

**TOWN OF CHATHAM PLANNING BOARD  
MEETING MINUTES**

**January 14, 2014  
Final Copy**

**Members Present:**

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

**Public Present**

Gary Smith  
Jenny Smith  
Richard Sardo  
Cynthia Elliott  
Lee Gagne  
David Hegeman  
Keith Gregg  
Timothy Schools

The January 14, 2014 Planning Board meeting was called to order at 7:00PM by Chairperson Marilyn Cohen. The Pledge of Allegiance was recited. Chairperson Marilyn Cohen acknowledged and welcomed new member, Mike Hart.

Tony Ooms motioned to approve the December minutes, Wendy seconded, and this carried with one abstention. Chairperson Marilyn Cohen announced the yearly Association of Towns convention that will take place in Saratoga Springs March 31 – April 1.

**BEHN/SMITH – SUBDIVISION/LOT LINE ADJUSTMENT  
ROUTE 66  
PUBLIC HEARING**

Mr. Sardo presented the board with maps and re-stated that the reason for the subdivision/lot line adjustment request is so Mr. Behn's property could be extended a few feet. Mr. Sardo also presented the board with a letter from Mr. Behn stating that he is in full agreement with the subdivision/lot line request. Postal receipts were submitted as well as a check for \$150 to cover the application and plat fees. The public hearing was opened at 7:08 PM. There were no comments. The public hearing closed at 7:08 PM. Mr. Sardo signed part 1 and Deputy Chairperson Donna Staron 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, Ms. Staron 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. Bonnie Schoonmaker seconded the motion and this passed. Motion to accept the proposed subdivision/lot line adjustment, pending receipt of the pinning letter, was made by Tony Ooms and seconded by Deputy Chairperson Donna Staron. This carried with one abstention. Wendy Carroll stated that some of the adjacent lands have wetlands and perhaps the answer to #13 of the SEQRA form should be amended to yes instead of no. Engineer Paul McCreary stated that this would be correct to do and that it should be noted on the SEQRA form. Deputy Chairperson Donna Staron moved that, following Wendy Carroll's research showing wetlands on adjacent property, the SEQRA form be amended. This was seconded by Tony Ooms and carried. Chairperson Marilyn Cohen changed the answer to #13 to "yes" and put a notation on the bottom of the form reflecting the change, adding that it does not impact the decision to approve this subdivision/lot line adjustment.

#### Laurie Graff-Subdivision Request, Rock City Road Public Hearing

Cynthia Elliott, representing Ms. Graff, presented the Board with revised maps showing 57.8 acres which Ms. Graff would like to subdivide into two parcels. Ms. Elliott also submitted the pinning letter, postal receipts, and the deed. Town Attorney Tal Rappleyea noticed that there were two pages missing from the deed. Ms. Elliott stated that these pages were signature pages and that she would get them to Counselor Rappleyea. The new maps showed contours and a legend at the bottom of the maps showing areas of potential wetlands. There is also a driveway sketched on the maps that shows what the longest possible driveway could be in accordance with the 2010 code and shows the turnouts at every 500 ft

and the turnaround at the end. There is a note pertaining to this on the map. There is also a percolation test site shown with a standard note that it may require a full or raised bed septic system. Chairperson Marilyn Cohen read the letter from the engineers that was sent over the cell phone, which stated that the land percolated and that areas were found that would be suitable for a septic system. The reference to water bodies on question #13 of the SEQRA was amended to yes which Ms. Elliott changed on the form. Wendy Carroll questioned #2 on part 2 of the SEQRA form that referenced any changes to the use or intensity of the use of the land as a result of the subdivision. Paul McCreary suggested looking at what the application is for, specifically the subdivision of land into 2 parcels. Mr. McCreary pointed out that the application is not for a building permit, which WOULD possibly mean a change in the use or intensity of use of the land. The Board agreed with Mr. McCreary's explanation and left the answer to #2 as a no. The Public Hearing opened at 7:42 PM. Lee Gagne, who is a neighbor, asked to see the maps and wondered what the Town's setback requirements are. Ms. Elliott told him 50 ft for the front and rear of the property and 100 ft for the sides. There were no more comments and the Public Hearing closed at 7:46 PM. Deputy Chairperson Donna Staron 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, Ms. Staron moved that this is to be considered an unlisted action, and there is no significant adverse environmental effect in approving this subdivision. Aven Kerr seconded the motion and this passed. Tony Ooms motioned to accept the subdivision pending receipt of the deed pages and hard copy of the percolation test. Wendy Carroll seconded the motion, and it passed with one abstention. It was also noted that the location map of this property was inadvertently left off the maps. The clerk will contact Ms. Elliott so corrected maps can be submitted.

Aven Kerr moved to adjourn and Wendy Carroll seconded. The meeting was adjourned at 7:55 PM.

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Marilyn Cohen, chairperson

Respectively submitted,

Gail Chamberlain, clerk