

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

Minutes of the Planning Board Meeting – February 17, 2020

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

Present: Jay Wilkinson, Chairman, Dawn Szurek, Bruce Gardner, Chris Mitchell, Dave Crudele, Susan York, Planning Board Clerk and Kim Caron, Planning Board Secretary. Jonathan Riedinger joined the meeting at 7:10 p.m.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the January 20, 2020 meeting minutes needed to be approved. Mrs. York has previously provided comments. Ms. Szurek provided a comment. No other comments were made. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Public Hearings

Ball and Van Guilder (247.-1-72)

Mr. Wilkinson stated that the property is located at 692 Charlton Road and consists of 68 ± acres. Mr. Wilkinson stated that the proposal is to subdivide off a 6 acre lot for a new single family home. Mr. Wilkinson stated that at the last meeting the Board took lead agency and declared the action as unlisted with a negative impact declaration. Mr. Wilkinson stated that the Board needs to complete Part II and III of the EAF. Mr. Wilkinson stated that the application was referred to the town engineer and the County Planning Board. Mr. Wilkinson stated that there will be a Public Hearing at 7:30 p.m.

Subdivision Applications and Lot Line Changes

Ball and Van Guilder (247.-1-72)

Discussed above.

Ball/Bryant (247.-1-72 and 247.-1-73)

Mr. Wilkinson stated that this is a proposal for a lot line change between the Ball property and the Bryant property. Mr. Wilkinson stated that the Ball property will consist of 62  $\pm$  acres if their current subdivision application is approved and are proposing to sell 2  $\pm$  acres to Bryant to increase her property to 7.5 acres  $\pm$ . Mr. Wilkinson stated that new maps will be handed out.

ZBA ReferralKasselman Solar/Crosby (236.-1-59)

Mr. Wilkinson stated that the Board sent a comment letter to the ZBA that was read into the record at their February 11, 2020 meeting. Mr. Wilkinson stated that at the February meeting, a revised application was submitted reducing the size of the proposed array by about half. Mr. Wilkinson stated that the setback is now 130 feet and the variance requested has changed to 70 feet instead of 96 feet. Mr. Wilkinson stated that if the Board would like to submit a second letter it can be discussed during the business meeting.

The Board agreed that the letter already provided to the ZBA was sufficient.

Zoning Report

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

Correspondence

Mr. Wilkinson stated that the conference held on February 5<sup>th</sup> had a lot of new options for classes. Mr. Wilkinson stated that it was a very good session.

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. Mitchell. 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 January 20, 2020 meeting minutes with changes incorporated. Ms. Szurek seconded the motion. All were in favor.

**PUBLIC HEARING (7:30 P.M.)****Ball and Van Guilder (247.-1-72)**

Mr. Wilkinson stated that the property is located at 692 Charlton Road and consists of 68 ± acres. Mr. Wilkinson stated that the proposal is to subdivide off a 6 acre lot for a new single family home.

The Board completed Part II and III of the EAF. The application is now complete.

Mr. Wilkinson stated that he received a telephone call from a resident that could not attend the Public Hearing. A summary of Mr. Wilkinson's conversation is as follows:

On February 9, 2020, I received a call from Eileen Stone of 724 Charlton Road regarding the Ball subdivision and Public Hearing scheduled for February 17, 2020. She stated that she received a post card in the mail notifying her of a public hearing of a minor subdivision of the Ball property at 692 Charlton Road. Ms. Stone wanted information on the proposed subdivision. She asked if it would be possible to see the application since she would be out of town the day of the public hearing. I agreed to meet her on February 11<sup>th</sup> at 11:00 a.m. in the town hall so she could review the subdivision map and related documents. The meeting with Ms. Stone lasted an hour. She took notes and pictures of the application documents. She stated that since she would be out of town she would provide a letter of her concerns of the subdivision. During the meeting Ms. Stone stated that she didn't feel that this was a buildable lot because of the wetlands on the property. She also felt that the map did not depict all of the property's wetlands. She went on to say that as an adjoining property owner she had concerns for the location of the proposed home site septic system and the level of ground water at the location. I told Ms. Stone that if a letter was sent it would be read into the record. On February 13<sup>th</sup> I received another call at 8:30 p.m. from Ms. Stone requesting a copy of the Town Engineer's letter to the Board regarding his review of the subdivision application. I told Ms. Stone that I would send her an electronic copy by email which I did on February 14<sup>th</sup>. During the phone call she again stated her concerns of the proposed subdivision, not a buildable lot, encumbered by wetlands and the proposed house being so close to her property line. She stated that she didn't think she would have time to supply a letter to the town clerk and asked if it would be okay to send it to me electronically. I said yes and gave her my email address. She asked if it would be possible for the Board to call her cell phone during the Public Hearing so she could be part of the process. I told her that this would not be possible. I also informed her that she could have a representative attend the meeting on her behalf.

Mr. Wilkinson stated that a legal notice was published in the Daily Gazette on February 10, 2020 and notices were mailed to the adjoining neighbors on February 3, 2020.

Mr. Wilkinson reviewed the Public Hearing process.

Duane Rabideau of Van Guilder & Associates appeared before the Board. Mr. Rabideau provided revised maps for the Board.

Mr. Rabideau: I am Duane Rabideau of Van Guilder & Associates here tonight representing David and Lisa Ball. The parcel is located at 692 Charlton Road. The applicants are proposing to subdivide a single lot on the southwest corner of the parcel. Mr. Rabideau showed the proposed location of the lot and the proposed house. The proposed home would be built along the westerly line of the parcel away from the wetlands corridor. The wetlands located on the parcel are ACOE and DEC has signed off. The newly created lot will have onsite septic and well and will not impact the existing farming operations on the mother parcel. There will be minimal impact to the existing streetscape. The revisions to the map include the addition of the proposed well, a note on the map regarding the Stone's well is more than 100 feet away, the building envelope has been added and the dimension from the wetland to the edge of the driveway. Per the EDP letter a culvert has been added and the DEC wetland note was removed.

Public Hearing was then opened to the floor.

James Repice: Where is my parcel on that map?

Mr. Rabideau showed the Repice parcel on the drawing.

James Repice: What number will be here?

Duane Rabideau: A number has not been assigned yet.

Jay Wilkinson: It will be something between 706 and 724.

Jay Wilkinson: Based on the information received from Duane Rabideau regarding Mr. McNamara's suggestions is the Board happy with the information?

Ms. Szurek: Is there an AG Data Statement?

Jay Wilkinson: Yes it is in the package. The LaRue farm and the Stevens farm are listed.

Mr. Mitchell made the motion to close the Public Hearing at 7:50 p.m. Ms. Szurek seconded the motion. All were in favor.

### **SUBDIVISION APPLICATIONS and LOT LINE CHANGES**

#### **Ball and Van Guilder (247.-1-72)**

The Board reviewed the letter from Mike McNamara and the letter from the County Planning Board.

Mr. Wilkinson polled the Board regarding the addition of a note to the drawing that identifies the wetlands and the activities that are permitted and the activities that may require a permit. The Board was in agreement that the note should be added.

Mrs. York made a copy of the wording for Mr. Rabideau.

Mr. Wilkinson made the motion to conditionally approve the Ball subdivision located at 692 Charlton Road contingent upon a note being added to the drawing that specifies what activities are allowable on wetlands delineated on the property as Resolution 2020-01 and authorize the chairman to sign the mylars. Ms. Szurek seconded the motion. Roll call vote was taken:

Dave Crudele – aye

Jonathan Riedinger – aye

Chris Mitchell – aye

Dawn Szurek – aye

Bruce Gardner – aye

Jay Wilkinson – aye

Motion carried.

Mrs. York stated that the escrow and park fees needed to be paid.

Mr. Wilkinson reviewed the mylar requirements.

**Ball/Bryant (247.-1-72 and 247.-1-73)**

Mr. Wilkinson stated that this is a proposal for a lot line change. Mr. Wilkinson stated that the Ball property located at 692 Charlton Road consists of 62 acres and after the lot line change will be 60 acres. Mr. Wilkinson stated that the Bryant parcel is located at 1027 Peaceable Street and consists of 5.6 acres and will increase to 7.5 acres after the lot line change. Mr. Wilkinson stated that at the last meeting the Board discussed the issues with the drawings. Mr. Wilkinson stated that there is a new map for the Board to review.

Ms. Bryant appeared before the Board. Ms. Bryant showed her property and driveway location on the drawing as it currently exists. Ms. Bryant showed what the parcel will look like after the lot line change.

Mr. Wilkinson stated that the map still is lacking information. Mr. Wilkinson stated that in order to keep the application moving along, the information will be sent to the County Planning Board.

Ms. Szurek made the motion to waive the Public Hearing, engineering review and the application and park fees for the Ball/Bryant lot line change. Mr. Mitchell seconded the motion. All were in favor.

Mr. Wilkinson asked Mrs. York to send the application to the county.

The Board completed Part II and III of the EAF.

Mr. Riedinger 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. Crudele seconded the motion. All were in favor.

Mr. Wilkinson stated that the application is complete. Mr. Wilkinson stated that the Board needs county approval before acting on the application.

**ZONING REPORT**

The Board reviewed the report.

**CORRESPONDENCE**

None

**TOWN BOARD LIAISON**

Mr. Grasso thanked the Board members that attended the February Planning Conference.

Mr. Grasso stated that he has completed the review of the revisions to the subdivision guide. Mr. Grasso provided copies of his edits to the Board for review.

Mr. Grasso provided information pertaining to the CDRPC grant program.

Mr. Grasso stated that the cell tower is moving into its construction document and design phase. Mr. Grasso stated that they expect a late spring start to the construction.

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

The meeting was adjourned at 8:37 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary