**VILLAGE OF SCHUYLERVILLE**

**PLANNING BOARD**

**MINUTES**
November 20, 2023

The Village of Schuylerville Planning Board met for its regular meeting on Monday, November 20, 2023, at 6:40pm at the Village Municipal Center following a Public Hearing at 6:30pm. Members present were Chairman Michael Patterson, Beth Woodard, Sean Healy, Patti Smola, Ed Carr, Alternate Cassie Wilusz and Secretary Helene Patterson. Absent member Ronnie Myers.

Chair Patterson presented the Public Hearing minutes and the Regular meeting minutes from October 16, 2023 to the board for review and asked if there were any questions or concerns.

**Member Carr made a motion to accept the October 16th Public Hearing minutes and Regular meeting minutes. Seconded by Member Woodard. All Ayes, motion carried 6-0.**

NEW BUSINESS AND MEMBER TOPICS:

* 151 Broad Street. Chairman Patterson presented an application and sketch for use of an existing shed for a treatment room (massage/facials) to expand the current business at 151 Broad St submitted by Michelle Starowicz. Chairman Patterson stated that Code Enforcement Officer Myers had inspected the shed, approved the changes, and that the application was in order. No members had concerns or questions. Chairman Patterson put forth a motion to approve the application **Member Woodard made a motion to accept the change of use application for 151 Broad. Seconded by Member Healy. All Ayes, motion carried 6-0.**
* 78 Broad Street. Louis Hotchkiss, owner of 78 Broad Street building, came to address the Planning Board on behalf of his tenant, Naef Alnamer. Mr. Alnamer submitted a second change of use application and site plan review for retail space at 78 Broad Street to open a smoke and supply shop. Mr. Hotchkiss filled out a new site plan review and filled in the information that Mr. Alnamer was not familiar with but still had questions. Chairman Patterson stated initial application was rejected because the information was incomplete and inconsistent per the Village Zoning Code. Stating: The Code Enforcement Officer needed to be contacted for a safety inspection. The check list was incomplete, the square footage was inconsistent, sighting three different square footage for the space and “no construction” was checked yet $35,000.00 in improvements to the site were noted. Member Woodard brought up the signage sample design and what is consistent with the Zoning Code regarding color, size, composition, lighting, and conformity with the other store signs in the historic district, pointing to section seven and nine under “signs” in the Village Zoning Code, specifically. Member Wilusz pointed out that the original application stated gift shop, the application now reads as a Smoke shop and the various state licenses that are needed i.e., CBD, Tobacco and did the board need copies of those licenses. Chair Patterson stated that process followed the same as a liquor license, that we have no authority over that. Those licenses fall under the regulations and authority of New York State. Discussion followed as to what information would be needed to complete the site plan review. Mr. Hotchkiss was directed to the Zoning Code Law on the Village of Schuylerville web site and stated that he would help Mr. Alnamer resubmit a complete application. Member Healy brought up the issue of parking. Mr. Hotchkiss stated that any employees would park in the rear of the building and delivery would be small packages, no large delivery trucks. Member Wilusz asked about rental space and if there was a business upstairs in 78 Broad as well relating to the water units charged. Mr. Hotchkiss stated that there were three different “spaces” and they were being charged accordingly at two units each. Member Wilusz directed Secretary Patterson to follow through with the SVBOWM to ensure that the property was being charged accordingly.

MEMBER TOPICS

* Chairman Patterson brought up the next meeting scheduled on December 18th and asked the board if they would like to postpone until January 2024. **Member Healy made a motion to forgo December’s meeting and reschedule January 22, 2024. Seconded by Member Carr. All Ayes, motion carried 6-0.**
* Discussion of location of business in relation to New York State licensing of CBD products, Canibas Dispensaries and the regulations and enforcement thereof. Much discussion followed. Determined that this falls under the authority of NYS not the Village.
* Sign application and fee: Members reviewed and discussed proposed Sign Application and fee. Chair Patterson stated the dimensions noted on the application needed to be changed to 12 square feet maximum per face per the zoning code. The board would also like to see the sample pictures incorporated into the application as well. Discussion of a fee of $100.00 application fee for the first sign; $50 each for additional sign. Other applications and forms were discussed as to whether to amend or not and associated fees. Discussion followed as to what the fees would fund. Was decided to focus on sign application and change of use tenant currently. Members gave Secretary approved edits and would like to move forward with presenting The Change of Use/Tenant application with a fee and the Sign application fee to the Village Board for approval and to have the Zoning Code law amended. **Member Healy made a motion to accept the Sign Application with edits on square footage and fee of $100 for first sign and $50 for second sign. Seconded by Member Woodard. All Ayes, motion carried 6-0.**
* Member Woodard proposed that the sign application still be used with out charging the fee until the Village Board approves.
* Attorney for Planning Board: Chairman Patterson spoke with Attorney Karla Williams Buettner of Bartlett, Pontiff, Steward & Rhodes, P.C. He would like to have her come to the next meeting to discuss scope of work and retainer fees to assist the Planning Board due to the increase in new business interest and activity the Village and new Zoning laws in effect. Secretary Patterson stated that Village Attorney, Dave Klingebiel, has been very helpful with answering questions, however, the County Planning Board recommended retaining a separate attorney in the event of a lawsuit involving the Village pertaining to any Planning Board issue. Chairman Patterson put forth a motion to pursue an interview with Attorney Karla Williams. **Member Healy made a motion for Chairman Patterson to set up interview Attorney Williams. Seconded by Member Woodard. All Ayes, motion carried 6-0.**
* Chairman Patteson announced the annual Saratoga County Planning and Zoning Conference January 31, 2024, and encouraged members to register. This conference is paid for by the Village. The conference would satisfy the mandatory minimum 4 credits per year training for Planning and Zoning Board members.
* Chairman Patteson announced the resignation of Member Beth Woodard and thanked her for serving and that it was a pleasure to get to know her and work with her. All board members agreed. The Village Board approved Alternate Member Patti Smola to take Beth Woodards’ position of regular Planning Board member at the November 13th meeting. Secretary Patterson stated that the open position of Alternate Board Member will need to be advertised and current board members were welcome to recommend someone who may be interested as well.
* **Member Woodard made a motion to adjourn the meeting. Seconded by Alternate Member Wilusz. All Ayes, motion carried 6-0. Meeting adjourned at 7:50pm.**

*Respectfully submitted,*

*Helene Patterson, Planning Board Secretary*