

VILLAGE OF CHATHAM
**PLANNING BOARD MEETING
and PUBLIC HEARING**

Tracy Memorial Hall
77 Main Street, Chatham, NY 12037
Monday, October 24, 2022; 7:00pm

MINUTES

Present: *Members D. Herrick, F. Iaconetti, L. Korda; Village Attorney K. Dow; Village Clerk D. Kelleher; Village Deputy Clerk S. Davis; Applicant R. Robertson; Applicant Primax Properties representative N. Bates; Attorney for Primax Properties, L. Gulfo; Engineer for Primax Properties, C. Mlodzianowski; Resident C. Barufaldi; Resident D. Barufaldi.*

Not Present: Planning Board Chairperson B. Gaylord; Member J. Sesma.

Motion to elect D. Herrick temporary Chair in place of absent Planning Board Chairperson B. Gaylord made by F. Iaconetti, seconded by L. Korda. Approved by all.

Call To Order Regular Meeting: *7pm by D. Herrick.*

Old Business:

- 1. Application #2022-187; Tax Map #66.17-1-2.111 and 66.17-1-2.112, 15 Dardess Drive, Chatham, NY 12037; (Table of Use Section 110-1) Special Use Permit required for service business (cleaners); Greenz Cleaners.** *Applicant mentioned that he knew that the Board had some questions regarding the 24 hour operation of the business. F. Iaconetti stated that the Board had not been informed that 24 hour use was being considered and that it was not mentioned in the application. Applicant stated that he was proposing the use of a key-fob which would allow members access to the building after the hours of 8am-6pm. Applicant stated that he also dropped off a picture, with noted dimension, of the proposed sign, which would be illuminated at night. F. Iaconetti stated that there was no mention of a sign in the application. F. Iaconetti noted that the application was also missing a signature and date. Applicant amended the application, adding the application for a sign, and then signed and dated the application. After reviewing the SEQRA, F. Iaconetti noted that "exterior sign" needed to be added. Applicant filled in the missing information and then initialed and dated the changes. F. Iaconetti noted that the size of the sign, which is 10 square feet, should also be noted, and that the color and construction material of the sign should be identified. Applicant identified the colors, and noted that the sign would be an internally illuminated box sign made out of plastic. F. Iaconetti requested the written statement by the applicant declaring that there would be no dry-cleaning performed on-site. The applicant provided the signed document. F. Iaconetti asked if the design was completed. Applicant said that it was, for the most part, but that the designs for the piping for drainage, gas, and water had not yet been completed. F. Iaconetti asked how the venting would take place. Applicant answered that this was new to him, but he would guess up and out. D. Herrick clarified that the Board was asking about the venting for the dryers. D. Herrick noted that the majority of fires in laundromats occur in the vents. Applicant stated that the vents would be maintained daily. L. Korda stated that she did not see anything in the*

application about venting. Applicant stated placement of equipment has not yet been decided and that those decision may not be made for a month or more.

Applicant stated that he hoped to get the dry cleaning pick-up and drop-off portion of the business up and running in the mean-time.

F. Iaconetti asked if the Board had anything in writing about this application being a 24 hour operation. D. Herrick stated that he did not believe so.

D. Herrick asked if he was correct in understanding that the applicant was proposing that the business would be a dry cleaning business first and then get the laundromat going after the applicant gets the funding. Applicant answered that it was what it was seeming like at the moment.

In response to a question from Village Attorney K. Dow's, F. Iaconetti clarified that he was asking about venting as it would apply to the appearance, height, and visibility from the road. Applicant stated that it would be just a simple vent with a cap over it. F. Iaconetti mentioned the Fire Department's concerns regarding venting, chemicals, and sprinkler system. F. Iaconetti asked that the applicant add to the already submitted document stating that there will be no dry cleaning on the premises that the venting will not be visible.

D. Herrick explained the function of a Knox Box and the Chatham Fire Department's suggestion that all businesses install a Knox Box. The applicant responded that he would be more than happy to add to the document that he agrees to add a Knox Box and that vents will not be visible to the public eye.

D. Herrick read aloud the CCPB recommendation which stated that the CCPB found no county-wide impact and that the Village of Chatham could make the final decision, while noting that the property lies within 500 feet of an Agricultural District and that an Agricultural Data Statement may be required as there is an abutting property in Agricultural District 10. F. Iaconetti asked the applicant if the building manager who appeared at the last Planning Board meeting had submitted those forms. Applicant stated that he thought that he had.

K. Dow stated that the abutter must be notified prior to a Public Hearing. K. Dow also noted that the Board should have a completed application prior to a Public Hearing and that not have factors such as the sign or 24 hour use be introduced at the last minute. F. Iaconetti stated that he agreed and that the Public Hearing should be tabled.

F. Iaconetti reiterated that the plan for 24 hour use was a significant change of which the Board had not been informed prior to this meeting and then commented that he was unsure as to whether the zoning laws allowed for 24 hour use or addressed the need for all-night lighting, from a safety point-of-view.

F. Iaconetti asked if the sign would be illuminated all night. Applicant answered "Perhaps. I suppose. Yeah."

K. Dow stated that the Agricultural notification timetable is a bit vague and that the Planning Board could review any possible impacts. He noted that previously, the Board had stated that the possible impact was minimal. F. Iaconetti stated that there was no question that the two previous applications from the same plaza, prior to the Board being aware of the Agricultural District issue, as well as this application, have minimal, if any, impact to the Agricultural District.

F. Iaconetti suggested that the Board open the Public Hearing.

Open Public Hearing (Greenz Cleaners): 7:32 by D. Herrick.

Resident D. Barufaldi strongly urged the Planning Board to move to leave the Public Hearing open until the next meeting due to the application being incomplete upon submission to the Board and in light of the new information regarding the sign and the 24 hours per day operation. D. Barufaldi noted that these were significant issues to which members of the public had not had access prior to this meeting and which the public deserves the opportunity to comment.

D. Herrick asked if Notice of Public Hearings usually listed the details of the applications. D. Kelleher responded that the Notice includes the general description included on the application.

F. Iaconetti stated that entire, completed package needs to be available at the Village Office 5 days prior to the Hearing so that members of the public could review the application. The new information regarding hours of operation, signage, and lighting need to be included in the application and the public should have the opportunity to comment.

D. Herrick asked if there were any other comments from the public.

Hearing none, F. Iaconetti moved that the application and the Public Hearing until such time that Applicant provides detailed information in writing or in "plan view" as to what they are proposing.

K. Dow cited Village Code regarding lighting which reads that signs shall only be illuminated during the hours of operation or until 11pm, whichever is latest.

F. Iaconetti noted that the exterior lighting in the parking lot is an issue that will involve the owner of the plaza.

L. Korda asked if the Board needed to go over those things at this meeting.

Applicant stated that he would like to be clear on the things that he needs to bring back because it was little bit foggy.

D. Herrick said that the fact that they were now talking about 24 hours has changed the some of the things they have to look at and that the Board was trying to catch up too.

Applicant stated that he knew that since they would not be doing the washing right away, that the business would only be open from 8am-6pm.

F. Iaconetti clarified that if the applicant wanted to get the dry cleaning business up and running, he could put a hold on this application, and make out a whole new application for drop-off and pick-up dry cleaning. But applicant would still have to wait until the next meeting and go through the process again.

F. Iaconetti asked the applicant to provide a detailed account of the proposed outdoor lighting outside of the normal hours of business operation.

Applicant asked the Board to clarify, other than the lighting description, what other things needed to be addressed. L. Korda noted the visibility of the venting.

K. Dow noted that, while many of the issues relate to the original construction of the building so will not be relevant here, he read aloud the Village Code 110.15.

Close Public Hearing (Greenz Cleaners): *Motion to table application and to leave the Public Hearing open until next meeting of the Planning Board made by F. Iaconetti. Seconded by L. Korda, approved by all.*

New Business:

2. Application #2022-173; Tax Map #66.17-2-2.122; NY State Route 66 and across from Dardess Drive, Chatham, NY 12037; (Table of Use Section 110-1) Special Use Permit for Retail Business; Dollar General. *Attorney for Primax Properties, L. Gulfo introduced herself, applicant Primax Properties' representative N. Bates, and engineer for Primax Properties, C. Mlodzianowski and told the Board that they were appearing before the Board for a sketch meeting regarding a proposed 10,000 square foot Dollar General store located in the commercial zone. After a presentation of the concept by C. Mlodzianowski, the Board discussed with applicant aspects such as parking, orientation of the building on the lot, design choices, Village Code, the Comprehensive Plan, and suggested that the applicant meet with the Fire Department regarding potential access issues and with the DPW regarding drainage and water issues.*

Other Business/Recommendations for ZBA:

(No new applications were submitted to the ZBA this month).

3. Reminder - Annual 4-hour training requirement: complete the required training and to file the certificate of completion with the Village Clerk.

Other Public Comments: *None*

Approve Minutes: September 26, 2022. *Motion to table the approval of minutes made by D. Herrick, seconded by L. Korda, approved by all.*

Cancel December Planning Board Meeting: *Motion to cancel the December 26, 2022 Planning Board meeting due to the holiday made by F. Iaconetti, seconded by D. Herrick, approved by all.*

Adjournment: *Meeting adjourned at 9:16 pm by D. Herrick.*

Next Planning Board meeting: November 28, 2022; 7:00pm

**Respectfully submitted,
Sam Davis
Deputy Village Clerk**

(11/3/22)