

**Town of Charlton  
Planning Board Minutes  
and Public Hearing Minutes  
758 Charlton Road  
Charlton, New York 12019**

Minutes of the Planning Board Meeting – February 19, 2018

Chairman Jay Wilkinson called the meeting to order at 7:15 p.m. at the Charlton Town Hall.

Present: Jay Wilkinson, Chairman, Jack Kadlecek, Connie Wood, Marilyn Phillips, Dawn Szurek, Bruce Gardner, Chris Mitchell, Bill Ryan, Esq., Acting Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary.

**AGENDA MEETING**

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the January 15, 2018 meeting minutes needed to be approved. Mrs. York has previously provided comments. No other comments were provided. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Public Hearings

Vincent and Van Guilder (226.-1-82)

Mr. Wilkinson stated that there would be a Public Hearing on this application at 7:30 p.m. Mr. Wilkinson stated that this is a proposal for a 2 lot subdivision on the west side of Sweetman Road. Mr. Wilkinson stated that the parcel is 39 ± acres. Mr. Wilkinson stated that Lot 1 will be on 36.5 acres and will contain the existing house and outbuildings and Lot 2 will be 2.94 acres and will be sold as a building lot for a single family home.

Mr. Wilkinson stated that the Board took lead agency at the last meeting. Mr. Wilkinson stated that the application has been referred to the Town Engineer and the County Planning Board and comments have been received.

Subdivision Applications

Vincent and Van Guilder (226.-1-82)

Addressed above.

ZBA Request for an opinion

Rossdeutscher/James and VanGuilder (246.-3-108, 107)

Mr. Wilkinson stated that this is a request for a subdivision that will require an area variance. Mr. Wilkinson stated that the Planning Board has been asked to provide an opinion to the ZBA .

Site Plan Presentation to the Planning Board

Capital Care (256.-1-103)

Mr. Wilkinson stated that there will be a presentation from Charlton Family Medicine regarding a parking lot expansion and a building addition. Mr. Wilkinson stated that the Town Board retains jurisdiction as the Board that granted the Special Exception Use permit. Mr. Wilkinson stated that he has been in contact with Joe Grasso regarding the application. Mr. Wilkinson stated that Mr. Grasso has provided a proposed timeline for the project. Mr. Wilkinson read the proposed timeline aloud. Mr. Wilkinson stated that the proposed plan has been sent to Mr. McNamara for review.

Zoning Report

Mr. Wilkinson stated that the Board has received the report for review.

Correspondence

Mr. Wilkinson stated that he has drafted a letter to the Town Board regarding the Stewarts Shop's site plan changes.

Mr. Wilkinson stated that anyone that wanted to share comments from the last training conference could do so during the business meeting.

Mr. Wilkinson stated that everyone has a copy of the letter regarding the Verizon Cell Tower.

Town Board Liaison

Mr. Grasso was present.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Mitchell. All were in favor. Agenda meeting closed at 7:27 p.m.

## **BUSINESS MEETING**

Opened at 7:30 p.m. with the Pledge of Allegiance.

### **Minutes**

Mrs. Wood made a motion to approve the draft of the January 15, 2018 meeting minutes with changes incorporated. Mr. Kadlecsek seconded the motion. All were in favor.

## **PUBLIC HEARING (7:30 P.M.)**

### **Vincent and Van Guilder (226.-1-82)**

Mr. Wilkinson reviewed the Public Hearing process.

Mr. Wilkinson stated that the public notice was published on February 9, 2018 in the Daily Gazette and the adjoining neighbor notices were mailed on January 30, 2018.

Mr. Wilkinson opened the Public Hearing.

Mr. Rabideau appeared before the Board.

Duane Rabideau: The map I just handed out is the new map addressing Mike McNamara's comments. Good evening. I am Duane Rabideau from Van Guilder & Associates here representing Jim and Mary Anne Vincent in their request for a 2 lot subdivision of their property located at 441 Sweetman Road, 1000 feet south of Packer Road. The plan is to subdivide a 2.94 acre parcel out of the 39 acre parcel for a single family house. The existing house and improvements will stay on the remaining acreage. The new lot will have on site well and septic and will meet all of the requirements. The new map has been modified to address minor concerns of Mike McNamara's comment letter of February 14, 2018.

