

**Town of Charlton
Saratoga County
Town Board Meeting
And Joint Public Hearing with Town Board and ZBA
January 25, 2021**

The Regular Meeting began with a joint public hearing by the Town Board and the Charlton ZBA and was held on Zoom.

Supervisor Grasso welcomed everyone to the meeting at 7:05 p.m.

Supervisor Grasso stated that this is a Public Hearing on the Nemec Special Exception Use Permit and Use Variance application for the former firehouse located at 786 Charlton Road. The Public Hearing is the next step in the application process. The Town Board has taken lead agency and retains jurisdiction on the application. He stated that comments have been received on the Nemec application and would be read into the record after the presentation. He stated that neither the Town Board nor the ZBA would be taking any action in January. Supervisor Grasso stated that the public can send comments on the proposal and they will be accepted for the next 10 days. He stated that the applicant is seeking an Exceptional Use Permit and a Use Variance.

Roll Call attendance of the Town Board was taken: Supervisor Grasso, Councilman Robbins, Councilman Ranaletto, Councilman Glavin.

Brenda Mills, Town Clerk and Attorney Jim Craig were also present..

Supervisor Grasso introduced the ZBA: Jim Leupold, Chairman, Nate Keenan, Dave Taplin and Kim Caron, Recording Secretary.

Supervisor also introduced other attendees of the Zoom meeting: Jay Wilkinson, Chairman of the Planning Board, and Jim Poirier of the Historic Review Commission with fellow members Rich Battenhausen, Dave Taplin and Joe Volpe.

Supervisor Grasso stated that after the hearing normal town board meeting would continue.

Brenda Mills, Town Clerk read the following Public Notice:

**TOWN OF CHARLTON
TOWN BOARD & ZBA**

LEGAL NOTICE

PLEASE TAKE NOTICE, that the Town Board of the Town of Charlton, Saratoga County, New York has set a virtual Public Hearing for January 25th, 2021 at 7:00PM, to be held jointly with the Town of Charlton Zoning Board of Appeals, said hearing to be held via Zoom as set forth below, for the purpose of hearing all persons interested and taking public comment on the following matter:

Exceptional Use Permit Application and Use Variance Application to operate a woodworking shop, showroom and retail store from Jason Nemec for property (the old firehouse) located at 786 Charlton Road, Charlton, NY, required as per Article VII of the Town of Charlton Zoning Ordinance, adopted Sept. 14, 2015.

Residents may email comments and questions to: townclerk@townofcharlton.org until February 5, 2021. Emails received prior to 6:00 p.m. on January 25th will be read during the Public

Hearing. You may join the public hearing at zoom.com, meeting number: 86030417062 and passcode: charlton. All members of the public are welcome to attend virtually and be heard.

Application and materials are available online at townofcharlton.org. The regular Town Board meeting is also set for 7:00PM and will continue immediately at the close of the public hearing.

Dated: January 12, 2021
Brenda Mills, Town Clerk

Mrs. Mills stated that the notice was published in the Daily Gazette on 1/13/21 and 22 notification cards were mailed to adjoining neighbors on 1/14/21.

Supervisor Grasso asked the applicant to present his proposal.

Jason Nemec, applicant, thanked everyone for the opportunity to speak. Mr. Nemec stated that he lives in Burnt Hills on Lakehill Road with his two sons, Max and Elliott and his wife Dana. He has been working in the computer design field for the last 20 years and is currently employed in Albany for a company that designs software for retail e-commerce. He stated that he does love his job but has spent the last 20 years moving pixels around on a screen. Over the last 12 years he has developed a love of working with his hands. He started wood-working and taking classes on wood-working. Mr. Nemec showed a piece he made using a log that fell in a friend's yard after a storm last summer. His main focus is wood turning and he has been working out of his garage. His interests include making furniture using reclaimed wood. Mr. Nemec showed a chair that he made.

Supervisor Grasso thanked Jason for the presentation. Supervisor Grasso stated that he would like to read the comment letters the Board has received before opening the hearing to public comment.

Supervisor Grasso briefly went through the letter from Mike McNamara, Town Engineer. Supervisor Grasso stated that many of the comments pertained to site plan review that will be handled by the town planning board after a determination is made by the town board and the ZBA. Supervisor Grasso stated that any changes to the site would require review and/or building permit. Supervisor Grasso stated that the additional comments have been addressed.

Supervisor read the letter from the Planning Board and the letter from the Environmental Conservation Commission.

Supervisor thanked those for providing comment letters.

Supervisor Grasso stated that a letter was sent to Sue York, clerk for the Planning Board, from Don Davis expressing his approval of the project.

Supervisor Grasso opened the hearing for public comment at 7:40 p.m.

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Ken Crotty, 109 Newman Road, stated that it sounds like a wonderful project and hopes it comes to fruition.

Marna Angel Posluszny, 1145 Peaceable Street, thanked the Board for the opportunity to provide comment on this proposed use of the previous fire department building. She is happy to see such a creative and thoughtful proposal. She feels like it complements our village and its history. She has fond memories of her mom shopping in the Charlton Shop across from the Charlton Tavern as she grew up in Ballston Lake. Ms. Posluszny stated that it would be a great addition to our village to bring a small artisan business back to what exists in Charlton. She stated that the proposal is encouraging partnerships with other local artisans and farm products. She would encourage the idea, along with the applicant's quest for sharing knowledge and teaching, you have a potential opportunity with that garden planter space to encourage a pollinator garden with native species and an educational opportunity in partnership with the ECC. She is thrilled to hear the applicant's focus on reducing his commute, reducing carbon emissions, investing in our historic village and bringing more visibility to artisan crafts. She has had conversation with at least one neighbor on Peaceable Street and we are very supportive and encourage the board to move this along.

There were no other public comments.

Supervisor Grasso closed the public comment portion of the hearing. Supervisor Grasso opened the hearing to comments from the various boards in attendance.

Ms. Mills stated that some comments have come in from zoom. Ms. Mills stated that Norm McFarland wrote that he would like support the application and he is in favor of the application. Ms. Mills stated that Jim Poirier wrote that the Historic Commission would be meeting tomorrow to discuss the project and they will provide a letter to the Town Board by the end of the week.

Jim Leupold, ZBA Chairman, stated that the ZBA met with the application last week and thought it was a nice presentation that covered a lot of information. Mr. Leupold stated that it was viewed very favorably in terms of what it would provide to our community and makes a good use of that structure instead of tearing it down or making it into a Stewarts. He said that the board is very happy with what the applicant is planning on doing.

Dave Taplin, ZBA member, stated that at the ZBA meeting a few weeks ago the board also thought that the presentation was great and thorough. Mr. Taplin stated that he appreciated seeing the samples of some of the things Mr. Nemec has created. He is very exciting to see the firehouse that his dad was a chief of and the team that has been there for so many years would hate to see the building be torn down. Mr. Taplin stated that seeing it being used as a productive artist society and also considers the historic nature of the product being built. He looks forward to shopping there and attending some classes.

Nate Keenan, ZBA member, stated that the presentation was great and any questions that he had were answered during the presentation. Mr. Keenan stated that he thinks it is a great use for the facility and will keep a historic nature to the town.

Jay Wilkinson, Planning Board Chairman, stated that he believes this will be a great use of the building and he likes the idea. Mr. Wilkinson stated that he is also a wood worker and sees this as a great addition to the community. Mr. Wilkinson stated that he looks forward to seeing the shop open and maybe attending a class in the future.

Jim Poirier, Historic Review Commission, stated that Mr. Nemec did a great job presenting and the historic nature of the building being preserved and the product that Mr. Nemec will be providing is a great project.

Supervisor Grasso asked for comments from the Town Board.

Councilman Ranaletto stated that Mr. Nemec did an excellent job with his vision and the project as a whole is a great addition to the historic hamlet of Charlton.

Councilman Glavin stated that he appreciates the passion, drive and positivity and believes that this will be a great use for the town. He inquired if there would be a dust collection system for any dust created by the machinery and materials.

Mr. Nemec stated that there will be a dust collection system, probably two. Mr. Nemec stated that they will be connected at the source of the dust, connected by ducting to the tools and those collectors will collect into receptacles into bags and then those bags would be thrown in the trash.

Councilman Glavin inquired if the storage receptacles inside or outside of the space.

Mr. Nemec stated that it could be done either way but he does not expect that he could run them outside of the building without it being troublesome noise wise. He expects them to be inside. Mr. Nemec stated that there is a structure in the back that used to hold an oil tank. One possibility is that the dust collection unit could be in that structure and it could be insulated for sound. There would be one in the back with the power tools and one in the front with the lathe.

Councilman Glavin inquired what was involved with the storage of chemicals and varnishes as pertains to flammability.

Mr. Nemec stated that he focuses on all natural finishes so oil is the majority of what he uses. Mr. Nemec stated that he occasionally uses varnish but he would rather his products look like wood and not plastic. Mr.

Nemec stated that he uses very little solvents in his work. Mr. Nemec stated that he usually works with non toxic materials.

Councilman Robbins stated that he did have some questions about solvents but the applicant answered them. He appreciates the applicant's taste for the history and the preservation of the station whistle on top of the building. He thinks it will be a great addition to the hamlet.

Supervisor Grasso stated that when the Charlton Fire District was planning its new firehouse there were many public comments regarding the abandonment of the firehouse and what the possible uses of it may be and whether or not it would be torn down or converted to another use. Supervisor Grasso stated that there was a lot of apprehension from the town. Many were concerned about finding another use that would fit that building. There have been many conversations about what could go there but many were not suited for the site. Supervisor Grasso stated that the town is fortunate to have an applicant with this use and of all of the uses heard thus far this project is by far the best and a great use of the building. Supervisor Grasso stated that the issues that typically come out of a public review process have been already thought of and the applicant has provided great answers for that. Supervisor Grasso stated that as evidenced by the comments tonight, what the applicant has presented tonight is great and the Boards are very supportive of. Supervisor Grasso stated that any approval would be for a particular use based on the application materials submitted and going forward, if the applicant would like to expand from what is in the record or if the disposition of the property changes and other tenants are brought in or decide to sell the property, then there are other approvals that will be required before uses of the site can change. Supervisor Grasso stated that there were additional specifics provided by the applicant. Supervisor Grasso stated that he would like to clarify that the use proposed is as a artisan workshop, gallery and some office space to support the applicant's IT business and "retail store" for artisan and locally made products. Supervisor Grasso stated that any exterior renovations or modifications would be subject to review by the Historic Review Commission and the Planning Board.

There were no additional comments provided.

Supervisor Grasso asked for a motion to close the public hearing at 8:01 p.m.

RESOLUTION #59

Motion to close the Public Hearing and continue with regular Town Board Meeting

Motion by Councilman Robbins

Seconded by Councilman Ranaletto

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

The Public Hearing closed at 8:01 p.m. and the regular Town Board meeting continued.

APPROVAL OF MINUTES

RESOLUTION #60

Approval of Minutes

Motion by Councilman Ranaletto

Seconded by Councilman Glavin

BE IT RESOLVED that the Town Board has approved the minutes of the Town Board Meeting on January 11, 2021.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

No one chose to speak.

ANNOUNCEMENTS

There will be a Charlton Water District public information meeting on February 1, 2021 at 7:00pm on zoom. The Board will answer any questions that residents might have regarding the lead exceedance levels in 2020. Councilman Glavin asked that an email blast be sent, notice posted on the bulletin board and website and make sure that the public is notified.

COMMUNICATIONS

The Sales Tax report for January was \$141,559.00 which is an increase of 15.93% over January 2020.

The Town has received a letter from EDP, the Town's Engineer regarding their review of the Nemec application for the Special Use Application for the old firehouse building at 786 Charlton Road. The Board has also received opinion letters from the Charlton Planning Board and the Charlton Environmental Conservation Committee.

The Charlton ECC has notified the Town Board that they have decided to cancel the free tree seeding distribution again this year due to the COVID virus.

The Town has been notified by the NYS Comptroller's Office that they will be withholding sales tax from Counties for the distressed provider assistance account. On February 4th, Saratoga County will have \$756,144 withheld and put into the distressed provider assistance account to help fund distressed hospitals and nursing homes. This could have and will have an impact on Charlton as we participate in Sales Tax sharing from the County as our revenue stream. Supervisor Grasso will keep everyone posted as to the impact.

ABSTRACT OF CLAIMS

RESOLUTION #61

Approval of Abstract of Claims

Motion by Councilman Ranaletto

Seconded by Councilman Robbins

The Town Board members audited Abstract #102, voucher numbers 29-68 in the amount of \$328,921.23 and requested that the Town Clerk proceed with the processing of the Abstract.

Roll Call: Councilman Glavin: Aye, Councilman Ranaletto: Aye, Councilman Robbins: Aye, Supervisor Grasso: Aye. **CARRIED**

PRIVILEGE OF THE FLOOR

Suzanne Voigt, resident, asked if she could also send an email blast of the announcement of the Water Commissioners meeting on February 1st. The Board agreed as long as it is the same information as the Town's announcement.

RESOLUTION #62

Motion to adjourn the meeting

Motion by Councilman Robbins

Seconded by Councilman Ranaletto

Vote: All Ayes, No Nays. **CARRIED**

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk