

**VILLAGE OF CHATHAM  
PLANNING BOARD MEETING  
May 21, 2012  
Approved Minutes with Resolution**

**Board Present:**

Chairman Dan Herrick, absent  
Peter Minahan  
Aaron Gaylord  
Stephen Piazza  
Leo Ponter  
Cheryl Roberts, Esq.  
Pat Prendergast, Engineer for the Village

**Public Present:**

Mr. Doug Clark, Clark  
Bill Better, Esq.  
Mitchell Khosrova  
Lael Locke  
Paul Calgano  
Steve Ulmer  
Emilia Teasdale

**Call to order:** The Village of Chatham Planning Board Public Hearing of April 16, 2012 was called to order at 7:30 PM by Acting Chairman Leo Ponter in the Tracy Memorial Village Hall.

**April minutes** approved by motion introduced by Piazza, 2nd Gaylord. Ponter voted aye, (Minahan arrived late and did not vote). Minutes were approved.

**Correspondence** read aloud. Board feels the recommended change in local law is a good safety net for the village. Cheryl explains the intent and purpose of the section, G, for the commercial district where the code as written is now inconsistent. The Planning Boards opinion was requested relative to whether it wants more or less control of uses in the C3 zone. The Board feels the change would add an extra and useful check and balance. Piazza requests Cheryl draft a letter to the Village Board noting the Boards' recommendation in this matter, Gaylord 2nd, Ponter, Minahan vote Aye. The vote is unanimous.

**1.) Application # 11-021, Chatham 2001 LLC/Hampshire Co, Applicant,** expansion of Chatham Plaza, located at Rt. 66 & Dardess Dr.; continuation of Public Hearing. Mr. Clark presents maps and color posters of the newest renderings of the site plan incorporating changes as requested by the public and the Planning Board. The rear facade is built up to conceal rooftop equipment. Signage on the front of the structure is reduced; landscaping is added and more varied. The lighting was addressed at length and includes shorter light poles in the lot with new fixtures, plus adding more. The board continues to voice concern about too much lighting during the night which the public says is a disturbance, but balancing that with public and employee safety. The wallpacks on the back of the building will be replaced with ones of a design similar to the rest of the plans' lighting, plus will offer full cutoff. Clark noted that the plaza owner will not commit to a time restriction for hours of operation of any tenant in the plaza. The Board wants to see a wooden "Chatham Plaza" sign with external illumination having no tenant signs attached.

Public member Lael Locke asks about hours of operation. Although the Board does not want to see the mall grocery store open 24 hours a day this cannot be stipulated. As a compromise, the board requests that any time the plaza shops are closed to the public parking lot lights will be reduced by no less than 50% one hour after closing until 6am for public health and safety. The row nearest to the stores will remain lit.

Piazza makes a motion to close the Public Hearing, 2nd by Minahan, all voting in favor.

Carol Anne Hargis 5/26/12 10:12 AM

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Carol Anne Hargis 5/26/12 10:16 AM

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Resolution 12-003 is read and reviewed aloud by Roberts. Details are finalized and will be drawn up by Roberts. A motion to approve the Hampshire/Chatham Plaza site plan was introduced by Gaylord, 2nd by Minahan, roll call vote: Piazza, Gaylord, Minahan, and Ponter all vote AYE.

**2.) Application # 12-006, The Chatham Film Club, Applicant,** Crandell Theatre 46-48 Main St.; site plan review for exterior paint color. Applicant informed the Secretary that they are not changing the color of the façade paint and did not appear.

**3.) Application # 12-008, Depot Square Chatham LLC, Applicant,** 4 Depot Square; site plan review to demolish barn. Gaylord recuses himself as he is a contractor involved in the project. Mr. Ulmer advised the board that the structure was a pole barn, and has no heat, electric, or water hookups. Ulmer notes that other buildings have previously been torn down via the larger project on the site. The board explored with the applicant what the site will look like once the building is removed, including its surface. Piazza asks if a fence can be erected. Ulmer states fencing may be a future addition to the project, but stated he appears today to get approval to remove the barn before it falls down. Ponter makes motion to move forward on the application, 2nd by Minahan, all vote in favor. At the June 18 meeting this application will go to a public hearing and SEQRA review if appropriate will be undertaken.

Gaylord makes a motion to adjourn at 9:20, 2nd by Piazza, all voted in favor.

**Resolution No. 12-003  
May 21, 2012  
Village of Chatham Planning Board**

**WHEREAS,** Hampshire Companies (“the applicant”) has submitted an application for site plan approval to expand the grocery store component of its existing Chatham Retail Plaza located at Route 66 and Dardess Drive, Chatham, New York, from 43,830 square feet to 60,116 square feet (hereinafter “the Project”); and

**WHEREAS,** by Resolution dated March 26, 2012, the Village of Chatham Planning Board (“VPB”) declared this action to be a Type I action and sought lead agency status and to coordinate project review; and

**WHEREAS,** by letter dated April 11, 2012 the NYSDEC, and by Resolution adopted April 12, 2012, the Village of Chatham Board of Trustees agreed to the VPB’s request for lead agency status; and

**WHEREAS,** by resolution dated March 26, 2012, the VPB adopted a Negative Declaration for this Project and a notice was published in the Environmental Notice Bulletin on April 25, 2012; and

**WHEREAS,** a public hearing on the Project was opened on February 27, 2012 and was closed on May 21, 2012; and

**WHEREAS,** public comments addressed to the VPB to date have been in overwhelming support of this Project, but have consistently sought additional screening, the addition of bicycle racks and

other measures to improve pedestrian access to the Project site, reduction in lighting impacts, and reduction in the number and size of associated signs; and

**WHEREAS**, the Project comports with the following site plan standards as follows:

1. Layout and Design

- a. The proposed expansion will be integrated into the existing plaza through a design which adds the majority of the new square footage at the rear of the building. All additional square footage will therefore either be hidden from Hudson Avenue, the Village's main street or will be set back from the road consistent with the existing plaza and the residential structures on Hudson Avenue, thereby following the historic street and building patterns of the village.
- b. The structure will be compatible with the existing plaza set back and the Project will involve improving the façade of the plaza stores to make them more visually compatible with the traditional structures in the village.
- c. The design of the structure does not incorporate any large expanses of undifferentiated facades and long plain wall sections. As set forth in paragraph "a", the scale of the structure as viewed from Hudson Avenue will not change from the existing scale.
- d. Setbacks will remain unchanged and are consistent with the surrounding historic development.
- e. The applicant will support the placement of a rails to trails trail for better pedestrian access on their property.
- f. Landscape buffers shall be provided between the plaza and Hudson Avenue in order to screen the plaza from Hudson Avenue and the Blinn-Pulver farmhouse. The buffer shall consist of the plants as set forth in the site plan and the width of such buffer shall be 40 feet.

2. Landscaping

- a. The applicant will include a detailed landscaping planting schedule and chart for the entire project which shall buffer the site from views from Hudson Avenue, the Blinn Pulver farm house, and the Senior Center and uses to the rear of the Project.
- b. Primary landscaping between the front façade of the Project and Hudson Avenue will consist of shrubs, shade trees, conifers and shrubs and will be integrated with the rails to trails trail network. All plants shall be native species.
- c. Existing plants will be integrated into the landscape design.
- d. Shade trees at least two inches in caliper and grown to American Standards for Nursery Stock shall be integrated into, planted and maintained at twenty to forty foot intervals along Hudson Avenue and Payne Avenue.

3. Parking, circulation and loading

- a. Off-street parking shall conform to section 110-28.
- b. A rail trail connection shall be provided and installed pursuant to applicable standards established by the Rails to Trails standards of the National Park Service. If authorized by the involved land owners, the applicant shall also connect parking lots, service roads, alleys, footpaths, and bike paths to adjacent properties.

- c. To accommodate building setbacks, off street parking shall remain in its current location, but landscaping shall be added as set forth above to screen the parking lot to the greatest extent practicable.
  - d. The Applicant shall obtain any and all necessary approvals from the appropriate highway departments.
  - e. All buildings are accessible to emergency vehicles/
4. Miscellaneous Standards
- a. Design of paving, light fixtures, retaining wall, fences, curbs, benches shall be attractive and easily maintained as per the site plan.
  - b. Exterior Lighting shall be shielded to prevent light from shining directly onto neighborhood properties and public ways. Light fixtures shall be restricted to a maximum of 20 feet in height.
  - c. Drainage at the site shall recharge ground water to the extent practical. The amount of peak runoff shall not increase above predevelopment conditions. The Project will increase the amount of impervious surface by 7000 square feet and the VPB's engineer has determined that measures have been proposed in the site plan to mitigate the impacts from the run off related to this additional impervious surface through improvements to the existing subsurface drainage system. Therefore the amount of runoff will not increase above predevelopment conditions.
  - d. The applicant shall be responsible for properly disposing of all demolition and construction debris; and

**WHEREAS**, the applicant will be required to post a performance guaranty in an amount to be determined by the Village Engineer in a form approved by the Planning Board Attorney, which shall be posted in accordance with the procedures specified in section 7-730, of Subdivision 9 of the Village Law; and

**WHEREAS**, a Certificate of Occupancy shall not be granted until the requirements of section 110-19H of the Village Code have been complied with.

**NOW THEREFORE, THE VILLAGE PLANNING BOARD:**

Approves the attached site plan application subject to the following conditions:

1. The Applicant complies with all details as set forth on the attached site plans;
2. The Applicant posts a performance guaranty in an amount to be determined by the Village Engineer in a form approved by the Planning Board Attorney, which shall be posted in accordance with the procedures specified in section 7-730, of Subdivision 9 of the Village Law;
3. The Applicant obtains all necessary approvals, if any, from the Village Board of Trustees for the continued connection and supply of Village sewer and water service.
4. The applicant shall include a sign detail on the site plan map to require a wood sign at the main entrance of the plaza that is externally lit.
5. The Applicant will replace the existing wall pack lighting on the rear or the building with full cut off wall mounted fixtures of a similar fixture type used in the parking lot in the front of the plaza.

6. Outdoor lighting will be reduced by no less than 50% one hour after the plaza closes until 6 am, consistent with the protection of health and safety. At a minimum, the row of lights in the front of the parking lot closest to the plaza retail store shall remain lit.

Introduction: Aaron Gaylord

Seconded: Pete Minahan

Record Votes: Piazza -AYE  
Minahan -AYE  
Gaylord -AYE  
Ponter -AYE

Approved: Leo Ponter, Vice Chairman

Carol Anne Hargis 5/26/12 9:59 AM

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