

**VILLAGE OF CHATHAM
PLANNING BOARD MEETING
February 16th, 2015
Approved Minutes**

Board Present:

Chairman Dan Herrick
Leo Ponter
Ernest Reis
Ken Dow – Village Attorney

Public Present:

Keith Truax
Adam Fields
Eric Schillinger
Girdhari Lal
Mohinder Pal
Francis Iaconetti
Vincent Pecoraro
Bill Stratton
Chris Wyant
Heena Patel
John Olson
Kirk Kneller
Vincent Mackowski

Call to order: The Village of Chatham Planning Board Public Hearing of February 16th, 2015 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application, 2 Church St., Bhavesh Patel**, Application; site plan review for addition to building. Eric Schillinger, the Applicant's Attorney, states all paperwork has been submitted from the Applicant as well as a title search on the property. Ken Dow, the Village Attorney states that easements are not Zoning issues, they are private issues. Chairman Herrick adds that set backs are also determined by the property line, not the easement. Mr. Dow then refers to his letter that was sent to Mr. Schillinger; Vincent Mackowski, Kirk Knellers Attorney; the Planning Board and the Building Inspector regarding easements and property lines. Mr. Schillinger adds the location of the addition is not where the easement is. Kirk Kneller, the Abutting property owner, states if easements are not Zoning issues they should be issued by the state DOT. Mr. Dow adds the Planning Board has very limited jurisdiction and they have to go by the Village of Chatham Code for this Application. Mr. Mackowski states the easement has been an ongoing issue for years and the Zoning Board of Appeals made a resolution in 2007 which prevents a building permit from being issued until the easements have been resolved between the Applicant and the other abutting properties. Mr. Dow states the Planning Board can only make their determination on the current Application based on the current Village of Chatham codes. Chairman Herrick adds that the Village of Chatham code states that setbacks are determined from the property line and the addition meets the setback requirements.

Mr. Mackowski states he has pictures of snow removal that was also submitted to the Board that would be affected by the addition. Chairman Herrick adds that the addition is where they are currently putting the snow however, snow removal has nothing to do with the application. Mr. Mackowski adds that Mr. Patel had stated he was going to change the traffic flow and deliveries to the early morning and that has not happened so far. Mr. Dow states there should be written

findings and determinations for SEQR and recommendation from the Columbia County Planning Board before a decision is made on this application according to section 110-19.

Motion to send Application, 2 Church St., Bhavesh Patel, Applicant; site plan review for addition to building to the County Planning Board made by Mr. Ponter, seconded by Mr. Reis.

Chairman Herrick – Aye

Mr. Dow states the next step is to designate if this Application qualifies as a major or minor site plan. Chairman Herrick states that it is a C2 property, therefore it is a minor project. Mr. Dow reads section 110-21 minor site plan code, and 2, 9D and 10 still need to be addressed. Mr. Schillinger states the addition is not going to affect the drainage because the parking lot is pavement which is non-permeable and the addition will not change that. Mr. Schillinger adds that the water runs off the back of the building currently and will continue to do so with the addition. Mr. Dow adds this will be part of the SEQR determination as well. Chairman Herrick states this Application is tabled until the April 20th, 2015 meeting with the results from the County Planning Board.

2.) Application; 9 Hudson Ave., Adam Fields, Applicant; site plan review for signage and change of use. Adam Fields, the Applicant states he is looking to open a jewelry store and needs approval for a change of use and new signage. Chairman Herrick states the sign has to go on the building, it cannot hang perpendicular to the building due to the property line. Mr. Fields states the sign will be almost exactly the same as the Computer Insights sign. Chairman Herrick states they need to know the color scheme since this is in the historic district. Mr. Fields states the sign will have a black background with gold lettering and a gold rooster. Chairman Herrick reads through the SEQR form, the Application passes.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member Francis Iaconetti asks what the sign will be made of and if it will be illuminated and if the brackets will be visible. Mr. Fields states the sign will be made of wood and it will not be illuminated and the brackets will not be visible.

Chairman Herrick asks if there are any other questions or comments – no response.

Motion to approve Application; 9 Hudson Ave., Adam Fields, Applicant; site plan review for signage and change of use made by Mr. Ponter, seconded by Mr. Reis.

Chairman Herrick - Aye

3.) Application; 123 Hudson Ave., Girdhari Lal, Applicant; site plan review for new siding. Chairman Herrick states the Application needs approval for Vinyl siding instead of Metal siding. Mr. Ponter asks about Fire Safety of Vinyl versus Metal siding. Chairman Herrick states Vinyl is actually preferred when it comes to fire safety.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member Mr. Iaconetti states this Applicant has ignored their original site plan approval by changing the siding, moving the propane tanks and not showing parking and the Planning Board has an obligation to stop work on anyone in violation. Mr. Dow states if the Planning Board thinks anyone is violating a site plan approval they can notify the Building Inspector who has the authority to issue a stop work order. Chairman Herrick states the Approval or Denial tonight is just for the siding switching from Metal to Vinyl and a letter will be sent to the Building Inspector to verify that everything is where it is supposed to be according to the approved site plan.

Motion to approve Application; 123 Hudson Ave., Girdhari Lal, Applicant; site plan review for new siding made by Mr. Ponter, seconded by Mr. Reis.

Chairman Herrick - Aye

4.) **Application; #15-003; 22 Main St., Bill Stratton**, Applicant; site plan review for new windows and change of use. Bill Stratton, the Applicant states he came on behalf of the building owner for approval on the change of use to retail for the new tenant. Mr. Stratton adds the previous contractor had received a stop work order for removing the canopy without a building permit. He then presents the Board with black and white copies of what the proposed front will look like. Chairman Herrick states this is in the historic district so the drawings need to include colors and textures of the materials as well as anything existing and height of the glass. Mr. Ponter adds they need to see more detail before they can be approved.

Motion to table Application; #15-003; 22 Main St., Bill Stratton, Applicant; site plan review for new windows and change of use made by Mr. Ponter, seconded by Mr. Reis.

Chairman Herrick - Aye

A motion to approve the minutes of the December 15th meeting is made by Mr. Ponter, seconded by Mr. Reis.

Chairman Herrick – Aye

The meeting of February 16th, 2015 is adjourned at 10:00pm.

Respectfully submitted,

Erin Reis-Costa, Secretary

