

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

Minutes of the Planning Board Meeting – June 17, 2019

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

Present: Jay Wilkinson, Chairman, Jack Kadlecek, Connie Wood, Dawn Szurek, Jonathan Riedinger, and Susan York, Planning Board Clerk. Chris Mitchell joined the meeting at 7:14 p.m.

**AGENDA MEETING**

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the May 20, 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

Ward/Northeast (225.-1-15.11)

Mr. Wilkinson stated that there would be a public hearing on this application at 7:30 p.m.

Subdivision Applications

Ward/Northeast (225.-1-15.11)

Mr. Wilkinson stated that the only outstanding issue is how to handle the wetland issues. Mr. Wilkinson reviewed his list of issues and concerns concerning this application.

Mrs. Wood suggested widening the lot.

Mr. Wilkinson stated that the latest map submission was by email. Mr. Wilkinson stated that he expects Mr. Bogardus to bring copies of the updated maps.

The Board reviewed and discussed the 6/11 emailed map.

Mr. Wilkinson stated that the intent of this application is to subdivide one lot off of the 51.5 acre homestead parcel. Mr. Wilkinson stated that the 2 acre lot will be offered for sale. Mr. Wilkinson stated that at the May meeting the application was referred to the County Planning Board and to Mike McNamara. Mr. Wilkinson stated that replies have been received.

Pre-Application Conference (added to Agenda)

Schaus

Mr. Wilkinson stated that Joe Schaus owns a large parcel of land and his new neighbors would like to purchase 30 acres from him. Mr. Wilkinson stated that he asked Mr. Schaus to come to the meeting to discuss the proposal with the Board.

Zoning Report

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

Correspondence

Mr. Wilkinson stated that the Board is awaiting the Town Board's feedback to 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. Mitchell. All were in favor. Agenda meeting closed at 7:21 p.m.

**BUSINESS MEETING**

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

**Minutes**

Ms. Szurek made a motion to approve the draft of the May 20, 2019 meeting minutes with changes incorporated. Mr. Wilkinson seconded the motion. All were in favor. Mrs. Wood abstained from the vote.

## **SUBDIVISION APPLICATIONS**

### **Ward/Northeast (225.-1-15.11)**

Mr. Wilkinson stated that the Board would be completing the Short form EAF per recommendation of Mr. Keniry at the last meeting.

The Board reviewed and completed the Short form EAF. Ms. Szurek asked for a comment to be added regarding the wetlands. Mrs. York distributed parts II and III of the EAF to the Board.

Mr. Riedinger 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. Ms. Szurek seconded the motion. All were in favor.

Mr. Wilkinson gave a brief description of the parcel location.

### **PUBLIC HEARING (7:43 P.M.)**

#### **Ward/Northeast (225.-1-15.11)**

Mr. Wilkinson stated that the public notice was published in the Daily Gazette on 6/7/19 and the hearing cards were mailed to the adjoining neighbors on 6/5/19.

Mr. Wilkinson reviewed the public hearing process.

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

Dave Bogardus: I represent the Ward's in their intent to create a new lot from their parcel located at Route 67 and Maple Avenue. The Wards 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. The wetlands have been delineated, the required notes have been added to the maps and the perk and soil information has been added to the maps. Based upon the comments from Mr. McNamara, we have increased the size of the new lot to accommodate a larger septic and the buffer to the wetlands. The building envelope has also been added to the drawings. The 100 foot setback line is higher than the wetlands and there is no septic system located near it. The driveways are as close as they can be.

Mr. Wilkinson opened the public hearing.

Joan Linden, Maple Avenue: Can I look at the map?

Jay Wilkinson: Anyone else?

Mr. Wilkinson made the motion to close the public hearing at 7:50 p.m. Mrs. Wood seconded the motion. All were in favor.

### **SUBDIVISION APPLICATIONS**

#### **Ward/Northeast (225.-1-15.11)**

Mr. Wilkinson stated that all of the comments from the Planning Board and Mr. McNamara have been addressed.

Mr. Wilkinson stated that he has had some back and forth discussions with Mr. Keniry regarding what are approved activities within wetlands. Mr. Wilkinson stated that in January 2015 the new town ordinance was simplified. Mr. Wilkinson stated that it has been the policy of the Planning Board since January 2016 that a wetland is a wetland regardless of classification. Mr. Wilkinson stated that he has a letter from DEC regarding his own wetlands. Mr. Wilkinson read the letter aloud.

Mr. Wilkinson read his proposed wording for the wetland note for the maps.

Ms. Szurek questioned how close the new well location is to the existing well location.

Mr. Bogardus stated that it is 150-200 feet away.

Mr. Mitchell stated that the well is not downhill from the neighbor's septic.

Mr. Wilkinson asked Mr. Bogardus to add the neighbor's well and septic locations and to show the setbacks.

Ms. Szurek inquired how they came up with the 225 feet of frontage and would that be enough.

Mr. Bogardus stated that there will be a house and a two car garage.

Mr. Wilkinson stated that the Board is calling the building envelope approved for the zoning administrator's reference.

The Board reviewed the standard notes on the drawing.

Ms. Szurek inquired if the septic was located outside of the building envelope.

Mr. Bogardus stated yes. Mr. Bogardus stated that they left room for a replacement septic if needed.

Mr. Wilkinson had additional questions about the building envelope.

Mr. Bogardus showed on the map and showed the contour lines and how the lot elevates towards Route 67.

Mr. Bogardus suggested a new standard note and he will be glad to add it to the maps prior to the final mylar.

Ms. Szurek made the motion to approve the Ward subdivision located at 2049 Maple Avenue conditionally upon the addition of the septic and well locations to the neighboring property to the drawing as Resolution 2019-01 and authorize the chairman to sign the mylars. Mr. Riedinger seconded the motion. All were in favor.

**Resolution 2019-01 was made.**

Mr. Wilkinson reviewed the number of mylars required for signature and that the engineering escrow and park fees needed to be paid.

**Schaus**

Joe Schaus appeared before the Board.

Mr. Schaus stated that the new neighbor, Kevin, that is purchasing the LaPatra property, would like some of his land in the back. Mr. Schaus stated that his wife's mother originally owned the land. Mr. Schaus stated that there was a subdivision and his land was taken off with the pond. Mr. Schaus stated that the 24 acres was deeded to his wife and himself. Mr. Schaus showed the old maps. Mr. Schaus stated that the intent is to move the lot lines around to give Kevin more woods and land. Mr. Schaus stated that he is currently paying taxes on the back land, which has no frontage. Mr. Schaus stated that the frontage on his house lot is the only access to the back lot.

The Board discussed the right of way to the land locked parcel.

Mr. Schaus stated that he is currently shopping for a surveyor that is less expensive than the previous surveyor. Mr. Schaus stated that he has kept the orange tape on the survey rods since the last survey. Mr. Schaus stated that he understands that he essentially needs new deeds. Mr. Schaus stated that the rear land contains a stream that feeds the LaRue Creek.

The Board provided some guidance for the lot line placement for a proposed lot line change.

**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 the Town Board should have information in the near future regarding the Verizon balloon test.

Mr. Grasso stated that he is still working on the subdivision application packet changes and will bring it to the Town Board for discussion.

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

The meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary