

**VILLAGE OF CHATHAM
PLANNING BOARD MEETING**

July 15, 2013

Approved Minutes

Board Present:

Chairman Dan Herrick
Leo Ponter
Stephen Piazza

Public Present:

Zvi Cohen
Kathleen Palladin
Emilia Teasdale

Call to order: The Village of Chatham Planning Board Public Hearing of July 15, 2013 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application #13-025, 23 Park Row, Michael Shaffer**, Applicant; site plan review for signage. The Applicant, Ms. Teasdale states the front of the building is zoned residential and the back of the building is zoned for commercial use. The sign is going to say Chatham Herbal Shop, and will be white with black lettering. Ms. Teasdale adds that the sign will be hung by hooks. Mr. Piazza asks if the sign will be lit, Ms. Teasdale responds it will not. Ms. Teasdale states she had submitted a picture of the sign at the last meeting, but was unable to locate it.

A motion to approve the application made by Mr. Piazza with the stipulation that a picture of the actual sign be submitted to the Building Inspector, seconded by Mr. Ponter. All voting in favor.

2.) **Application #13-022, 116 Hudson Ave., Zvi Cohen**, Applicant; site plan to modify existing deck. Mr. Herrick asks if the deck is in the back; The Applicant, Mr. Cohen replies-yes and that it is not visible from the road. Mr. Herrick then asks how many table and chairs are set up. Mr. Cohen replies there are 4 tables set up now and that it meets and exceeds all engineer requirements.

Mr. Piazza then asks Mr. Cohen why there was never a building permit issued and states he has a real problem approving something that is already built. Mr. Piazza adds that this puts the Planning Board in an awkward position. Mr. Cohen states he has no excuse other than he ceases the moment and does it. Mr. Piazza states that he also does not see the letter from the engineer that the Building Inspector had requested. Mr. Cohen states that it was submitted over a month ago to Walt. Mr. Piazza adds that the Village has planning and zoning for a reason.

Mr. Ponter interjects; that the conversation needs to be elevated, Mr. Cohen shows remorse and we need to move forward. Mr. Herrick states, lets take a look at what we have and whether it can be approved or not. Mr. Ponter asks if we could find out from the Building Inspector if there is an occupancy rule for a deck. Mr. Cohen states he poured concrete pillars last fall and used 2x4's to hold up the deck.

Mr. Piazza states he would like a letter from Walt regarding whether or not it is required to notify neighbors of dining on an outdoor deck as well as hours of operation.

Mr. Herrick adds that he would have also liked to have reviewed this prior to it being built. Mr. Cohen indicates where the deck is on the drawings. Mr. Herrick then adds as an example the empty location on the drawings he would have suggested it being used for parking. Mr. Cohen states there are compressors behind the building in the vacant area. Mr. Piazza states he wants to see an emergency evacuation area indicated. He then states that he has trouble approving tonight, Mr. Herrick adds that he would like to wait a month as well.

Mr. Piazza states he would like Mr. Cohen to have for next month; defined hours of operation, the letter from the engineer, if there is a set-back for propane near a dining area, a proper egress in case of fire since the deck is fenced in, and if the neighbor in back was ever notified about the deck. Mr. Cohen states the hours are 8am to 8pm, which means the kitchen is closed at 8pm and that the letter from the engineer was submitted. Mr. Herrick states that they need to have the letter here and the Application is tabled till next month. Mr. Piazza would also like to check if there is any type of fine.

3.) Application #13-029, 25 Main St., John Porcelly, Applicant; site plan review for exterior signage. Applicant did not appear.

Board Discussion:

Mr. Ponter states he would recommend a letter sent to the Village Board stating the Planning Board is getting a lot of applications recently for jobs already completed. The Planning Board would like to know what are the ramifications for this. Mr. Herrick states the Planning Board does not want to be the enforcement and would like to know who is the current code enforcement agent. Mr. Piazza adds that he would also like to see if Walt would attend some of the meetings.

The Board then requests that a letter be sent to the Village Board regarding the letter of interest received from Ernest Reis to be on the Planning Board. The Board would like to confirm that it is not a conflict of interest.

A motion to approve the minutes of the May meeting was made by Mr. Piazza, seconded by Mr. Ponter. All voted in favor.

Motion to adjourn meeting made by Mr. Piazza at 8:40, 2nd by Mr. Piazza, all voted in favor.

Respectfully submitted,

Erin Costa, Secretary

