

Village of Rhinebeck
76 East Market Street
Rhinebeck New York 12572

Village of Rhinebeck Zoning Board of Appeals Minutes

May 4, 2017

Beginning at 7:00 p.m.

Present: Chairman Colton Johnson, Allan DeKrey, Judy Merritt, Ward Stanley, Alternate Brant Neuneker, Zoning Officer John Fenton and Village Conflict Attorney Kyle W. Barnett.

Absent: Rachel Cavell.

Chairman Colton Johnson called the meeting to order.

Agenda:

John R. Marvin Esq.

29 Mill St.

Public Hearing

Interpretation of ZEO determination re: Amalgamated Agric. Assoc. allowable use

Located at 6282 Route 9

Chairman Colton Johnson explained that this is the 3rd meeting the Zoning Board of Appeals (ZBA) has had on this issue and after consulting with their Attorney Kyle W. Barnett, they have reached a consensus. He said they have a resolution and asked for a motion.

A motion was made by Ward Stanley, seconded by Judy Merritt, to adopt the Findings of Fact and Decision of the ZBA, along with exhibits, that are attached.

Chairman Johnson said the resolution has 5 distinct sections: The history of the application, an analysis of the Zoning Law as it applies to this instance; procedural history; determination from the ZBA; and the finding of facts. He read from a section of the proposed resolution on page 5 in its entirety, "The ZBA's determination: Conceptually, the ZBA finds... all retail activity. See AML S305-A & Code S120-6." He said "The Board agrees that the ZEO'S determination that AML S305-A applies to the pending application is affirmed." He then read from the last section in the conclusions of Finding of Facts, The State's Guidelines for review of Local Laws Affecting Direct Farm Marketing Activities, at the bottom of page 9 that starts "The Guidelines also support the concept that each proposal..." and continued to read to the end of the document.

Chairman Johnson asked if any other Board members wanted to add anything. There was no comment. He asked for each members vote and all were in favor.

Aye: 5

Nay: 0

Abstained: 0

The motion was carried by a 5 to 0 vote.

Adoption of Minutes:

A motion was made by Ward Stanley, seconded by Judy Merritt, to adopt minutes of March 16, 2017 and April 20, 2017 as written.

Aye: 5 Nay: 0 Abstained: 0

The motion was carried by a 5 to 0 vote.

Call for Adjournment:

A motion was made by Ward Stanley, seconded by Judy Merritt, to adjourn the meeting at 7:12pm.

Aye: 5 Nay: 0 Abstained: 0

The motion was carried by a 5 to 0 vote.

Respectfully submitted,

Karen Macfarlane, Clerk