Permit
Item #5	173 Marbledale Rd.	Amend Site Plan/Special Permit
Item #6	198 Midland Ave.	Adjourned

Item #1 Approval of minutes from the July 12, 2017 Regular Meeting
Chairman Ringwald motioned to approve the July 12, 2017 minutes, seconded by Member Palladino and carried with a vote of 3 – 0, with Members Jackman, Scalzo and Lang abstaining due to their absence.

Item # 2 5 Circle Rd.**Return - Extension**

Chairman Ringwald announced that the public hearing was still open on this application.

Mr. Anthony Lore 123 Wallace St., voiced his disappointment with this application. He asked the Board to set the enforcement rules in the resolution.

John Kheyman, 7 Circle Rd., noted that he resides next door to this house. He noted that the house is 100% better than the eyesore that was there. It is his opinion that the neighboring houses increased in value due to the renovations.

Chairman Ringwald motioned to close the public hearing, seconded by Member Palladino and carried unanimously.

Chairman Ringwald announced that a resolution would be drafted for next month's meeting.

Item #3 180 Lake Ave**Adjourned**

Jonathon Hodosh, architect representing the applicant, noted that the applicant would return next month with modifications to the application. The application is to create a mudroom in the front portion of the house, address the walkways, legalize the existing shed and provide parking in the front set back.

Gary Gjertsen noted that the parking portion of this application is in its infancy stage with the Village Board.

Member Scalzo requested that the applicant include landscape plans with the site plan application. He also recommended the removal of the center staircase but leave the curb cut as is, with two separate entryways.

Mr. Hodosh requested an adjournment to next month.

Item #4 138 Columbus Ave. Renew Special Permit

Joe Fernandez, architect for the applicant, noted that this application was to renew the Special Permit for the auto body shop currently in existence at this address. There have been no changes to the site since the last application.

Bill Williams, Building Inspector, stated that there have been no complaints. This is a completely closed operation; all the work is completed inside the garages. This is a clean and well-run business. The Special Permit must be renewed every 5 years at a \$500 fee.

Chairman Ringwald motioned to open the public hearing, seconded by Member Palladino and carried unanimously by the Board.

No Public Comments

Chairman Ringwald noted that the public hearing would remain open until next month.

Item #5 173 Marbledale Rd. Amend Site Plan/Special Permit

David Barbuti, architect representing the Broken Bow Brewery, requested an amendment to the Special Use Permit.

Mr. Barbuti noted that this application was to modify the existing site. The application consists of 3 parts;

- To expand the outdoor seating area which would decrease the parking spaces from 14 to 12
- To have permission for a gourmet food truck to be parked on the premises
- To place a tent on the parking lot for certain events

Mr. Barbuti added that when a tent is erected in the parking lot, the neighbor, Mr. Rocco, would offer parking spaces for patrons of the Broken Bow Brewery.

Mr. Williams, Building Inspector noted that a formal lease for the parking spaces must be submitted.

Mr. Lamothe, owner of Broken Bow Brewery, stated that he has hosted one wedding and many civic group gatherings at his establishment. Each time an event is requested, the customer has to apply for various permits. He is requesting a

standing permit to allow party tents periodically. He understands that there may be restrictions, and but he would like to streamline the process.

Gary Gjertsen, Village Attorney, noted that this would eliminate Village Board approval for each event the Broken Bow Brewery hosts. The Planning Board and Zoning Board can place restrictions on the Special Use Permit. It would require the code enforcement officer to enforce the restrictions.

Bill Williams, Building Inspector, added that this approval would eliminate many issues. The Broken Bow Brewery would require a cabaret license, a parking off-site lease, approval for a fire-rated tent with restrictions. If this application were approved, the applicant would not have to return for permits each time. The parameters have to be drafted by the Planning Board and Zoning Board.

As far as the food truck, Mr. Lamothe noted that it would have to be a gourmet food truck. Many brewery's offer a food truck for their customers. The local establishments will not suffer as most of his customers order take out before they arrive. The trucks can be on a rotating basis. The local establishments can provide the food truck.

Member Scalzo voiced his concern regarding food trucks using outdoor grills. He asked how that could be regulated.

Mr. Lamothe stated that the food truck would be self-contained, it would roll in and roll out, and it must be approved by the Health Dept. and gourmet in style. The food truck can fit into the parking lot without taking up a parking space. He noted that it would be fun and he would rotate different cuisine.

Member Scalzo noted that local restaurants could offer interesting food.

Bill Williams added that the food does not have to come in by a truck, it could be set up outside and various venues could bring their cuisine each time.

Mr. Lamothe noted that the Brewery is open to the public on Thursday to Sunday only. Thursday 5:00pm to 8:00pm, Friday 1:00pm to 10:00pm, Saturday 1:00pm to 10:00pm and Sunday 1:00pm to 5:00pm

Mr. Lamothe noted that the beer garden has been a big hit with the patrons. It is a cobblestone area with beautiful plants. The area now consists of two parking spaces. The application is to expand the garden to four parking spaces. It currently has five picnic tables, which would increase to ten picnic tables.

Mr. Williams noted that this applicant can have a beer garden, As of Right and it does not require a variance.

As far as the tent portion of this application, every time a customer wants to have an event, they need to request a Special Permit. The current Site Plan approval does not allow tents. The cost of a tent is quite expensive, so the odds are that there will not be too many applicants willing to rent a tent.

Member Jackman noted that the noise level with music under the tent might be an issue. He also added that the variance approved would stay with the property, not the current owner. The next owner may not be as responsible as the Broken Bow Brewery.

Member Fiore noted that the Marriott Hotel being built next door might increase the probability of special events at the Brewery.

Member Palladino noted that the quality of life of the nearby residents is a concern and loud music under the tent could be an issue. The applicant would have to be granted a cabaret license, which would require approval by the Village Board. The Village Board controls music.

Mr. Williams noted that there have been no complaints in the four years this Brewery has been in business.

Chairman Ringwald motioned to open the public hearing, seconded by Member Jackman and carried unanimously by the Board.

No Public Comments

Chairman Ringwald noted that the public hearing would remain open until next month.

Item #6 198 Midland Ave. Adjourned

There being no further comments from the public or business before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.