



**Co-Chair Pearson made a motion to Table the Site Plan Application and Public Hearing for 3 St. John Street, listed under Tax Parcel ID 6272-10-436749 to February 9, 2023 at 7:00pm. Motion seconded by Member Zacharzuk. All in favor.**

**#2. Rhinebeck Bank**

7350 South Broadway  
Tax Parcel ID #: 6272-14-302461

Present: Dan Wheeler, Engineer

Mr. Wheeler advised the Board that the bank is upgrading one of their ATM's which is 6 inches larger, so the curb has to be moved 6 inches for a length of 12.4 feet which is located at the farthest travel way, and which is not under the cover. Mr. Wheeler advised that travel way is 9 feet so in taking it back 6 inches it will now be 8 ½ feet which is the same as the other travel lanes. Co-Chair Pearson asked if they were cutting down to get some depth or just sitting on the pavement. Mr. Wheeler advised sitting on top of the pavement. Co-Chair Pearson asked if it was going to be feathered around the front side as shown. Mr. Wheeler said yes and that it was a thick curb.

Co-Chair Pearson asked the Board for any questions/comments. None received.

Secretary Hart advised that no response was received from the County so no decision/ approvals could be made this evening.

Secretary Hart advised if this was time sensitive for construction she can notify everyone when a response is received an offer to hold a special meeting. Mr. Wheeler felt this was not going to be time sensitive and they are possibly doing the work in the Spring.

***Co-Chair Pearson made a motion to classify the Site Plan for 7350 South Broadway as a TYPE II Action with no further environmental review. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.***

***Co-Chair Pearson made a motion to waive a public hearing for the site plan of 7350 South Broadway. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Co-Chair Pearson advised since no response was received from the County that the application would need to be tabled to next month's meeting pending response.

***Co-Chair Pearson made a motion to table the Site Plan for property located at 7350 South Broadway listed under Tax Parcel ID 6272-14-302461 to February 9, 2023 at 7:00pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

### **#3. Teresa Fantasia – T-Spoon Bakery**

29 W. Market Street

Tax Parcel ID #: 6272-10-413739

Present: Teresa Fantasia, Business Owner

Jack Dillon, Property Owner

Scott Dutton, Architect

Mark Graminski, P.E., L.S.

Co-Chair Pearson advised that the applicant is present this evening for a site plan to change the use of her business from a Bakery (per Zoning Section 200-10-D – General Business District) to Wholesale Businesses per Zoning Section 200-10-D.

Co-Chair Pearson advised that both are allowed uses in the General Business District but require Special Permit and that the Board was provided with a memo from Clark Kimble dated December 28, 2022.

Mr. Graminski was present representing Ms. Fantasia and advised the bakery was located at 29 W. Market Street and owned by Jack Dillon, who was also present this evening. Mr. Graminski said this application will also be in conjunction with the next application and involvement with the Health Department.

Mr. Graminski advised there are ongoing discussions with the Health Department in this change of use as it relates to design flow.

Mr. Graminski advised that the original site plan presented to this Board was an older site plan but that he has been in touch with Ron Miller about how to proceed and has a site meeting scheduled for next week which will hopefully clarify the application and use.

Mr. Graminski said the new site plan to be submitted to this Board will reflect the new sewer system. Mr. Dillon advised that as of today the new tanks are in the ground.

Ms. Fantasia spoke at this time and advised she was previously preparing mostly desserts and is now looking to expand her food service to include salads, soups, etc. Ms. Fantasia said she is mostly wholesale now.

Member Rogers asked if this Board is being asked for a special permit because of the kind of goods she was making. Ms. Fantasia said yes. Member Rogers asked for clarification that she was baking something “sweet” and since changing to something “savory” that changed the use which would require a special permit.

Mr. Graminski said this change is for the Health Department.

Mr. Pearson asked if this was Ag & Market vs. Board of Health. Mr. Graminski said no this is a change going from a bakery to something else which Michele Kelly with the Health Department brought to their attention.

Secretary Hart advised that no response was received from the County so no decision/ approvals could be made this evening.

Co-Chair Pearson asked the Board if they agreed to classify as a TYPE II Action. Board agreed.

***Co-Chair Pearson made a motion to classify the Special Permit/Site Plan for 29 West Market Street for T-Spoon Bakery listed under Tax Parcel ID 6272-10-413739 as a TYPE II Action with no further environmental review. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Co-Chair Pearson asked the Board if anyone felt there was a need for a public hearing. All members agreed no.

