

VILLAGE OF CHATHAM
PLANNING BOARD MEETING

September 21st, 2015

Approved Minutes

Board Present:

Chairman Dan Herrick
Leo Ponter
Stephen Piazza
Ken Dow – Village Attorney

Public Present:

Lola Oberon
Susan Hogan
David Romanoff
Francis Iaconetti
Bhavesh Patel
Heena Patel

Call to order: The Village of Chatham Planning Board Public Hearing of September 21st, 2015 was called to order at 7:31 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application; 2 Church St., Bhavesh Patel**, Applicant; site plan review to remove ice coolers and replace with reach in coolers. Chairman Herrick states the Board had been waiting for the recommendation from the Columbia County Planning Board and adds that it has been received. Chairman Herrick then reads aloud the letter of recommendation from the County Planning Board. Mr. Piazza states the only concern of his was if moving the bollards out 3 feet to create a walkway would encroach on the parking on the 203 side of the parking lot, which the Board agrees it does not. Chairman Herrick states the reason for moving the bollards out was because they were losing one of the doors. Mr. Piazza adds the Applicant needed to create a walkway to get to the one remaining door.

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 to close the Public Comment made by Mr. Piazza, seconded by Mr. Ponter.

Motion to Approve Application; 2 Church St., Bhavesh Patel, Applicant; site plan review to remove ice coolers and replace with reach in coolers, with the condition that the bollards will be moved out 3ft. to create a safe walkway for customers, was made by Mr. Piazza, seconded by Mr. Ponter.

Mr. Ponter - Aye

Mr. Piazza - Aye

Chairman Herrick - Aye

2.) **Application; #2015-058, 11 Brookside Ave., David Romanoff**, Applicant; site plan review to rebuild loading dock. Chairman Herrick states the current loading dock is going to be removed and replaced with a new one. David Romanoff, the Applicant states the dock is going to be replaced with a slightly larger one to fit two trucks. Mr. Romanoff presents the Board with colored photos of the current space. Mr. Romanoff adds the current doors are probably below code because they are 6ft. and trucks are 8ft wide. Mr. Piazza asks if the propane tanks will be moved, and Chairman Herrick asks what kind of siding will be used. Mr. Romanoff states he is going to move the tanks to the side and the siding will be corrugated metal or stucco. Mr. Piazza states that he did a site visit and feels this will make a huge improvement.

Chairman Herrick asks for a motion to accept the Short SEQR form. Motion to accept the Short SEQR form for Application; #2015-058, 11 Brookside Ave., David Romanoff, Applicant; site plan review to rebuild loading dock made by Mr. Piazza, seconded by Mr. Ponter

Mr. Ponter - Aye

Mr. Piazza - Aye

Chairman Herrick – Aye

Chairman Herrick asks if the new dock will affect the parking in any way, Mr. Romanoff states that it will not. Mr. Piazza asks if there will be any lighting added to the parking area, and Chairman Herrick asks if the lighting would bleed over to the neighboring properties. Mr. Romanoff states the lighting currently bleeds over to the waste plant that abuts his property and that won't change.

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, Lola Oberon states that her property abuts his on the other side of the plant and she just wanted to see what the project was and has no issues with it.

Motion to Approve Application; #2015-058, 11 Brookside Ave., David Romanoff, Applicant; site plan review to rebuild loading dock made by Mr. Ponter, seconded by Mr. Piazza.

Mr. Ponter - Aye

Mr. Piazza - Aye

Chairman Herrick - Aye

3.) **Application; #2015-052, 5 Fairview Ave., Susan Hogan**, Applicant; site plan review to rent rooms through AIRBNB. Susan Hogan, the Applicant states that she will not be providing food, just a bed and towels, everything will be done online through AIRBNB and she will have to pay taxes on it as a business. Mr. Ponter asks if any extra insurance is needed, Ms. Hogan states she is covered with only 2 at a time with regular home owners insurance. Ms. Hogan adds that she can only do two people at a time with the size of her house, but that she has two extra rooms with a private bath.

Ken Dow, the Village Attorney asks the Board the reason why the Building Inspector sent the Applicant to the Planning Board. Mr. Piazza states the AIRBNB requires a Special Use Permit in the Suburban Residential district. Mr. Dow states that an AIRBNB only becomes an issue when no one lives there and it is just a rental, if the person running the AIRBNB lives there it is an accessory/secondary use which is different than someone buying a house to rent to others, and the time rented determines if it is transit or residential. Mr. Ponter asks if exit signs will need to be posted, Ms. Hogan states she spoke with Metz Wood, her insurance agency that said if she didn't have more than 2 people at a time they would not be needed. Mr. Dow states if the tenants are staying on occasion this would be an accessory use. Mr. Ponter adds the Application states nightly guests, Ms. Hogan adds the guests will be charged per night, not long term.

Chairman Herrick opens the meeting to the Public for comment and reads aloud the letter received from abutter Brin Quell which states she does not object to the AIRBNB. Mr. Dow adds this Application should be considered a Special Use Permit and it does not need the normal Site Plan checklist and process. Mr. Piazza asks if the Application is approved if it would be just for the Applicant or does it carry over to the next person if she were to sell the house. Mr. Dow states that it would because it is a land use, however the next homeowner would have to follow the exact same conditions. Chairman Herrick states this is a Special Use Permit therefore it is specific to the site and the other abutter is the MacHayden house which is also a transient residence, giving this Applicant a unique situation.

Motion to approve Application; #2015-052, 5 Fairview Ave., Susan Hogan, Applicant; site plan review to rent rooms through AIRBNB under the following conditions; section 110-15F, one abutter agrees with the use and the other abutter is a transient house, the house remains owner occupied and that a site plan is not required; made by Chairman Herrick, seconded by Mr. Ponter.

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.

Mr. Ponter - Aye

Mr. Piazza – Aye

Chairman Herrick – Aye

Other Business:

1.) Alternate Member: Mr. Dow states that an Alternate Planning Board Member can only sit in on the Board when there is a conflict of interest, a new Local Law would have to be made for an Alternate Member to sit in for a member that is absent. Chairman Herrick states that the Planning Board recommends to the Village Board of Trustees that they are rescinding the motion for an Alternate Planning Board Member due to further research and realizing the terms of an Alternate Member.

A motion to approve the minutes of the August 17th meeting is made by Mr. Piazza, seconded by Mr. Ponter.

Mr. Ponter - Aye

Mr. Piazza – Aye

Chairman Herrick – Aye

The meeting of September 21st, 2015 is adjourned at 8:48pm.

Respectfully submitted,

Erin Reis-Costa, Secretary