PLANNING BOARD MINUTES

A hearing before the Hudson Falls Planning Board was held on November 25, 2019 at 6:00 p.m. in the Board Room of Village Hall.

Attendees:  
David Hutchinson, Chairman  
Deborah Breeyear, Board Member  
Lynn Leland, Board Member  
Diane Santa Croce, Board Member

Absent:  
Richard Wagner, Board Member  
Robyn Cronin, Board Member  
Joe DePalo, Alternate

Public Present:  
1 Members of public present

Chairman Hutchinson called the meeting to order at 6:10 pm.

The first item on the agenda is a Site Plan Review submitted by James & Laura Zwynenburg to change partial use of 10 Maple St., zoned Residential Class B, currently used and operating under a variance as a commercial music hall, to a health-related testing laboratory.

Mr. Zwynenburg explained to the board that currently the second floor is used as a dance studio and they plan to keep that the same. The first floor which is currently set up as a music hall would serve multiple purposes. The set up would remain unchanged but they are planning on using some of the space for office space as well as a testing facility for an associated polymer laboratory. Mrs. Zwynenburg explained that once they saw the amount of space that was available on the first floor, she may try to keep with the theme of the property and have some continued music lessons as well as possibly some art as well. She would like to see part of the buildings use in keeping with the theme that is happening in the village with artisans and musicians.

Board Member Santa Croce asked what equipment they would be using at the site. Mr. Zwynenburg explained that they have another site located in North Argyle where large equipment would remain. Here at this location they would be using mechanical testers as well as a spectrometer that weighs less than 9lbs. The board and the Zwynenburg’s discussed that there was no animal testing to be done there. The testing they do is basically on medical products sent to them by companies such as Bard and Angio Dynamics as well as other companies from around the world. They test items such as plastics and cosmetics. A discussion ensued.

Board Member Leland asked how many employees there would be. There is currently just the two of them, Mr. & Mrs. Zwynenburg. They would like to bring in interns in the future.

Chairman Hutchinson asked Village Attorney Nikas to review the Zoning Board decision on the previous variance. Attorney Nikas advised that the circumstances and factors which supported the ZBA’s granting of a variance to the Hudson River Music Hall to operate in a residential zone had not changed. Therefore, the Planning Board is authorized to proceed with site plan approval without the necessity of referring the current applicant to the ZBA.

Village Attorney Nikas explained that this property although in a residential zone, has almost always been commercial and is currently under a variance for commercial use that was granted to the music hall. The Hudson River Music Hall proved to the Zoning Board that the building has no feasible use as a residence. The uses being proposed under the site plan review process would warrant discussion such as parking, increased traffic, disposal of any hazard waste, etc.

Board Member Leland asked if they plan to do anything different with the exterior of the building. Mr. and Mrs. Zwynenburg said they would be painting the trim and possibly adding an awning over the front entrance.

Chairman Hutchinson opened the meeting to public comment.
The realtor that is selling the property addressed the board stating the property would be serving several purposes in keeping with the rhythm which is going on in the village. She thinks the improvements and upkeep will be a positive impact to the community and the building.

Chairman Breeyear asked what type of volume they expect to be coming and going from the building. Mr. Zwynenburg stated that UPS would be delivering once a day for any of the testing he would be doing and Mrs. Zwynenburg stated there would probably never be more than five to six cars at a time for things she may be doing with art or music in the building. There is plenty of public parking to accommodate their needs.

Chairman Hutchinson asked if there were any hazardous materials used in their testing and if so, how do they dispose of them. Mr. Zwynenburg explained that they do not use any hazardous materials in their testing. Once the testing is completed all the materials are sent back to their clients. A discussion followed.

There being no further public comment, Chairman Hutchinson closed the floor to public comment.

The board had no further questions of their own.

Village Attorney Nikas reviewed the short EAF form with the Board, the environmental assessment form questions were read aloud, and the Board answered each of them stating no or small impact.

Upon motion made by Board Member Breeyear, seconded by Board Member Santa Croce and carried it is

**RESOLVED**, after reviewing a short form EAF, the board has determined that the action does not present any adverse environmental impacts. The Board further determined that, based upon the foregoing, a negative declaration be issued.

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Upon motion made by Board Member Santa Croce, seconded by Board Member Breeyear and carried it is

**RESOLVED**, that the extent of the proposed use is not significantly different than the current use and that the former finding of the zoning board of appeals that the property itself cannot be used feasibly or economically as a residence has not changed, so there is no need to go back to the zoning board for an amendment to the variance.

**NOW, THEREFORE, BE IT RESOLVED**, to approve the Site Plan Application for 10 Maple Street as submitted;

Duly adopted this 25th day of November 2019, by the following vote:

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Upon motion by Board Member Santa Croce, seconded by Board Member Leland and carried the minutes of the September 23, 2019 Planning Board Meeting were approved as submitted.

There being no further business to come before the Board the meeting was adjourned at 6:38 pm.

Deputy Clerk