***Co-Chair Pearson made a motion to waive a public hearing for the Special Permit/Site Plan for 29 West Market Street for T-Spoon Bakery listed under Tax Parcel ID 6272-10-413739. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Co-Chair Pearson advised since no response was received from the County that the application would need to be tabled to next month's meeting pending response.

Mr. Graminski said he will be amending the site plan to reflect new changes to the sewer system and submit it to Lara on Monday.

Mr. Dutton, Architect, spoke and asked that the updated site plan be made a condition for approval and considered "as built". Member Rogers said this Board would then not have to approve the new site plan with sewer and could approve this site plan. The Board agreed to accept the new site plan as an as built.

***Co-Chair Pearson made a motion to table the Special Permit/Site Plan for property located at 29 West Market Street for T-Spoon Bakery listed under Tax Parcel ID 6272-10-413739 to February 9, 2023 at 7:00pm. Motion seconded by Member David Markusen-Weiss. All in favor. Motion approved.***

#### **#4. Patricia Wind – Locavore Market**

29 W. Market Street

Tax Parcel ID #: 6272-10-413739

Present: Patricia Wind, Business Owner  
Jack Dillon, Property Owner  
Scott Dutton, Architect  
Mark Graminski, P.E., L.S.

Co-Chair Pearson advised applicant is present this evening for a site plan to change the use of her business from a Grocery Store (per Zoning Section 200-10-B-(20) – General Business District) to an Eating and Drinking Establishment per Zoning Section 200-10-D-(14).

Co-Chair Pearson advised these are both allowed uses in the General Business District.

Co-Chair Pearson advised the Board was provided with a memo from Clark Kimble dated December 28, 2022.

Mr. Graminski advised this was the same building as the prior applicant.

Ms. Wind said she was here about 3 months ago and at that time the side room was left empty on the plan and they have decided with the “grab & go” success to add seating in this space which would require a new site plan review due to a recent Health Department inspection.

Ms. Wind said the Village uses don’t really represent what this use is due to half being a grocery space and other half to be seating and asked about a merging concept called a “grocerant”. The difference here is that no food is prepared to order, all items are prepared by a separate vendor with no food service at tables and no dishware. All items sold are meant for take-out but can now be enjoyed at tables.

Mr. Graminski said also related to this is the Dutchess County Department of Health due to added seating and the Health Department requires new design flow considerations or wastewater connection. Mr. Graminski advised the Health Department did a site visit on Tuesday and they will prepare a design plan for both applications.

Mr. Graminski said the goal is to come to a conclusion for a design plan and in this case the number of seats will factor into that design flow. Mr. Graminski said the new system has been installed and they will look at the capacity of the existing sewer system and decide the number of seats.

Mr. Graminski said he will provide the new information to this Board as soon as possible.

Co-Chair Pearson asked if seating would be less due to not being a restaurant. Mr. Graminski said yes because it is “grab & go”.

Member Markusen-Weiss asked if this Board is waiting for Board of Health approval, and they may modify the seating. Mr. Graminski said that is correct. Member Markusen-Weiss asked about the seating and that it indicates 20 seats, but he only sees 18. Mr. Graminski said there are 26. Ms. Wind said 26 seats and possibly “not to scale” on the plans but that the tables are larger.

***Co-Chair Pearson made a motion to classify the Site Plan for 29 West Market Street for Locavore Market listed under Tax Parcel ID 6272-10-413739 as a TYPE II Action with no further environmental review. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Co-Chair Pearson asked the Board if anyone felt there was a need for a public hearing. All members agreed no.

***Co-Chair Pearson made a motion to waive a public hearing for the Site Plan for 29 West Market Street for Locavore Market listed under Tax Parcel ID 6272-10-413739. Motion seconded by Member Markusen-Weiss. All in favor. Motion approved.***

Co-Chair Pearson advised since no response was received from the County that the application would need to be tabled to next month’s meeting pending response.

***Co-Chair Pearson made a motion to table the Site Plan for property located at 29 West Market Street for Locavore Market listed under Tax Parcel ID 6272-10-413739 to February 9, 2023 at 7:00pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Discussions were held regarding a prior signage approval for property located at 31-35 West Market Street. The Board discussed signage when an overhang is involved. It was agreed that Secretary Hart will advise the Zoning Review Committee on a proposed change to Zoning for signs and square footage when an overhang is part of the structure.

The Board agreed that the signage was already approved and is within the Code and will remain as is.

Co-Chair Pearson advised that the next Planning Board Meeting will be held on February 9, 2023 at 7:00pm.

***Co-Chair Pearson made a motion to adjourn the January 12, 2023 Planning Board meeting at 7:49pm. Motion seconded by Member Zacharzuk. All in favor. Motion approved.***

Lara Hart  
Secretary

---