

**TOWN OF CHATHAM PLANNING BOARD
MEETING MINUTES**

**January 12, 2016
FINAL COPY**

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MEMBERS PRESENT

PUBLIC PRESENT

Marilyn Cohen, Chairperson
Wendy Carroll
Mike Hart
Aven Kerr
Donna Staron
Bonnie Schoonmaker
Cindy Meyers
George Schmitt, Town Engineer
Tal Rappleyea, Town Attorney

Peter VanAlstyne
Frederick Haley
Robert Hinz
Cynthia Elliott
Steven Gruber
Van Calhoun

The January 12, 2016 Planning Board meeting was called to order at 7:00 PM by Chairperson Marilyn Cohen. The Pledge of Allegiance was recited. Chairperson Marilyn Cohen informed the members that the Town's interim Building Inspector is Vince Concra, and added that Mr. Concra is limited to doing inspections only. Chairperson Marilyn Cohen recognized Mike Hart and thanked him for his professionalism and dedication during the time he has spent on the Planning Board. Chairperson Cohen explained that Mr. Hart's term expired in December but, since no one has been appointed, Mr. Hart will continue to be an integral part of the Board. Chairperson Cohen also recognized Engineer, George Schmitt, and stated that Morris Associates has reapplied for the town engineering position. The Town Board will conduct interviews next week. Town Attorney Tal Rappleyea's position also will be terminated, with interviews scheduled for next week by the Town Board. According to Town Supervisor the Town Board will not be interviewing for the Planning Board vacancy until February. Chairperson Cohen welcomed Cindy Meyers, who had been appointed to the position in December. When asked about any correspondence, the clerk stated that the Zoning Board of Appeals' chairperson, Dave Everett requested that the Planning Board discuss a project that is currently in front of the Zoning Board of Appeals. Deputy Chairperson Donna Staron moved to accept the minutes from the November meeting. Mike Hart seconded and this carried.

**ROBERT HINZ – MODIFICATION TO PREVIOUSLY APPROVED SUBDIVISION
WHITE MILLS ROAD
INFORMATIONAL**

Frederick Haley submitted maps and explained that the intention of Mr. Hinz is to move the interior property line. The realtor had suggested this so as to help with an impending sale. Mr. Haley stated that there are currently no buildings on the property and he also stated that this was always a two lot subdivision. Chairperson Cohen stated that this action shouldn't affect the neighbors. Deputy Chairperson Donna Staron asked if any percolation tests would be needed. Mr. Haley stated that there are no plans to build adding that the property is all wooded. Wendy Carroll mentioned that there are wetlands next to the property but no wetland are on the property. Town Engineer George Schmitt saw no problem issues. Chairperson Cohen moved to accept this modification and use the already approved SEQR. Bonnie Schoonmaker seconded and this carried.

**LEAH LENNEY – SUBDIVISION
BUSHNELL ROAD
INFORMATIONAL**

Mr. Bowe submitted maps and explained that Ms. Lenney wishes to merge two parcels on the Bushnell Road property. One parcel is approximately 2/3 acre and the other is approximately 30 plus acres. As a result of merging these two parcels it is the intention of Ms. Lenney to create a subdivision with one parcel of 12.5 acres, which have buildings. The driveway access would be from the existing 2/3 acre parcel which has 231 feet of frontage. Chairperson Cohen noted that the Town requires 300 feet of frontage. Town Attorney Tal Rappleyea stated that this project will have to go before the Zoning Board of Appeals for a variance because of this lack required road frontage. There was discussion about possibly considering a private road but the applicant will go to the Zoning Board of Appeals first. Chairperson Cohen stated that, once this project goes before the Zoning Board of Appeals, the Planning Board can do a concurrent review.

**ANDREW HUMPHREY/HARLAN ROOT – SUBDIVISION
RIDERS MILLS ROAD
INFORMATIONAL**

Cynthia Elliott presented the Board with maps along with the completed SEQR form. Ms. Elliott pointed out that Mr. Root owns 250 plus acres and Mr. Humphrey owns 91 plus acres. There is a 2.75 piece of property that is currently owned by Mr. Root that Mr. Humphrey would like to purchase. The reason behind this is so Mr. Humphrey can continue to have the aesthetic view without any worry of a future shed or other structure being placed on that piece of land. Ms. Elliott stated that there will be no setback violation created. Ms. Elliott asked that the Board waive the addition of topographical lines on the maps, adding that the piece of land being sold is flat and there is no construction being done. Town Engineer George Elliott asked about the title report. Ms. Elliott will be submitting the deeds and adding a note that the intention is that

the piece of land is to be merged and is not to be considered a separate parcel. Ms. Elliott will also be referencing the RL-2 zone on the map and she will also be submitting a pinning letter for the 2.75 acre piece of property. Upon receipt of the legal documents, Town Attorney Tal Rappleyea will get them to the Planning Board by January 20, 2016. Contingent upon receipt of the legal documentation, this project will be set for Public Hearing. Deputy Chairperson Donna Staron moved to waive the contours on the maps. Aven Kerr seconded and this carried.

**TOM CLARK – SUBDIVISION
SHAKER MUSEUM ROAD
INFORMATIONAL**

Cynthia Elliott presented maps, along with the application and letter of authorization from Mr. Clark to represent him. Mr. Clark owns both parcels of land, under different names, and he wishes to change the existing boundary line to a natural boundary. The new boundary line would be the stream. This would entail moving 24 plus acres from the parcel to the south and adding it to the “Fieldstone” acreage to the north, resulting in Fieldstone having 69 plus acres and the existing Clark property to the south having 176 plus acres. Ms. Elliott pointed out that no setback violations would be created. Ms. Elliott also stated that any easements are existing on the Clark property to the south. Chairperson Cohen asked if any of the Fieldstone property is under the conservancy. Ms. Elliott stated that she doesn’t think so but she will double check to confirm. Ms. Elliott will be placing the bar scale, legend and notate that the property is zoned RL-2. Mike Hart stated that there is no survey for Fieldstone and asked if Ms. Elliott would be creating this? Ms. Elliott will create and send to Town Attorney Tal Rappleyea. Chairperson moved to waive the contours. Deputy Chairperson Donna Staron seconded and this carried. Ms. Elliott will note on the map that the parcel has potential wetlands to give any future builders a heads up. Ms. Elliott will also digitize the map to show wetlands possibly adjacent to the stream. The area will also need to be flagged prior to any building. Contingent upon Ms. Elliott submitting all of the legal requirements to Tal Rappleyea, this will be set for Public Hearing.

DISCUSSION ON TERRANCE MOAG PROJECT AS REQUESTED BY ZONING BOARD OF APPEALS

Pete VanAlstyne, representing Mr. Moag, presented maps to the Board and explained Mr. Moag’s situation with regard to the current application that is before the Zoning Board of Appeals. Mr. Moag was issued a building permit, has the Health Department’s approval, and the County’s approval for the septic. The septic setback does not meet the Town’s requirement and is therefore the one thing that has not been approved. This is a pre-existing non conforming lot. Chairperson Cohen stated that it is unusual for the applicant to have their surveyor come to a Planning Board meeting to further explain a project. In this case Mr. Moag wanted to ensure that Planning Board members understood the scope of the project to better assist the Planning Board in its review. Mr. VanAlstyne submitted copies of the Town Engineer’s 8 page report. Town Engineer George Schmitt stated that the Zoning Board of Appeals has done due diligence with regard to this variance request. There was much discussion with regard to the septic, setbacks, and possible negative impacts on neighbors. Town Engineer pointed out

that, IF there were ever to be a septic “failure”, the runoff would not be toward Mr. Gruen’s property but away from his property and toward Mr. Moag’s. Mr. Schmitt referenced the topography which showed how it runs down and away from Mr. Gruen’s property. Mike Hart pointed out that the Planning Board has not violated the intention of its rules and it (planning board), trusts that the Zoning Board of Appeals has done everything that can be done to assess Mr. Moag’s application for the variance. The Planning Board will send a letter stating that it has reviewed this application, and it feels confident that the Zoning Board of Appeals, along with the added expertise of the Engineer and Surveyor, has done due diligence with respect to this project. The Planning Board can find no reason to recommend that the Zoning Board of Appeals deny Mr. Moag his request for the variance. Wendy Carrol suggested using deer resistant plantings instead of arborvitae as visual screening for the Gruen residence.

Bonnie Schoonmaker moved to recommend granting Mr. Moag’s request for the variance. Deputy Chairperson seconded and this carried.

Mike Hart recused himself as Chairperson read a resolution to the members with regard to re-electing Mike Hart to the Planning Board. The resolution is as follows:

Let it be resolved that the Town of Chatham Planning Board, at its January 12, 2016 meeting requests that the Town Board of Chatham reappoint Michael Hart to the Planning Board for a seven-year term commencing January, 2016.

Mr. Hart has served two years with the Planning Board, completing the term of Dorothy Mackerer. In that time, Mr. Hart has fulfilled all the needed requirements of the Board, and has gone above and beyond what is expected.

As a retired surveyor/ land planner, his expertise has been very welcomed by all Board members. He has the added ability of being able to look at a proposed map and see any inconsistencies in that map. He has worked hard to help our Board create a standard regarding maps, which, in the long run, saves everyone time. He has made site visits and has helped us understand how to translate a map into what is actually on the property. He also was an instrumental member of the subcommittee that worked on improving checklists for both subdivision and site plan reviews.

He takes a special interest in SEQRA policies and procedures, and is one of our members who does additional research on projects to assist the Board in making the proper determination. He also has undertaken a project to update the database for SEQRA, which is quite antiquated.

We believe that reappointing Mike Hart would be a benefit to the Town of Chatham.

This passed unanimously. Wendy Carrol moved to adjourn. The meeting adjourned at 8:43PM.

Respectfully submitted,
Gail Chamberlain, clerk
Marilyn Cohen, chairperson