

August 4, 2020 5:30 PM

Call to Order: The Plan Commission Meeting was called to order by Chairman Devine at 5:34 PM.

Roll Call: Chairman William Devine, Rich Jacobson, Carl Johnson, Steve Pate and LeAnna Rittmann were present.

Others Present: Town Attorney John Miller, Town Engineer Robert Roth, Clerk Marlo Gustafson, Supervisor Craig Cawley, Andrea Hogue, Gene Rubinstein, Karin Hall, Chris Hebel, Errol and Anne Kleist, Chad Holmes, and Chadwick (CJ) Holdener were also present.

Verification of Public Notice: The Public Hearing Notice was posted and published according to law and sent to neighboring property owners within 300'. The Agenda was also posted and published according to law.

Public Hearing: Chairman Devine opened the public hearing at 5:35 p.m. and read the public hearing notice. Chairman Devine began accepting comments/questions from the floor. Errol Kleist asked if a new building was going up. Chadwick Holdener (CJ) expressed his discontent with Columbia County Planning & Zoning requirements. Andrea Hogue stated that she does not dispute that a Conditional Use Permit is required for the Tavern. She stated that she still disputes whether she should be required to apply for a Conditional Use Permit for the apartment above the tavern. She expressed that she intends to seek a judicial review for that requirement. Gene Rubenstein said that he personally inspected the premise and noted that someone was living there when Andrea bought it. Karin Hall stated that she was present to get more information and she asked when the zoning code changed. She expressed worry that if she sells her business/property, the new owner will have to apply for a Conditional Use Permit to live upstairs in the restaurant building formerly known as Crestwood Inn. Chairman Devine explained that a public hearing is not for back and forth conversations between the attendees and the Plan Commission. He explained that a public hearing is to hear testimony or comments from the attendees to gather information about the proposed Conditional Use Permit request made by Vigilante Properties LLC. Errol Kleist asked about the liquor license and if it was "current" at the time of purchase. It was explained that the property sat vacant for a few years prior to Andrea Hogue purchasing it and that is the reason for the CUPs. It was further explained that when the original liquor license was issued to her, the town was not aware that there was a zoning issue. After Columbia County Planning & Zoning notified the town of their requirements, the town then put the conditions on the next two licenses. Columbia County Planning & Zoning requires both CUPs and will not act on only one without the other. The town cannot move forward until Columbia County Planning & Zoning issues a final report to the town. There were no further questions and the public hearing closed at 5:58 p.m.

Approval of Agenda: Motion by Pate/Rittmann to approve agenda as posted. All in favor by call of roll.

Amend order of Agenda: Motion by Jacobson/Johnson to amend the order of the agenda to accommodate those present. All in favor by call of roll.

CUP for Vigilante Properties LLC to operate a Tavern in C-1 Zoning District: Chairman Devine explained that the Town does not have zoning powers. All zoning is handled through Columbia County Planning & Zoning Department. The Town has input but must abide by County Zoning Ordinances and requirements. The Town can assign additional requirements relating to landscaping, lighting, and parking for example, but the County has the final decision on Conditional Use Permits. Town Engineer Roth mentioned that the Columbia County Zoning Code was updated in 2012 and 2016 and this was the timeframe when many properties along the 51/16 corridor were rezoned to C-1 (Light Commercial). This process was done with multiple public hearings and notices to the affected property owners. Motion by Pate/Rittmann to table until more information comes from Columbia County Planning & Zoning Department. All in favor by call of roll.

Approval of Prior Meeting Minutes: Motion Jacobson/Pate to approve the minutes of July 7, 2020 as presented. All in favor by call of roll.

Citizen Input: None.

Building Inspection Report: Report reviewed.

Other Reports: Town Engineer Robert Roth updated the Plan Commission on upcoming projects.

Adjourn: Motion by Johnson/Jacobson to adjourn at 6:24 p.m. All in favor by call of roll.

Marlo Gustafson, Recording Secretary