

**TOWN OF CHATHAM PLANING BOARD  
MEETING MINUTES**

**FEBRUARY 10, 2015  
FINAL COPY**

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**Members Present:**

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

**Members Absent:**

Marilyn Cohen  
**Public Present:**  
Elizabeth Marks  
Peter VanAlstyne  
Heather Uhlar  
Mark Uhlar  
Dorothy Mackerer  
Timothy Mackerer

The February 10, 2015 Planning Board meeting was called to order at 7:00 PM by Deputy Chairperson, Donna Staron. The Deputy Chair asked for any comments or changes to the January 13 minutes. Mr. Hart said he was satisfied with the resolving of his "lot line adjustment versus subdivision" question. Ms. Carroll moved to approve the minutes, Mr. Hart seconded that, and the motion carried unanimously. The Deputy Chair announced that the Site Plan Review of Cathy and Mark Jager had been withdrawn. The Life Serve project has also been withdrawn from the Zoning and Planning Boards. Deputy Chairperson Staron asked for any questions or comments or issues from the Board members. Ms. Carroll and Mr. Hart said they had a draft copy of a Site Plan Checklist and said they would present it for review later in the meeting.

**ELISE DE — SUBDIVISION (LOT LINE ADJUSTMENT)  
BASHFORD ROAD  
PUBLIC HEARING**

Mr. VanAlstyne presented new plans for the proposed subdivision. Changes included: Tied the survey of the Wetlands to the boundary point; delineated the building area as 40,000 square feet, under the limit of the SWPPP; increased the size of the location map; referenced the contour data to Google Mapping. Ms. Marks provided an Endangered Species EnviroMapper handout. The endangered species referenced in the SEQR is most likely the Northern Harrier. However, the land being subdivided is not usable for nesting by the Northern Harrier. Mr. VanAlstyne gave the Deputy Chair a pinning letter and certified receipts from notices to neighbors. Mr. McCreary asked how the building envelope will be delineated for contractors so that the disturbance will be kept within the limits. Mr. VanAlstyne and Ms. Marks agreed that there will be flags and stakes in the ground to delineate. Mr. McCreary pointed out that Erosion and Sedimentation Controls are needed if the disturbed area is more than an acre. A board member asked how we can be assured that the Code Enforcement Officer, and subsequently the contractors, will be aware of these conditions. It was suggested that the Resolution for Approval included the condition that less than an acre will be disturbed and that flagging will remain on the property during the construction stage. The Public Hearing was opened at 7:12 and closed at 7:13 as no members of the public attended to discuss or comment on this action. Ms. Carroll went through the SEQR, and a Negative Declaration was unanimously approved. Mr. Hart made the motion to approve the subdivision with two conditions: any Building Permit issued would 1) flag the wetlands and buffer zone, and 2) limit the area of disturbance to less than an acre. Ms. Schoonmaker seconded the motion and it was unanimously approved.

**MARK AND HEATHER UHLAR  
ROCK CITY AND THOMAS ROADS  
SITE PLAN REVIEW**

Mr. and Mrs. Uhlar explained to the Planning Board that starting in 2012, they have added a home, a 12 stall horse barn and an indoor riding arena to their property. They cleared the property for pasture and fenced it. Starting in 2014 they began to accept money for boarding five or six horses, along with keeping horses they own. Recently, Walt Simonsmeier sent them a notice that they needed a permit to operate a horse boarding business on the property. They are seeking approval of their site plan, a condition of receiving aforementioned permit. The map that the Uhlars presented was not to scale, and the buildings did not include lighting and other aspects of a site plan. They had used a survey of the property, but Mr. Uhlar had drawn in the buildings. Since the Uhlars were not familiar with what was needed for a site plan, Mr. Hart shared the Draft Site Plan Check List that he and Ms. Carroll had worked on. The Board agreed it should be given to the Uhlars, even though it is not formally approved, as it will be very helpful for them in revising their site plan and submitting all the information the Planning Board needs.

In addition to giving them the Checklist, several board members mentioned specific items not covered on the current map. Ms. Staron pointed out they would need the driveway cut and a handicapped parking space. Mr. McCreary asked about deliveries and what kind of traffic would result from the horse boarding business, since they are on a dirt road. Mrs. Uhlar brings in all needed materials in her SUV, except for a monthly delivery of 100 bales of hay via a truck and trailer. Vets and farriers come to the horses. Mr. McCreary also questioned whether we wanted to put limitations on the site plan application so that any increase in the business, or number of horses housed in the future, would necessitate the need to return to the Board. It also was pointed out that we need a letter from the fire department confirming that there is appropriate access and turnouts for emergency vehicles. There will be no bathroom facilities. Guests/clients will use the house bathrooms. Mr. McCreary also said the existing survey from the subdivision can be used as a basis for the site plan. A Board member asked if the other property across the road will be used. The answer was yes.

