

**Board Members Present:**

- Bill McGhie, Chair
- Dan Freebern
- Bill Siegle
- Barbara French
- Phil Smith, Alternate # 2

**Others Present:** Niki Monroe Rising, Matt Magee, Zoning Administrator Jim Steen.

**Meeting Called to Order:** 7:00 PM

**Pledge**

Chair Bill McGhie appointed Phil Smith to sit on the Board tonight in the absence of Steve Mullins

**Review of Minutes:** Bill Siegle made a motion to accept the June 16, 2021 minutes as written. Second by Barb French. **ALL AYES.**

**NEW BUSINESS:**

**File # 2021-04 CU**  
**Tax Map # 88.10-1-41**  
Courtney Greco  
6758 State Route 8  
Brant Lake, NY 12815

Requesting a Conditional Use from **Section 5.20** of the Town of Horicon Zoning Law for Retail Business, less than 2500 sq. ft. to sell goods such as: pre-packaged food, household items, dry-goods, dairy, soda, bait, novelties and all items in keeping with a general store. No Liquor.

Nicole Rising was present to speak about her proposal. She stated that she has been a resident of Brant Lake for the past 17 years and before that was raised in Chestertown. She opened Bees Mercantile next to the Post Office on Brant Lake about 4 weeks ago. She is asking for a Conditional Use to continue the business.

Chair Bill McGhie asked about the amount of road frontage of the lot.

Matt Magee stated she has 60' of road frontage.

Vice-Chair Dan Freebern asked what are the hours of operation.

Nicole Rising responded Weekdays 8:00 am to 8:00 pm and on Sundays the hours are 8:00 am to 6:00 pm. She plans on being open year-round.

Chair Bill McGhie asked if people will be eating at the establishment.

Nicole Rising responded that there is a table inside with a puzzle on it where her children sit while she is working. However; no customers sit at that table and the customers do not eat inside the store.

Chair Bill McGhie asked if any revamping of the building in order to sell anything.

Nicole Rising stated that before opening my husband went in and painted and fixed some small things in order to open.

Chair Bill McGhie asked if she will have any signs or lighting.

Nicole Rising stated she has a 3' x 3' sign to put up.

Zoning Administrator Jim Steen stated that it is well within our sign regulations. They asked Nicole not to hang it until the Board would approve her Conditional Use and then the sign permit would be issued.

Chair Bill McGhie stated his only concern is with parking.

Nicole Rising stated she has not had any problems with parking.

Matt Magee stated that on the Mill Pond side there is 43 ½' of road frontage as well.

Nicole Rising stated that she has an issue with the speed of the cars coming into the town.

Chair Bill McGhie stated that is a State Road and the Planning Board could not do anything about that. The State would have to decide whether to install street lighting in that area.

Phil Smith stated that there should be a light there for the customers.

Nicole Rising stated that she has lighting on the building and lights on her porch.

Chair Bill McGhie asked Nicole if she has any thoughts about selling beer in the future and Bill asked Zoning Administrator Jim Steen if they would have to come back for that type of sales.

Zoning Administrator stated if you approved this without this condition then a retail business typically sells beer; however, you may want to reach out to the Town Attorney to answer that question.

Chair Bill McGhie asked if that would bar them from selling beer if the application states no liquor to be sold.

Zoning Administrator Jim Steen stated no. Generally, if it is customarily part of retail business, we do not micro-manage what type of products are sold. The Town would not hold them to that statement that no liquor will be sold if that is not part of a condition made by the Planning Board.

Vice-Chair Dan Freebern asked the Zoning Administrator if there is a difference between selling beer and liquor.

Matt Magee responded that there are specific licenses that would be needed by the State Liquor Authority and Jim Steen stated from the Town's standpoint it does not matter.

Phil Smith asked whether or not the parking lot will have lines for parking.

Nicole Rising stated that Chris Remington is coming to repave the parking lot and there will be lines drawn on the lot.

Being no further questions or comments and as per the previous discussions Vice-Chair Dan Freebern made a motion to deem the application complete and set a hearing for August 18, 2021. Second by Phil Smith. **ALL AYES.**

**REVISIT GREG SELLA STORAGE UNIT:**      **File # 2019-01**  
   **Tax Map # 20.10-1-8**  
   Greg and Patricia Sella  
   13 Redwing Rd  
   Adirondack, NY

Greg Sella was present to speak to a complaint about his storage building on Redwing Road. Greg Sella stated that he planted wildflowers in the grassy area to make it look nice. He stated that he does not really know what the complaint was about.

Zoning Administrator Jim Steen and Matt Magee went to look at the property and it all looks in order according to the decision made by the Planning Board in 2019. There was some tiny bit of weeds, but it was negligible, and they saw the wildflower field.

Chair Bill McGhie stated that the Planning Board really cannot do much about cutting the grass and the trees were installed according to the Planning Board decision.

Vice-Chair Dan Freebern stated that he was not the complainant; however, he does not think the trees are growing fast enough. They were supposed to be hemlocks and they look pathetic.

Zoning Administrator Jim Steen addressed the question of the trees. Greg Sella had called and said he was having trouble getting hemlocks and wanted to substitute blue spruce and I did not think there would be a problem with that. They went up and measured the trees and they are 10' apart and 6' tall as requested and they look healthy to me.

Vice Chair Dan Freebern stated that after three years the trees should be blocking a lot more of the side of the building.

Zoning Administrator Jim Steen addressed that issue as well. When the condition was made to plant the trees 10' apart and 6' tall on the side of the building there was not any stipulation where on the side they would be planted and Greg planted them on the lower level as one of the Board members requested.

Chair Bill McGhie stated that he thinks they are a beautiful tree and he does not see any violation of the conditions of the decision. The other Board members agree. It has been discussed and nothing needs be done.

**Reminder:** None

**Correspondence:** None

**Public Comments:** None

**Board Member Comments:** None

Being no further business, Vice-Chair Dan Freebern made a motion to adjourn the meeting. Second by Bill Seigle. **ALL AYES.**

**Meeting adjourned:** 7:25 pm

**Next Meeting:** August 18, 2021

Respectfully Submitted,  
*Terri Katsch*, Secretary