

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

Minutes of the Planning Board Meeting –November 20, 2017

Chairman Jay Wilkinson called the meeting to order at 7:05 p.m. at the Charlton Town Hall.

Present: Jay Wilkinson, Chairman, Jack Kadlecek, Dawn Szurek, Bruce Gardner, Jonathan Riedinger, Chris Mitchell, Tracy Bullett, 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 October 16, 2017 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

None.

Subdivision Applications for a Lot Line Change

McGrath/Russell and Van Guilder (225.-1-39.21, 39.112 and 225.-1-80)

Mr. Wilkinson stated that this is a proposal for a lot line adjustment on Cook Road. Mr. Wilkinson stated that back in 2006 there was a subdivision on the Russell parcel. Mr. Wilkinson stated that Patrick McGrath owns a 14.4± acre parcel located at 2108 Cook Road. Mr. Wilkinson stated that Mr. McGrath would like to purchase some of the adjacent land owned by the Russell's at 2092 Cook Road. Mr. Wilkinson stated that the Russell parcel is 48.2± acres and the proposed lot line adjustment would give Mr. McGrath 28.7± acres increasing his parcel to 43.11± acres and decreasing the Russell parcel to 19.5± acres. Mr. Wilkinson stated that no improvements are proposed on the new proposed lot. Mr. Wilkinson stated that the 3 McGrath parcels will be consolidated onto one deed.

Mr. Wilkinson stated that the original subdivision on the Russell parcel was in 2006 and was the "Cook/Van Guilder Subdivision". Mr. Wilkinson stated that George Cook owned the parcel and there was 365 feet of frontage. Mr. Wilkinson stated that the Cook proposal was to subdivide off the existing house and improvements with 165 feet of frontage and sell the remaining 48 acres with 200 feet of frontage. Mr. Wilkinson stated that the Board sent them to the ZBA for a variance for the frontage. Mr. Wilkinson stated that the variance was granted and the Planning Board approved the subdivision. Mr. Wilkinson stated that the proposed plan shows the prior subdivision. Mr. Wilkinson stated that affidavits have been presented for both lot owners.

Mr. Wilkinson stated that one of the Board members, Connie Wood, owns one of the adjoining parcels. Mr. Wilkinson stated that she is not present but if she were, she would be recusing herself.

Mr. Wilkinson stated that Mrs. York already sent the application to the County Planning Board and their response has been received.

Site Plan Review

Stewart's Shops Inc. (224.-1-46.2)

Mr. Wilkinson stated that the Planning Board held a site visit at 6:00 p.m. November 14, 2017. Mr. Wilkinson stated that the Board looked at the lighting concerns around the dumpster, concern for critters in the dumpster area and the dark walk across the parking lot. Mr. Wilkinson stated that Mr. Andrews sent changes to the plan from that meeting electronically. Mr. Wilkinson stated that the new plan proposed turning the dumpsters 90 degrees and adding another light to that area.

Mr. Kadlecik stated that he thought rotating the dumpsters eliminated the need for a light.

Mr. Mitchell agreed.

Mr. Wilkinson stated that he also was under that impression but the new drawing has a light proposed.

Mr. Wilkinson stated that a representative will be present tonight to discuss the changes.

Ms. Szurek stated that the Board's concern is that the light at the entrance/exit does not affect the church view. Ms. Szurek stated that guardrails were never discussed. Ms. Szurek stated that the ditch is deep and a guardrail with reflectors could be done instead of a light.

Mr. Wilkinson asked Mr. Grasso for his input.

Mr. Grasso stated that he is not familiar with any issues on the Route 67 entrance. Mr. Grasso stated that it may be tough to get guardrails since it is a DOT controlled road.

Ms. Szurek stated that it was hard to see when entering at dark from Route 67.

Mr. Mitchell suggested markers to highlight the area.

Mr. Grasso inquired if a light post at each side of the entrance was possible.

Ms. Szurek stated that the Board does not want lights placed that affect the church view. Ms. Szurek stated that the white lines on the pavement are hard to see. Ms. Szurek stated that there is nice grading on either side but if you miss there is a deep ditch on either side. Ms. Szurek stated that a low guardrail would fix that.

Zoning Report

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

Correspondence

Mr. Wilkinson stated that the annual planning conference will be on January 31, 2018.

Town Board Liaison

Mr. Grasso was present.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecek. All were in favor. Agenda meeting closed at 7:30 p.m.

BUSINESS MEETING

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

Minutes

Mr. Wilkinson made a motion to approve the draft of the October 16, 2017 meeting minutes with changes incorporated. Mr. Kadlecek seconded the motion. All were in favor. Mr. Gardner abstained from the vote.

Mr. Wilkinson made a motion to approve the draft of the November 14, 2017 site visit minutes prepared by Sue York. Ms. Szurek seconded the motion. All were in favor. Mr. Gardner abstained from the vote.

SUBDIVISION APPLICATION FOR A LOT LINE CHANGE

McGrath/Russell and Van Guilder (225.-1-39.21, 39.112 and 225.-1-80)

Mr. Wilkinson stated that Duane Rabideau was present on behalf of the applicants.

Mr. Wilkinson stated that Patrick McGrath owns a 14.4± acre parcel located at 2108 Cook Road. Mr. Wilkinson stated that Mr. McGrath would like to purchase some of the adjacent land in the back of his parcel owned by the Russell's at 2092 Cook Road. Mr. Wilkinson stated that the Russell parcel is 48.2± acres and the proposed lot line adjustment would give Mr. McGrath 28.7± acres increasing his parcel to 43.11± acres and decrease the Russell parcel to 19.5± acres. Mr. Wilkinson stated that no improvements are proposed on the new proposed lot. Mr. Wilkinson stated that the 3 McGrath parcels will be consolidated onto one deed.

Mr. Rabideau appeared before the Board. Mr. Rabideau explained the applicant's proposal as stated above and showed the location of all of the parcels on the drawing.

Mr. Wilkinson stated that page 13 of the subdivision regulations requires the names and addresses of all owners of the property involved in the subdivision.

Mr. Rabideau stated that he would add the information to the drawings.

Mr. Wilkinson stated that the application lists the Russell parcel having 432± feet of frontage after the lot line adjustment. Mr. Wilkinson stated that since the remaining frontage will be 165 feet it will need to be corrected on the application.

Mr. Rabideau stated that he will make the change.

Ms. Szurek made the motion to declare the Planning Board as lead agency status for the purposes of SEQRA and list the action as an unlisted action with a negative impact declaration relative to SEQRA. Mr. Wilkinson seconded the motion. All were in favor.

Mr. Wilkinson made the motion to waive the Public Hearing, engineering review and park and application fees. Mr. Kadlecek seconded the motion. All were in favor.

Mr. Wilkinson stated that the reply from the County Planning Board was no significant impact however, it was noted that "it is recognized that no new lots or roads are being created as a result of the lot line adjustment and this does not create any subdivision lots according to the town's zoning standards and that both properties will maintain and contain private well and septic systems".

The Board completed Part II of the EAF.

Mr. Wilkinson made the motion to approve the lot line adjustment between the McGrath parcel and the Russell parcel located on Cook Road in the Town of Charlton, Saratoga County, contingent upon the addition of the addresses and names of the owners of record of all parcels involved and a revision to the subdivision application correcting the Russell's remaining frontage from 432 feet to 165 feet and authorize the chairman to sign the mylars as Resolution 2017-06. Mr. Kadlecek seconded the motion. All were in favor.

Mr. Rabideau stated that he will provide the Board with revised map and application.

Mr. Wilkinson reviewed the filing requirements and instructions.

In lieu of providing a new application form, Mr. Rabideau made the change and initialed the subdivision application retained in the town file.

Stewart's Shops

Marcus Andrews, representative from Stewart's, appeared before the Board.

Mr. Andrews provided new drawings for the Board. Mr. Andrews stated that a brief summary of the discussions from the site visit was that they would rotate the existing dumpster 90 degrees so that the gates would face Route 67, the addition of blue spruce trees to the southern border for the neighbor's screening concerns which has been added in a note to coordinate with the neighbor, new light pole behind the dumpsters and a new light pole close to the Route 67 entrance. Mr. Andrews stated that he has not reached out to DOT yet about the lighting issue on Route 67. Mr. Andrews stated that the biggest issues are that from edge of pavement to the property line is only 40 feet. Mr. Andrews stated that he could discuss reflective delineators instead of a light.

The Board made suggestions for the Route 67 entrance including a guardrail or barrier, removing the white line, reflective delineators, and white striping on the edges of pavement.

Mr. Andrews stated that the white striping could be done this week. Mr. Andrews stated that they can do it to see how it is, then go to DOT if still an issue.

Ms. Bullett suggested doing the white striping and letting DOT know that it was done as a matter of safety.

Mr. Andrews stated that he will remove the light at the Route 67 entrance from the plan and contact DOT as soon as possible to set up a site visit. Mr. Andrews stated that he will keep the Board involved.

Mr. Wilkinson polled the Board as to what they would like to request from DOT.

Mr. Wilkinson stated that he would like to see the white striping and the reflective delineators.

Mr. Kadlecek agreed.
Mr. Mitchell agreed.
Ms. Szurek agreed.
Mr. Riedinger agreed.
Mr. Gardner agreed.

Mr. Wilkinson asked when the dumpsters would be turned and the light installed.

Mr. Andrews stated that he would need to speak to a contractor.

Mr. Wilkinson suggested turning the dumpsters this year and wait to put the light in.

Mr. Kadlecek stated that the light may not be needed once the enclosures are open.

Mr. Andrews stated that the problem is the transition from the store to the enclosure. Mr. Andrews stated that it is dark.

Ms. Szurek agreed.

Mr. Kadlecek stated that he was ok with the light.

Mr. Riedinger stated that he is fine with the light.

Mr. Wilkinson polled the Board about the addition of the light by the dumpsters.

Mr. Riedinger stated that they need light there. Mr. Riedinger stated that he agrees with leaving the other light there and adding the one above the dumpster enclosure.

Mr. Mitchell agreed.
Mr. Wilkinson agreed.
Ms. Szurek agreed.
Mr. Gardner agreed.
Mr. Kadlecek agreed.

Mr. Wilkinson stated that the dumpsters will be turned 90 degrees, a light will be added behind the dumpster enclosures and plantings will be done in the spring as coordinated with the neighboring property owner.

Mr. Andrews stated that he also emailed Mrs. Unrein the revised plan. Mr. Andrews stated that he will drop the light at the Route 67 entrance from the plan and contact DOT tomorrow.

Mr. Wilkinson made a motion to amend the Stewart's Shops site plan to reflect the changes of turning the dumpsters 90 degrees, installation of a back shielded light above the dumpsters, the addition of 16 blue spruce trees along the property line between Stewart's

and the neighbor to the south and the addition of striping to the entrances on the Route 67 side and the Route 147 side. Ms. Szurek seconded the motion. All were in favor.

ZONING REPORT

The Board reviewed the report.

CORRESPONDENCE

Mr. Wilkinson stated that the Holiday Party would be on December 10th at 6:00 p.m. at the Turf Tavern.

TOWN BOARD LIAISON

Mr. Grasso had no report.

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

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary