

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

Minutes of the Planning Board Meeting – August 20, 2012

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, Mark Hodgkins, Dawn Szurek, Marilyn Phillips, Tracey Bullet, Acting Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary. Chris Mitchell joined the meeting at 7:50 p.m.

AGENDA MEETING

Mr. Wilkinson stated that there is a quorum.

Public Hearings

Mayer (236.-1-97)

Mr. Wilkinson stated that there would be a Public Hearing on this application.

Mr. Wilkinson stated that he has driven by the property and the “lean to” has been moved closer to the house and turned 90 degrees. Mr. Wilkinson stated that the proposal now looks similar to the drawing. Mr. Wilkinson stated that it looks like a lot of the fencing has been changed. Mr. Wilkinson stated that there is now a fence line between the new horse barn over to the existing fence. Mr. Wilkinson stated that there is another paddock. Mr. Wilkinson stated that he would like to see the fence that went from the old horse barn out taken down.

Mr. Wilkinson stated that there is missing wording from the curb cut note. Mr. Wilkinson stated that it has been mentioned before at past meetings. Mr. Wilkinson stated that the note is missing “Zoning Officer” from the wording.

Mr. Wilkinson stated that the Board could act on this application tonight.

Consultation

Victory Baptist Church on Swaggertown Road and Lighthouse Baptist Church in Schenectady

Mrs. York stated that the Victory Baptist Church was sold to Lighthouse Baptist Church for \$1.00. The owner of Lighthouse Baptist Church would like to give the church back to Victory Baptist Church but would like to subdivide to keep the camp in the back of the property. Mrs. York stated that there is no access to that camp other than the existing driveway of Victory Baptist Church. Mrs. York stated that this is the same church as Bethany Baptist for which there was a site plan review decades ago.

Zoning Report

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

Correspondence

Mr. Wilkinson stated that there is a letter dated August 13, 2012 from Sterling Environmental Engineering regarding their interest in representing the Town. Mr. Wilkinson stated that DEC is planning on amending the freshwater wetland maps. Mr. Wilkinson stated that the letter is a service offer for help with the amendments.

Mr. Wilkinson passed the letter to Mrs. Verola for discussion with the Town Board.

Mr. Wilkinson read the e-mail from Mike McNamara regarding the Deer Run road dedication. Mr. Wilkinson stated that he needs to write a follow up letter.

Mr. Wilkinson stated that Mr. Bordeaux's engineer has requested via Mr. McNamara their desire to amend their plan to plant trees along Crooked Street. Mr. Wilkinson stated that they feel that there is sufficient coverage there now. Mr. Wilkinson stated Mr. McNamara was in agreement.

Mr. Kadlecik stated that he would like to know who would answer questions about the Homeowners Association process.

Town Board Liaison

Mrs. Verola was present.

Minutes

Mr. Wilkinson stated that the draft of the July 16, 2012 meeting minutes needed to be approved. Mr. Wilkinson stated that Mrs. York provided comments. Mr. Wilkinson and Ms. Szurek provided comments. No other comments were provided. Mr. Wilkinson stated that the Board could vote on the minutes during the Business Meeting.

Mr. Wilkinson made a motion to close the Agenda meeting, seconded by Mr. Kadlecik. All were in favor. Agenda meeting closed at 7:35 p.m.

BUSINESS MEETING

Opened at 7:35 p.m. with the Pledge of Allegiance.

Minutes

Mr. Wilkinson made the motion to approve the draft of the July 16, 2012 minutes with changes incorporated. Ms. Szurek seconded the motion. All were in favor.

PUBLIC HEARING (7:30)

Mayer (236.-1-97)

Mr. Wilkinson reviewed the Public Hearing process.

Mr. Wilkinson read the Public Hearing notice published on 8/13/12 in the Daily Gazette. Mr. Wilkinson confirmed that notices were also sent to the neighboring property owners.

Mr. Wilkinson opened the Public Hearing.

Juliane Mayer: There is a plot of land here about 12 acres with a house that was built in 1974 and finished in 1975. I am hoping to take 2 acres surrounding the house with the 200 feet of frontage that is required out of this 12 acre lot and to build a house on the remaining 10 acres.

Jay Wilkinson: We opened the Public Hearing and we have no comments so we can close the Public Hearing. There is no one here to comment.

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

SUBDIVISION APPLICATIONS

Mayer (236.-1-97)

Mr. Wilkinson stated that the Board took lead agency on May 21st. Mr. Wilkinson stated that the application has been referred to the Saratoga County Planning Board for review and comments. Mr. Wilkinson stated that the County reply was “no significant countywide or inner agency impact”. Mr. Wilkinson stated that the application was also sent to the Town Engineer for review and comments were received for consideration. Mr. Wilkinson stated that the applicant’s consultant, John Gay, has addressed all of the comments of Mr. McNamara’s June 14th, 2012 letter and the latest revision of the site plan is dated June 28, 2012. Mr. Wilkinson stated that the latest drawing of June 28th addresses all of the concerns

that Mr. McNamara raised that have been discussed up till now. Mr. Wilkinson stated that the Board has a complete application.

Mr. Wilkinson made the motion that the proposed action is an unlisted action under SEQRA with a negative impact declaration relative to environmental impact for the subdivision of the lands of Juliane M. Strait a/k/a Juliane Mayer situated at 2049 Maple Avenue in the Town of Charlton. Mrs. Wood seconded the motion. All were in favor.

The Board completed the EAF.

Mr. Wilkinson made the motion to approve the subdivision of the lands of Juliane M. Strait a/k/a Juliane Mayer situated at 2049 Maple Avenue in the Town of Charlton as Resolution 2012-06 and authorize the chairman to sign the mylars. Mr. Kadlecek seconded the motion. All were in favor.

Mr. Kadlecek suggested the Board send a letter to the Zoning Officer regarding the barn use and the fencing.

Mr. Wilkinson stated that he will also send a copy of the drawing.

Mrs. York provided the filing requirements and advised of the park fee.

Consultation

Victory Baptist Church on Swaggertown Road and Lighthouse Baptist Church in Schenectady

John Horn, Pastor of Lighthouse Baptist Church appeared before the Board. Mr. Horn stated that their main place of meeting is in Guilderland. Mr. Horn stated that they currently own 40 acres on Swaggertown Road. Mr. Horn stated that the front parcel of 20 acres is in Saratoga County and the back is in Schenectady County. Mr. Horn stated that their desire is to give the front 5 acres of the land with the buildings to Victory Baptist Church which Jason Katrall is the pastor. Mr. Horn inquired if they would need to survey the entire 40 acres to cut off 5 acres.

Mr. Wilkinson inquired as to the frontage.

Mr. Horn stated that he thought it was less than 400 feet.

Mr. Wilkinson advised that the minimum lot requirements are 2 acres and 200 feet of frontage. Mr. Wilkinson stated that if the back of the property is deeded off, then there would be no access to it. Mr. Wilkinson stated that the Planning Board is not allowed to create a non-buildable lot. Mr. Wilkinson stated that they would be creating a lot that could not be built on or even have access to.

Mr. Horn stated that the back area is for recreation purposes. Mr. Horn stated that there is no development of significant nature planned for that area. Mr. Horn stated that they have tented back there. Mr. Horn stated that they would like to propose an access road up the one side allowing access to the back property and leave the front five acres untouched other than the proposed access road.

Mr. Wilkinson stated that the intent would have to be laid out on a map with the dimensions of the driveway. Mr. Wilkinson stated that the drawing and application would need to go before the ZBA. Mr. Wilkinson stated that the ZBA would ask for the Planning Board's comments. Mr. Wilkinson stated that the plan as proposed tonight is not something that the Planning Board could approve because the code requirement of 200 feet of frontage which prohibits the creation of a back lot.

Mr. Wilkinson suggested conveying the property back and have a legal agreement created by an attorney granting access to the back property.

Mr. Horn stated that they had been discussing the possibility of an easement.

Mrs. Bullett stated that the church can convey the property back and then come to an agreement for use, determine required insurances, etc. then have an access agreement created between the two churches. Mrs. Bullett stated that the parcel would then remain as one parcel. Mrs. Bullett stated that the frontage should also be verified.

Zoning Report

The Board reviewed the Zoning Report.

Town Board Liaison

Mrs. Verola had no report.

Correspondence

Addressed in the Agenda Meeting.

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

The meeting was adjourned at 8:05 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary