

Village of Chatham Planning Board Minutes  
Regular Meeting  
August 15, 2011

Present:

Chairman Herrick  
Aaron Gaylord  
Peter Minihan  
Leo Ponter  
Stephen Piazza  
Attorney Cheryl Roberts

Chairman Herrick called meeting to order at 7:30 pm

Board reviewed minutes from June and July regular meeting and July special meeting. Mr. Piazza stated minutes are not detailed enough and should provide more detail in future.

Chairman Herrick announced that Ms. Heaney had submitted her resignation and would no longer be serving as secretary. The Board will look for a new secretary.

Chairman announced two addenda items:

1. Lead agency discussion regarding the Price Chopper project in the Town of Ghent and Village of Chatham
2. Application by Hampshire for expansion of Price Chopper Plaza

Lead Agency Discussion:

Chairman Herrick met with Ghent Planning Board Chairman Walters to discuss lead agency status for the Price Chopper project proposed in Ghent. Chairman Herrick read a letter from Chairman Walters regarding same. Letter attached.

Chairman Herrick questioned whether giving up lead agency status to Ghent would still allow the Village planning board to vote on a determination of significance. Attorney Roberts said no. Only lead agency can vote on determination of significance. Ghent Planning Board Attorney Ted Guterman agreed.

Chairman Walters advised Village board that Ghent wanted input. Attorney Roberts advised village to make sure concerns about community character, visual impacts, drainage and any other issues are made known to Town before it makes its decision on significance. Suggested joint meeting before joint hearing to make sure village was familiar with project. Set meeting for August 24<sup>th</sup> at 7:30 in Ghent. Attorneys will draft notice.

Attorney Roberts summarized conference call initiated by DEC. Call attendees, Peter Lynch and Mitch Kosvorva - Chatham Assoc; Ted Guterman, Cheryl Roberts, Bill Better Dan Tuczinski, Hampshire, DEC Atty Weintraub and program atty. DEC asked why lead agency was being reestablished and advised that DEC was likely to dismiss the lead agency request without sending to the Commissioner and find that lead agency remained with Ghent. DEC advised municipalities to work together.

Chairman Walters said he always wanted Village to participate, former Chairman Gitto attended Ghent mtgs sporadically. Says they have worked out many issues.

Mr. Gaylord stated he remained concerned about the project. Mr. Minihan agreed and said they have been misinformed or not informed about the project and are having to play catch-up. They are trying to educate themselves about the project.

Board considered attached resolution to withdraw lead agency status. Mr. Ponter motion to accept resolution, Mr. Piazza second. Roll call vote: Herrick, Ponter, Piazza, Gaylord - yes. Minihan No. Resolution passed.

Mr. KOsrova stated PC engineer and Ghent Engineer will be at the next meeting and requested attendance of Mr. Prendergast for Village.

Chairman Walters stated Camphill and PC have both accommodated rail trail and hopes that Village will consider accommodating rail trail to fairgrounds.

#### Hampshire Site Plan Application Discussion:

Mr. Tuczinski submitted the application and \$5,000 check in escrow on half of Hampshire company to expand existing grocery store. Stated that owners of both parcels that compose the Price Chopper Plaza have now signed application together. Also stated reasons in support of Price Chopper staying at current location including tax base, less environmental impact and faster process. Hampshire also intends to go forward with project whether PC wants to stay or not. Advised PC that they would not be held to their lease and can leave now so that Hampshire can bring in another grocery store chain.

Mr. Clark of Clark Engineering presented plans to board. New store to go from 44,000 to 60,000 sq feet. The additional space will not create more impervious surface because it is existing pavement. This project will have less environmental impact than new store.

Chairman Herrick stated that the two projects should be considered separately in response to Hampshire trying to link two in their discussion.

Attorney Roberts advised that there may be cumulative impacts from the two projects that must be addressed, for example drainage and traffic need to be looked at.

Mr. Better submitted for the board a transcript from the planning Board's last meeting on this topic. Reminded board and PC that the expansion only involves one municipality and approval will be faster.

Mr. Chisholm of Price Chopper stated he was the only person in the room who attended meetings between Price Chopper and Hampshire and PC is not going to enlarge where they are and have been very clear about their position.

Chairman Herrick deemed Hampshire application incomplete; need more info on signs, lighting, elevations, building design.

Mr. Better said they would provide more info.

Attorney Roberts suggested giving application to Pat Prendergast for review on required application materials. Application will be forwarded to Mr. Prendergast.

Paul Colcagno former owner of restaurant in plaza and owner of a 4 acre parcel across street from Plaza on Route 66 has intention to develop parcel for a drug store or dunkin donuts and wants to be included in discussion.

Mitch Kosrova asked whether current tenant's rights and timing of expansion be factored into discussion.

Attorney Roberts Advised contract issues between Price Chopper and Hampshire are not a concern of the board. The board would process Hampshire application at next planning board meeting and would work with Ghent as an involved agency.

Meeting adjourned at 8:35