

Town of Taghkanic Zoning Board of Appeals

Meeting Date: April 27, 2026

Present: Chairman Jim Romaine; Members Tom Mirabelli, Kent Sammons, Elizabeth O'Donnell and Alternate Ray Colgrove

Absent: Joe Cordato

Also Present: Attorney Rob FitzSimmons

Ray Doty was instructed to go before the Town Board to seek a change in zoning as this cannot be handled by the ZBA. **Smith Gun Club** also was excused from the meeting since their violations had not been addressed with the CEO.

Prior to the meeting, the Town Code Enforcement Officer told Jim Romaine that he has not received a completed application from **Dirty Shepherd (Murcott)**. Although Murcott was not present, Elizabeth O'Donnell pointed out that because the proposed use (rally car driving school) is not in the Zoning Code, they should be seeking a Use Variance, not a Special Use Permit. A neighbor, M. Basquali residing at 795 New Forge Road 2, said that he was getting ready to build his home on the property and asked what a realistic timeline might be for Dirty Shepherd. Rob Fitzsimmons explained the process and said it could take a year or more.

The Meeting was officially called to order at 7:22 pm by the Chairman and seconded by Ray Colgrove, and the **Public Hearing in the matter of Country Comfort** was opened. Country Comfort appeared before the ZBA after receiving a Notice of Violation by the CEO for running a business in a residential zone.

Susan Soltano, owner of Country Comfort, a business operating in the town for 25 years, delivered to the ZBA the return receipts from required mailings. Board members received a hand drawn sketch of the property showing the locations where each vehicle is usually parked, and a photo showing that trees and other vegetation screen the property from the road. Vehicles that bear the Country Comfort name are parked no closer than 150' from the road. Susan said that the business is run from the property but is not operating on the property; no workers remain on site during the day, except to clock in for work and clock out at the end of the day. There is no limit to the number of vehicles that can be parked at a property as long as they bear a current registration. A neighbor of the Soltanos described them as "fabulous people".

Without further discussion, Jim Romaine motioned to close the Public Hearing at 7:28, seconded by Elizabeth O'Donnell. This application is not subject to SEQR.

Elizabeth O'Donnell motioned to have the violation dismissed since this is not a commercial use. The business is not conducted from the residence; the only objection being the signage on the business vehicles which is remedied by the fact that company vehicles are parked at least 150' from the road and hidden by vegetation. The motion was seconded by Jim Romaine.

Ayes: Elizabeth O'Donnell, Jim Romaine, Kent Sammons, Tom Mirabelli, Ray Colgrove

Nays: None

Resident Celine Kagan asked how many “unregistered cars” can there be on a property? The answer provided by Jim Romaine was “2”.

Motion to accept the Minutes of the ZBA Meeting held on March 23, 2026, with corrections as requested by Elizabeth O’Donnell, was made by Kent Sammons and seconded by Elizabeth O’Donnell.

Ayes: Kent Sammons, Elizabeth O’Donnell, Jim Romaine, Tom Mirabelli, Ray Colgrove

Nays: None

Attorney Anthony Marando and Jan from Crawford Engineers further discussed their plan for **Wag Creek**, a non-for-profit group that matches rescued dogs with potential owners and provides a facility where prospective adopters can engage with the dog they select. Wag Creek is supported mostly by donations. Mr. Marando showed a brief video. Elizabeth O’Donnell asked about the process; how are people selected and do they pay? How many dogs are going to be there? Mr. Marando said that this is not like a kennel where dogs are held in cages and people choose a dog; most of the dogs are found at on-line dog rescue sites and are there for only a few days before they are matched with a family. (Per the applicant’s presentation to the Planning Board, the dogs might be held at the facility for longer periods of time.) Jan displayed the full-size site plan and said existing trails will be used and there would be very little impact on the land. The entire area will be fenced to prevent dogs from running into roads. Tom Mirabelli asked about the rectangles shown on the site plan and was told that they show the proposed area for septic. Elizabeth asked how this project will benefit the community since it will take a large property off the tax rolls. Will the trails be open for public use? Mr. Marando said that he believes the owner may be open to allowing the public to be on the property and use the trails, but he’s not sure. He will get an answer for the Board.

Rob FitzSimmons asked about septic capacity and if they would have public water and noted that these are questions for the Planning Board. Questions to be answered: How many dogs will there be, what is the duration of the stay, and will the public be able to use the trails.

Mr. Marando said they are not asking for anything today; they just want to know the next steps. Rob FitzSimmons listed the steps as follows: Planning Board; then either a, individual or joint ZBA/Planning Board meeting (to be decided by those Boards); independent review; and coordinate SEQR with PB and ZBA to determine who is lead agent. Elizabeth O’Donnell stated that the ZBA must discuss concerns about issues, such as access to roads, improvements, and SUP conditions before the Board can decide what needs to happen separately and what can be addressed jointly.

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Mark Lee: Mr. Lee was served with a Notice of Violation by the CEO for operating a landscaping business in a residential zone and having his business trucks on the property. Mr. Lee stated that he has one 3-yard dump truck and 2 pick-ups, which are parked so as to not be highly visible from the road and, like Country Comfort, the business is run from the property but not on the property. Mr. Lee was directed to present these facts to the CEO. If the CEO determines that Mr. Lee is in, in fact, in compliance, there is no further action required by the ZBA.

Next meeting on TUESDAY JUNE 2 due to Memorial Day being on Monday June 1.

With no further business before the Board, a motion to adjourn at 8:09 was made by Jim Romaine and seconded by Joe Kent Sammons.

Ayes: Jim Romaine, Kent Sammons, Tom Mirabelli, Elizabeth O'Donnell, Ray Colgrove

Nays: None