



VILLAGE OF BARKER

Planning Board Minutes

October 7, 2015

7:00pm

Grace Bodine-Acting Chairman

Phyllis Hildebrant

Mark Wilson

George Harris

Erin Goodlander

In **attendance**: Grace Bodine, Phyllis Hildebrant, Mark Wilson, Brian Seaman-Village Attorney, Erin and Greg Goodlander, Robert Wendler, Mayor Aaron Nellist, Trustee Kerth, Trustee Ruffini, and Clerk-Treasurer Amanda Detschner. Absent from the planning board was George Harris.

The **meeting was opened at 7:01pm** with Pledge of Allegiance administered by Grace Bodine.

Chairman Bodine read aloud a letter of **resignation from Planning Board member Erin Goodlander**. The letter of resignation was accepted and dated October 6, 2015. Chairman Bodine thanked Erin for her years of service. The letter has been filed with the Clerk-Treasurer.

Chairman Bodine stated that the purpose of the meeting was to hear from the two proposals about their plans if they purchase the "Birds Eye" Dormitory buildings and land (4.33 acres) from the Village.

Goodlander Proposal:

Erin Goodlander began a presentation by giving a history of how the Brewery's building was purchased in 2012 and transformed into the business it is today. A year later they are ready to expand their business. Mrs. Goodlander gave an overview of their timeline and site proposal. First they would clean up the property, utilize the driveway that is existing, install a fence and shrubbery along the east side of property and make a walking path from the Brewery to the buildings purchased. Phase I would focus on the center building. A connection to all utilities would be made, install a walk in cooler/cold storage, move all brewing operations out back, develop a homebrew store for craft brewers and add approximately 4 co-op shops. Phase II would focus on the East building. This would be turned into a banquet facility, with a catering kitchen. The Goodlander's expressed that they would also like to hold outdoor events, as well. Phase III would focus on the building to the West (largest building) this would be turned into a 6 room inn for people utilizing the wine trail or after hosting their event. Mrs. Goodlander expressed why they feel it would be a good idea to choose the brewery stating it would expand the business in the Village, the wine trail brings \$6 Million in tourism to the region and \$3.5 Billion from the craft brew industry across NY State. This would also allow them to utilize the agritourism our region also offers. She stated that the Brewery hosted their one year anniversary this past weekend, where attendance was over 1,000 people. The planning board asked about the hours of operation if they expanded and the answer was that it would stay the same as now, no later than 10pm. The planning board asked about the number of employees the brewery would need. Mrs. Goodlander replied that the brewery right now has 10 employees, out of the 10, 2 are full time and 6 are village residents. The brewery would need to hire 2 people right away and could be as many as 5 or 6 by the time they are done with the expansion, if they are chosen for the property. Mrs. Goodlander expressed how much time and money they invest back into the Brewery since it has opened. The planning board asked about security for the premises. Mrs. Goodlander said they utilize security cameras and make trips to check on the Brewery often outside of business hours. It was stated that an alarm system would need to be installed in the future. The planning board asked about it being zoned industrial if the housing aspect would be allowable, according to legal counsel the production of food is okay, but the inn aspect may need an additional hearing or to be reviewed by the zoning board of appeals. Mrs. Goodlander stated that with the ability to increase the

amount of kegs produced from 6 to 60, more jobs may be added to sell, distribute and clean the equipment. In order to facilitate the distributing of beer an overhead door would be installed when the center building is remodeled. The current license the Brewery holds allows them to produce 60,000 kegs of beer a year. Mrs. Goodlander also stated that to get started the cold storage is the most important so they could brew on a daily basis to keep up with demand. Right now they own their 3 barrel brewing equipment and may eventually purchase larger equipment. The planning board inquired about the infrastructure to access the buildings. Mrs. Goodlander stated they would use the existing driveway and if it was not sufficient then they would utilize the fork truck to unload and load product. It was clarified by the Village's legal counsel that a road would not be installed by the Village and the Goodlander's were in agreement. The planning board inquired about how this endeavor would be financed. Mrs. Goodlander stated that all financing has been done personally so far, they have talked to private lenders, the NC IDA and NCCC small business contacts to explore their options. The Village's legal counsel clarified that the offer was \$10,000 and the purchaser is responsible for all closing fees. It was agreed upon by all parties. The planning board inquired about how much parking would be available or needed. Mrs. Goodlander stated that they would install a small parking area by the east building and could always put more behind the buildings if necessary. The installation of utilities was discussed. The purchaser would be responsible for installing all necessary utilities at no cost to the Village. This includes water, sewer, natural gas, and electricity. The Village's legal counsel inquired about how is Barker Brewing classified. Mrs. Goodlander said that Barker Brewing is a DBA under the principal Erin Goodlander. She also stated that if the property was awarded to them they would switch to a corporation and that the expansion would be the best time to do this since they would have to reapply for licensing. The Goodlander presentation was closed at 6:29pm.

