

**VILLAGE OF CHATHAM
PLANNING BOARD MEETING
December 17, 2012
Approved Minutes**

Board Present:

Chairman Dan Herrick
Engineer
Leo Ponter
Stephen Piazza

Public Present:

Pat Prendergast,

Cheryl Roberts, Esq.
Chuck Chisholm
Steve Duffy
Peter Lynch
Mike Tucker
J. Michael Naughton
Mitchell Khosrova
Steve Duffy
Stosh Gansowski
Elvin Lewis
Reznikoff
David Birch
Eric Lerner
David Rubel
M. Sarris
Judy Grunberg
Bill Better
Doug Clark

Call to order: The Village of Chatham Planning Board Public Hearing of December 17, 2012 was called to order at 7:34 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) Application # 10-040, Chatham Associates LLC, Applicant; Public Hearing for proposed 45,000 sq. ft. Price Chopper supermarket in Ghent, partially in the Village of Chatham. Motion to open the public hearing made by Mr. Ponter, 2nd by Mr. Piazza. All voting in favor the public hearing is open. Cheryl Roberts, attorney for the Village of Chatham, submitted on record the affidavit of the notice for the public hearing in the newspaper as well as the ab-butters from Peter Lynch, attorney for Price Chopper, the recommendation from the Columbia County Planning Board and the letter from Pat Prendergast regarding the water and sewer hook-up. Ms. Roberts stated what needs to be considered is that there is no negative environmental impact, the structures, general design, set backs, landscaping, parking and circulation, design of paving and light fixtures and drainage.

Mr. Herrick opens the floor to the public hearing. Mr. Lynch introduces Steve Duffy to begin the presentation. Mr. Duffy states the slide show presentation is broken up into eight parts that he is going to go over. Ms. Roberts asks that they find out the actual set back of the building on the Village line from Route 66 – it is figured by Mr. Duffy and Mr. Lynch that it will be around 240ft off Route 66 and that the building is as far back as it can go due to the wetlands. Mr. Piazza asks what the distance will be between the screening wall and the retaining wall – Mr. Duffy states it will be about 90ft. Mr. Duffy points out they added a snow storage area and that after 10 years the screening wall is pretty well obscured by the trees. Mr. Prendergast states that the model shows nicely mowed grass and that the public should know that it will actually be more swampy and weedy looking. Mr. Duffy then showed around eleven different winter scenes with aerial and ground level views. Mr. Piazza states it will be quite barren in the winter – Mr. Lynch states that the architecture of the building wont be so bad. Mr. Duffy moves on to present the night renderings and states that design of the lights is to all have cutoff at the property lines.

Mr. Herrick asks if the store will be open 24 hours. Mr. Duffy states that it will be open 24 hours and that they will be setting the lighting back after 11pm. Mr. Herrick asks what precautions will be taken if any trees die out due to salt and snow removal. Ms. Roberts states the Board can make a condition that if a tree dies it must be replaced. Mr. Piazza asks if the landscaping will be maintained at the level they are presenting it. Mr. Lerner replies it will be maintained at this level.

Mr. Herrick opens the meeting up to the public for comment. Public member Melissa Sarris asks what is the expected longevity of the building. Mr. Duffy replies the longevity is 40 to 50 years. Ms. Sarris states the population is continuously decreasing therefore who would be shopping throughout the night.

Public member Lisa Johnson asks if she may read a 2 page letter that she has written. The letter states, our community is not growing and the current parking lot is always half empty. Therefor do we really need a super store in this small community and that if Price Chopper really cares about the village they would change their minds and renovate instead. Mr. Herrick states the letter is technically out of order due to the new store being located in the town of Ghent.

Public member Doug Clark from Clark Engineering begins by presenting one color poster of the current plaza. Mr. Clark states that Greenburger needs to be involved because once the store is built they will not be able to connect the old and new locations. Mr. Clark then demonstrates on his poster how Price Chopper would be able to take the exact store they want to build and add it to the current plaza. Mr. Clark states the Board could annex the property in Ghent and go to court. Ms. Roberts states this is off the topic and the village is not able to do that.

Public member David Gruvell states that as a business owner himself he wants to be able to feel that if he plays by the rules he should be able to basically do what he wants, and if Price Chopper wants to move they should be allowed to since they own the land.

Public member Melissa Sarris asks if there is a way to walk from the existing plaza to the new Price Chopper. Mr. Lynch states that it is not Price Choppers property between the two locations, therefore the only walk way will be in front of the two locations.

Bill Better, attorney for Hampshire Properties, asks if the village has accepted and application for subdivision from Price Chopper. Ms. Roberts states there is no application she is aware of. Mr. Lynch states they are not subdividing the property located in the village.

Public member Dan Tuczincki asks if this project is compatible with Chathams standards seeing as they are planning to stick the rear end of the building facing the village. Mr. Tuczinski states that the Board has the right to say no, and that if Price Chopper really cared about the village they would have contacted Geenberger before the Board asked them too, and if the two are not connected the current plaza is going to go dark.

Mr. Lynch states they have met all set backs and the landscaping is state of the art. There is minimal visual impact and they are not able to move the building back any further due to wetlands. Mr. Lynch then asks the Board to close the hearing if there are no other speakers. Ms. Roberts states the Board has 62 days to make their decision after closing the public hearing.

Motion to close the public hearing made by Ponter, 2nd by Piazza, all voting in favor. Public hearing was closed. Mr. Ponter states that the other members of the Board should be included in the decision. Mr. Herrick states he would like more time, at least till next month to consider the decision.

Motion to adjourn meeting made by Piazza at 9:16, 2nd by Ponter, all voted in favor.