Jay Wilkinson: Can you show the plan on the drawing for the audience?

Duane Rabideau used a red pointer to show the proposed project on the drawing for the audience.

Howard Eskin, 460 Sweetman Road: I live across the street. I thought that was too small to do this. Mr. Eskin approached the map. Sometime in the past they were unable to find decent water. That's why it has not sold before.

Jay Wilkinson: Are there any other comments or questions from the audience?

Mr. Wilkinson made the motion to close the Public Hearing at 7:38 p.m. Mr. Kadlecsek seconded the motion. All were in favor.

## **SUBDIVISION APPLICATIONS**

### **Vincent and Van Guilder (226.-1-82)**

Mr. Rabideau appeared before the Board.

Mr. Wilkinson stated that he would like to review the comments from Mike McNamara.

Mr. Mitchell inquired if the second pond was located on the Smith parcel or the Vincent parcel.

Mr. Rabideau stated that he is not sure there is a pond there as it is all woods.

Mr. Wilkinson stated that one of Mr. McNamara's comments was to move "Tasse's" name up which has been done.

Mr. Rabideau stated that he also added DeLucia, added the proposed 12" culvert on the new proposed lot, added the proposed driveway to make sense, corrected the SBL of the Smith parcel and revised the curb cut note to reflect the correct language.

Mr. Mitchell asked that the pond be located for the final map.

Mr. Rabideau asked if it was within the wetland area.

Mr. Mitchell showed the pond on the drawing and reviewed the aerial photo.

Mr. Rabideau stated that the pond is on the Smith parcel.

Mr. Wilkinson stated that all of Mike McNamara's comments have been addressed and the County reply was no significant impact.

Ms. Phillips inquired if the file contained an affidavit from both Vincent's.

Mr. Wilkinson confirmed that the file contained both affidavits from both owners.

The Board completed the EAF Part II.

Mrs. Wood made mention that Mr. Eskin shared with the Board that the parcel had a problem getting water previously and has a past history of problems with getting water.

Ms. Phillips made the motion for the Planning Board to approve the Jim and Mary Anne Vincent subdivision located at 441 Sweetman Road as Resolution 2018-01 and authorize the chairman to sign the mylars. Mr. Gardner seconded the motion. All were in favor.

**Resolution 2018-01 was granted.**

Mr. Wilkinson reviewed the fees and mylar requirements.

### **SITE PLAN PRESENTATION TO THE PLANNING BOARD**

#### **Capital Care (256.-1-103)**

Mike Bianchino appeared before the Board.

Mr. Bianchino stated that the parcel is located on the southeast side of the intersection of Stage Road and Lakehill Road and has an SBL number of 256.-1-103. Mr. Bianchino stated that the parcel is 4.09 acres and located within the Residential/Agricultural District. Mr. Bianchino stated that they received a Special Exception Use Permit from the Town Board in October of 2008 for a professional building. Mr. Bianchino stated that the original approval included a building of 4903 square feet and 37 parking spaces with an additional banked 10 spaces on the north side of the site. Mr. Bianchino stated that the other parking is located on the west, north and east sides of the building. Mr. Bianchino stated that the actual building constructed is only 4063 square feet as the back piece was not actually constructed at the initial building construction. Mr. Bianchino stated that the practice has grown and in 2017 there was a growth of 450 new patients and flu clinics held regularly. Mr. Bianchino stated that during peak times there is parking occurring around lawn areas and drive isles because the parking lot is full. Mr. Bianchino stated that they also need to add exam rooms. Mr. Bianchino stated that their proposal is to construct the 840 square foot addition to the back of the building that was originally approved to accommodate 4 new exam rooms bringing the total square footage of the building to the approved 4903 square feet. Mr. Bianchino stated that the proposal for the parking area is to add parking along the existing drive isles by including 27 new parking stalls with 17 new spaces on the south side of the building while maintaining emergency drive access and the additional 10 spaces along the east side of the parking area. Mr. Bianchino stated that the original 10 banked spaces will be relocated to the east side of the building. Mr. Bianchino stated that there is 3400 square feet of impervious area and green space is approximately 78%. Mr. Bianchino stated that the onsite storm water management basin is located on the southwest corner and has been recalculated based on the original design and will be large enough to accommodate 3400 square foot of impervious area. Mr. Bianchino stated that the original septic system was designed for a 4900 square foot building and operates well with no issues. Mr. Bianchino stated that the septic is pumped regularly and maintained regularly. Mr. Bianchino stated that the existing well was designed for a 4903 square foot building and will be sufficient for the addition. Mr. Bianchino stated that the lighting will not be changed as it should be adequate as is.

Ms. Szurek inquired if there were any additional handicapped parking spaces included in the parking expansion.

Mr. Bianchino stated that based on the square footage there may be an additional space added. Mr. Bianchino stated that they will do whatever the code specifies.

Ms. Szurek stated that from personal experience she feels that more handicapped spaces are needed.

Ms. Phillips stated that they may have to convert some existing spaces to handicapped spaces.

Mr. Bianchino stated that he will look at the parking again.

Mr. Gardner inquired with the additional square footage of the building and additional parking spaces, how much of the natural drainage will be diminished.

Mr. Bianchino stated that the SWM was recalculated with the additional 3400 square footage from the original plan and determined that it is adequately sized.

Mr. Gardner stated that the septic elevation and the parking lot appear to be the same. Mr. Gardner inquired how it would be kept out of the parking area.

Mr. Bianchino stated that the drainage will be flowing around the septic area.

Ms. Phillips inquired how many providers were at the practice.

Mr. Bianchino stated that there are currently 4 after adding another provider and they may have to add another.

Ms. Phillips inquired how many parking spaces were for the new providers and staff.

Mrs. Wood inquired if they were hired as full or part time.

Mr. Bianchino stated that the additional 27 spaces should be adequate for staff parking and patient parking. Mr. Bianchino stated that the Town Board's feedback was that since they are using the same footprint the expansion was acceptable but future expansion would be limited.

Ms. Szurek inquired if the addition would be of the same design as the front of the building.

Mr. Bianchino stated that their goal is to match the existing building.

Mrs. Wood inquired that in reference to the parking, there were 22 spaces for employees and the expansion will accommodate 29 patient spaces.

Mr. Bianchino stated that he thinks that is correct.

Mr. Wilkinson stated that the Board would begin their review once referral has been made from the Town Board.

### **TOWN BOARD REFERRAL**

#### **Stewarts Shop's**

Mr. Wilkinson stated that the Board owes the Town Board a letter. Mr. Wilkinson stated that he has drafted a letter that everyone has a copy of .

The Board reviewed the draft letter. Ms. Phillips made comments. Attorney Ryan made comments.

Mr. Wilkinson stated that he would revise the letter and send to everyone for final approval.

### **ZONING REPORT**

The Board reviewed the report.

### **CORRESPONDENCE**

Addressed in agenda meeting.

### **TOWN BOARD LIAISON**

Mr. Grasso was present.

Mr. Grasso stated that the Verizon letter is a letter from a group of Charlton residents that are contesting the application for a cell tower at 764 Charlton Road. Mr. Grasso stated that the letter is from their attorney. Mr. Grasso stated that the letter had a lot of good points. Mr. Grasso stated that the Town Board will continue to do their due diligence and look at all available sites as well as follow the zoning ordinance. Mr. Grasso stated that the application has been dormant for over a year but is still currently pending. Mr. Grasso stated that the Town Board will make sure to address all comments in the letter.

Mr. Grasso stated that Marshall Heritage has been appointed as Highway Superintendent. Mr. Grasso stated that leaves a vacancy on the Town Board.

### **ROSSDEUTSCHER/JAMES and VAN GUILDER (246.-3-108, 107)**

Mrs. Caron advised the Board that the next ZBA meeting has been scheduled for April 10, 2018.

Mr. Wilkinson stated that he has drafted a letter for the Board to review. The Board reviewed the letter. Attorney Ryan suggested adding additional language. Mr. Wilkinson referenced page 43 of the Zoning Ordinance.

Mr. Wilkinson stated that he will revise the letter to reflect the Board's comments and will redistribute the letter for final Board approval.

Mr. Wilkinson made a motion to adjourn the meeting. Ms. Phillips seconded the motion. All were in favor.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary