

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

Minutes of the Planning Board Meeting –July 20, 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, Chris Mitchell, Marilyn Phillips, Bruce Gardner, Dawn Szurek, Bill Keniry, Esq., Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Minutes

Mr. Wilkinson stated that the draft of the June 15, 2015 meeting minutes needed to be approved. Mrs. York has previously provided comments. No other comments were provided. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Public Hearings

None.

Subdivision Applications

Furchak (236.-1-40.1)

Mr. Wilkinson stated that this application is continuing from last month.

Mr. Kadlecek inquired where the perk tests were done on the property. Mr. Kadlecek stated that he saw the letter about the perk tests results.

Mr. Wilkinson stated that at this point there is no record of the location.

Mr. Wilkinson stated to review, the proposal is a subdivision of a 28.3+ acre parcel 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 Board determined that perk tests were needed and the wetlands on the property needed to be delineated. Mr. Wilkinson stated that the Board also noted that the curb cut note was not correct and needed to be added to the drawing. Mr. Wilkinson stated that the applicant has done the perk test, the curb cut note has been added and the wetlands have been delineated. Mr. Wilkinson stated that new maps have been provided. Mr. Wilkinson stated that the applicant was only asked to provide the Board with 8 copies instead of the normal 15 copies to keep costs down. Mr. Wilkinson stated that the new information will be reviewed during the business meeting.

Schrader/Flanders (236.-1-91.1)

Mr. Wilkinson stated that the applicant is Christy Schrader, the Trustee of 153 acres of vacant and undeveloped land on Jockey Street. Mr. Wilkinson stated that the proposal is to create two new residential lots of 2.7 \pm acres each and have 287 \pm feet of frontage on Jockey Street.

Montemorano (213.-1-10)

Mr. Wilkinson stated that the Board requested that Mr. Keniry send the applicants a letter requesting their intentions to move forward on the Jockey Street subdivision of their property to create a 5 acre lot for a proposed Restaurant. Mr. Wilkinson stated that their attorney has responded to Mr. Keniry's letter.

Mr. Keniry stated that the applicants have requested an additional 60 days to review their options and decide how they wish to proceed. Mr. Keniry stated that he has no problem with the 60 day extension and then revisit the application.

Desmond

Mr. Wilkinson stated that he received a call from Ted Serbalek, the Saratoga County Highway Superintendent about a driveway curb cut for the Desmond subdivision. Mr. Wilkinson stated that a person has purchased the northern most lot closest to the homestead. Mr. Wilkinson stated that the question Ted Serbalek had was that there are two stone columns that lead into the field and there was a road cut to get into the field when it was a hay field. Mr. Wilkinson stated that the person who purchased the lot wanted to use that as their curb cut and use that as their driveway. Mr. Wilkinson stated that the County was ok with that location. Mr. Wilkinson stated that he looked at the drawing and the driveway location is a proposed location. Mr. Wilkinson stated that the road has just been repaved and using this as the driveway would eliminate the need to cut in to the new road. Mr. Wilkinson stated that Ted stated there was good sight distance there. Mr. Wilkinson stated that he told Ted that the Board would also be ok with that.

Mr. Wilkinson stated that the new owners are also going to hook into the public water system. Mr. Wilkinson stated that the connection to the system will be different than normal

because the road has just been paved. Mr. Wilkinson stated that the connection will be looped into the system so as not to disturb the road.

Pre-application Conferences

None.

Zoning Report

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

Correspondence.

Mr. Wilkinson stated that Mr. Grattidge received a letter from the Sakrison's regarding the proposed group home on Vines Road.

Town Board Liaison

Mr. Grasso was not present.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecek. All were in favor. Agenda meeting closed at 7:20 p.m.

BUSINESS MEETING

Opened at 7:34 p.m. with the Pledge of Allegiance.

Minutes

Ms. Szurek made a motion to approve the draft of the June 15, 2015 meeting minutes with changes incorporated. Mr. Mitchell seconded the motion. All were in favor.

SUBDIVISION APPLICATIONS

Furchak (236.-1-40.1)

Mr. Wilkinson stated that the applicant is proposing a subdivision of a 28.3+ acre parcel 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 the applicant's son, Nicholas Furchak. Mr. Wilkinson stated that Nicholas appeared last month. Mr. Wilkinson stated that after discussions the Board requested additional information be provided in order to move forward. Mr. Wilkinson stated that the curb cut note has been added to the drawing. Mr. Wilkinson stated that the perk tests have been done and a letter

has been provided but the information has not been put on the drawing. Mr. Wilkinson stated that the wetlands have been delineated and shown on the drawing.

Nicholas Furchak appeared before the Board.

Mr. Wilkinson asked where the perk tests had been done.

Mr. Furchak showed the locations on the drawing.

Ms. Szurek requested that the locations be shown on the drawing.

Mr. Mitchell requested that the depths and times also be labeled.

Mr. Wilkinson requested that the proposed tile field location and the proposed septic system also be shown on the drawing with the perk test pits and result information. Mr. Wilkinson stated that this information is required for Mr. McNamara to review.

Mr. Furchak stated that he has the design for the proposed septic system already.

Mr. Wilkinson inquired if it was located where the test pits were done.

Mr. Furchak stated no, he thought as long as he reached perk somewhere on the 8 acres he could keep the system where it was originally proposed.

Mr. Wilkinson stated that the Board could move forward but the town engineer is going to look at the location of the test pits and if that perks there, that is where the septic system is going to have to go.

Mr. Kadlecek inquired if a built up system could be located where it is currently proposed.

Mr. Wilkinson stated that it is up to the town engineer. Mr. Wilkinson stated that is not part of the Planning Board's expertise. Mr. Wilkinson stated that he wanted to make the applicant aware that the septic system may have to be moved to where the test pits are located.

Mr. Furchak stated that he has already had the septic system designed and can provide that information to the town engineer.

Mr. Wilkinson stated that can be included with the drawing.

Ms. Szurek inquired if a note referencing the built up system needed to be on the drawing.

Mr. Wilkinson stated that would be done further down the road.

Mr. Wilkinson stated that there are two actions, one being subdivide the property and the other being the town engineers review.

Mr. Keniry stated that the applicant's engineer can look at pages 17-22 of the Town's Zoning Ordinance for the requirements. Mr. Keniry suggested providing all of the information to date to the town engineer for review.

Mr. Furchak stated that he has a check for funding the escrow account.

Mrs. York stated that she could take the check.

Mr. Wilkinson stated that new drawings with the test pit locations and results and the letter from Ethan Hall will be forwarded to Mr. McNamara once received. Mr. Wilkinson suggested 3 copies of the new drawings.

Mr. Wilkinson made the motion to declare the Planning Board as lead agency status for the purposes of SEQRA and declare the action as unlisted with a negative impact declaration relative to environmental impact. Mr. Kadleck seconded the motion. All were in favor.

Mr. Wilkinson made the motion to schedule to Public Hearing for August 17, 2015 at 7:30 p.m. Mr. Mitchell seconded the motion. All were in favor.

Schrader/Flanders (236.-1-91.1)

David Flanders, licensed land surveyor, appeared on behalf of the applicants. Mr. Flanders stated that the property is owned by Christy Schrader. Mr. Flanders stated that the parcel is 153 acres that borders on the westerly side of Jockey Street. Mr. Flanders stated that they are looking to create two 2.6 acre lots on the northerly end of the 153 acre parcel. Mr. Flanders stated that both lots will have an excess of 200 feet of road frontage. Mr. Flanders stated that the purpose of the subdivision is for single family residences. Mr. Flanders stated that perk tests have been performed on both lots. Mr. Flanders stated that the rate was 13 minutes and was performed under the supervision of Charles Howe, P.E. and Mr. Gizzi. Mr. Flanders stated that they also performed sight distances because the northerly lot will have a new driveway proposed near the southerly property line, which is the dividing line between the two proposed lots. Mr. Flanders stated that the southerly lot will have access by an existing driveway and curb cut. Mr. Flanders stated that the access to the southerly lot will be over an existing driveway which is on the 147 acre balance parcel. Mr. Flanders stated that they have created an ingress/egress utility easement 30 feet in width to cover that driveway easement. Mr. Flanders showed where the driveway splits off of the existing road and accesses the southerly lot. Mr. Flanders stated that they did sight distances for the new proposed driveway and the results are labeled on the drawing. Mr. Flanders stated that the perk test information is also shown on the drawing. Mr. Flanders stated that they are proposing a closed septic design by Charlie Howe at the time of applying for the building permit. Mr. Flanders stated that the proposed wells are also shown with the minimum 100 foot separation distance.

Ms. Szurek inquired if the driveway with the proposed easement leads to the fields or to an existing house.

Mr. Flanders stated that the existing driveway leads to the fields in the back. Mr. Flanders stated that the proposed portion is adjoining the southerly lot so an easement was created. Mr. Flanders stated that the only reason the easement was created in that location was in case the purchaser decides to use another location other than that shown.

Mr. Wilkinson stated that the Board does not like to see easements. Mr. Wilkinson stated that in the past there have been issues down the road. Mr. Wilkinson stated that being that Jockey Street is a busy street, pairing the driveways together is a better solution. Mr. Wilkinson stated that pairing the driveways also makes it safer for bus stops and garbage collection. Mr. Wilkinson stated that paired driveways would eliminate the need for the easement.

Mr. Flanders stated that the reason they created the easement was to use the existing driveway and limit the number of curb cuts. Mr. Flanders stated that in his experience most towns want to limit the number of curb cuts.

Mr. Wilkinson stated that the Board is suggesting and would like to see the driveways paired. Mr. Wilkinson inquired if locking down paired driveways would be considered by the applicant.

Mr. Kadlecek stated that it would be his preference to see paired driveways.

Mr. Schrader stated that they thought it was safer the way they are proposing it. Mr. Schrader stated that he thinks the existing stone fences are an attractive feature and the less those are compromised the better.

Mr. Wilkinson showed where the driveways could be paired on the drawing.

Mr. Flanders stated that the sight distances are better on the other end.

Mr. Mitchell stated that he agrees with Mr. Schrader that the lay of the land with the stone walls is better visually without another driveway cut.

Mr. Wilkinson stated that the easement can still present issues.

Mr. Flanders stated that a driveway could be put in on the corner if it ever becomes an issue.

Mr. Gardner inquired if the existing road was the only way to get to the remaining acreage and if there was more subdividing if that would be the entrance to a subdivision.

Mr. Flanders stated that there is no intention to further subdivide.

Mr. Schrader stated that the parcel is all wooded now.

Ms. Szurek inquired if there was a fence line between the two parcels

Mr. Flanders stated no.

The Board discussed paired driveways.

Mr. Wilkinson stated that the Board would like to see paired driveways. Mr. Wilkinson stated that he understands the applicant's position but the Board would like to see the driveway on the property without an easement. Mr. Wilkinson stated that the Board can request the County's preference for driveway location. Mr. Wilkinson stated that the proposed driveway for Lot 1 is fine but the Board would like to see the driveway for Lot 2 paired with Lot 1 or in the southern corner by the rock wall.

Mr. Schrader stated that he would prefer the location in the corner.

Mr. Wilkinson stated that the Board will ask the County their preference.

The Board agreed that the driveways should be paired for safety concerns.

Mr. Kadlecek inquired why they picked the proposed location for the well on Lot 2.

Mr. Flanders stated to meet the separation requirement.

Mr. Kadlecek stated that it is risky to put the well by the property line and it would be safer to move it to the middle of the property.

Mr. Flanders stated that the house location and the wells are proposed. Mr. Flanders stated that the septic locations are set because of perk.

Mr. Kadlecek suggested moving the well to protect it.

Mr. Schrader stated that they have gone 27 years the shared way and have had no problems.

Mr. Wilkinson stated that the Board is asking the applicant to consider moving the driveway. Mr. Wilkinson stated that the Board will wait for County input. Mr. Wilkinson stated that the Board would like to see the driveway on the property without an easement.

Ms. Szurek stated that there is a typo on the map with an extra "a" in Saratoga.

Mr. Wilkinson stated that the Board agrees, with the exception of Mr. Mitchell, that the driveway should be on the property without an easement. Mr. Wilkinson stated that the

Board will leave the location up to the County. Mr. Wilkinson stated that if he is contacted by Mr. Serbalik of DOT he will let him know the Board's preference.

Mr. Wilkinson inquired if the wetlands were located in the back of the parcel only.

Mr. Flanders stated that they used the Saratoga County GIS to overlay the wetland onto the drawing. Mr. Flanders stated that they walked the entire site and flagged the wetland. Mr. Flanders stated that they are mostly ACOE. Mr. Flanders showed the closest flag to the two proposed lots on the drawing.

Mr. Wilkinson stated that the drawing does not show the overall holdings. Mr. Wilkinson stated that page 15 #4 of the subdivision regulations requires a cover sheet or show the holdings off to the side on the same map.

Mr. Flanders stated that he would enlarge the initial plan. Mr. Flanders inquired if the Board required 15 copies.

Mr. Wilkinson stated that in an effort to keep costs down that 1 copy would be fine until the driveway location is locked down.

Mr. Flanders stated that time is important to the applicant and requested that the applicant move forward pending the DOT requirements.

Mr. Wilkinson stated that the Board could move forward.

Mr. Wilkinson made the motion to declare the Planning Board as lead agency status for the purposes of SEQRA and declare the action as unlisted with a negative impact declaration relative to environmental impact. Ms. Szurek seconded the motion. All were in favor.

Mr. Wilkinson made the motion to schedule the Public Hearing for August 17, 2015 at 7:45 p.m. Mr. Mitchell seconded the motion. All were in favor.

The Board discussed waiting to send the information to the town engineer until the County recommendation on the driveway location is received and the applicant provides a drawing with the entire holding or send Mr. McNamara what the Board has.

The Board agreed to send Mr. McNamara what the Board has with the Board's recommendations.

Mr. Flanders stated that he would speak to DOT about the driveway location and make the necessary changes to the map.

Mr. Wilkinson asked for 15 copies of the new drawings for the next meeting.

Montemorano (213.-1-10)

Mr. Wilkinson stated that the applicants have requested a 60 day extension to advise the Board of their intentions.

Mr. Keniry stated that there is no detriment to either party in extending the time to respond.

The Board agreed to accept the extension request.

Mr. Mitchell made the motion to grant the Montemorano's a 60 day extension to make a decision on how they would like to proceed with their application. Mr. Gardner seconded the motion. All were in favor.

PRE-APPLICATION CONFERENCE

None.

ZONING REPORT

The Board reviewed the report.

CORRESPONDENCE

None.

TOWN BOARD LIAISON

No report.

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

The meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary