

July 23, 2020

The regularly scheduled meeting of the Hartland Planning Board was held on the above date at the Hartland Town Hall 6:30 PM

Members of the Board present:

Beverley Snell, Merle Snell, Robert Spencer, Robert Harris, Chairman, Attorney Brian Seaman

*Margaret Darroch*

Others present: Mark & Candace Bruning

Public Meeting

Owner/Applicant: Mark & Candace Bruning / Parker's Pit

Property Location: 9998 Ridge Road, Town of Hartland

Chairman Robert Harris opened the meeting for the discussion of the addition of picnic tables for onsite dining.

Mr. Bruning explained that there was a trial period last year for those customers who had asked for picnic tables. Zoning Officer, Michael Hartman had said to put out 2 picnic tables to see how well it would work. Mr. Bruning said that it had worked out very well. This year, with the COVID, outdoor dining was allowed during phase 2. Many businesses in Lockport were using this method, even though their permits did not include this option.

Chairman Harris asked how many tables were they planning to put out.

Mr. Bruning stated that they want to keep it under 6, because then they would need to provide restrooms. They would like to extend the driveway, next to the garage area. Eventually, they would like to bring the driveway in the back, with an entrance from Countyline Road, and then build a pole barn there. They were asking for permission to put 4 picnic tables out.

Bev Snell asked if they had a site plan?

Attorney Seaman stated that currently, the permit is for a resident/owner/operator and what is presented is not allowed with this permit. The only exterior evidence that is allowed is a sign and 3 extra vehicles. Seaman suggested asking the Town Board to rezone the property for business, but the Planning Board cannot make that recommendation.

Bev Snell noted that the original permit was for "take out" only and no picnic tables.

Attorney Seaman stated that the town could choose to not enforce any of these rules during this pandemic and then apply for the re-zone after this passes.

Mr. Bruning said that he could convert the garage into a dining room, but he really did not wish to do that, since the business is only seasonal.

Seaman said that if the garage is turned into a dining room then it should be zoned for that purpose. The Town wants to promote business, but this doesn't fit the conditions of the permit.

Margaret Darroch expressed concerns about parking and what does the permit allow.

Chairman Harris said that if the property was re-zoned, the board would have to be convinced that there would be sufficient off the road parking. He suggested that the Brunings talk to the Zoning officer and get the plans going for the re-zone, however, this board could not do what is requested. The Planning board encourages business' whenever possible and in the accommodated zones.

Margaret Darroch asked what percentage of customers have requested a place to sit?

Bruning stated that they have customers from Lockport and Buffalo, who have seen the truck out at various locations and come to Hartland to visit the home location. Eventually, they would like parking out back, that was what they originally had wanted.

Attorney Seaman stated that if the property were to be re-zoned that this would allow for more flexibility. Seaman said that he would not have a problem if the Town allows this during the pandemic. The Brunings need to talk to the Zoning Officer and Supervisor. In the meantime the Brunings could draw up their plans to proceed with the re-zone in the future.

**MOTION** by Bev Snell, **seconded** by Margaret Darroch to have the Brunings request, from the Supervisor, to be allowed to put tables out, during this pandemic, and then consider applying for a re-zone. CARRIED

**Motion** to adjourn by Bob Spencer, **seconded** by Merle Snell, meeting adjourned at 7:10 PM

Respectfully submitted,

Cynthia S. Boyler

Secretary