

**TOWN OF CHATHAM PLANNING BOARD
MEETING MINUTES**

**August 12, 2014
Final Copy**

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Members Present:

Donna Staron
Bonnie Schoonmaker
Marilyn Cohen, Chairperson
Tony Ooms
Aven Kerr
Mike Hart
Wendy Carroll
Tal Rappleyea, Town Attorney
McCreary, Paul Engineer

Public Present

Nancy Jackson
Richard Charnoff
Chris Jackson
Nancy Jackson
James Cunningham
Peter VanAlstyne
Paul Veillette
Frances Veillette
Dave Everett
Cindy Meyers
John Antalek

The August 12, 2014 Planning Board meeting was called to order at 7:00PM by Chairperson Marilyn Cohen. The Pledge of Allegiance was recited. Tony Ooms moved to approve the meeting minutes from the July 8, 2014 meeting. Aven Kerr seconded and this carried. Correspondence consisted of an email that was forward to the Planning Board from Building Inspector, Walt Simonsmeier, with regard to a bed and breakfast in North Chatham that may come in front of the Planning Board at a future date.

**NANCY VAZAC JACKSON – SITE PLAN REVIEW
NEW CONCORD
PUBLIC HEARING**

Nancy Vazac Jackson submitted revised maps. The required additions to the maps included the following: the bar scale, a note stating that the boundary and topographical information was based on information that was prepared from a survey that was performed by Plass, Rockefeller, and Nucci, the engineer’s signature, and pictures showing that the protected water body, shown to exist on the Environmental Assessment Mapper, does not exist. Nancy Jackson also presented the Board with the postal receipts from the notifications that were sent to adjoining property owners within 500 feet of the property. After much discussion it was determined that, for future mailings from applicants, they should be sent by certified return receipt. Mike Hart mentioned that the bar scale is recommended for maps which maintains consistency if the maps are ever copied. He also stated that the surveyor map should be a matter of record. Chairperson Cohen assured Mr. Hart that it will be submitted as such. The

Public Hearing was opened at 7:12 PM. Neighbor Richard Charnoff expressed a concern regarding the parking. He said that the parking is visible from his house and asked that a few deciduous trees or some shrubs be planted between the parking area and his property line. Nancy Jackson agreed to this. Wendy Carroll suggested consulting with someone about planting evergreens to block the view and to perhaps set this as a condition set by the Planning Board. Theresa Walker who lives on Elliott Road, asked how many vehicles would be able to park in the parking area. Nancy Jackson explained that there are four spaces and a double space for a van or oversized vehicle. Ms. Jackson assured Ms. Walker that the headlights from the vehicles would fall below Elliott Road. Richard Charnoff stated that he was confused as to why gravel was being labeled permeable. Paul McCreary explained that compacted gravel is considered the same as asphalt with regard to runoff. There were no other comments. The Public Hearing closed at 7:28 PM. Mike Hart reviewed the Short Form SEQRA application, which shows no adverse effects to the following: air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems. Also, there are no aesthetic, agricultural, archaeological, historic, or other natural or cultural resources or community or neighborhood character concerns. There are no significant effects to vegetation or fauna, fish, shellfish or wildlife species, significant habitats or threatened or endangered species. The community's goals for the land are not affected, and there are no long or short term effects identified. Since this is the case, Mr. Hart moved that this is to be considered an unlisted action, and there is no significant adverse environmental effect in approving this subdivision/lot line adjustment. Donna Staron seconded and this carried. Tony Ooms moved to approve the subdivision, (lot line adjustment), with the idea that, once construction has been completed, Nancy Jackson will be in contact with Mr. Charnoff to agree on plantings between their properties to alleviate the parking lot visibility from Mr. Charnoff's house. Bonnie Schoonmaker seconded, and this carried unanimously.

STEPHEN KIPP – SUBDIVISION REQUEST (LOT LINE ADJUSTMENT)

CHAPEL DRIVE

INFORMATIONAL

Peter VanAlstyne, surveyor, explained that Mr. Kipp wants to move existing property lines on his property and merge two parcels, taking away acreage from Mr. Kipp and adding to Mr. Antalek's parcel, to make one 9.09 acre parcel. This lot line adjustment would eliminate an already approved lot, so there will be no building lots created. In fact one building lot will be eliminated as a result of this request. Percolation tests were all done previously. Town attorney, Tal Rappleyea, stated that he had recently represented Mr. Kipp on other projects. He is not currently representing Mr. Kipp, but asked if anyone had any problem with him working on legal matters for this project. It was unanimous among the Board members that this would not be an issue. The Board pointed out that local roads should be shown on the map and the

Norths should be consistent between the map and the insert. Legal papers need to be presented to Tal Rappleyea. The Board also asked that the zone be placed on the map as well as the bar scale, zone to zone lines, and the source of the contours. Paul McCreary pointed out that the location map was not labeled. He asked about any access easements into Mr. Antalek's property. Peter VanAlstyne stated that there are no easements. Mr. McCreary expressed confusion about the notes on the map. Mr. VanAlstyne stated that he has always treated his notes like this but added that he would "clean them up" if needed. Tal Rappleyea said to leave the notes as is. Mr. Rappleyea also stated that most of the property is in an RL 3 zone. Mike Hart commented on the fact that the contour lines were not labeled near the driveway. The Public Hearing was set for September 9, 2014.

OOMS FAMILY HOLDING COMPANY – SUBDIVISION (LOT LINE ADJUSTMENT)
ROCK CITY AND GEORGE ROAD
INFORMATIONAL

Peter VanAlstyne, surveyor, presented maps to the Board explaining that as a result of the subdivision, (lot line adjustment), the Meyers' parcel would be merged with part of the Ooms Family Holding Company's property creating a 20 acre lot. Chairperson Cohen pointed out that the bar code and contour source will need to be added to the maps. When asked about any wetlands Mr. VanAlstyne stated that the Sutherland Pond wetland just touches the end of the property. Wendy Carroll asked about the deeds and whether or not they reflected easements to the adjoining Day property. Tal Rappleyea stated that this information would be in the deed. The Public Hearing was set for September 9, 2014.

JAMES CUNNINGHAM – SUBDIVISION (LOT LINE ADJUSTMENT)
PITTS ROAD
INFORMATIONAL

Peter VanAlstyne, surveyor, presented the Board with maps. He asked the Board if 300 feet of road frontage is required for all lots. Chairperson Cohen explained that there is a formula that has been used to "stretch" the code. Donna Staron pointed out federal protected wetland locations on the map. She added that the location of the wetlands needs to be delineated on the map. Paul McCreary explained that someone on the ground, (a biologist), needs to assess the location of federally protected wetlands, and mark their location with flags. Then a survey would be done and applied to the maps. At this point the applicant would look at subdividing and the location of roads, etc. Mr. VanAlstyne mentioned that he has dealt with biologist Roger Case in the past and will contact him. Dave Everett supports this project and added that he and Mr. Cunningham have agreed upon a no cutting zone and they are working on deed restrictions with the right of enforcement going to Mr. Everett. Mr. McCreary suggested holding on this application until all the information and data is collected. Tal Rappleyea also suggested waiting

because it would be amended anyway. Mike Hart asked Paul McCreary what the difference is between Federal and State regulated wetlands. Mr. McCreary explained that all wetlands are federally regulated but the state takes over responsibility for wetlands greater than 12 acres. It was agreed to hold on this project until more data is collected. At that time the applicant will contact the board regarding a proposed subdivision. Donna Staron, moved to adjourn and Wendy Carroll seconded. This carried and the meeting was adjourned at 8:40 PM.

Respectively submitted,

Gail Chamberlain, clerk

Marilyn Cohen, Chairperson