

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

Minutes of the Planning Board Meeting –January 16, 2017

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, Marilyn Phillips, Dawn Szurek, Bruce Gardner, Chris Mitchell, Jonathan Riedinger, Tracy Bullett, Esq. and her associate, Kasey Hildonen, Acting Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the November 21, 2016 meeting minutes needed to be approved. Mrs. York has previously provided comments. No other comments were provided. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Public Hearings

None.

Subdivision Applications

Montemorano/Van Guilder (213.-1-10)

Mr. Wilkinson stated that this is a proposal for a subdivision of a 49.3 acre parcel located on the west side of Jockey Street to create 2 lots. Mr. Wilkinson stated that Lot 2B will be the existing house, outbuildings and AG fields and consist of approximately 30.1 acres and Lot 2A will be a newly created lot consisting of approximately 19.1 acres and will be offered for sale.

Mr. Wilkinson stated that the applicants would be represented by Duane Rabideau of Van Guilder & Associates.

Austro/Bartczak/Van Guilder (237.-1-6)

Mr. Wilkinson stated that this is a proposal for a subdivision of a 72.8 acre parcel located on the east side of Peaceable Street to create 2 lots. Mr. Wilkinson stated that Lot 1 will encompass the existing house and improvements on approximately 65.8 acres and Lot 2 will be approximately 7 acres and offered for sale.

Mr. Wilkinson stated that the applicants would be represented by Duane Rabideau of Van Guilder & Associates.

Town Board referral for a Site Plan Review

Stewart's Shops (224.-1-46.2)

Mr. Wilkinson stated that a representative from Stewart's would be making a presentation of their proposal.

Zoning Report

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

Correspondence.

The Town Board received a letter regarding the Verizon Cell Tower and copies have been provided for informational purposes.

January 25, 2017 is the annual County Planning and Zoning Conference.

Town Board Liaison

Mr. Grasso was present.

Mr. Grasso stated that the Town Board needs to initiate the EUP process. Mr. Grasso stated that there will be a joint Public Hearing, with all Boards invited, on January 23, 2017. Mr. Grasso stated that the Board is looking for advisory opinions from the various Boards. Mr. Grasso stated that it is his understanding that the information the Town Board has on this application is not complete.

Mr. Grasso stated that the Town Board held a Public Hearing on the Verizon application. Mr. Grasso stated that an alternate site had been chosen, the Hunt property on Charlton Road. Mr. Grasso stated that they had a full room and about 10 people spoke. Mr. Grasso stated that the Town Board did pass a Resolution to discontinue review of a lease with Verizon for the water tower on Cherry Lane. Mr. Grasso stated that the Town Board anticipates receiving an EUP for the Hunt property from Verizon.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecsek. All were in favor. Agenda meeting closed at 7:20 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 November 21, 2016 meeting minutes with changes incorporated. Ms. Phillips seconded the motion. All were in favor. Mrs. Wood abstained from the vote.

SUBDIVISION APPLICATIONS

Montemorano//Van Guilder (213.-1-10)

Mr. Rabideau appeared before the Board.

Mr. Wilkinson stated that this is property located on Jockey Street that was once before the Board to subdivide off a piece of land for a restaurant. Mr. Wilkinson stated that the new proposal is to subdivide the parcel into two lots, with the new lot being approximately 19.1 acres and the remaining lot of approximately 30.1 acres. Mr. Wilkinson stated that the 19 acre lot will be offered up for sale and the remaining 30 acres will be retained by the applicant.

Mr. Rabideau stated that he was before the Board representing Mr. and Mrs. Montemorano in their request for a two lot subdivision located at 4619 Jockey Street, north of the Smith Farm. Mr. Rabideau stated that their proposal is to subdivide the 49 acre parcel into two lots with Lot 2B, the northerly lot, containing approximately 30.1 acres and including the existing house and improvements and Lot 2A, the southerly lot, containing approximately 19.12 acres. Mr. Rabideau stated that the newly created Lot 2A will be offered for sale for a single family residential home. Mr. Rabideau stated that there is an existing well located on Lot 2A that will be used for the parcel and they are proposing an onsite septic system. Mr. Rabideau stated that they set up the property line to follow the land use between the two parcels. Mr. Rabideau stated that there is an existing driveway that will be used to maintain the pasture area. Mr. Rabideau stated that there are no DEC wetlands on the parcel.

Ms. Szurek inquired what the dotted line on the drawing represented.

Mr. Rabideau stated that there was a subdivision on the parcel 10 years ago.

Ms. Phillips asked that the distances to the setback lines be shown on the drawing for the newly created lot.

Mr. Wilkinson stated that the application would be referred to the town engineer and the County Planning Board.

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

Mr. Mitchell inquired if Lot 2B would stay in the AG use program.

Mr. Rabideau stated yes, that the existing driveway was left on the house lot to access the back lot.

The Board reviewed the existing driveway that will be used to access the back AG fields.

Ms. Szurek inquired if there would be an easement.

Mr. Rabideau stated yes, in the deed granting permanent access.

Mr. Wilkinson made the motion to schedule the Public Hearing for Monday, February 20, 2017 at 7:30 p.m. Mr. Mitchell seconded the motion. All were in favor.

Mr. Wilkinson provided Mr. Rabideau with the Public Hearing cards.

Austro/Bartczak/Van Guilder (237.-1-6)

Mr. Wilkinson stated that the applicant is proposing a two lot subdivision of property located on the east side of Peaceable Street. Mr. Wilkinson stated that the proposal is to subdivide the 72.8 acre parcel into Lot 1, which will be approximately 65.8 acres and contain the existing house and outbuildings and Lot 2, which will be approximately 7 acres and offered for sale.

Mr. Rabideau provided the Board with a signed Affidavit from Mrs. Austro.

Mr. Rabideau stated that he was before the Board representing Mr. and Mrs. Austro in their proposal for a two lot subdivision located at 1202 Peaceable Street. Mr. Rabideau stated that the parcel is located on the east side of Peaceable Street about a mile south of Route 67. Mr. Rabideau stated that their proposal is to subdivide the approximately 78 acre parcel into two lots. Mr. Rabideau stated that the newly created Lot 2 will be offered for sale for a single family home with onsite well and septic. Mr. Rabideau stated that the parcel does not have any wetlands.

Ms. Szurek provided corrections to the AG Data Statement.

Mr. Rabideau made the requested corrections and initialed the AG Data Statement.

Ms. Szurek inquired as to the location of the well and septic system on the parcel to the north.

Mr. Rabideau stated that he did not know the location but where they are proposing the house location is farther down about 150 feet.

Ms. Phillips asked for the well location on the proposed new lot.

Mr. Wilkinson stated that the application would be referred to the town engineer and the County Planning Board.

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

Mr. Wilkinson made the motion to schedule the Public Hearing for Monday, February 20, 2017 at 7:45 p.m. Mrs. Wood seconded the motion. All were in favor.

Mr. Wilkinson provided the Public Hearing cards.

Mr. Szurek asked for the side yard setback to be shown on the drawing.

Mr. Rabideau inquired if the Board wanted the building envelope on the drawing.

Mr. Wilkinson stated yes. Mr. Wilkinson asked that all the setbacks be shown for the newly created 7 acre lot.

TOWN BOARD REFERRAL

Stewart's Shops (224.-1-46.2)

Charles Marshall of Stewart's Shops Corp. appeared before the Board to make a presentation on the proposed new Stewart's Shop at Route 67 and Route 147.

Mr. Marshall gave a brief summary of their proposal including the proposed 3,675 square foot building and its design, gasoline filling station including canopy and separate kerosene and diesel filling station, lighting, signage, parking and landscaping.

Mr. Marshall stated that they are seeking several variances from the ZBA including relief of 27 feet for the front yard setback, relief of 11 feet for the rear yard setback, relief of 1,729 square feet for the maximum floor area of the building, relief of 1,983 feet for the ratio of parking area to floor area of 2:1, relief of 29 square feet for signage and relief of 44 square feet for total aggregate signage square feet, and relief of prohibition of LED signage.

Mr. Marshall provided drawings showing the views of the proposed project, including landscaping.

The Board provided feedback and areas of concern including the visual impact on the surrounding area and preservation of the historic register of the Church. The Board also raised concerns about what will happen to the existing building if this project is approved.

Mark Chotkowski, Zoning Board of Appeals member, raised concern with the LED lighting on the signs and offered suggestions seen used at other Stewart's stores that were more in character with the surroundings.

Ms. Phillips raised concern regarding the traffic and exiting and entering locations.

Mr. Marshall showed the Board the proposed truck routing plans.

Several more Board members also raised concern for the traffic in the area and the large trucks that would be entering and exiting the location.

The Board provided feedback to the applicant with suggestions including:

- creation of an aerial layout in comparison to the church;
- using a scroll sign opposed to LED;
- moving picnic tables to the east;
- prohibit trucks from entering from the southbound lane;
- include site distances and relabel the elevations on the drawing;
- provide 2 options for the gas canopies; and
- provide a planting schedule.

The Board discussed having a workshop with the ZBA to discuss the proposed project.

ZONING REPORT

The Board reviewed the report.

CORRESPONDENCE

Addressed in agenda meeting.

TOWN BOARD LIAISON

Addressed in Agenda meeting.

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

The meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary