

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

Minutes of the Planning Board Meeting – November 21, 2011

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

Present: Jay Wilkinson, Chairman, John Kadlecek, Mark Hodgkins, Chris Mitchell, Mike Armer, Marilyn Phillips, Bill Keniry, Planning Board Attorney, Susan York, Planning Board Clerk and Kim Caron, Recording Secretary. Dawn Szurek joined the meeting at 7:15 p.m.

**AGENDA MEETING**

Mr. Wilkinson stated that there is a quorum of 6.

Mr. Wilkinson stated that the Board has two Site Plan Reviews scheduled.

Mr. Wilkinson reminded the Board of the new sound system.

Minutes

Mr. Wilkinson stated that the draft of the October 17, 2011 meeting minutes needed to be approved. Mr. Wilkinson stated that Mrs. York provided comments. Mr. Wilkinson 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

Mr. Wilkinson stated that there were no subdivision applications at this time.

Site Plan Review

Charlton School for Girls (256.-1-38)

Mr. Wilkinson stated that the proposal is for an addition to the school. Mr. Wilkinson stated that there was a Public Hearing at the October meeting and there was no public comment. Mr. Wilkinson stated that the Board was waiting for responses from the Fire Department and the Water Department. Mr. Wilkinson stated that he did receive an e-mail from the Fire Chief inquiring about the diameter of the water line. Mr. Wilkinson stated that he spoke to Mr. McNamara, who addressed the issue with Mr. Gilmore. Mr. Wilkinson stated that Mr. McNamara has responded by letter of November 14, 2011 stating that the design of the water system meets the current requirements.

Mr. Wilkinson stated that the Board also requested a Phase I Archeological Study, which has been completed and reviewed by Mr. McNamara.

Mr. Wilkinson stated that the application was referred to the County Planning Board and their response was no significant impact.

Mr. Wilkinson stated that the Board is in a position to move forward. Mr. Wilkinson stated that the Board needs to review the long EAF and take lead agency status.

#### Pickett (236.-1-28)

Mr. Wilkinson stated that this is an application for a gun shop on Jockey Street. Mr. Wilkinson stated that the Board requested additional information to proceed. Mr. Wilkinson stated that Mr. Rabideau was present and has provided some of the information the Board requested. Mr. Wilkinson stated that he still has additional questions and that the application is still lacking information. Mr. Wilkinson stated that the Zoning Ordinance has a checklist on page 110 that requests more detailed information than has been provided. Mr. Wilkinson stated that the information could be provided in letter form.

Mr. Wilkinson stated that the Planning Board and the ZBA could hold a joint Public Hearing on this application on January 16, 2012. Mr. Wilkinson stated that the Board could request that the additional information be provided by December 19<sup>th</sup> to make the appropriate referrals.

#### Correspondence

Mr. Wilkinson stated that the Christmas Party would be held at the Turf Tavern on December 10<sup>th</sup> at 6:00 p.m.

#### Zoning Report

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

#### Town Board Liaison

Mrs. Verola is present.

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

### **BUSINESS MEETING**

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

### **Minutes**

Mr. Wilkinson made the motion to approve the draft of the October 17, 2011 minutes with changes incorporated. Mr. Mitchell seconded the motion. All were in favor.

### **SITE PLAN REVIEW**

#### **Charlton School for Girls (256.-1-38)**

Mr. Wilkinson stated that at the last meeting the Board requested a Phase I Archeological Study. Mr. Wilkinson stated that the Board has received the study and it has been reviewed by Mr. McNamara.

Mr. Wilkinson stated that the Board referred the application to the Fire Department and the Water Department. Mr. Wilkinson stated that the Board received an email from the Fire Chief regarding the diameter of the water pipe. Mr. Wilkinson stated that it was discussed with all involved and reviewed by Mr. McNamara. Mr. Wilkinson stated that Mr. McNamara issued a letter dated November 14, 2011 stating that the design meets the requirements. Mr. Wilkinson stated that the Board also received County response of no significant impact.

The Board reviewed the long EAF form. Don Marshall addressed some of the Board's questions about the answers on the form.

The Board completed Part II of the EAF.

Mr. Wilkinson made the motion to declare the Planning Board as lead agency status for the purposes of SEQRA review. Mr. Kadlecek seconded the motion. All were in favor.

Mr. Mitchell made the motion to approve the Charlton School for Girls application as Resolution 2011-08 and authorize the chairman to sign the mylars. Ms. Szurek seconded the motion. All were in favor.

**Resolution 2011-08 was made.**

**Pickett (236.-1-28)**

Duane Rabideau appeared before the Board.

Mr. Rabideau reviewed the proposed project.

Mr. Wilkinson reviewed the Planning Board's function from the Zoning Ordinance.

Mr. Wilkinson stated that in reviewing the revised plans, most of the requested information has been provided on the drawing. Mr. Wilkinson stated that it is unclear as to the type of building that the applicant is proposing to put on the property. Mr. Wilkinson stated that the Board needs the building specifications and details, slab on grade information and the location and height of all buildings. Mr. Wilkinson inquired as to the dimension of the parking area.

Mr. Rabideau stated that it will be 50 x 40.

Ms. Szurek inquired if it would be paved or gravel.

Mr. Rabideau stated that it would be crushed stone.

Mr. Wilkinson asked that it be shown on the drawing. Mr. Wilkinson requested that the outdoor lighting, existing poles and existing lighting be shown and the proposed signage information be shown. Mr. Wilkinson stated that he has all of his questions written down and will provide Mr. Rabideau with a copy. Mr. Wilkinson inquired as to the status of the Federal permits required.

Mr. Pickett stated that he needs special exception approval before the permits would be issued.

Ms. Szurek inquired as to the type of security the building would have.

Mr. Pickett stated that the building would be locked as well as have a sonic system and a video system.

Ms. Szurek inquired if there was going to be a safe.

Mr. Pickett stated that it would be anchored to the floor.

Mr. Keniry stated that he had some questions pertaining to ammunition. Mr. Keniry stated that it has been the applicant's position that there will be not be any firearms discharged on the property in connection with the sale of that firearm. Mr. Keniry inquired if the applicant planned on selling ammunition. Mr. Keniry stated that there will be some people that may want assurance that the business is in compliance with the FFL regulated by the ATF. Mr. Keniry inquired if the applicant was going to be compliant with the minimum standards.

Mr. Rabideau stated yes to both questions.

Mr. Pickett stated that it is customary to sell ammunition if you are selling firearms. Mr. Pickett stated that there will not be any firearm discharged on the property unless he is hunting.

Mr. Keniry inquired if there was a plan to segregate the firearms from the ammunition.

Mr. Pickett stated that the ammunition will be in a locked showcase.

Mr. Keniry stated that his concern is making sure the appropriate measures are taken to protect the applicant, the customer and the Town.

Mr. Mitchell stated that firearm shops are federally regulated and inspected on a regular basis.

Mr. Pickett stated that he has been approved by the FFL and is awaiting a site inspection. Mr. Pickett stated that the application is on hold awaiting the Town's decision.

Mr. Wilkinson stated that he would also like to see the septic and well locations on the drawing.

Mr. Hodgkins made the motion to schedule the Public Hearing for January 16, 2012 at 7:30 p.m. on the condition that the Board receives the requested additional information by December 19, 2011 so that it can be forwarded to the County Planning Board and Mr. McNamara. Mr. Mitchell seconded the motion. All were in favor.

Ms. Szurek asked for the distance between the house and the proposed shop be shown and the distance between the farm shop to the gun shop be shown.

Mr. Kadlecek inquired if the new building would be heated.

Mr. Pickett stated yes by propane.

Mr. Kadlecek asked that the tank be shown on the drawings.

### **Zoning Report**

The Board reviewed the Zoning Report.

### **Town Board Liaison**

Mrs. Verola did not have a report.

**Correspondence**

Mr. Wilkinson asked if anyone was interested in attending the holiday party to sign up.

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

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

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary