

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

Minutes of the Planning Board Meeting – January 20, 2020

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

Present: Jay Wilkinson, Chairman, Connie Wood, Dawn Szurek, Jonathan Riedinger, Chris Mitchell, Bruce Gardner, Dave Crudele, William J. Keniry, Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Planning Board Secretary.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the October 21, 2019 meeting minutes needed to be approved. Mrs. York has previously provided comments. Mrs. Wood 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

None.

Subdivision Applications

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

Mr. Wilkinson stated that this application was before the Board at the October meeting with two options that the applicant wanted the Board to review. Mr. Wilkinson stated that the application is back and the applicant has decided to go with option 1. Mr. Wilkinson stated that they are proposing to subdivide a 6 acre parcel for a new single family home off of the 66 acre parcel. Mr. Wilkinson stated that the parcel is located outside of the village headed east between 706 and 724 Charlton Road. Mr. Wilkinson stated that the parcel has been subdivided over the years and after this subdivision there will still be 1800 feet of frontage on the remaining acreage.

Pre-Application Conference

Landis/Wakulenko (237.-1-9 and 237.-1-7)

Mr. Wilkinson stated that this is a proposal for a lot line change on Peaceable Street. Mr. Wilkinson stated that the Landis farm consists of 110 acres. Mr. Wilkinson stated that the Wakulenko property is located at 1174 Peaceable Street and consists of 2.87 acres. Mr. Wilkinson stated that when the lot line adjustment is complete, the Landis farm will consist of 85 ± acres and the Wakulenko property will consist of 28 ± acres. Mr. Wilkinson stated that he has met with the Wakulenko's to discuss what required information needs to be on their map. Mr. Wilkinson stated that the AG Data Statement was also missing. Mr. Wilkinson stated that they are having a new map drawn up by Thompson & Fleming and will hopefully be at the February meeting.

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 consists of 62 ± acres and are proposing to sell 2 ± acres to Bryant to increase her property to 7.5 acres ±. Mr. Wilkinson stated that Beth Bryant's property is next to his. Mr. Wilkinson stated that he reviewed the information submitted by Beth Bryant and explained to her that the map submitted was not one usually used for lot line changes. Mr. Wilkinson stated that he explained to Ms. Bryant the required information and size of the drawing that needs to be submitted. Mr. Wilkinson stated that Ms. Bryant was going to contact Dave Bogardus of Northeast Land Surveyors and have him prepare the necessary drawings. Mr. Wilkinson stated that he received a call from Dave Bogardus and reviewed with him what information needs to be on the drawing for their proposal. Mr. Wilkinson stated that the 8 ½ x 17 map is what has been received so far.

Mr. Wilkinson stated that there are two separate applications for the Ball parcel at this time. Mr. Wilkinson stated that he has requested that the map for the lot line change show the Ball subdivision that is also before the Board. Mr. Wilkinson stated that the subdivision public hearing should come first then the lot line change can proceed and the map will be less confusing.

ZBA Referral

Kasselman Solar/Crosby (236.-1-59)

Mr. Wilkinson stated that the ZBA has received an application for pole mounted solar panels for a parcel located at 4100 Jockey Street. Mr. Wilkinson stated that they are requesting a 96 foot front setback variance for the installation of the solar array. Mr. Wilkinson stated that he has drafted a letter for the Board to review during the business meeting.

Zoning Report

Mr. Wilkinson stated that the Board has received the reports for October, November and December for review.

Correspondence

Mr. Wilkinson stated that Mr. Kadlecek has resigned from the Planning Board as he is preparing to move out of town. Mr. Wilkinson stated that Dave Crudele has been appointed to serve out the rest of Jack's term.

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 Mrs. Wood. 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

Ms. Szurek made a motion to approve the draft of the October 21, 2019 meeting minutes with changes incorporated. Mr. Wilkinson seconded the motion. All were in favor. Mr. Crudele abstained from the vote.

SUBDIVISION APPLICATIONS

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 October meeting, two options were proposed for the Board's comments. Mr. Wilkinson stated that the applicant has decided to proceed with option 1.

Duane Rabideau of Van Guilder & Associates appeared before the Board.

Mr. Rabideau stated that the parcel is located at 692 Charlton Road. Mr. Rabideau stated that they are proposing to subdivide a single lot on the southwest corner of the parcel. Mr. Rabideau showed the proposed location of the lot and stated that the proposed house would be built along the westerly line of the parcel away from the wetlands corridor. Mr. Rabideau stated that the wetlands located on the parcel are ACOE. Mr. Rabideau stated that the newly created lot will have onsite septic and well and will not impact the existing farming operations on the mother parcel. Mr. Rabideau stated that there will be minimal impact to the existing street scape.

Ms. Szurek asked for the north/south markings to be added to the drawing. Ms. Szurek also inquired if the map provided included the proposed well location and the proposed building location.

Mr. Rabideau stated that all of the information on the drawings is the same except for the addition of the Tax ID numbers, proposed well location and the north arrow. Mr. Rabideau stated that they also added the Repice property's existing house and garage and the existing farm and outbuildings.

Mr. Mitchell inquired if there was a well located on the Stone property.

Mr. Rabideau stated that there are woods separating the properties and that the well was located near the house. Mr. Rabideau stated that it was 500 feet away.

Mrs. Wood asked that the building envelope be shown on the drawing because of the existing wetlands.

Mr. Rabideau stated that they could use the already shown proposed house location since it is the best place due to the slope.

Mr. Mitchell asked for the wetlands buffer to also be shown.

Mr. Wilkinson agreed that would be helpful information to the prospective buyer of the property. Mr. Wilkinson stated that since the parcel is encumbered with wetlands would the applicant be willing to agree to no further subdivision of the parcel.

Mr. Rabideau discussed the question with Mrs. Ball. Mr. Rabideau stated that the applicant would prefer not to put that on the drawing or the deed.

Mr. Wilkinson stated that the application would need to be referred to the County Planning Board and Mike McNamara for engineering review.

Mr. Wilkinson made the motion to schedule the public hearing for February 17, 2020 at 7:30 p.m. Mr. Mitchell seconded the motion. All were in favor.

Mr. Keniry asked Mr. Rabideau to delineate the distance of the westerly boundary of the ACOE wetlands to the distance of the proposed driveway.

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

PRE-APPLICATION CONFERENCE

Landis/Wakulenko (237.-1-9 and 237.-1-7)

Mr. Wilkinson stated that the application and drawing were missing information and that the applicant is working on getting the information for the February meeting.

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 with the addition of 1.9 acres after the lot line change. Mr. Wilkinson stated that drawings have been received.

Ms. Bryant appeared before the Board. Ms. Bryant showed her property on the drawing. Ms. Bryant stated that she would like more land up to the hedgerow to preserve her view.

Mr. Wilkinson explained that both applications, the Ball subdivision and the Ball lot line change, could have been done at the same time.

Mr. Wilkinson stated that procedurally, the subdivision should come first then the lot line change. Mr. Wilkinson stated that the public hearing for the subdivision has been scheduled for February 17, 2020. Mr. Wilkinson stated that county approval and engineering review also needs to be completed for the subdivision. Mr. Wilkinson stated that in order to make sure that the numbers line up acreage wise, the Board will proceed with the subdivision action to get the correct remaining acreage amount before the 1.9 acres can come off with the lot line change.

Mr. Keniry stated that the applicant has a choice in terms of keeping these two separate actions or consolidate so that there is only one map.

Mr. Rabideau stated that they would like to keep it as two separate actions.

Mr. Wilkinson stated that for the Bryant/Ball lot line change, the entire Ball farm and what acreage is coming off needs to be shown and the entire Bryant parcel needs to be shown and what is being added.

Mr. Keniry stated that in anticipation of subdivision approval, the map as provided cannot be used.

Mr. Wilkinson reviewed with Ms. Bryant the information needed for her to have an acceptable drawing.

ZBA REFERRAL

Kasselman Solar/Crosby (236.-1-59)

Mr. Wilkinson read his draft letter to the Board.

Mr. Wilkinson stated that the amount of relief being requested is substantial as it is almost 50%. Mr. Wilkinson stated that he would like to see more information from the applicant. Mr. Wilkinson stated that a balloon test may be warranted to see if the structure is visible from the road.

The Board discussed screening, tree maintenance, possible glare to drivers on the road and the preservation of the rural character of the area.

Mr. Wilkinson stated that he would make some revisions to the draft letter and send to everyone for approval to send to the ZBA.

ZONING REPORT

The Board reviewed the reports.

CORRESPONDENCE

Mr. Wilkinson reminded everyone that the NYS Planning conference will be on 2/5/20.

TOWN BOARD LIAISON

Mr. Grasso thanked the board members for their reappointments. Mr. Grasso welcomed new member Dave Crudele.

Mr. Grasso stated that the cell tower Exceptional Use Permit has been approved and he believes construction will begin sometime in 2020.

Mr. Grasso stated that the town finished 2019 strong financially, with no new town tax. Mr. Grasso stated that the rate for the ambulance district increased bas the cost of doing business also increased. Mr. Grasso stated that the town paid the fifth and final payment for the legal claim and paid the final year of the new highway truck.

Mr. Grasso stated that he does not have an update on the Subdivision Application and Review Guide but should have some edits next month.

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

The meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary