

TOWN OF NORTH HARMONY (Draft)

ZONING BOARD OF APPEALS

WEDNESDAY, 04/24/2024, 7: 00 P.M.

ZBA MEMBERS PRESENT:

GREG MICHALAK

LEAH STOW

ROGER VAILLANCOURT

DAN THOMAS

Julie Conklin, Zoning Board Clerk

OTHERS PRESENT:

Morgan (Zollman) Dinger

Steven Phillips

Anita Willsie Kerr

Stephanie Anzalone

Katie Zimmer

Jon Zimmer

Liam Zimmer

Emmitt Zimmer

Finnegan Zimmer

Louis Augusts

Mr. Michalak brought the hearing to order at 7:00 PM.

Mr. Michalak motioned to adopt the minutes of the 03/27/2024 Zoning Board of Appeals Hearing as submitted by the Zoning Clerk. Mr. Thomas seconded. Yes (4): Michalak, Stow, Thomas, Vaillancourt. No (0).

Locale Hospitality, LLC requesting a Special Use Permit to place temporary use structure for outdoor snack and beverage on property located in the C1 District at 3943 Route 394, Mayville, specifically SBL. 314.00-2-32

Mrs. Dinger explained a little about the project:

- Beer, wine, and snacks
- Hours of Operation
 - Friday 3:00 P.M. to 8:00 P.M.
 - Saturday 3:00 P.M. to 8:00 P.M.
 - Sunday 11:00 A.M. to 4:00 P.M.
- There are 15 tables that seat 6 people each.
- The parking lot holds 52 cars.
- Live music will be for special events only, it will be posted ahead of time.
- All music live or Radio is low key, folk style (no rock music)
- There is no lighting in this area besides string lights.

Mr. Michalak asked what they meant by temporary.

Mrs. Dinger explained that it will only be used from May through October, it has no heat. It will be sitting on a gravel; it is not a permit structure. It will be stored on the property all year.

Mr. Augusts asked about hours and music.

Mrs. Dinger explained that it will not be opened past 8:00 P.M. and that there will not be people in this area after that. There will be live music at special events (holidays) but will still be done by 8:00 P.M.

Mr. Michalak asked about the volume and how that will be regulated. He stated that this will have to be monitored, keep volume reasonable to not upset the locals.

Mrs. Dinger stated that they do not intend to have the music loud. They only play folk style music, not rock. They will be keeping it as tasteful as possible. Most are two person bands.

Mr. Vaillancourt stated that there is already limited parking, and they would not be able to have people parking on the road or by the camp.

Mrs. Dinger stated that they have not had an issue with parking.

Mrs. Zimmer stated that she lives next door to Chautauqua Marketplace. She talked a little about what her experience has been like living next door. Topics were privacy, headlights, parking lot lighting, removal of buffer between properties, sound, etc....

Mrs. Dinger stated that this is the first-time hearing this and that this is a separate issue, these issues are from a change that happened a year ago and all the work done was approved and passed with a permit.

Mr. Vaillancourt asked if the lighting in the parking lot had to be on at all times.

Mrs. Dinger stated that she had an electrician coming and she could possibly have them put on timers or directional lighting.

The committee asked that they consider talking with each other and coming up with a fair way to come up with a solution for a fence between the properties.

Mr. Michalak motioned to approve the special use permit requested by Locale Hospitality as submitted, with the following conditions #1 that Locale Hospitality correct the lighting, so it is less infringing on The Zimmer's property and #2 committee requests that with in a years' time that Locale Hospitality and The Zimmer's collaborate on installing fence or trees between properties to give back privacy. Ms. Stow seconded. Yes (4): Michalak, Stow, Thomas, Vaillancourt. No (0).

By a motion made by Mr. Michalak, Mr. Thomas seconded and with none being opposed the hearing was adjourned at 7:25PM

Julie Conklin
Zoning Board Clerk