

Town of Charlton  
Planning Board Minutes  
784 Charlton Road  
Charlton, New York 12019

Minutes of Planning Board Meeting – February 16, 2009

Chairman Jay Wilkinson called the meeting to order at 7:00 p.m. at the John W. Taylor Hall.

Present: Jay Wilkinson, Chairman, John Kadlecek, Mark Hodgkins, Dawn Szurek, Mike Armer, Susan York, Planning Board clerk and Kimberly Caron, Recording Secretary. Chris Mitchell joined the meeting at 7:25 p.m.

**AGENDA MEETING:**

Mr. Wilkinson stated that there is a quorum of five members.

Minutes

Mr. Wilkinson asked for comments on the draft of the January meeting minutes. Mrs. York previously provided comments via mail. Mr. Wilkinson provided two changes. No other comments were presented.

Public Hearings

Mr. Wilkinson stated that there are no Public Hearings.

Subdivision Applications

Heflin/Durst (255-1-40.1, 41, 43.1, 43.2, 43.3)

Mr. Wilkinson stated that this is a placeholder as this matter is on hold.

Mrs. York stated that they are working on a new plan and that the wetland delineations have changed.

Ward (225-1-15.1)

Mr. Wilkinson stated that the Board sent a letter to the applicant requesting additional information and are awaiting a response. Mr. Wilkinson stated that this matter is on hold.

Lot Line Change

Tasse/Vincent (226-1-70 and 226-1-658.111)

Mr. Wilkinson stated that the Board is still waiting for additional information and revisions. Mr. Wilkinson stated that the Board is waiting for a copy of the deed and the removal of the right of way to the back lands.

Mr. Tasse dropped off revised drawings during the agenda meeting which Mrs. York distributed to those present.

Mr. Wilkinson stated that this matter is on hold until next month.

Mr. Wilkinson stated that the Board is also awaiting proof that Mr. Vincent is authorized to act on behalf of the trust.

Mrs. York sent an e-mail itemizing what was needed from the applicants a while back.

#### Pre-Application Conference

Kuehner/Miller (246-3-64 and 246-3-63.2)

Mr. Wilkinson stated that there is a pre-application conference on this matter. Mr. Wilkinson stated that this is a lot line change of a transfer of a 10 x 10 area.

#### Reports

Mr. Wilkinson stated that there would be standard reports.

#### Correspondence

Mr. Wilkinson stated that the Capital District Transportation Committee has sent a letter regarding money available for highway and transit projects. Mr. Wilkinson stated that they are looking for input. Mr. Wilkinson stated that the Board members could check out the website.

Mr. Wilkinson stated that he would like the Board to discuss possible suggestions for changes to the Zoning Ordinance.

Mr. Wilkinson stated that he would like to discuss lessons learned at the Saratoga County Planning and Zoning Conference.

The meeting was closed at 7:30 p.m.

### **BUSINESS MEETING**

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

#### **Minutes**

Mr. Kadlecek made the motion to approve the draft of the January 19, 2009 minutes with changes incorporated. Ms. Szurek seconded the motion. All were in favor. Mr. Hodgkins and Mr. Mitchell abstained from the vote.

**Subdivision Applications**

**Heflin/Durst (255-1-40.1,41,43.1,43.2,43.3)**

No one representing this matter appeared.

Mr. Wilkinson stated that there has been no action and this is a placeholder.

**Ward (225-1-15.1)**

No one representing this matter appeared.

Mr. Wilkinson stated that this matter is on hold.

**Lot Line Adjustments**

**Tasse/Vincent (226-1-70 and 226-1-68.111)**

No one representing this matter was present.

Mr. Wilkinson stated that this matter is on hold.

**Pre-Application Conference**

**Kuehner/Miller (246-3-64 and 246-3-63.2)**

Mr. and Mrs. Kuehner appeared before the Board.

Mr. Kuehner stated that last spring, there was some confusion where the school district boundary was. Mr. Kuehner stated that if the boundary was through the property they could choose the school district. Mr. Kuehner stated that they chose the Burnt Hills-Ballston Lake school district. Mr. Kuehner stated that since then, the school district has changed their opinion as to where the boundary line is and told them that it is on their current property line. Mr. Kuehner stated that this change would require them to remove their child from the current school district and place him in the Scotia-Glenville school district.

Mrs. Kuehner stated that in order for their child to stay in the current school, they would have to acquire property in that school district. Mrs. Kuehner stated that 4 square feet are what would be transferred on the other side of the rock wall.

