

**TOWN OF CHATHAM PLANNING BOARD  
MEETING MINUTES**

**January 13, 2015  
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

**Public Present:**

Sarah Lipsky  
Cathy Jager  
Mark Jager  
Elizabeth Marks  
Peter VanAlstyne

The January 13, 2015 Planning Board meeting was called to order at 7:00 PM by Chairperson Marilyn Cohen. Tony Ooms moved to approve the meeting minutes from the October 14, 2014 meeting. Bonnie Schoonmaker seconded and this carried. Information for the training registration was given to the members. There was discussion about creating a site plan review check list. The chair asked for a task force on doing this. Wendy Carroll, Mike Hart, and Chairperson Marilyn Cohen will begin working on the checklist. Chairperson Marilyn Cohen announced that she and the clerk, Gail Chamberlain, will be out of town for the February meeting. Aven Kerr will be taking the minutes for that meeting. In addition to running the meeting, Deputy Chairperson Donna Staron will be the contact person for any upcoming projects. The Building Inspector and the Town Clerk will be notified of this.

**CATHY AND MARK JAGER – SITE PLAN REVIEW  
ALBANY TURNPIKE  
INFORMATIONAL**

Chairperson Marilyn Cohen reviewed the requirements that were set forth at the October 2014 meeting. The letter from Building Inspector, Walt Simonsmeier, was read approving the septic system. A letter from the National Historic Registry was also referenced which stated that no additional requirements were needed. A letter from the New York State Department of Environmental Conservation was read which stated that, after visiting the site, it was found that the New York State freshwater wetland still exists and it has not shrunk. It further stated that there are no concerns from this Department and no permits are required. Chairperson Marilyn Cohen referenced the October meeting where it was suggested that a new survey be completed. Chairperson Cohen said that the applicant has requested that, since nothing has changed with the property, the new survey be eliminated. Chairperson Cohen added that if there is a change in the configuration of the property in the future, a new survey would have to

be completed. A property map from 1987 was reviewed by the Board. Mike Hart's concern dealt with the fact that the Board was looking at a map that is over 20 years old and therefore suggested that no one on the Board were qualified to say that everything has remained the same. Chairperson Cohen pointed out that the setbacks have not changed. Cathy Jager asked that, since a site plan is required, perhaps it could be added to the survey map. Chairperson Marilyn Cohen said that the site plan could not be called "the survey". There was much conversation regarding whether or not the map from 1987 could be accepted as a survey of land. Chairperson Marilyn Cohen polled the Board and results are as follows:

**Bonnie Schoonmaker** – yes to accepting the map as a land survey

**Tony Ooms** – yes to accepting the map as a land survey

**Aven Kerr** – yes to accepting the map as a land survey

**Mike Hart** – opposed to accepting the map as a land survey stating that he is not comfortable saying that no changes have been made since 1987.

**Wendy Carroll** – yes to accepting the map as a land survey

**Deputy Chairperson Donna Staron** – yes to accepting the map as a land survey

Wendy Carroll asked Cathy Jager if she had obtained an estimate for a new survey. Mrs. Jager stated that she did not.

Chairperson Marilyn Cohen asked for a motion to accept the 1987 map as a land survey with the condition that an additional set of maps be used for the site plan. Wendy Carroll asked Town Attorney, Tal Rappleyea, if the Town would be liable, to which Counselor Rappleyea answered no.

Aven Kerr moved to allow the map to be acceptable as a land survey with the condition that an additional set of maps be used for the site plan. Bonnie Schoonmaker seconded. Mike Hart opposed. This passed. Mrs. Jager presented the Board with hand drawn plans depicting the proposed lighting and signage. Mark Jager said they would be adding 3 new lights in addition to the one that already exists. Two of the lights will be at the same height as the existing light on 6 foot poles. These are to be lantern style. Chairperson Marilyn Cohen pointed out that the lights needed to be labeled as to whether or not they are existing as well as what the distance is between the lights. Aven Kerr mentioned the fact that lantern style lights create more of a "shock to the eye". Wendy Carroll suggested the applicants take pictures of the existing conditions and lamps. Deputy Chairperson Donna Staron stated that the Board has an obligation to try to keep the lights from shining on the neighbors' property. Parking was not designated on the plans but Mrs. Jager stated that there was ample space for at least 7 parking spots. Deputy Chairperson Donna Staron told Mrs. Jager that the parking spaces needed to be marked on the plans. Wendy Carroll read the requirements for a site plan, and added that everything needs to be identified on the area site plan. Town Attorney Tal Rappleyea asked how the proposed checklist was looking. Chairperson Marilyn Cohen said the Board was in the process of getting it in place. Mike Hart stated that a site plan

needs a scale, i.e.: a graphic bar scale which helps translate to other sized maps. Mrs. Jager stated that no area is being disturbed. Aven Kerr reiterated that everything needs to be identified on the map. Mike Hart stated that contours need to be shown on the map. The Board will need to know how much land will be disturbed in the process of putting the septic system into the ground. The Board summed up the requirements by stating that, in addition to the contours, there will need to be a bar scale, North arrow, sign, and location, septic location, 100 foot setback on wetland, any changes on property, and disturbance of acreage. Wendy Carroll pointed out that when the engineer puts together the plan for the septic system, there will be a place for Mrs. Jager to delineate the location of lights, septic system, and other requirements for the site plan. Mrs. Jager will meet with Chairperson Marilyn Cohen, Deputy Chairperson Donna Staron, and Board clerk, Gail Chamberlain to show the applicant what a few site plans from previous applications looks like. This will be scheduled for some time before January 23<sup>rd</sup>.

**ELISE DE – SUBDIVISION  
BASHFORD ROAD  
INFORMATIONAL**

Mr. VanAlstyne presented the Board with maps showing the proposed subdivision. There exists a parcel that is 8.6 acres with a house that is part of a 26 + acre piece of property. The proposed subdivision would separate 10 acres into its own parcel, leaving the 8+ acres with house as parcel 1 and the 10 acres as parcel 2. The wetlands are shown on the map as well as the 100 foot buffer. Preliminary percolation tests have been completed which Mr. VanAlstyne presented to the Board. Highway Superintendent Joseph Rickert looked at the driveway and wrote a letter which was also presented to the Board. Mike Hart asked what the source of the contours was, adding that the source needs to be referenced on the maps. Mr. VanAlstyne stated that Google Maps is the source. Deputy Chairperson Donna Staron asked what the area of disturbance would be. Mr. VanAlstyne stated that the area of disturbance will be under an acre and that it will be referenced on the maps. Mr. VanAlstyne also said he would reference the proposed location of the septic as well as a notation per stabilized percolation rate. Mr. VanAlstyne stated that there will be minimal grading and clearing needed. Wendy Carroll referenced the SEQR asking if any threatened or endangered animals are in the area of the proposed subdivision. The applicant, Elizabeth Marks said that she works with the County Agricultural Division as a biologist and could easily find this out. Public Hearing was set for February 10, 2015.

**MALONE/CAPOBIANCO – SUBDIVISION  
COUNTY ROUTE 13  
INFORMATIONAL**

Mr. VanAlstyne presented the Board with maps. Aven Kerr mentioned that the land owned by Mr. Capobianco abuts her land and asked if she should recuse herself. The pertinent questions were asked by the Board, i.e.: Can you look at the plans and make a decision on just the facts? Aven Kerr said that she could make a decision on the facts and added that she will not have any financial gain as a result of the subdivision. Mr. VanAlstyne stated that he is in the process of getting a permit from the Department of Environmental Conservation for a proposed bridge that would allow crossing over the wetlands. He is waiting for approval. Wendy Carroll looked over the SEQR and stated that it looked in order. It was pointed out that parcel 2 cannot be subdivided again. This parcel is in both zone 1 and zone 2. A zone line needs to be added to the map as well as the envelope. This was not set for Public Hearing because the Board still needs the approval letter from the Department of Environmental Conservation regarding the bridge.

**TOM MITCHISON – SUBDIVISION  
BASHFORD ROAD  
INFORMATIONAL**

Mr. VanAlstyne submitted the application along with maps, deed, and short form SEQR. Mr. VanAlstyne pointed out that the applicant wishes to subdivide 20 acres. The applicant would like to use the existing driveway for both properties. The Board pointed out that an easement and driveway agreement will be needed. The proposed subdivision would result in one 5 acre lot and one 15 acre lot. The Board ascertained that the property is in Zone 1, therefore the lots have to be a minimum of 10 acres each. Mr. VanAlstyne will go back to the applicant and find out how the applicant wants to proceed. Deputy Chairperson Donna Staron moved to adjourn and Aven Kerr seconded. This carried and the meeting was adjourned at 9:53 PM.

Respectfully submitted,

Gail Chamberlain, clerk

Marilyn Cohen, Chairperson

