

TOWN OF TAGHKANIC ZONING BOARD OF APPEALS
MINUTES OF THE AUGUST 26, 2024, PUBLIC HEARING

A **Public Hearing** on the application of Naomi Wolf for a Special Use Permit for Fern Hill Cultural Center at 12 Taghkanic/Churchtown Road was held on August 26, 2024, at the Town Hall.

Present were ZBA members James Romaine, Chair; Thomas Mirabelli, Elizabeth O'Donnell, Kent Sammons.

Absent: Stephen Fass; Joseph Cordato (Alternate)

Also Present: Robert Fitzsimmons, Esq., Counsel to the Taghkanic Zoning Board of Appeals.

The meeting was opened by the Chair at 7:10 p.m. with the Pledge of Allegiance.

Minutes of June 24, 2024: Elizabeth O'Donnell asked that a typo be corrected. Motion to accept the Minutes with stated correction was made by Kent Sammons and seconded by Elizabeth O'Donnell.

Approved	4 Ayes	(Sammons, O'Donnell, Mirabelli, Romaine)
	0 Nays	
	1 Absent	(Fass)

Motion to open the Public Hearing was made by Elizabeth O'Donnell and seconded by Kent Sammons.

Approved	4 Ayes	(Sammons, O'Donnell, Mirabelli, Romaine)
	0 Nays	
	2 Absent	(Fass, Cordato)

Attorney Fitzsimmons provided an update on the limitations and requirements, including not more than four weekend-long seminars with 12 guest maximum and 12 two-hour lectures with 25 guest maximum per year. No overnight guests.

Ms. Wolf described her vision and the intent of the application to the audience and stated that in her opinion traffic impacts and noise would be minimal. It was suggested that guests could park in the public parking lot on the east side of the Town Hall and be shuttled to the Center. Several audience members made clear their opposition to that proposal; does the Town have a policy for parking in the town hall parking area? Attorney Fitzsimmons said the Town Board might want to establish a policy for parking there.

Public Comments:

- Non-residential use in a residential zone. (House will not be used as a dwelling.) The appropriate location would be in the Business District.
- Is this a profit-making venture or not-for-profit?
- Fundraising is included in the proposal; this should not be permitted.
- Is there a periodic review? How often?

- Can town require that an activity log be kept and inspected by the CEO annually?
- Has ADA compliance been addressed? Fire extinguishers and exits? Wastewater?
- How does the marketing control the number of attendees?
- What are enforcement mechanisms and when are violations imposed?
 - Written complaint to CEO. (Neighbors don't want to be policing neighbors.)
 - Conditions of permit must be honored or permit is revoked; CEO sends summons to permittee which could result in a court appearance or revocation.

Clarifying statement made by the ZBA and Attorney Fitzsimmons regarding the Special Use Permit:

- Applicant had already purchased the house and then came in with the permit application for a use which is allowed with a Special Use Permit in the current zoning code.
- SUP goes with the land. If property sells and new owner wishes to continue the use, they must follow the limitations in the permit.
- Each application is reviewed on a case-by-case basis and evaluated by potential impacts.

A letter from Sam Pratt was made part of the record. Portions of Mr. Pratt's letter were referenced by Attorney Warren Replansky. Attorney Rob Fitzsimmons said that many of the issues in Mr. Pratt's letter have already been addressed.

Applicant's response to public comments:

- Ms. Wolf explained that she had not filed as a not-for-profit, but she would be happy to do so if it is preferred by the town. She said this is not a money-making venture, and in fact she could have used the house as a short-term rental and made more money, but she wanted to do something that would benefit the community.
- Marketing is controlled by means of "invitation only" with RSVP in advance.
- She will remove "fundraising" from the proposal if so directed by the ZBA.
- Proposal will clarify that events will be non-political and non-partisan if the ZBA wants that language included.
- Applicant is willing to abide by the limitations and restrictions imposed by the ZBA, will submit any reports that are required, and will submit to twice-yearly reviews of records.

Attorney Fitzsimmons read a letter sent by the Columbia County Planning Board following their review of the application.

Elizabeth O’Donnell suggested that a full code analysis be done to ensure that fire safety issues are addressed as well as ADA compliance, occupancy limitations, lighting, signage, etc. for this non-residential purpose. Attorney Fitzsimmons recommends that the applicant contact the ZEO/BI to find out what modifications are required to be made for the new public use.

Motion to keep the Public Hearing open was made by Jim Romaine and seconded by Kent Sammons.

Approved 4 Ayes (Romaine, Sammons, O’Donnell, Mirabelli)
0 Nays
2 Absent (Fass, Cordato)

Motion to adjourn the meeting was made by Kent Sammons and seconded by Jim Romaine. Meeting adjourned at 8:45 p.m.

Approved 4 Ayes (Sammons, Romaine, O’Donnell, Mirabelli)
0 Nays
2 Absent (Fass, Cordato)

Public Audience:

Daniel Fiegelson	Jonathan Gould
Meridith Glabman	Erin Edwards
Joanne Klein	Sali Wohlbach
Jean Feinberg	Joshua Kaplan
Robin Randisi	Anne Hoffman
Leon Hoffman	Celine Kagan
Barbara Pantuso	Priscilla Woolworth
Anthony Slayter – Ralph	Andre Pretorius
Linda Reardon	Lew Willig
Marilyn Kohn	Harriet Shur
Nancy Hagin	Doug Wirls
Iona Wirls	Jenny Lynn McNutt

On Zoom:

Gerald Wolfe	Alix Bailey
Karl Nussbaum	David Noles
Suzanne Stein	Hannah Ross