

**Town of Charlton  
Saratoga County  
Public Hearing and Town Board Meeting**

**January 22, 2024**

Present: Supervisor Grasso, Councilman Glavin, Councilman Robbins, Councilman St. John.

Absent: Councilman Tasse

Also present: Town Clerk Brenda Mills, Attorney Craig.

The Pledge of Allegiance was recited.

The Public Hearing regarding establishing Water Extension #8 of Water District #1 was held at the Charlton Town Hall and called to order by Supervisor Grasso at 7:36 p.m.

Town Clerk Mills read the following Legal Notice and confirmed that it was published in the official newspaper, The Daily Gazette on January 13, 2024:

**NOTICE OF PUBLIC HEARING**  
Town of Charlton  
Saratoga County, NY

**PUBLIC NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Charlton will hold a public hearing regarding the establishment of Extension No. 8 of Water District No. 1, as described in the map, plan and report prepared by Environmental Design Partnership, LLC.

The Hearing will be held on January 22, 2024 at 7:30 p.m. at Town Hall, 758 Charlton Road, Charlton, New York. All interested persons are invited to attend and be heard.

**BY ORDER OF THE TOWN BOARD**

Brenda Mills, Town Clerk  
January 10, 2024

Supervisor Grasso said that there had been a subdivision of a lot on Swaggertown Road which is in the water district, and new lots were created. It came to the Board's attention that some of the new property owners were paying water tax but were never officially in the Water District. The purpose of adding Extension #8 is to include these homes that are paying water tax. The water main runs in front of these properties. EDP has prepared a Map, Plan and Report that is available for viewing. No decision will be made tonight on adding the extension.

The floor was opened for public comment:

Bob, resident of Cook Road asked if the Town is limited by the Town of Glenville as to the number of connections in the water district. Supervisor Grasso said that the Town is limited by the State Department of Health.

No one else chose to speak.

#### **MOTION #62**

##### **Motion to close public hearing**

Motion by Councilman Glavin

Seconded by Councilman Robbins

**BY MOTION** the Town Board closed the public hearing at 7:47 p.m.

Vote: All Ayes, No Nays. **CARRIED.**

The Board continued with the regular scheduled Town Board meeting.

#### **APPROVAL OF MINUTES**

#### **MOTION #63**

##### **Approval of Minutes**

Motion by Councilman Robbins

Seconded by Councilman St. John

**BY MOTION** the Town Board approved the minutes of the Town Board Meeting on January 8, 2024.

Vote: All Ayes, No Nays. **CARRIED.**

#### **PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

No one chose to speak.

#### **SUPERVISORS REPORT**

##### **COMMUNICATIONS**

Supervisor Grasso said that Rick Jackson submitted a letter to the Board with a series of questions regarding property taxation. It will take some time to research the answers to his questions so they will not address it tonight. The Supervisor said that Attorney Craig was also given a copy to research as well.

#### **COUNCILMAN REPORTS**

**Water:** Councilman Glavin said that the extension #8 of the water district is for four properties. There is also one home on the corner of Cherry Lane and Swaggertown Road that is within the district but has not wanted to hook up to water in the past. They have been sent a letter to inform them that they have an opportunity to be included in Extension #8 if they chose to now.

**Planning Board** - Councilman St. John read the following report:

##### **Sargent/Meilunas and Van Guilder:**

The proposal is to subdivide the 25+ acre lot owned by David B Sargent and Melanie J. Meilunas and located on Old NYS Route 67 with additional road frontage on Rocky Ridge Road into three single family residential lots with individual wells and septic systems. The proposal creates Lot A as a 16+ acre parcel with existing

residential and outbuildings. Lot B will create an approximate 4-acre parcel, and Lot C a 5-acre parcel. All lots are located within Ag District #2. Action: Public Meeting was closed, and the subdivision was approved contingent on a few conditions.

Heflin and Santo Associates:

The proposal is to subdivide the 41+ acre lot owned by Garry Heflin and located at 2158 Cook Road with additional road frontage on NYS Route 67 into four single family residential lots with individual wells and septic systems. The proposal creates Lot 1 A as a 20+ acre parcel with existing residential and outbuildings. Lot 2 will create an approximate 5-acre parcel, Lot 3 a 10-acre parcel, and Lot 4 a 6-acre parcel. All lots are located within Ag District #2. Action: Public Hearing was adjourned and will reconvene at the next Planning Board Meeting on February 19, 2024.

Case and Van Guilder:

The proposal is to subdivide the 45+ acre lot owned by Angela Case and located at 1085 West Line Road into four single family residential lots with individual wells and septic systems- The proposal creates Lot 2 as a 39-acre parcel with existing residential and outbuildings. Lot 1 will create an approximate 2-acre parcel Lot 3 a 2-acre parcel and Lot 4 a 2-acre parcel. A parcel located at 1081 West Line Road was subdivided from 1085 West Line Road in January 2021. All lots are located within Ag District #2. Action: Public Hearing was adjourned and will reconvene at the next Planning Board Meeting on February 19, 2024.

## **MOTIONS, RESOLUTIONS AND PROCLAMATIONS**

### **MOTION#64**

#### **Motion to designate the Supervisor as Voting Delegate for Association of Towns Meeting**

Motion by Councilman St. John

Seconded by Councilman Glavin

**BY MOTION**, the Town Board designated the Supervisor to be the Voting Delegate for the Town of Charlton at the annual Association of Towns meeting on February 21, 2024.

Roll Call: Councilman Glavin: Aye, Councilman Robbins: Aye, Councilman St. John: Aye, Councilman Tasse: Absent, Supervisor Grasso: Aye. **CARRIED**

## **ABSTRACT OF CLAIMS**

### **MOTION #65**

#### **Approval of Abstract of Claims**

Motion by Councilman Robbins

Seconded by Councilman St. John

**BY MOTION**, the Town Board approved the processing of Abstract 2, voucher numbers 22-43 in the amount of \$30,234.62 which was audited by Town Board members.

Vote: All Ayes, No Nays. **CARRIED**

## **PRIVILEGE OF THE FLOOR**

Bob Killeen, resident, said that he built a garage 30 years ago and was asked by the Town if it was for commercial use. He said no, and he feels that he should keep his word and never let it be for commercial use. He also feels that anyone else that built for personal use should not be allowed to convert it to commercial use. He does not think that any businesses should be allowed in Charlton unless they are for Ag reasons only. He wants Charlton to stay agricultural. There are a few Exceptional Use Permit applications before the Town and he is concerned that people are using the permits for businesses that should not be allowed in Charlton.

Supervisor Grasso said that we do not have a strictly commercial zone. We have a Residential zone where no commercial use is allowed. We also have a Residential-Ag Zone and Ag District which according to our zoning do allow for numerous business uses, however most of them are subject to an Exceptional Use Permit.

Suzanne Voigt, resident, said that she thought that we couldn't have new businesses on Charlton Road. She was told only the Charlton Tavern and Store because they were grandfathered in, and no others. Mrs. Voigt asked if our zoning has changed. Mrs. Voigt said that our zoning regulation of 200 feet of road frontage and minimum 2-acre lot size for Ag and Residential-Ag district does not conform and is not legal according to New York State. She said that the Town is in trouble because they are doing what they want when they want and not obeying those rules. Supervisor Grasso said that Mrs. Voigt is incorrect. New York State does allow Towns to establish their zoning district's road frontage and acreage. Our Town zoning requires 200 feet of road frontage and a minimum 2-acre lot in all of our zoning districts.

Mrs. Voigt also said that the Planning Board meeting was lively. There are 3 applications for subdividing of property that would create 10 new lots. How do we support the extra traffic, need for emergency services, etc? She reminded the Town Board that they need to be proactive not reactive. She asked if the Town should put a moratorium on new builds until zoning updates are done. Supervisor Grasso said that he does not feel that a moratorium is necessary. The Town is working on updating the zoning with recommendations from the Land Use Committee, and has hired a consultant to assist with the update. Mrs. Voigt also noted that her neighbor's children cannot go to Charlton Elementary School because it is full. She feels that is a tragedy. Councilman Robbins said that that will correct itself through the school's swing districts.

#### **MOTION #66**

##### **Motion to adjourn the meeting**

Motion by Councilman Glavin

Seconded by Councilman Robbins

**BY MOTION** the Town Board adjourned the meeting at 8:05 p.m.

Vote: All Ayes, No Nays. **CARRIED**

Respectfully submitted,

Brenda Mills  
Town Clerk