

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

Minutes of the Planning Board Meeting – May 20, 2019

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

Present: Jay Wilkinson, Chairman, Jack Kadlecek, Dawn Szurek, Bruce Gardner, Chris Mitchell, Jonathan Riedinger, Bill Keniry, Esq., Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Planning Board Secretary. Connie Wood joined the meeting at 8:08 p.m.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the February 18, 2019 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.

Public Hearings

Mr. Wilkinson stated that there are no public hearings.

Subdivision Applications

Ward/Northeast (225.-1-15.11)

Mr. Wilkinson stated that this is a proposed subdivision on Route 67. Mr. Wilkinson stated that there was a previous subdivision of a couple lots on Maple Avenue off of this parcel a few years ago. Mr. Wilkinson stated that the Wards are back to subdivide one more lot off of the 51.5 acre parcel. Mr. Wilkinson stated that the proposal is to subdivide off a 2 acre lot for a building lot to be offered for sale. Mr. Wilkinson stated that will leave 49.5 acres which will contain the existing house and outbuildings. Mr. Wilkinson stated that the previous subdivision had the lots fronting on Maple Avenue. Mr. Wilkinson stated that the newly proposed lot will front on Route 67.

Town Board Referral

Charlton Fire Department/Napierala Consulting (247.-2-14.112)

Mr. Wilkinson stated that the Board has been asked to review the site plan for the newly proposed fire station which will be located across from the corner of Charlton Road and Peaceable Street. Mr. Wilkinson stated that the Board has received packages of information to review and provide comments. Mr. Wilkinson stated that the fire station is exempt from a lot of the municipal laws.

Zoning Report

Mr. Wilkinson stated that the Board has received the reports for February, March and April for review.

Correspondence

Mr. Wilkinson stated that Mr. Grasso will provide a status of the proposed changes to the Subdivision Application and Review Guide.

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 7:10 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 February 18, 2019 meeting minutes with changes incorporated. Mr. Mitchell seconded the motion. All were in favor. Ms. Szurek abstained from the vote.

SUBDIVISION APPLICATIONS

Ward/Northeast (225.-1-15.11)

Dave Bogardus appeared before the Board. Mr. Bogardus displayed the current map.

Mr. Bogardus stated that this is a proposal for a subdivision of the Ward lands located at 2049 Route 67. Mr. Bogardus stated that they are looking to subdivide the 51.5 acre parcel

into two lots, with Lot 1A being 49.5 acres and includes the existing residence and outbuildings and Lot 1B being a 2 acre parcel that will be offered for sale as a building lot.

Mr. Wilkinson stated that he previously spoke to Mr. Bogardus about the affidavit from the Wards not being notarized, corrections to the curb cut note and the addition of the wetlands note.

Mr. Bogardus stated that the requested information has been placed on the drawing. Mr. Bogardus stated that in 2016 the Ward's subdivided 2 lots off of the farm and there is a new residence here. Mr. Bogardus stated that their current proposed subdivision is on the eastern half of the property. Mr. Bogardus stated that the proposed new 2 acre lot is currently pasture land with an isolated wetland in the back. Mr. Bogardus stated that a note has been added to the drawing about the wetlands. Mr. Bogardus stated that the newly proposed lot is 2 acres with 200 feet of frontage. Mr. Bogardus stated that there is a tree row that screens the proposed new lot from the neighboring lot.

Mr. Wilkinson asked if the wetlands were delineated by an agency.

Mr. Bogardus stated that he used the Saratoga County GIS system and also walked the property and it looks correct.

Mr. Wilkinson stated that since the lot will be offered for sale they may want to slide the house back. Mr. Wilkinson stated that if the wetlands are delineated then the Board would know where the wetland actually is.

Ms. Szurek asked if the building envelope could be shown together with the 100 foot buffer to the wetlands.

Mr. Wilkinson asked if they planned to get a wetlands delineation.

Mr. Bogardus stated that the wetland is a non-jurisdictional wetland and is also isolated. Mr. Bogardus read the wetlands note from the map.

Mr. Kadlecek stated that the building envelope should be shown.

Mr. Wilkinson stated that when the Board has a wetland concern the building envelope should be shown on the drawing.

Mr. Bogardus stated that he can add the buffer.

Mr. Kadlecek asked how they could place the back part of the building envelope line if they don't know where the wetland is. Mr. Kadlecek stated that the Board needs to know the distance from the disturbance line to where the wetland is noted to insure that it is not less than 100 feet. Mr. Kadlecek stated that the Board needs to know what is permitted on the lot for building.

Mr. Wilkinson stated that the Planning Board's policy is that a wetland is a wetland, regardless of its jurisdiction. Mr. Wilkinson stated that the Board would like to see the wetlands delineation, the proposed building envelope and the 100 foot buffer from the wetland.

Mr. Wilkinson asked if perk tests have been done.

Mr. Bogardus stated that they will have the information for the next meeting.

Mr. Wilkinson asked if the applicant's would be interested in pairing the driveways since Route 67 is a busy road. Mr. Wilkinson stated that the proposed driveway could be moved to the edge of the property so that if there is another subdivision in the future the next driveway can be paired with the proposed driveway.

Mr. Bogardus stated that they could do that.

Mr. Wilkinson stated that the drawing shows the acreage for the proposed lot as $2 \pm$ acres. Mr. Wilkinson stated that they cannot approve a lot that is $2 \pm$ since the requirement is 2 acres. Mr. Wilkinson asked that the lot be labeled 2 acres.

Mr. Bogardus stated ok.

Mr. Wilkinson stated that the Board needs the authorization affidavit from the Ward's notarized for the record.

Mr. Mitchell stated that the Board needs the wetlands delineation, test pit locations and perk test results, movement of the proposed driveway, new lot labeled as 2 acres, contour lines for storm water management and the proposed building envelope for the next meeting.

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

Mr. Wilkinson made the motion to schedule the public hearing for June 17, 2019 at 7:30 p.m. Mr. Kadlec seconded the motion. All were in favor.

Mr. Wilkinson asked Mrs. York to send the application to the County Planning Board and Mr. McNamara for review.

TOWN BOARD REFERRAL

Charlton Fire Department & Napierala Consulting (247.-2-14.112)

Matt Napeirala appeared before the Board.

Kevin Loukes and Bob Legere from the Fire Department were also present.

Mr. Napierala stated that they have had 5 public forums for the newly proposed fire station located across from the corner of Charlton Road and Peaceable Street. Mr. Napierala stated that site plans have been provided. Mr. Napierala stated that they have also had private meetings with the neighbors, the Wadsworths. Mr. Napierala stated that they have tried to have complete transparency for this project. Mr. Napierala stated that they have 7 master layouts of the station and the public has been involved. Mr. Napierala stated that they are proposing a 9200 square foot 3 bay building.

Christian Hill, Napierala Consulting, handed out architectural renderings for the Board to review.

Mr. Napierala gave a brief overview of the proposed building and reviewed the site plan, including entrances and exits, the roof system, parking, screening, lighting and signage.

Ms. Szurek raised concern about the parking in relation to the entrance.

Mr. Wilkinson raised concern with the number of handicapped parking spaces.

Paul Borisenko, Building Inspector, stated that this project is exempt from the Charlton Zoning Ordinance but not the Building Code. Mr. Borisenko stated that the Planning Board cannot regulate this project.

Ms. Szurek inquired about the landscaping.

Mr. Napierala reviewed the landscaping plan, sheet C-8.

ZONING REPORT

The Board reviewed the reports.

CORRESPONDENCE

The Board is awaiting feedback from the proposed changes to the Subdivision Application and Review Guide.

TOWN BOARD LIAISON

Mr. Grasso stated that he has received the definition changes from the zoning office and will look at the Planning Board's definitions and marry with the proposed changes from Paul's office and complete all at once.

Mr. Grasso stated that St. Mary's has begun the renovations of the old Stewart's building and their Urgent Care facility is expected to open this summer.

Mr. Grasso stated that Party in the Park would be June 1st and the parade will be held on June 2nd. Mr. Grasso stated that the Town has received \$6,800.00 in donations so far. Mr. Grasso stated that the fireworks would be at 9:30.

Mr. Grasso stated that they held a meeting with the Cell Tower committee and are also looking to expand the rural broad band within the Town.

Mr. Grasso stated that Verizon will be at the next meeting with a status from the balloon tests that were re-done recently. Mr. Grasso stated that they did 3 balloon tests, one at 120 feet, 1 at 140 feet and 1 at 160 feet.

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

The meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary

Bill Keniry, Esq., Planning Board attorney gave a presentation regarding procedures and motions from 9:00 p.m. – 10:15 p.m.