

MINUTES OF THE ZONING BOARD OF APPEALS THE TOWN OF KINGSBURY

Minutes of October 22, 2020

MEMBERS PRESENT:

Hank LaFountain, Chairman  
Katherine Henley  
Bill Whipple  
Scott Winchell

MEMBERS ABSENT:

Brian Heasley (Excused)

ENFORCEMENT OFFICER/ZONING ADMINISTRATOR:

Todd Humiston

TOWN ATTORNEY:

Jeff Meyer, ESQ.

The meeting was called to order by Chairman LaFountain at 7:00pm.

Roll call of all members.

Chairman LaFountain entertained a Motion to Approve the Minutes of July 30, 2020.

**ON A MOTION BY BILL WHIPPLE**, seconded by Scott Winchell, the minutes of the July 30, 2020 meeting were approved.

AYES: 4

NAYS: 0

ABSTAIN: 0

MOTION CARRIED

**1. Alexis Groesbeck**, ADK Grooming, contract vendee of Tax Map # 148.-2-10.2 commonly known as 2085 State Route 196 Hudson Falls, Town of Kingsbury, located District, RA-M-1A Residential Agricultural District is seeking Site Plan Review approval for a Dog Grooming and Day Care at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman LaFountain opened the Public Hearing.

Chairman LaFountain introduced Alexis Groesbeck, ADK Grooming to address the Board.

Ms. Groesbeck stated at the present time she has a dog grooming business at 27 Main Street, Hudson Falls. She would like to relocate her business to 2085 State Route 196, Kingsbury. If this project is approved, she would like to add a doggie day care. She will not be making any additions to the building. She is planning to have at least a six (6) foot high wooden fence as well as some kind of barrier under the fence so that the dogs cannot get out.

<https://www.kingsburyny.gov>

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The fence will follow the property line and up to the side of the building.

Ms. Groesbeck stated the day care hours of operation will be 8:00 am to 5:00 pm Monday – Friday. The grooming will be offered Tuesday – Saturday with estimated hours of 9:00 am – 3:00 pm depending on the client's needs.

Mr. Winchell question the well and septic.

Ms. Groesbeck stated when the building was a restaurant/store they had to have the water tested. There is an ultraviolet water system there.

Discussion ensued among the Board with questions addressed by the Applicant

The Board complemented Ms. Groesbeck on her application.

**ON A MOTION BY SCOTT WINCHELL**, and seconded Bill Whipple the Kingsbury Zoning Board of Appeals declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

There being no comments from the public, Chairman LaFountain closed the public hearing.

**Resolution No. 1 of October 22, 2020**

**Alexis Groesbeck**, ADK Grooming, contract vendee of Tax Map # 148.-2-10.2 commonly known as 2085 State Route 196 Hudson Falls, Town of Kingsbury, located District, RA-M-1A Residential Agricultural District is seeking Site Plan Review approval for a Dog Grooming and Day Care at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman LaFountain stated any Special Use questions the Board shall consider.

1. The use shall be of such location, size and character that it will conform to an appropriate and orderly development of the district and neighborhood in which it is to be located and will not be detrimental to the orderly development of neighboring districts and neighborhoods.
2. The use will not create undue safety hazards in its own or adjacent districts or neighborhoods and will not require increased public expenditure in excess of its value to the Town.

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3. The use will not create undue traffic congestion, noise, vibrations, light, stormwater runoff, or air pollution or substantially devalue neighboring properties.
4. A special permit or special use permit shall be granted unless the Zoning Board of Appeals finds that substantial evidence has been presented which shows that the negative effects of the proposed use, as evaluated above, outweigh the benefits of the use to the Town.
5. The Zoning Board of Appeals may condition the approval of any special permit or special use permit on such reasonable conditions that it finds may mitigate against the potential negative effects on the neighborhood of the proposed use.

**ON A MOTION BY SCOTT WINCHELL**, seconded by Katherine Henley it is moved that the Special Use application of Alexis Groesbeck, ADK Grooming be granted.

6. This resolution shall take effect immediately

**AYES: 4**  
**NAYS: 0**  
**ABSTAIN: 0**  
**MOTION CARRIED**

**2. Washington County Planning Board Agreement.**

Chairman LaFountain stated the Board received a letter from Washington County Planning Agency with a form attached called "Exemption of Matters of Local Concern from County Planning Agency Review". This agreement exempts certain projects deemed to have no inter-municipal impact, from referral to the County Planning Agency.

Chairman LaFountain stated there is also a Resolution attached with the letter.

**ON A MOTION BY BILL WHIPPLE** seconded by Scott Winchell the "Exemption of Matters of Local Concern from the County Planning Agency Review was approved.

**ON A MOTION BY SCOTT WINCHELL**, seconded by Bill Whipple all in favor, the meeting was adjourned at 8:15 P.M.

Michelle Radliff  
Secretary