Wendler Proposal:

Robert Wendler began his presentation of his proposal for developing senior housing/senior housing for various life stages. Mr. Wendler expressed his wishes to refurbish the existing block buildings and building new structures as necessary. Phase I would refurbish the existing middle building and others as vacancies are occupied and funding becomes available. Structures would be such that they look like nice houses. The residents would not have to mow grass nor does any maintenance work. Using the 66' right of way a road/driveway would be installed. The planning board inquired about the current building owned by Matthew Wendler at 1687 East Avenue. Mr. Wendler stated that his son purchased the building with intentions of operating a steel fabrication shop, in which he had shared space with his father at Barker Trailer Sales. Shortly after purchasing the property, Matthew was offered a job over 100 miles away, therefore the plans have been put on hold. The building at 1687 East Avenue would become the storage unit for the refurbishing of the "Birds Eye" dormitory buildings. The planning board inquired about cleaning up around the buildings. Mr. Wendler said he planned on cleaning up the exterior shortly after taking possession. The Village's legal counsel asked about would these units be leased/rented. Mr. Wendler state that they would be long term leases and that he would maintain ownership. The Village's legal counsel asked about what kind of roadway/driveway would be installed and if the buildings would be paved around. Mr. Wendler stated that he would install a good sound gravel driveway and put gravel around the structures/parking lot as well. He stated that he also plans on building detached garages for each unit. The planning board inquired about how the exterior of the buildings would look. Mr. Wendler stated that he would peak the roofs and install siding to make them appear more like houses. Mr. Wendler also stated that he would refurbish one building at a time. The Village's legal counsel inquired about any expenses that would fall to the Village. Mr. Wendler said that he understood that he would be responsible for all utilities and that he would probably not go with natural gas. He also stated that the water line would be installed down the existing right of way. The Village's legal counsel also asked about JNM Properties, is this a DBA or something else? Mr. Wendler said that is a DBA and the principal is Robert Wendler. The Village's legal counsel also inquired about what kind of experience Mr. Wendler has at doing this kind of work. Mr. Wendler stated that over the last 20 years he has bought several properties in the Village and has worked hard to clean them up. The Village's legal counsel asked about landlord experience. Mr. Wendler stated that he has no experience in his area. The planning board asked about what address is used for JNM Properties. Mr. Wendler stated that he uses the address 1687 East

Avenue for this business. The Village's legal counsel asked about snow removal and who would be responsible. Mr. Wendler stated the plowing would be done by the owner. The Village's legal counsel inquired about the zoning of the parcel in which he would like to purchase. Mr. Wendler stated that he had not looked into the zoning for his proposal. The Village's legal counsel stated that residential is not an allowed use under F-1 district, which is light industrial. In order to have the parcel rezoned it would require the Village Board to pass a local law. The re-zoning would have to be redone from the get go. The Village's legal counsel inquired about financing. Mr. Wendler stated that financing is available, but would be as little as possible. The Village's legal counsel asked about closing costs and what he felt would be the Village's responsibility. Mr. Wendler said that he would pay all closing costs. He stated that a phase I environmental study would be suitable, but not willing to take on a phase II. This would be the first purchase for JNM Properties. The Wendler presentation was closed at 7:52pm.

Village Attorney, Brian Seaman stated the planning board could advise the Board of Trustees in several ways. The planning board could discuss it immediately following the presentations, could adjourn the meeting to form a written letter and reconvene at another planning board meeting to approve the written recommendations or move to go into executive session to deliberate.

A motion to enter into executive session to seek legal advice was made by Phyllis Hildebrant and a second was offered by Grace Bodine. The following votes were cast:

Grace Bodine-Aye
Phyllis Hildebrant-Aye
Mark Wilson-Aye
George Harris-Absent

Motion Carried.

The Planning Board entered into executive session at 7:54pm.

All present in the Executive Session were:

Grace Bodine-Acting Chairman
Phyllis Hildebrant
Mark Wilson
Brian Seaman, Lawyer
Amanda Detschner, Clerk-Treasurer

A motion to adjourn the executive session was made at 8:06pm by Mark Wilson and was seconded by Phyllis Hildebrant. The following votes were cast:

Grace Bodine-Aye
Phyllis Hildebrant-Aye
Mark Wilson-Aye
George Harris-Absent

Motion Carried.

Chairman Bodine stated that after consulting with the attorney the planning board has the following recommendation: That Barker Brewing should receive the property due to the economic downturn of the Village in recent years, the Brewery has brought new a thriving business to the Village. The Brewery also has a good track record of refurbishing a deteriorating building and making it a viable business. Where, JNM Properties has no established record of refurbishing buildings and this would be the first project of this scope. As well as the zoning for the "Birds Eye" dormitory parcel is for industrial use and not for residential purposes. Mark Wilson added that we need to keep the Brewery where they are and it will have a great impact on employment for the Village, as well. Phyllis Hildebrant added that the Brewery has a track record of doing what they say they are going to do and getting it done. She also added that senior citizens may not like living behind a brewery that has music and other functions in the evening.

A motion to recommend Barker Brewing for the purchase of the “Birds Eye” dormitory parcel, for the above mentioned reasons was made by Mark Wilson and a second was offered by Phyllis Hildebrant. The following votes were cast:

Grace Bodine-Aye
Phyllis Hildebrant-Aye
Mark Wilson-Aye
George Harris-Absent

Motion Carried.

A motion for adjournment was made at 8:11pm by Mark Wilson and seconded by Grace Bodine. The following votes were cast:

Grace Bodine-Aye
Phyllis Hildebrant-Aye
Mark Wilson-Aye
George Harris-Absent

Motion Carried.

Respectfully Submitted,

Amanda M. Detschner
Clerk-Treasurer

*A copy of each proposal are attached behind these minutes.