

VILLAGE OF CHATHAM
PLANNING BOARD MEETING
October 20th, 2014
Approved Minutes

Board Present:

Chairman Dan Herrick
Harry Pisila
Stephen Piazza
Loe Ponter
Ernest Reis
Walt Simonsmeier – Building Inspector

Public Present:

Jason Welch
Meagan Cantele
Natalia de Amorim
Joe Iuviene
Mohinderpal
Girdhari Lal
Mike Block
Bhavesh Patel
Kirk Kneller
Vincent Mackowski
Vincent Pecoraro
Milap Patel
Heema Patel
David Christian
Vince Pecoraro

Call to order: The Village of Chatham Planning Board Public Hearing of October 20th, 2014 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application, #14-065, 123 Hudson Ave., Girdhari Lal**, Applicant; site plan review for signage and addition to building. Joe Iuviene, the Architect for the Applicant, states this is an amendment to the previously submitted site plan. Mr. Iuviene adds they want to extend the retail portion of the store out 10'ft in back and install an above ground kerosene tank. Chairman Herrick asks how this is with the code, Walt Simonsmeier, the Building Inspector, states OK. Mr. Iuviene states the building is currently brick and the addition will be metal siding and will do more detailed drawings for Walt before moving forward. He adds they plan to move the cooler further back and have more retail floor space. This will give them 440 more square feet plus adding more parking, they will have 8 regular spots plus handicap, total will be between 7-11 spots as per code.

Chairman Herrick asks if there are any other questions or comments from the Board. Mr. Piazza asks if there will be any work done to the existing building while the addition is being done and if the new construction will match or conform to the current building. Mr. Iuviene states the current building and the new addition will be the same color and will have one door on the back and no windows. Mr. Pisila asks if all the zoning is being met, set-backs, etc... Mr. Iuviene states that the configuration is not changing just the name. Mr. Herrick states he would like to see a color match. Mr. Iuviene adds that it is just white metal siding and the bricks are currently painted white. Mr. Piazza states the plans say brick veneer siding for the addition. Mr. Iuviene states that is a mistake and it is white metal siding.

Mr. Simonsmeier asks when are they going to put the bollards in front of the propane tanks. Mr. Iuviene states they are moving the tanks and will add the bollards and put that on the final site

plan.

Chairman Herrick asks about the kerosene tank. Mr. Iuviene states it will be a 1000 gal tank on the side of the building. Chairman Herrick asks if it will be enclosed. Mr. Iuviene states it has to be vented so they cannot enclose it, and the only other option is to bury the tank and that is very expensive. Chairman Herrick suggests putting up a screening wall. Mr. Iuviene agrees that could be an option. Mr. Pisila suggests a chain link fence, Mr. Iuviene adds he would have check the set-backs and traffic flow. Mr. Piazza asks if customers will need room to pull up to the tank. Mr. Iuviene states customers can park next to the tank or park and walk over.

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 – no response.

Motion made to approve the addition only for Application, #14-065, 123 Hudson Ave., Girdhari Lal, Applicant by Mr. Piazza, seconded by Mr. Reis.

Mr. Pisila – Aye

Mr. Ponter – Aye

Chairman Herrick - Aye

2.) **Application, #14-064, 34 Hudson Ave., Jason Welch**, Applicant; site plan review for signage. Chairman Herrick states the sign will be a two sided sign 35” wide by 39” tall. Jason Welch, the Applicant agrees. Mr. Piazza asks if he will be just replacing the temporary sign with a permanent one. Mr. Welch confirms yes.

Chairman Herrick asks if there are any other questions or comments from the Board. Mr. Piazza asks if this is the sign that is currently up. Mr. Welch states it is just a banner that is up now.

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 – no response.

Motion made to approve Application, #14-064, 34 Hudson Ave., Jason Welch, Applicant; site plan review for signage by Mr. Reis, seconded by Mr. Pisila.

Mr. Piazza – Aye

Mr. Ponter – Aye

Chairman Herrick - Aye

3.) **Application, #14-043, 19 Central Square, Natalia de Amorim**, Applicant; site plan review to paint exterior of building. Natalia de Amorim, the Applicant presents the Board with color samples for the trim and siding. Ms. Amorim adds the pillars will be the grey and the trim will be the white. Mr. Piazza asks if the trim around the windows will be white as well, Ms. Amorim agrees. Chairman Herrick asks if the paints are environmentally approved paints. Ms. Amorim states they are and were purchased from Lowes.

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 – no response.

Motion made to approve Application, #14-043, 19 Central Square, Natalia de Amorim, Applicant; site plan review to paint exterior of building by Mr. Piazza, seconded by Mr. Ponter.

Mr. Pisila – Aye

Mr. Reis – Aye

Chairman Herrick - Aye

4.) Application, #12-008, 4 Depot Square., Aaron Gaylord, Applicant; site plan review to demolish barn. Aaron Gaylord the Applicant did not appear. Chairman Herrick states this is an application from 2008 and nothing has changed.

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 – no response.

Motion made to approve Application, #12-008, 4 Depot Square., Aaron Gaylord, Applicant; site plan review to demolish barn by Mr. Piazza, seconded by Mr. Pisila.

Mr. Ponter – Aye

Mr. Reis – Aye

Chairman Herrick - Aye

5.) Application, #14-060, 5 Main St., Christine Mottau, Applicant; site plan review for signage. Mike Block states he is the Husband of the Applicant. Chairman Herrick states the sign looks like it will be 48” x 26”. Mr. Block states they are right next to the toy store. Mr. Piazza asks if it is where Crow Cottage was. Mr. Block confirms it is and the sign will be in the same spot as the other sign that was there and basically the same size. Mr. Ponter asks what color the sign will be. Chairman Herrick then passes around the color photo.

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 – no response.

Motion made to approve Application, #14-060, 5 Main St., Christine Mottau, Applicant; site plan review for signage by Mr. Ponter, seconded by Mr. Reis.

Mr. Piazza – Aye

Mr. Pisila – Aye

Chairman Herrick – Aye

6.) **Application, 2 Church St., Bhavesh Patel**, Application; site plan review for addition to building. Mr. Pisila recues himself from the Board to represent his client Bhavesh Patel, the Applicant. Mr. Pisila states Mr. Patel came before the Board earlier and was approved for the addition and is now reapplying with the notification of the neighbors and a change on the addition as well as a copy of the 15' foot easement between the neighbors. Mr. Pisila states the addition does not interfere with the easement and it is shown on the plans. Mr. Pisila adds they also want to enclose the trash area and presents the Board with color photos of the current trash area and the proposed. Mr. Ponter states these improvements look as though they will be for the better. Mr. Pisila adds that the building will stay as is and will just loose two parking spots and will still meet the parking requirements per zoning. Mr. Piazza asks how will customers know not to park on the side of the building. Mr. Pisila states there will be signage on the wall.

Mr. Piazza asks if the survey of the property and easement is included. Mr. Pisila states it is and it came from the engineer when the gas pumps were rebuilt. Mr. Reis asks if everything being proposed here is per code. Mr. Pisila states that it has to be. Mr. Pisila adds that cars will not be allowed to park on the side once the addition is done, they would then be in the easement. Chairman Herrick asks if a tractor trailer were to pull in would it be able to make the turn with the addition added on and if they have the right of way to turn onto others properties. Mr. Pisila states they do not have that right of way and the proposed addition does not change traffic flow.

Chairman Herrick asks Kirk Kneller, an abutting property owner, if he has further information. Mr. Kneller states that he does and presents it to the Board. Vincent Mackowski, Mr. Knellers Attorney, adds that the original application was filed in June and the notice provisions were not made and they object to Harry Pisila being present in the room as a conflict of interest. He adds that Mr. Kneller also has a letter of agreement between neighbors from 2008. Mr. Kneller states in 2008 he went to DOT for a 15' foot entrance on both sides of the property line under section 110 for truck usage. Mr. Kneller adds that with the addition the traffic will be way too congested. Mr. Kneller states there is also an unsettled easement between Mr. Patel and the Olsons. Mr. Kneller then presents the Board with color photos of the parking area. Mr. Piazza states if the easement with the Olson's is still up in the air, than it needs to be resolved before the addition is approved. He adds that even without the addition the tractor trailers are needing to go onto the Olson's property.

Mr. Mackowski submits a letter from Mr. Patels attorney regarding the agreement. Chairman Herrick states he would like to postpone this Application till the next month and have the Village Attorney and Village Engineer present and if possible conduct a traffic experiment with where the addition would be. Mr. Piazza agrees and adds that without this easement all property owners would be in trouble. Chairman Herrick states at this point the conversation is cut off until all documentation is available and the Village Attorney and Engineer are present. Mr. Ponter adds that the easement also needs to be resolved.

Motion made by Chairman Herrick to contact the Village Attorney and Engineer.

Mr. Piazza – Aye

Mr. Ponter – Aye

Mr. Reis – Aye

Other Business:

1.) Mr. Simonsmeier states he would like the Application deadline to be changed to the 1st of every month so that Applicants can submit the Application and still have time to get certified letters to their abutting properties. Mr. Pisila asks who provides the list of abutters. Mr. Simonsmeier states the Village does. Mr. Pisila adds that he would also like a checklist to be given to Applicants with the Applications.

Motion made to move the application deadline to the first of the month by Mr. Ponter, seconded by Mr. Pisila.

Mr. Piazza – Aye

Mr. Reis – Aye

Chairman Herrick – Aye

2.) David Christian states he would like to submit an application for an awning at what was Caroline's Restaurant. Chairman Herrick states he should also submit paint chips and pictures of what he would like to do. Mr. Piazza adds that he would love to see it back to the way it was.

A motion to approve the minutes of the September 15th meeting is made by Mr. Piazza, seconded by Mr. Pisila.

Chairman Herrick – Aye

A motion to approve the minutes of the September 29th meeting is made by Mr. Reis, seconded by Mr. Pisila.

Chairman Herrick – Aye

The meeting of October 20th, 2014 is adjourned at 9:07pm.

Respectfully submitted,
Erin Reis-Costa, Secretary