

**TOWN OF CHATHAM PLANNING BOARD**

**February 09, 2016**

**MEETING MINUTES**

**FINAL**

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**MEMBERS PRESENT**

**PUBLIC PRESENT**

Donna Staron, Deputy Chairperson

Cynthia Elliot

Wendy Carroll

Mike Hart

Aven Kerr

Bonnie Schoonmaker

**MEMBERS ABSENT**

Cindy Meyers

Marilyn Cohen, Chairperson

Pat Prendergast, Town Engineer

Gail Chamberlain, Clerk

Tal Rappleyea, Town Attorney

The February 09, 2016 Planning Board meeting was called to order at 7:00 pm by Deputy Chairperson Donna Staron. The Pledge of Allegiance was recited. Deputy Chairperson Donna Staron welcomed Pat Prendergast, the newly appointed Town Engineer. Deputy Chairperson Donna Staron inquired with the board if everyone had received their pay, as it is now being distributed on a monthly basis. Mike Hart had not received a paycheck for January, even though he has respectfully maintained his “holdover” status by attending both the January 12, 2016 meeting and is in attendance for this meeting of February 09, 2016. Deputy Chairperson Donna Staron will inquire into the matter on behalf of Mike Hart. Deputy Chairperson Donna Staron confirmed the receipt and review of both the letter received from Val Calhoun and the reply by Chairperson Marilyn Cohen. Deputy Chairperson Donna Staron announced the Lenney project, that was before the board as information in January, will not be going before the Zoning Board of Appeals as it has been withdrawn by the applicant. This was confirmed by Tal Rappleyea, Town Attorney. Mike Hart moved to accept the minutes from the January 12, 2016 meeting. Wendy Carroll seconded the motion, which carried.

## **TOM CLARK-SUBDIVISION**

### **SHAKER MUSUEM ROAD**

#### **PUBLIC HEARING**

Tom Clark is represented by Cynthia Elliot. The project was presented and reviewed for the benefit of both the board and Pat Prendergast, the new Town Engineer. Two parcels are owned by Tom Clark under different names. A boundary adjustment to meet the natural contour of the stream is requested. 24 plus acres from the south parcel would be added to the north Fieldstone parcel, resulting in 69 plus acres for the Fieldstone property and 176 plus acres left in the south property. No setback violations will be created. The required notices and mailing receipts were submitted. The pinning letter was submitted. Cynthia Elliot pointed out the existence of the requested map additions such as: bar scale, legend, zone, and areas flagged by DEC in 1993. A note was added to the map of the possibility of need for additional setback requirements above that of the Town of Chatham requirements due to wetlands. It was noted the board had waived the need for contour lines at information meeting of January 12, 2016. Town Attorney Tal Rappleyea confirmed all legal paperwork was in order. Cynthia Elliot submitted paperwork, including a map and regulations, addressing the question of the conservation easement. Columbia Land Conservancy has accepted the change in boundaries between the properties and an additional note on the map notates the areas under the conservation easement. The use of a stream as boundary was expressed as a concern by Pat Prendergast, Town Engineer. Cynthia Elliot explained the legal description of the properties allow for a re-creation of the boundary. In addition, it was stressed by Cynthia Elliot that the conveyance is specific to a merger to the Fieldstone property and not intended to create a new property. Mike Hart inquired if the conservation easement was a recorded document in the county courthouse, especially since the existing Fieldstone property is currently not part of the conservation easement but once merged becomes part of the easement. Cynthia Elliot explained the easement is part of the deed, but not part of the deed of record. However, it is noted on the map and would be also picked up by the title insurance company if the land was to be ever sold. The public hearing was open by Deputy Chairperson Donna Staron at 7:26pm. With no members of the public present, the public hearing was closed at 7:26pm. Wendy Carroll presented the SEQR. It was agreed that wetlands as flagged and the wetlands on the adjacent properties did not impact the application. A negative declaration was declared. Wendy Carroll moved to accept the SEQR. Aven Kerr seconded the motion, which carried. Aven Kerr motioned to accept the subdivision application. Mike Hart seconded the motion, which carried. Payment of all required fees was submitted by Cynthia Elliot.

## **ANDREW HUMPHREY/HARLAN ROOT-SUBDIVISION**

### **RIDER MILLS ROAD**

### **PUBLIC HEARING**

Both parties were represented by Cynthia Elliot. The project was presented and reviewed for the benefit of both the board and Pat Prendergast, the new Town Engineer. Harlan Root wishes to convey a 2.84-acre piece of property from his 250 plus acres to Andrew Humphrey to add to his 91 plus acres for aesthetic reasons. The required notices and mailing receipts were submitted. The pinning letter was submitted. Town Attorney Tal Rappleyea confirmed all legal paperwork was in order. Cynthia Elliot stated she was personally addressed by Mr. Shaw and Mr. Levine, neighbors of the properties in question, and neither had any objection to the action being requested by the applicants. It was stressed by Cynthia Elliot that this was a conveyance and merger that will not create an additional parcel. Cynthia Elliot pointed out the existence of the requested map additions such as: legend, bar scale, adjacent tax numbers, and proper zone. It was noted the board had waived the need for contour lines at information meeting of January 12, 2016. Pat Prendergast, Town Engineer, questioned the location of property boundaries to the center of the roadway. Cynthia Elliot explained the law regarding user roads with dedication as described in the deeds. Mike Hart and Tal Rappleyea, Town Attorney, explained the need for the rights of reversion to make sure no gorge is left if the roadway is abandoned. The need to survey entire parcels, in lieu of only newly created boundaries, and the balancing of the particulars of each individual project details was debated and tabled for discussion at a future meeting. The public hearing was open by Deputy Chairperson Donna Staron at 7:53pm. With no members of the public present, the public hearing was closed at 7:53pm. Wendy Carroll opened the presentation of the SEQR. It was stated the adjacent wetlands have no effect on the land to be conveyed. Mike Hart continued with the SEQR, making a declaration of negative impact. Mike Hart moved to accept the SEQR. Wendy Carroll seconded the motion, which carried. Aven Kerr motioned to accept the subdivision application. Cindy Meyers seconded the motion, which carried. Payment of all required fees was submitted by Cynthia Elliot.

#### **Additional Board Business:**

Mike Hart thanked the board for their patience during his “holdover” status. He expressed his regret in his inability to fully participate in SEQR research, due to the uncertainty of status month to month. The board expressed gratitude for the work he has done, and his dedication even during his “holdover” status.

At 8:00pm Aven Kerr motioned to adjourn. Wendy Carroll seconded the motion, which carried.

Respectfully submitted,

Bonnie Schoonmaker, acting clerk

Donna Staron, deputy chairperson