Ms. Carroll pointed out there are wetlands on the second property. As the application includes both properties, this should be reflected on the SEQR. This change was made and initialed by the applicant. Mr. McCreary said he was still unclear on how the map was to be prepared. Ms. Carroll asked whether the Board would require a new survey, or can he give us his map, which uses the previous survey with Mr. Uhlar's drawing the placement of buildings, etc. and then we will decide if it is good enough as a site plan to be approved. Mr. Hart asked Mr. Rappleyea if the Planning Board could require a survey and the answer is yes, it is within our discretion. Mr. Uhlar pointed out that nothing is changing and Mr. Hart replied that the Planning Board still needs an accurate representation of the site, especially since all the buildings have been added since the previous survey. Ms. Staron and Ms. Schoonmaker agreed. Mr. Ooms said if the map prepared by Mr. Uhlar was good, it would be acceptable. Ms. Carroll pointed out our Site Plan Checklist is a set of standards and would require a surveyor to do the survey, otherwise how would we know the representations are correct. Mr. Rappleyea commented that surveys aren't that expensive. The Planning Board gave the Draft Site Plan Checklist to the applicants. Mr. Rappleyea said we would also need the title report from the closing deed. He pointed out that subject to what happens after the Public Hearing on the Moratorium, this Site Plan Review might be put on hold. If that were to happen, the Uhlars could, if they chose, make a hardship application to the Town Board.

**TIMOTHY AND DOROTHY MACKERER — SUBDIVISION  
ROUTE 295 EAST CHATHAM  
INFORMATIONAL**

In 1992, Mrs. Mackerer divided her property, and her son Timothy built a house on the smaller parcel. He now proposes to add land from the larger parcel to his existing property to protect his house site from what might happen at some point in the future to the existing farm. Mr. Mackerer had a map of the previous subdivision and an aerial shot of the land showing the property lines and proposed division. There are stone wall boundaries that are a natural division to the property. The plan is that the new land will be merged with the current property on the County Tax Rolls. There has not yet been a survey done of the property showing this proposed subdivision. Mr. Hart said that since this is a subdivision, the checklist should be followed and everything should be put onto the next version of the map. We could set a public hearing for the March Planning Board meeting if Cindy Elliot could get the map ready 15 days before the meeting. Thus, might not be possible, given the weather and snow cover. Ms. Staron gave the information to Mrs. Mackerer just in case.

Mr. Hart said that he thought both parcels should be surveyed and that it is important the new survey should show two parcels...what Timothy has (merged) and what Mrs. Mackerer has once the subdivision is completed. Ms. Staron asked Mrs. Mackerer if she had a survey of the entire farm and she replied there was only a very old one. Mr. Rappleyea said that the larger piece (100 acres+/-) does not need to be surveyed except for the piece being conveyed and the new final parcel. Mr. McCreary noted there are two key property lines that need to be verified for the Planning Board to be comfortable....the front and back boundaries. The present bearings should be acceptable on the survey. Given the various positions on surveying the entire farm, Ms. Staron individually polled the Board members as to whether we should require the entire property to be surveyed or just the piece that is to be transferred with a map showing the entire newly merged property. The Board members unanimously agreed just the piece to be transferred has to be surveyed.

Ms. Staron restated that a survey is needed with the front and back boundary lines verified and a new map to show both pieces that will be merged into one. Ms. Staron gave them a copy of the subdivision checklist and reminded them that the SEQRA information for the remaining farmland property will also be required.

**TOM MITCHISON — SUBDIVISION (LOT LINE ADJUSTMENT)  
BASHFORD ROAD  
INFORMATIONAL**

Mr. VanAlstyne had, at the January, 2015 Planning Board meeting, presented an application to subdivide a 20-acre parcel into one 5 acre and one 15 acre lot. The Planning Board noted that the property is in Zone 1, therefore the lots must be 10 acres each. At the February meeting, Mr. VanAlstyne provided a new subdivision of the property into two 10 acre lots. The significant issue of this property is that while there is plenty of frontage, the contours of the land dictate the the two lots share a driveway on which there will be an easement needed. The 10/10 acre split creates oddly shaped properties. Mr. Hart pointed out they could go to the ZBA for a 15/5 split if they chose to. However, this would still call for the parcels to share a driveway. Mr. McCreary noted the NYS Fire Code for long driveways would require passing room and turnouts. He asked how much disturbance would be created and would there need to be a plan for storm water and erosion issues...a SWPPP might be needed, either at the time of the subdivision or at the time of building. He also asked if the driveway was too steep for the Chatham Code. All these questions need to be answered by the applicant at the next meeting.

Ms. Staron set the Subdivision for a Public Hearing next month and reminded Mr. VanAlstyne he needed perk test results, disturbance information and modifications, plus an application and a check.

Deputy Chair Donna Staron moved that the meeting be adjourned and Ms. Kerr seconded. This carried and the meeting was adjourned at 8:57 PM.

Respectfully submitted,

Aven Kerr, acting clerk

Donna Staron, Deputy Chairperson