

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

Minutes of the Planning Board Meeting –October 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, Dawn Szurek, Marilyn Phillips, Bill Keniry, Esq., Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary. Jonathan Riedinger and Chris Mitchell 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 September 18, 2017 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**

**Mothon (224.-1-13)**

Mr. Wilkinson stated that this is a request for a subdivision of a 96 ± parcel located on the east side of Route 147 and the north side of Route 67. Mr. Wilkinson stated that the purpose of the subdivision is to create two lots. Mr. Wilkinson stated that Lot 1 will contain the existing house and improvements and will be approximately 92.7 acres. Mr. Wilkinson stated that Lot 2 will be an approximately 4 acre lot for a new single family house.

Mr. Wilkinson stated that at the last meeting, the Board took lead agency status and scheduled the Public Hearing for this evening. Mr. Wilkinson stated that the application has been forwarded to Mike McNamara and the County Planning Board and comments have been received from both. Mr. Wilkinson stated that the County responded with no significant impact. Mr. Wilkinson stated that the comments received from Mr. McNamara can be reviewed during the business meeting.

Subdivision Applications

Mothon (224.-1-13)

Discussed above.

Lot Line Change Application

None.

Site Plan Review

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

Mr. Wilkinson stated that there will be a discussion with Charles Marshall on a proposed revision to the lighting plan for the new Stewart's. Mr. Wilkinson stated that there is some concern for the lighting around the dumpster location. Mr. Marshall initially reached out to Joe Grasso who suggested that he work with the Planning Board on how to resolve the issue. Mr. Wilkinson stated that any changes to the site plan would require a new resolution and new drawings for signature.

Zoning Report

Mr. Wilkinson stated that the Board has received the report for review and that our new Zoning Officer is Paul Borisenko.

Correspondence

Mr. Wilkinson stated that the Board, along with various other Charlton Boards and residents were invited to the grand opening of the new Stewart's. Mr. Wilkinson stated that Senator Tedesco spoke, Mary Beth Walsh spoke and Alan Grattidge spoke. Mr. Wilkinson stated that Stewart's presented the West Charlton Fire Department with a check for \$500.00 and presented the Charlton seniors with a check for \$500.00.

The Board discussed the need for an agenda meeting. The Board discussed possibly shortening the agenda meeting or leaving it the same. The Board agreed that the agenda meeting could be shortened but it would depend on what is on the agenda.

Mr. Keniry raised the issue of postings for the meetings as they are open meetings. Mr. Keniry suggested leaving the agenda meeting as is for the purposes of postings.

Mr. Wilkinson stated that the agenda meetings will remain as is for now and he will work with Mrs. York and Town Clerk, Brenda Mills to get information on the website.

Town Board Liaison

Mr. Grasso was not present.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecek. All were in favor. Agenda meeting closed at 7:25 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 September 18, 2017 meeting minutes with changes incorporated. Mrs. Wood seconded the motion. All were in favor. Mr. Kadlecek and Mr. Mitchell abstained from the vote.

**PUBLIC HEARING (7:30)**

**Mothon (224.-1-13)**

Mr. Wilkinson reviewed the Public Hearing process.

Mr. Wilkinson stated that the public notice was published on October 6, 2017 in the Daily Gazette and the adjoining neighbor notices were mailed on September 29, 2017.

Mr. Wilkinson stated that the applicant is looking to subdivide his 96 ± parcel located on the east side of Route 147 and the north side of Route 67 to create two lots. Mr. Wilkinson stated that Lot 1 will contain the existing house, improvements and agricultural fields and will be approximately 92.7 acres. Mr. Wilkinson stated that Lot 2 will be an approximately 4 acre lot for a new single family house.

Mr. Wilkinson opened the Public Hearing.

Mike Brooks, R.L.A.: I have an updated copy of the plan for the lots we are creating. On the comments from Mike McNamara, we can't put the bearings on but the surveyor will put on the bearings, distances and the stamp.

Jay Wilkinson: We can review the engineer's comments during the discussions after the hearing. Why don't you start with what you are proposing to do.

Mike Brooks: We are proposing a two lot subdivision. The parent parcel is in the northeast corner of Routes 147 and 67. (Mr. Brooks then showed several locations on the drawing

including the cemetery, new Stewarts Shop, the parent parcel and the other parcel owned by Mr. Mothon). We would like to subdivide 4 acres from the front corner of the parcel adjacent to the cemetery. It is in a high spot. Perk test and test pit information has been taken for the septic system. The new lot would be for a family member to build a house. There will be private well water and sewer. This is the proposed house location and the 430 foot driveway. We have put the building envelope on the drawing with the septic and well locations.

Jay Wilkinson: Is there anyone in attendance that has any questions of the applicant?

Thomas Kelly, 1363 Sacandaga Road: I just wanted to come and see what this was about.

Mr. Wilkinson made a motion to close the Public Hearing at 7:40 p.m. Mrs. Wood seconded the motion. All were in favor.

### **SUBDIVISION APPLICATIONS**

#### **Mothon (224.-1-13)**

Mr. Wilkinson stated that the Board has received a reply from the County Planning Board of no significant impact. Mr. Wilkinson stated that the Board and the applicant need to review the comments from Mr. McNamara.

Mr. Brooks stated that comment 1 pertains to the signature blocks for the drawings. Mr. Brooks stated that once they have approval, the surveyor will sign and stamp the drawings. Mr. Brooks stated that he will also add the correct scale, as noted in comment 3.

Mr. Brooks stated that comments 4 and 5 pertain to the driveway. Mr. Brooks stated that they have the application for the DOT curb cut and will send it in once approval is received.

Mr. Wilkinson stated that comment 6 pertained to the possibility of the driveway exceeding 500 feet requiring an additional note on the drawing.

Mr. Brooks stated that the proposed driveway has been measured at 430 feet. Mr. Brooks stated that they can add the driveway note if that is what the Board wants.

Mr. Wilkinson stated that the Board would like the driveway note added to the drawing in case something changes and the driveway becomes longer than initially anticipated.

Mr. Wilkinson reviewed the comments from the ECC. Mr. Wilkinson stated that the short form EAF completed from the State's website pre-populates some of the answers to the questions. Mr. Wilkinson stated that number 12.b. has "yes" marked for an "archeological sensitive area". Mr. Wilkinson stated that the ECC says they are not aware of any archeological sensitive areas on the property. Mr. Wilkinson stated that number 13.a has a "yes" for wetlands but the application states that there are no wetlands.

The Board agreed that the applicant could change the pre-populated answers to questions 12.b and 13.a of the short form EAF to “no” and date and initial the changes.

The Board completed part II of the EAF. Ms. Szurek asked that it be noted that the applicant is removing 4 acres from agricultural use.

Mr. Wilkinson stated that the Board took lead agency at the September meeting. Mr. Wilkinson stated that the EAF is completed and corrected and the Board has completed part II. Mr. Wilkinson stated that the comments from the ECC and Mr. McNamara have been addressed.

Mr. Wilkinson made the motion that the Planning Board approve the Charles Mothon subdivision at 1342 Route 147, Town of Charlton contingent upon the following: A Professional Land Surveyor sign the map, bearing and distance information be added to the large-scale portion of the map for the new lot, addition of a note stating a culvert (the size to be determined by NYS DOT) be added to the plan, correction of the curb cut note removing the reference to Saratoga County Department of Public Works and Town of Charlton Highway Department, addition of the Town of Charlton note for driveways in excess of 500 feet and the Board authorizes the chairman to sign the mylars as Resolution 2017-05. Mr. Mitchell seconded the motion. All were in favor.

**Resolution 2017-05 was made.**

Mr. Wilkinson reviewed the number of mylars required for signature and the park fees.

**Stewart's Shops**

Marcus Andrews, representative from Stewart's, appeared before the Board. Mr. Andrews stated that there are some safety concerns about how dark it is at the location of the dumpster. Mr. Andrews stated that they would like to add a light pole; the same as already exists on the site. Mr. Andrews stated that the light would be back shielded so all of the light would be focused on the dumpster enclosure.

Mr. Wilkinson stated that he agrees that there is a problem with lighting in that area. Mr. Wilkinson asked if someone went out to the site when the lighting survey was completed.

Mr. Andrews stated that the new drawing has the new light.

Mr. Wilkinson inquired if the lighting plan is reflective of what is there.

Mr. Andrews stated yes, but the originally proposed light for that area was removed due to the possible spillage of light off of the property.

Mr. Wilkinson inquired if it was the same light as by the diesel tanks.

Mr. Andrews stated that it would be the same light, just closer to the dumpster.

Mr. Wilkinson inquired how this would affect the neighbors.

Stephanie Unrein, neighbor to the property, stated that there is no privacy screening between the arborvitaes and the dumpster and her property. Ms. Unrein stated that she is present to discuss the lack of privacy screening.

Mr. Andrews stated that the landscaping was done according to the plan.

Ms. Unrein stated that the area around the dumpster is not dark to her but pretty well lit. Ms. Unrein stated that she does not need to turn on any lights to lock her chickens up at night. Ms. Unrein presented pictures to the Board. Ms. Unrein stated that there is also trash on the ground.

Mr. Andrews stated that the dumpster enclosure doors are on back order. Mr. Andrews stated that he will check on the trash issue.

Mr. Wilkinson inquired if more arborvitaes could be planted as screening. Mr. Wilkinson inquired if there could be a light that is turned on and off inside the dumpster enclosure.

Mr. Andrews stated that the problem is lighting walking to the dumpster.

The Board and the applicant discussed other lighting options. The possibility of relocating the dumpster was discussed. Motion sensor lighting was also discussed.

Ms. Szurek stated that there are two issues that need to be resolved. Ms. Szurek stated that one is the lighting by the dumpster and the other is the gap in the plantings. Ms. Szurek inquired if more plantings could be added to improve the screening.

Mr. Andrews stated that they could look into the plantings.

The Board and the applicant agreed that a site visit was necessary before proceeding with any revisions to the plan.

Mr. Wilkinson made a motion to schedule a site visit for November 14, 2017 at 6:00 p.m. Mrs. Wood seconded the motion. All were in favor.

### **ZONING REPORT**

The Board reviewed the report.

**CORRESPONDENCE**

None.

**TOWN BOARD LIAISON**

Mr. Grasso was not present.

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

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary