

Town of Taghkanic Zoning Board of Appeals  
Meeting Date: March 23, 2026

Present: Chairman Jim Romaine; Members Elizabeth O'Donnell, Tom Mirabelli, Kent Sammons, Joe Cordato, Ray Colgrove (Alternate)  
Also Present: Attorney Rob FitzSimmons

Meeting called to order at 7 p.m. by the Chairman with the Pledge of Allegiance.

Motion to approve the Minutes of November 24, 2025 was made by Tom Mirabelli and seconded by Kent Sammons.

*Ayes: Mirabelli, Sammons, O'Donnell, Romaine*

*Abstain: Cordato*

*Nays: None*

**Mr. Garcia and Mr. Doty** appeared before the ZBA for the second time to further discuss the proposed **consignment shop on their property at 863 Route 82**. The property sits in the residential district adjacent to the Business District. Mr. Doty asked if the property could be rezoned as commercial. Attorney FitzSimmons said that "spot zoning" cannot be done but suggested that Mr. Doty send a letter to the Town Clerk asking for the commercial designation "Retail Shop". He was also informed that the draft zoning code proposes that the new Mixed Use (business and residential) District be extended all the way to the town line at Taconic Orchards, and that his best option is to wait for that change to happen.

No further action to be taken by the ZBA at this time.

**Dirty Shepherd LLC (Murcott):** The Attorney for the applicant presented the proposal, saying that this type of operation is not clearly defined in the code, but they contend that it falls under "Commercial Recreation Use" which is allowed. (NOTE: Commercial Recreation is not defined at all in the Code, but is listed in the use table.) The proposal is to conduct a "limited rally car driving experience and school" on their 182-acre property in the R7 zone, with limitations that will include the following:

- Will generally operate 6-8 days per month, and not more than 10 customers at a time.
- There will be no nighttime driving.
- No additional buildings, structures, fences, or parking areas will be added. The "classroom" will be located in an existing barn.
- Will utilize the existing track for the majority of the instruction (90-95%) and will use existing log roads for additional driving instruction and "experiences".
- Four vehicles owned by Murcott will be used; no additional vehicles will be brought to the premises for use on the track by the students.
- The rally vehicles are not registered but are road-worthy, utilizing stock equipment and mufflers that do not exceed noise levels of registered vehicles, and will be driven at 20-30 mph.
- Off-road parking for customers will be within existing driveways and parking areas.
- All proposed trails will be accessible to emergency vehicles.

The Murcotts are seeking a Special Use Permit.

- Kent Sammons asked about the width of the trails and was told that they had been widened and emergency vehicles will be able to get through.
- Elizabeth O'Donnell voiced concern about noise issues. The applicant repeated that the mufflers do not exceed the noise level of registered vehicles.
- When asked about the training offered, the ZBA was told that students will learn car control, manual shifting, driving on dirt rather than pavement and other techniques.
- Joe Cordato asked about fuel storage and voiced concern about contamination of the creek. The applicant said that the cars will use only 10-15 gallons of gas and not more than 10 gallons of fuel will be stored on-site.
- The daily instruction is broken into segments: the first half hour is manual teaching, followed by a break, then back out on the course for the next half hour, then time in the classroom and back out on the course.
- For safety, Dillon Murcott said he will supervise in-person and is also able to view the course via cameras that are mounted throughout the trail system.
- Elizabeth O'Donnell asked if there was a licensing requirement for operation of the school. The applicant's attorney answered that it was not necessary; they have insurance and will provide copies of insurance documents along with the operational plan.

The applicant will submit an operational plan clearly laying out the proposal and will submit proof of insurance. They were instructed to get clearance from fire and rescue about accessibility.

**Notzel Road:** Applicant was not in attendance. This is a Planning Board issue.

**Tiny Town Farm Market (signage):** Property owner Chul is seeking a variance for signage for the Tiny Town Market and the Taconic Liquor Store, two businesses that are located on the same parcel in the Business District. The applicant proposes that the double-faced liquor store sign which currently sits directly in front of the Market will be changed to read "Tiny Town Farm Market". New single-face signs for the liquor store will be placed on the roof over the carport on the front of the liquor store, one facing east and the other facing west, with a third sign across the front of the carport facing Route 82. Signs do not exceed the aggregate. Applicant is requesting a height variance for the liquor store signs that will be placed on the roof, which is over the 8' height limit. Additionally, he would like to have a sign for the Tiny Town Market installed above the entrance to the store, which also is higher than 8'.

The applicant was directed to submit a brief narrative with photos showing what he wants to do rather than what is currently there.

Betsy Albert, who is the Town Board Liaison to the Planning Board, said that the Planning Board is trying to help local businesses succeed. This applicant spent more than \$400 on mailings to neighbors for the Public Hearing set for April 7 at the regularly scheduled Planning Board Meeting, and rather than spending more money and then wait another month for the ZBA to meet again, Betsy asked that the ZBA consider a joint Public Hearing.- with the Planning Board April 7.

Kent Sammons made a motion to have a joint meeting with the Planning Board and ZBA on April 7 at 7 pm at the Town Hall and the motion was seconded by Joe Cordato.

*Ayes: Sammons, Cordato, Mirabelli, O'Donnell, Romaine*

*Abstain: None*

*Nays: None*

A joint meeting between the Planning Board and ZBA in the matter of signage for Tiny Town Market and Taconic Liquors is set for April 7, 2026 beginning at 7 p.m. The Town Clerk will be notified to post.

Local business owner, Carlo Macri, was in the audience and said that he would like the town to make it easier for businesses to work and succeed in Taghkanic.

**Mark Lee (storage):** Applicant is not present.

**Country Comforts (Soltano):** Susan Soltano came to the ZBA following a violation issued by the CEO in regard to business vehicles (a pick-up truck, 2 vans, a trailer and a dump-trailer) parked on their property and viewable from the road, in violation of the town zoning code. The business, Country Comforts, is owned and operated by the Soltano family, and is located at the dead-end of New Forge Road, where there is essentially no traffic. Attorney Rob FitSimmons suggested that the ZBA make an interpretation that the vehicles are not being used as signs for the business at this location.

The application was accepted and a motion to go to Public Hearing was made by Kent Sammons and seconded by Joe Cordato.

*Ayes: Sammons, Cordato, Mirabelli, O'Donnell, Romaine*

*Abstain: None*

*Nays: None*

The Public Hearing was set for April 27 at 7:05. The ZBA Secretary will notify the Town Clerk to post.

**Wag Creek – Lodging:** Attorney Anthony Marando, along with the engineer and two others from Wag Creek, attended this meeting to introduce themselves and get feedback on their proposal to use their property at the corner of the Taconic State Parkway and County Route 10 for a dog adoption facility that will include up to 18 cabins at full build-out where adopters could stay for up to three days to work with and bond with the dogs they plan to adopt. The dogs will come from kill shelters all over the country. Cabins will be 200 to 300 square feet each. Wag Creek will operate as a not-for-profit organization. This is a “pre-application appearance” – that is, no application has been filed with the ZBA yet.

Attorney FitzSimmons explained the application process. No further ZBA action at this time.

**Smith Gun Club Code Violations:** Allan Smith is the lessee of a property on Old Oak Road owned by Phil Gellert which he uses as a personal hunting camp. A sign on the property says “Smith Gun Club”, but it is not an official “gun club”. The sign was posted so that emergency services could locate them if necessary. There are three campers and other improvements on the property for which no Site Plan was submitted to the Planning Board and no Building Permit was issued, thus the violations.

Attorney FitzSimmons said that the ZBA could make a determination as to the use. The ZBA did not have any issues with the use. Chairman Romaine will contact the Code Enforcement Officer and ask if he is willing to withdraw the violations. If he is not willing to do so, the applicant will need to file an appeal.

With no further business before the Board, a motion to adjourn was made by Jim Romaine and seconded by Joe Cordato.

*Ayes: Romaine, Cordato, Mirabelli, Sammons, Colgrove*

*Nays: None*

*(Member Elizabeth O'Donnell left the meeting at 8:30)*

Meeting adjourned at 8:55.