Mr. Kadlecik inquired as to what the deadline was.

Mrs. Kuehner stated August 1<sup>st</sup>.

Mr. Armer inquired if the Board approves this lot line change, if the Burnt Hills school district was ok with it.

Mr. Kuehner stated that the school district is aware that they are trying to acquire the additional property and they are ok with the concept. Mr. Kuehner stated that there is a precedent of 1 square foot.

Mrs. Kuehner cited past cases that this has been approved.

Mr. Kuehner stated that they pay their school taxes to Scotia-Glenville.

Mr. Armer inquired as to the property class.

Mr. Wilkinson stated RA.

Mrs. York stated that a survey map was needed.

Mr. Wilkinson stated that the Board would need a survey map, site location, application parts one and two, short form EAF, AG data statement and control form. Mr. Wilkinson provided Mr. Kuehner with a copy of the County filing instructions.

Mr. Hodgkins inquired if they had a surveyor.

Mr. Kuehner stated yes.

Mr. Wilkinson showed the applicants a sample of what the map needs to look like and gave the size requirements. Mr. Wilkinson stated that with lot line adjustments, the Board typically waives fees, engineering review and public hearings. Mr. Wilkinson stated that the application would need to be referred to the Glenville Planning Board and Saratoga County Planning Board. Mr. Wilkinson stated that the Board would also need a copy of the deed.

Mrs. York provided Mr. Kuehner with an application packet.

### **Zoning Administrator Report**

Mr. LaFountain was not present.

### **Correspondence**

Mr. Wilkinson stated that he would like to discuss suggestions for the zoning ordinance review committee (ZORC) for Mr. Hodgkins to take to the next meeting.

Mr. Wilkinson stated that he would like to propose that wetlands and ponds should not be

included in area for minimum lot size requirements. He would also like to have an ordinance that requires a 100 foot setback from any wetland or stream.

The Board discussed pros and cons of that requirement citing examples of past subdivisions.

Some Board members would like to see an ordinance that requires a higher minimum acreage. Mr. Hodgkins stated that it could vary by district (R, RA, A).

Ms. Szurek suggested that ponds, DEC wetlands and streams not be included in acreage but if it is an ACOE wetland, get the permit to allow disturbance and then come before the Board.

Mr. Kadlecek suggested putting the Health Department regulations (table II appendix A) in the zoning ordinance, not for development but for wastewater.

Mr. Kadlecek further suggested increasing energy efficiency by considering projects that require site plan review be designed to meet at least one LEED category, silver, gold or platinum.

Mr. Armer suggested that poll barns used as garages, and garages, have the same setback requirements.

Ms. Szurek suggested decreasing the acreage requirement for keeping small animals.

### **Town Board Liaison**

Mrs. Verola stated that the Charlton Tavern application for a building permit has been turned down by the Zoning Officer and forwarded to the Town Board. Mrs. Verola stated that the Town Board would vote at the agenda meeting whether to keep the application or forward it to the ZBA. Mrs. Verola stated that it would require a special use permit and an area variance. Mrs. Verola stated that since the entire building was destroyed it is not going to be grandfathered.

### **Correspondence**

Mr. Wilkinson stated that he would like to address some changes to procedures and policy.

Mr. Wilkinson stated that he would like to propose that the attendees of the Public Hearings sign in with their name and address. Mr. Wilkinson also proposed setting up another table for speakers to come up to in order to address the Planning Board.

Mr. Wilkinson stated that Mrs. York will be sending a letter for follow up after each

meeting so that the applicant is aware of what is needed for the next meeting.

Mr. Wilkinson stated that he would like to always have the alternate attend the meetings to participate and provide input but abstain from any voting. Mr. Wilkinson stated that when a Board member is absent the alternate is always up to speed.

Mr. Wilkinson stated that he would like to have two Board members take the lead for wetlands, stormwater management and SEQRA. Mr. Wilkinson stated that he would propose this again when there is a full Board.

Mr. Wilkinson stated that he would like to propose having the agenda meeting on a different night than the Board meeting. Mr. Wilkinson stated that this would enable the Board to discuss each application in greater detail without being rushed and would also make the business meetings go a little faster as all of the issues would have already been discussed at the agenda meeting.

The Board agreed to see if everyone was available to try this in April.

Mr. Wilkinson stated that he does not want to schedule any Public Hearings before the application is ruled complete.

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

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Kimberly A. Caron  
Recording Secretary