

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

Minutes of the Planning Board Meeting – September 17, 2018

Chairman Jay Wilkinson called the meeting to order at 7:00 p.m. at the Charlton Town Hall.

Present: Jay Wilkinson, Chairman, Jack Kadlecsek, Connie Wood, Dawn Szurek, Bruce Gardner, Jonathan Riedinger, Bill Keniry, Esq., Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Planning Board Secretary. Chris Mitchell joined the meeting at 7:15 p.m.

**AGENDA MEETING**

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the August 20, 2018 meeting minutes needed to be approved. Mrs. York has previously provided comments. No other comments were made. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Mr. Wilkinson stated that the draft of the September 15, 2018 site visit minutes needed to be approved. No comments were made. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Public Hearings

There were no Public Hearings scheduled.

Subdivision Applications

Miller/Hauenstein and ABD Engineers (246.-3-63.1)

Mr. Wilkinson stated that the Board met with the applicant's representative in a pre-application conference last month. Mr. Wilkinson stated that in 2007 Nancy Hauenstein sold 3.73 acres of land to the Millers. Mr. Wilkinson stated that the map was never filed in Saratoga County. Mr. Wilkinson stated that the parcel of land that was sold is actually in both Saratoga County and Schenectady County. Mr. Wilkinson stated that the intent of the application is to create a subdivision in order to get the deed and the map filed.

Mr. Wilkinson stated that all of the requested information has been submitted. Mr. Wilkinson stated that Mrs. York met over the phone with Mr. Bianchine. Mr. Wilkinson stated that he believes the application is complete and the Board can move forward.

Clute and Van Guilder (236.-1-39.2)

Mr. Wilkinson stated that this is an application to subdivide 4.69 acres located on Packer Road. Mr. Wilkinson stated that Lot 1 will be 2.10 acres and include the existing house and outbuildings and Lot 2 will be 2.59 acres for a new single family residence.

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

Mr. Wilkinson stated that the Board conducted a site visit on September 15, 2018. Mr. Wilkinson stated that the property is different in appearance from the map.

Mr. Wilkinson stated that the proposed lot line change between the applicant's parcel located at 47 Vines Road and the James parcel located at 51 Vines Road will decrease the Rossdeutscher parcel from 17.7 acres to 17 acres and increase the James parcel from 11.79 acres to 12.7 acres. Mr. Wilkinson stated that the applicant's proposal also includes a three lot subdivision of the remaining 17 acres located at the 47 Vines Road parcel. Mr. Wilkinson stated that the proposal creates two new lots. Mr. Wilkinson stated that Lot 1 will be a 9.8 acre parcel and contain the existing house and improvements. Mr. Wilkinson stated that the newly created Lot 3 will be a 2 acre parcel and the newly created Lot 4 will be a 5.1 acre parcel. Mr. Wilkinson stated that an area variance was granted by the ZBA for the road frontage of Lot 1. Mr. Wilkinson stated that the application was referred to the Town Engineer and comments were received.

Mr. Wilkinson stated that he and Mr. Kadlec have calculated the mean lot width for Lot 3 using the definition given by Mr. McNamara. Mr. Wilkinson stated that Table IV-2 of the zoning regulations makes it very clear that the mean lot width must be 200 feet for both the RA and AG Districts. Mr. Wilkinson stated that he has taken the Van Guilder drawing and using an engineering ruler determined the MLW to be 177 feet using 50 different points on the drawing. Mr. Wilkinson stated that he also used a CAD system to determine the MLW using 23 points and determined the MLW to be 165 feet.

Mr. Wilkinson stated that it is up to the applicant to convince the Board that the proposed Lot 3 meets the zoning requirements. Mr. Wilkinson stated that the Board will let the applicant know that the path the application is heading down will not give the result they want.

Zoning Report

Mr. Wilkinson stated that the Board has received the July report.

### Correspondence

Mr. Wilkinson stated that he is still working with Mrs. York on revising the Subdivision Application instructions. Mr. Wilkinson stated that he has provided everyone with the proposed changes made so far including comments from the last meeting. Mr. Wilkinson stated that his changes are outlined in blue and Mrs. York's changes are outlined in red.

### Town Board Liaison

Mr. Grasso will give his report during the Business Meeting.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecsek. All were in favor. Agenda meeting closed at 7:23 p.m.

## **BUSINESS MEETING**

Opened at 7:32 p.m. with the Pledge of Allegiance.

### **Minutes**

Mr. Mitchell made a motion to approve the draft of the August 20, 2018 meeting minutes with changes incorporated. Mr. Riedinger seconded the motion. All were in favor. Mr. Gardner and Mrs. Wood abstained from the vote.

Mrs. Wood made the motion to approve the draft of the September 15, 2018 site visit minutes. Ms. Szurek seconded the motion. All were in favor. Mr. Riedinger and Mr. Mitchell abstained from the vote.

## **SUBDIVISION APPLICATIONS**

### **Miller/Hauenstein and ABD Engineers (246.-3-63.1)**

Joseph Bianchine from ABD Engineers appeared before the Board.

Mr. Wilkinson gave a brief summary of the proposal.

Mr. Keniry stated that he referred the application to the Town of Glenville since the parcel is located at the town border.

Mr. Bianchine posted the drawing and reviewed their proposal. Mr. Bianchine stated that perc tests have been done and witnessed by Paul Borisenko. Mr. Bianchine stated that the lot line change for the back portion of the parcel has been filed in Glenville.

Mr. Wilkinson stated that the drawings contain all of the requested information.

Mrs. Wood stated that the AG Data Statement should be revised to reflect that Mrs. Hauenstein rents 30 acres of her land to the Eiloen Tweed Farm.

Mr. Bianchine stated that he would make the correction.

Mr. Wilkinson stated that the revised statement could be brought to the next meeting.

Ms. Szurek questioned where the power lines were located.

Mr. Bianchine showed the overhead power lines.

Mr. Miller stated that there is a pole in front of 133 Dawson and the old pole is located at 131 Dawson off the road. Mr. Miller stated that the land Mrs. Hauenstein rents is over 1000 feet away from their parcel.

Mr. Wilkinson stated that the application will be referred to the Town Engineer for review. Mr. Wilkinson stated that comments from the County Planning Board have been received.

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

Mr. Wilkinson made the motion to schedule the Public Hearing for October 15, 2018 at 7:30 p.m. Mrs. Wood seconded the motion. All were in favor.

#### **Clute and Van Guilder (236.-1-39.2)**

Duane Rabideau appeared before the Board.

Mr. Rabideau stated that this is a proposal for a 2 lot subdivision located at 1019 Packer Road on the southside ¼ mile west of Maple Avenue. Mr. Rabideau stated that the proposal is to subdivide the existing 4.69 acre parcel into Lot 1, a 2 acre parcel containing the existing house and outbuildings and Lot 2, a 2.59 acre parcel of vacant land. Mr. Rabideau stated that Lot 2 already has a drilled well and will be for a single family home. Mr. Rabideau stated that both parcels meet the zoning requirements for the agricultural district.

Mr. Wilkinson stated that the drawing looks complete and contains all of the required notes.

Ms. Szurek inquired if the existing well on the proposed Lot 2 was being used.

Mr. Rabideau stated that the well has been used in the past to service 1019 Packer Road.

Mr. Wilkinson asked Mrs. York to refer the application to the Town Engineer and the County Planning Board.

Ms. Szurek inquired if there was a 100 foot buffer around the existing pond.

Mr. Rabideau stated no.

Ms. Szurek requested that the setback to the pond be added to the drawing.

Mrs. Wood inquired why there was already a well on the proposed Lot 2.

Mr. Rabideau stated that the Clute's are using that well now to service 1019 Packer Road and will change to the well in front of the existing house once the parcel is subdivided.

Mrs. Wood inquired how deep the well was.

Mr. Rabideau stated that he did not know.

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

Mr. Wilkinson clarified that the Board would like to see the distance from the pond to the lot line and a dotted line around the pond on the drawing for the next meeting.

Mr. Rabideau stated that he would add it.

Mr. Wilkinson made the motion to schedule the Public Hearing for October 15, 2018 at 7:45 p.m. Mrs. Wood seconded the motion. All were in favor.

**Rossdeutscher/James and Van Guilder (246.-3-108, 107)**

The Board, Mr. Rabideau, Mr. Keniry and Ms. Rossdeutscher convened the meeting to the back table to have an informal discussion on how to proceed.

Mr. Wilkinson stated that the definition of mean lot width has been provided by Van Guilder and Mr. McNamara.

Mr. Wilkinson and Mr. Kadelcek explained how they calculated the mean lot width for Lot 3 and provided drawings.

The Board, Mr. Rabideau and Ms. Rossdeutscher went back and forth with each person's definition of mean lot width and what should be used for the calculation.

It was agreed between all parties that a workshop with the Board, the applicant and their representative and the town engineer would be beneficial to lock down the mean lot width of Lot 3 to move forward with the subdivision process.

### **ZONING REPORT**

The Board reviewed the report.

### **CORRESPONDENCE**

The Board continued working on updating the subdivision regulations and application instructions

The Board reviewed the revisions and made additional comments.

### **TOWN BOARD LIAISON**

Mr. Grasso stated that the Town Board is in the process of interviewing attorneys to replace Bob Van Vranken, Esq. who has resigned as Town Attorney effective December 31<sup>st</sup>, 2018.

Mr. Grasso stated that the Town Board has started the budget process.

Mr. Grasso stated that the ambulance district was established last month and will be an additional town tax starting in 2019. Mr. Grasso stated that the referendum has been placed on the ballot for town vote in November.

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

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary