

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

Minutes of the Planning Board Meeting –August 18, 2014

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

Present: Jay Wilkinson, Chairman, Connie Wood, Jack Kadlecek, Chris Mitchell, Dawn Szurek, Marilyn Phillips, Bryan Sell, Tracy Bullett, Esq., Acting 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 May 19, 2014 meeting minutes, the draft of the June 16, 2014 meeting minutes and the draft of the July 21, 2014 meeting minutes needed to be approved. Mr. Wilkinson stated that Mrs. York has previously provided comments. Ms. Phillips previously provided comments. No other comments were provided. Mr. Wilkinson stated that the Board could vote on all sets of the minutes during the Business Meeting.

Public Hearings

Clute (236.-1-130)

Mr. Wilkinson stated that there would be a Public Hearing on the Clute application at 7:30 p.m.

Mr. Wilkinson stated that this is the last parcel in the Janet Clute property. Mr. Wilkinson stated that the proposed subdivision is for a 4.65 acre parcel owned by Janet Clute on the north side of Packer Road to be divided into two parcels. Mr. Wilkinson stated that the proposed action will create one new building lot for a single family home. Mr. Wilkinson stated that the property was previously subdivided in October of 2013. Mr. Wilkinson stated that Van Guilder Land Surveyors represent the applicant. Mr. Wilkinson stated that at the last meeting the Board identified problems with the drawing submitted. Mr. Wilkinson stated that the drawing was missing the tax parcel ID number and perk test results. Mr. Wilkinson stated that the applicant has submitted a new drawing with that information. Mr. Wilkinson stated that the Board also took lead agency status and determined that the

proposed action is an unlisted action under SEQRA with a negative impact declaration relative to environmental impact for this subdivision on Packer Road. Mr. Wilkinson stated that the application has been forwarded to Mr. McNamara and the County Planning Board for review and responses have been received.

#### Lot Line Change

Wolf/Potts (213.-1-7.1 and 225.-1-60.12)

Mr. Wilkinson stated that the applicant is Richard Potts of 25 Featherbed Lane. Mr. Wilkinson stated that the applicant is proposing a lot line change with his neighbor and adjoining property owner, Helmut Wolf. Mr. Wilkinson stated that the proposed lot line change will convey 27 acres to Richard Potts from Mr. Wolf. Mr. Wilkinson stated that there is missing information on the drawing.

#### Pre-application Conferences

Mr. Wilkinson stated that there were no pre-application conferences.

#### Zoning Report

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

#### Correspondence

Mr. Wilkinson stated that there was no correspondence to discuss.

#### Town Board Liaison

Mrs. Verola was not present.

Mrs. York stated that she has received the budget request and will forward a draft reply to Mr. Wilkinson for review.

Mrs. Wood made a motion to close the Agenda meeting, seconded by Ms. Szurek. All were in favor. Agenda meeting closed at 7:10 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 May 19, 2014 meeting minutes with changes incorporated. Mr. Kadlecek seconded the motion. All were in favor. Mrs. Wood, Mr. Sell and Mr. Mitchell abstained from the vote.

Mr. Wilkinson made a motion to approve the draft of the June 16, 2014 meeting minutes with changes incorporated. Mrs. Wood seconded the motion. All were in favor. Mr. Kadlecek abstained from the vote.

Mr. Wilkinson made a motion to approve the draft of the July 21, 2014 meeting minutes with changes incorporated. Mrs. Wood seconded the motion. All were in favor. Ms. Szurek, Mr. Sell and Mr. Mitchell abstained from the vote.

### **PUBLIC HEARING (7:30 p.m.)**

#### **Clute (236.-1-130)**

Mr. Wilkinson stated that a public notice was published in the Daily Gazette on August 8, 2014. Mr. Wilkinson read the Public Notice into the record.

Mr. Wilkinson stated that notices were also mailed to the adjoining property owners on August 1, 2014.

Mr. Wilkinson reviewed the Public Hearing process.

Mr. Wilkinson opened the Public Hearing.

Duane Rabideau: I'm Duane Rabideau from Van Guilder and Associates here representing Janet Clute in her request before the Board to subdivide a parcel of land on the north side of Packer Road about half way between Jockey Street and Maple Avenue. The address is 1020 Packer Road. The request is to subdivide Lot 2 which encompasses all of this which is part of a 4 lot subdivision that we did last fall. Now we came in to actually subdivide the Lot 2 into 2 lots. We are subdividing it so there is going to be approximately 2.3 acres on Lot 2A that goes around the existing house and improvements then also create a single family building lot for approximately 2.4 acres for a new house here. We are able to subdivide this lot now because the old barn has been torn down so we have taken care of that issue. Lot 3, which is right here on the overall map, there is a new house there at this point in time. The proposed drive for Lot 2 will be on this side so that the actual driveway curb cuts are together for better safety issue. This lot, like the rest of the houses here, will have onsite well and septic. As far as the comments from the Planning Board last meeting, we had an

issue with mean lot width and we have taken care of that so we do meet that zoning requirement. They also asked us to put the SBL numbers on there and we have added that in our notes. We also added the septic information, perk test and soil data on the map. That is the request before the Board.

Jay Wilkinson: At this time we open it up to anybody from the public who has a question that they want to ask the Board or the applicant about the subdivision.

Christopher Zablocki, 4170 Jockey Street: We haven't read the plan before. Originally there was a 30 acre parcel behind us that was for sale, is that the division?

Jay Wilkinson: That has already been subdivided.

Christopher Zablocki: But that's not what you are dividing, you are dividing something else?

Duane Rabideau: Yes, we are subdividing this piece here.

Christopher Zablocki: Oh ok.

Jay Wilkinson: That was subdivided out and approved last November and this lot couldn't be subdivided because it had a barn that actually straddled that line. It was a big l-shaped barn. It has been removed.

Christopher Zablocki: Alright, I just hadn't seen the whole plan.

Jay Wilkinson: If you want to take a look at it and ask questions, it is a good time to ask Mr. Rabideau from Van Guilder and Associates. He can answer your questions.

Mr. and Mrs. Zablocki approached the drawings and reviewed them with Mr. Rabideau.

Jay Wilkinson: Anyone else have any questions or anything they would like to ask?

Mr. Wilkinson made the motion to close the Public Hearing. Mr. Mitchell seconded the motion. All were in favor.

Public Hearing closed at 7:42 p.m.

## **SUBDIVISION APPLICATIONS**

### **Clute (236.-1-130)**

Mr. Rabideau appeared before the Board.

Mr. Wilkinson stated that the Board had requested that the perk test results and tax ID number be added to the drawings together with contour lines. Mr. Wilkinson stated that everything requested has been added to the drawing. Mr. Wilkinson stated that the Board has taken lead agency status. Mr. Wilkinson stated that the application was referred to Mr. McNamara and the County Planning Board for approvals. Mr. Wilkinson stated that the County approval has been received. Mr. Wilkinson stated that Mr. McNamara has sent a letter dated August 14, 2014. Mr. Wilkinson reviewed the letter with the Board.

Mrs. Wood called attention to the final paragraph on the first page of the letter regarding no disturbance on any of the other lots and the proposed new lot will not exceed 1 acre. Mrs. Wood stated that was incorrect.

Mr. Wilkinson stated that meeting the minimum requirement for SWPPP has been activated. Mr. Wilkinson asked Mr. Rabideau to clarify.

Mr. Rabideau stated that he did not receive the August 14, 2014 letter. Mr. Rabideau stated that Lot 3 has been built upon and the other two lots are vacant.

Mr. Wilkinson stated that if work begins on all the properties simultaneously that will exceed the one acre disturbance and the applicant would have to come back before the Board. Mr. Wilkinson stated that the drawing shows a built up septic system. Mr. Wilkinson inquired the reason.

Mr. Rabideau stated that he has spoken to Mr. McNamara about that and they agreed that under a worst case scenario, the system will work however they will most likely find a better spot for the system where there will be a lot less impact.

Mr. Wilkinson asked if the information was supplied by Lansing Engineering.

Mr. Rabideau stated correct.

The Board completed the short EAF form.

Mr. Wilkinson stated that the Board has a complete application.

Ms. Szurek made the motion to approve the Clute subdivision located at 1020 Packer Road and authorize the chairman to sign the mylars as Resolution 2014-06. Mrs. Wood seconded the motion. All were in favor.

**LOT LINE CHANGE**

**Wolf/Potts (213.-1-7.1 and 225.-1-60.12)**

Richard Potts appeared before the Board.

Mr. Wilkinson stated that this is a lot line change with the neighboring property. Mr. Wilkinson inquired as to the acreage in the proposal.

Mr. Potts stated that it is a 25.5 acre lot line change.

Mr. Wilkinson asked for an explanation of the drawing.

Mr. Potts stated that the 25.5 acres abuts his property and is vacant and wooded and primarily used for recreational purposes. Mr. Potts stated that he has no plans for building anything on the acreage.

Mr. Wilkinson inquired what the recreational purpose was.

Mr. Potts stated for horses and trail riding. Mr. Potts stated that he has aerial photos to show the Board. Mr. Potts explained the photos. Mr. Potts stated that the 25.5 acre piece has no frontage. Mr. Potts stated that they are using the existing stone walls as boundaries.

Mrs. Wood inquired as to the distance of the access point.

Mr. Potts stated 25 feet allowing them to gain access to the parcel from his property. Mr. Potts stated that there was a farm lane there.

Ms. Phillips inquired if that was a wet area.

Mr. Mitchell showed the wetlands on the drawing.

Mrs. Wood stated that the pieces of property would have to be merged into one deed.

Mr. Potts stated that was fine with him.

Mrs. Wood inquired if there was an affidavit from Mr. Wolf.

Mr. Wilkinson stated yes.

Mr. Potts explained the map inset to the Board.

Ms. Szurek inquired about the AG note.

Mr. Wilkinson stated that the standard notes are missing from the drawing. Mr. Wilkinson inquired if there was enough room for access for larger machinery to that area.

Mr. Wilkinson inquired if the applicant would cut the corner for better access.

Mr. Potts stated that he would consider it.

Mr. Wilkinson stated that the drawing requirements for a lot line change are the same as the requirements for a subdivision. Mr. Wilkinson stated that the drawing needs the standard notes added, a signature block for the chairman to sign, contour lines at 10 foot intervals, existing well and septic locations, setbacks from the existing buildings, wetland boundaries and pond locations. Mr. Wilkinson stated that the Board would like to see the width of the connection point bigger but that is not a requirement. Mr. Wilkinson stated that the zoning district is also missing from the drawing. Mr. Wilkinson stated that all wetlands must be shown on the drawing. Mr. Wilkinson showed the applicant the Clute map as reference.

Mrs. York provided the applicant with copies of the required standard notes, map requirements, and example of how Van Guilder shows site statistics.

Mr. Potts stated that he has secured a loan to purchase the land however his interest rate is only locked in for two more weeks. Mr. Potts inquired if he should close on the loan or wait until the next meeting.

Ms. Bullett suggested waiting until after the next meeting when the new drawing is required for all of the requested information. Ms. Bullett provided the applicant with her contact information for his attorney.

Mr. Wilkinson stated that approvals can be two more meetings away since the drawings can't be sent to the County Planning Board until they are complete. Mr. Wilkinson stated that once the new drawings are provided, they can be forwarded to the County.

Ms. Phillips made a motion that the Planning Board be designated as lead agency status and the proposed action is an unlisted action under SEQRA with a negative impact declaration relative to environmental impact for the Potts/Wolf lot line change. Mrs. Wood seconded the motion. All were in favor.

Mrs. Wood made the motion to waive the application fees, engineering review, Public Hearing and park fees for the Potts/Wolf lot line change. Mr. Mitchell seconded the motion. All were in favor.

**ZONING REPORT**

The Board reviewed the report.

**CORRESPONDENCE**

None.

**TOWN BOARD LIAISON**

Mrs. Verola was not present.

Mrs. Wood made a motion to adjourn the meeting. Mr. Mitchell seconded the motion. All were in favor.

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary