

**Town of Charlton  
Planning Board Minutes  
758 Charlton Road  
Charlton, New York 12019**

Minutes of the Planning Board Meeting –June 15, 2015

Chairman Jay Wilkinson called the meeting to order at 7:05 p.m. at the Charlton Town Hall.

Present: Jay Wilkinson, Chairman, John Kadlecek, Connie Wood, Chris Mitchell, Marilyn Phillips, Bruce Gardner, Tracy Bullett, Esq., Acting Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary. Dawn Szurek joined the meeting at 7:10 p.m.

**AGENDA MEETING**

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that draft of the April 20, 2015 meeting minutes needed to be approved. Mrs. York has previously provided comments. No other comments were provided. Mr. Wilkinson stated that the Board did not meet in the month of May. Mr. Wilkinson stated that the Board held a workshop on June 1, 2015. Mr. Wilkinson stated that he asked Mrs. York to take minutes during the workshop. Mr. Wilkinson stated that the draft of the June 1, 2015 workshop minutes also needed to be approved. Mr. Wilkinson stated that the Board could vote on both sets of the minutes during the Business Meeting.

Public Hearings

None.

Subdivision Applications

Furchak (236.-1-40.1)

Mr. Wilkinson stated that the applicant is proposing a subdivision of a 28.3+ acre parcel she owns on the north and south sides of Packer Road at the corner of Maple Avenue. Mr. Wilkinson stated that the applicant is proposing to subdivide out 19.4+ acres for the existing house and improvements and create a new 8.3+ acre parcel on the south side of Packer Road for a new home. Mr. Wilkinson stated that the applicant's son will be building a new house on the newly created lot.

Pre-application Conferences

None.

Zoning Report

Mr. Wilkinson stated that the Board has received the reports for review.

Correspondence.

Mr. Wilkinson stated that there will be a Town Board Public Hearing on June 29, 2015 at 7:00 p.m. to discuss the purchase of 9 Vines Road by AIM, which provides residential alternative housing for developmentally disabled adults. Mr. Wilkinson stated that a presentation was made at the last Town Board meeting. Mr. Wilkinson stated that they are currently located in Malta but that the two level home they are currently in is no longer viable and they are looking for a one level home. Mr. Wilkinson stated that 9 Vines Road is a one story ranch with a two car garage. Mr. Wilkinson said that there would be 5 residents with 24 hour care.

Town Board Liaison

Mr. Wilkinson stated that Mrs. Verola has resigned from the Town Board. Mr. Wilkinson stated that Joe Grasso has been appointed as the new liaison. Mr. Wilkinson stated that Mr. Grasso did attend the June 1<sup>st</sup> workshop.

Other Business

Mr. Wilkinson stated that the Deer Run Phase III mylars have been signed and the roads are currently going in.

Mr. Wilkinson stated that across the way, Pine Hollow is breaking ground today.

Mr. Wilkinson stated that the Montemorano application proposing a restaurant on Jockey Street is still open. Mr. Wilkinson stated that he understands that the applicants have opened a restaurant in Malta. Mr. Wilkinson stated that the Board can terminate the application due to inactivity. Mr. Wilkinson stated that he would like Bill Keniry to send the applicants a letter requesting their intentions by the July 20 meeting.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecek. All were in favor. Agenda meeting closed at 7:24 p.m.

**BUSINESS MEETING**

Opened at 7:30 p.m. with the Pledge of Allegiance.

**Minutes**

Mr. Wilkinson made a motion to approve the draft of the April 20, 2015 meeting minutes with changes incorporated. Mrs. Wood seconded the motion. All were in favor.

Mr. Wilkinson made a motion to approve the draft of the June 1, 2015 workshop meeting minutes. Ms. Szurek seconded the motion. All were in favor. Mr. Gardner abstained.

**SUBDIVISION APPLICATIONS**

**Furchak (236.-1-40.1)**

Mr. Wilkinson stated that the applicant is proposing a subdivision of a 28.3+ acre parcel she owns on the north and south sides of Packer Road at the corner of Maple Avenue placing the existing home and improvements on 19.4+ acres on the north side of the road. Mr. Wilkinson stated that this will create a new 8.3+ acre building lot on the South side of Packer Road for her son, Nicholas Furchak.

Nicholas Furchak appeared before the Board.

Mr. Furchak showed the parcel location on the drawing.

Mr. Furchak stated that there is an existing entrance into the property on Packer Road. Mr. Furchak stated that he would continue to use the existing entrance. Mr. Furchak showed the location of the existing dug well and the proposed location for the septic system. Mr. Furchak showed the location of the existing pond. Mr. Furchak stated that the septic would be 100 feet from the existing pond. Mr. Furchak stated that the well is more than 100 feet from the septic. Mr. Furchak stated that the proposed house would set between the well and the septic.

Ms. Szurek inquired if the well was existing or proposed.

Mr. Furchak stated existing; it was dug a week ago.

Mr. Mitchell inquired if there was good water.

Mr. Furchak stated yes.

Mr. Mitchell inquired if there used to be a corn field there.

Mr. Furchak stated hay field. Mr. Furchak stated that the corn field is north.

Mr. Furchak showed another existing pond on a neighboring property.

Mr. Wilkinson stated that there are some changes that need to be made to the drawing. Mr. Wilkinson stated that the curb cut note needs to be corrected to the language the Town uses. Mr. Wilkinson provided the applicant with a copy of the required standard notes. Mr. Wilkinson read the required curb cut note aloud.

Mr. Wilkinson stated that a driveway permit would need to be obtained from Mike Emerich.

Mr. Furchak stated ok.

Mr. Wilkinson stated that the perk test information has to be on the drawing.

Mr. Furchak stated that they failed the perk test which is why he has a proposed built up system.

Mr. Wilkinson read from the Zoning Ordinance, page 22 paragraph D #1 requiring the parcel to meet the perk rate to subdivide the lot. Mr. Wilkinson stated that the ordinance states that if the parcel does not meet the required perk rate then the parcel cannot be subdivided.

Mr. Mitchell inquired what the perk rate was.

Mr. Furchak stated that they dug three feet then hit water.

Mr. Mitchell inquired if the zoning administrator witnessed the test.

Mr. Furchak stated that his engineer and Mr. Gizzi were present.

Mr. Mitchell inquired how many holes were dug.

Mr. Furchak stated 2.

Mr. Mitchell inquired if the perk rate was better by the well.

Mr. Furchak stated it was a foot better there.

Mr. Wilkinson read from the Zoning Ordinance, page 17 paragraph B bullet #1. Mr. Wilkinson stated that somewhere on the 8 acre parcel has to meet the perk rate to subdivide. Mr. Wilkinson stated that in order to move forward with the subdivision the perk rate has to be achieved somewhere on the 8 acre parcel. Mr. Wilkinson stated that the test has to be witnessed by a professional engineer. Mr. Wilkinson reviewed the subdivision process.

Mr. Gardner inquired when the perk test was done, what were the results.

Mr. Furchak stated at 3 ½ feet they hit water.

Mr. Wilkinson stated that in order to move forward, the parcel has to achieve the perk rate, revise the curb cut note and the delineation of the wetlands. Mr. Wilkinson inquired if the surveyor had looked at the wetlands.

Mr. Furchak stated yes and there is a map. Mr. Furchak showed the wetlands on the drawing.

Mr. Wilkinson stated that there is also a requirement of a 100 foot buffer from the wetlands.

Mr. Furchak stated that they did stay 100 feet from the existing pond.

Mr. Wilkinson stated that the drawing needs the dotted line stating NYS Wetlands and show the 100 foot boundary.

Mr. Wilkinson stated that the Board cannot move forward with the application process until the 8 acre lot demonstrates perk.

Mrs. Bullet stated that Mr. Wilkinson was correct.

Mr. Wilkinson stated that the Board cannot send the application to the county or Town Engineer, and the Public Hearing cannot be scheduled until perk is achieved.

Mrs. Bullett stated that if the perk tests could be done and met before the next meeting then the applicant can get on the agenda and the Board can move forward.

Mr. Wilkinson stated that at this point to move forward the 8 acre parcel has to meet the perk rate, the curb cut note needs to be revised, the wetlands need to be delineated and the 100 foot boundary needs to be shown and the proposed building envelope needs to be on the drawing.

Mrs. Wood stated that the EAF, page 2 question 12B is checked yes.

Mr. Wilkinson stated that the State automatically gives a yes answer to that question. Mr. Wilkinson stated that it also gives a website where you can look up the information and print out sufficient proof that it does not apply to the parcel.

Ms. Szurek stated that the well and septic locations may need to be site specific locations depending on the wetlands and the boundary.

Mr. Wilkinson stated that the Board would need the requested information by July 7 to be on the July agenda and, to save expense, provide 8 copies of the new maps [not all 15].

Ms. Phillips stated that the SBL for the Szerszanowicz parcel was incorrect.

**PRE-APPLICATION CONFERENCE**

None.

**ZONING REPORT**

The Board reviewed the report.

**CORRESPONDENCE**

Mr. Wilkinson stated that the Palmer variance was denied by the ZBA at their June meeting.

**TOWN BOARD LIAISON**

No report.

Mr. Wilkinson made a motion to adjourn the meeting. Mr. Kadlecek seconded the motion. All were in favor.

The meeting was adjourned at 8:17 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary