

VILLAGE OF CHATHAM
PLANNING BOARD MEETING
and PUBLIC HEARING

Tracy Memorial Hall
77 Main Street, Chatham, NY 12037
Monday, November 28, 2022; 7:00pm

MINUTES

Call To Order Regular Meeting: 7pm by Chairman B. Gaylord.

Present: Chairman B. Gaylord; Members L. Korda, J. Sesma; Village Clerk D. Kelleher; Deputy Clerk S. Davis; Trustee K. Schassler; Attorney K. Dow; Residents D. and C. Barufaldi; Applicants R. Robertson (Greenz Cleaners) and M. West (Chatham Preschool). Not present Members D. Herrick and F. Iaconetti.

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 reported that notices were sent to abutters. Applicant requesting 24-hr business hours, nighttime access by membership only key fob. Landlord will provide 24-hr lighting in parking lot (the lamp post directly in front of the business), deliveries will only be in the early morning hours and only in applicants personal vehicle, box sign dimensions 60in wide x 24"High, material of sign is plastic, sign will be fastened by Matt's signs, sign will be illuminated backlit by LED's 24-hours, exterior vent location will not be visible to the general public and will be equipped with all proper filters, Knox Box will be added to exterior of the business, no dry cleaning chemicals will be on premises, sprinkler system already installed, copy of agricultural data form provided to owner of abutting property.

Applicant currently has a garden supply store in Hudson, which is near a wash rite which stopped doing dry cleaning. He started the dry cleaning service at his gardening supply store and it is doing very well and covering all of the overhead for that store.

Continue Public Hearing (Greenz Cleaners): D. Barufaldi, resident from across the street, Slate Hill Road, encourages commercial development in Ghent and Chatham but concerned about hours of operation. When Price Chopper is open they have employees working and the parking lot is patrolled. Resident concerned about unattended business with a door that can be propped open encourages loitering and other middle of the night problems. Encourages the planning board to limit the business hours to outside of 11pm-6am to limit the impact on the community if it is allowed to operate 11pm-6am.

Motion to **close the public hearing** by L. Korda, seconded by J. Sesma. Approved by all to close public hearing at 7:20pm.

K. Dow: the Board needs to come up with a standard set of conditions that are objective and the board can make a judgement about.

The Planning Board may require in its approval that the special use permit be renewed periodically. Such renewal may be withheld only after public hearing and upon determination by the Planning Board that such conditions as made and described in conjunction with the issuance of the original permit have not been or are no longer being complied with. In such case a period of 60 days shall be granted for full compliance for the applicant prior to revocation of the special use permit. New conditions may be imposed by the Planning Board in its review of the previously issued special use permit.

So denial on the renewal would have to be on the finding that it was non-compliance with something that Planning Board had set. It would have to be something that the Planning Board can evaluate against. The Board will need to consider how to write it as a condition that can be evaluated against, and is also objective. If the goal is to limit late night disturbances, that needs to be written into the conditions in such a way that is objective, which can be tricky.

Attorney K. Dow read aloud and discussed with the Board members, the Village Code 110-16G Special Use Permit Review Criteria, 11 items that must be met in consideration of the public health, safety, and general welfare as well as potential environmental impacts and the comfort and convenience of the public in general, the residents of the proposed development, and the residents of the immediate surrounding area.

This is a very specific list that the Planning Board needs to make affirmative findings on. Some apply more than others. In light of what was discussed, there are a couple of these that bear some attention. Specifically #2 and #7.

*L. Korda in favor of limiting the hours, and J. Sesma suggests to close at 12am and open at 5am. **Applicant ok with 5am-12am operating hours. Applicant can come back and ask to extend the operating hours once it is clear what the demand will be.***

Motion by J. Sesma to table this application and send application to CCPB, seconded by L. Korda. Approved by all.

New Business:

2. Application #2022-171; Tax Map #66.10-1-2, 21 Park Row, Chatham, NY 12037; (Section 110-49) Historic Review for Sign and 110 Table 1 Site Plan required for Nursery School; Chatham Preschool.

Going from Chatham Fitness to Chatham Preschool.

Motion by J. Sesma to classify as Type 2, seconded by L. Korda. Approved by all. Type 2 Action, therefore SEQRA doesn't require environmental review. Preschool opened in September...14 children, and 2 adult employees. Public Hearing is not required, and the Board waived public hearing.

Motion by J. Sesma to table application and send it to CCPB for review due to proximity to state roads, seconded by L. Korda. All approved.

Other Business/Recommendations for ZBA:

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

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

Housekeeping – Request for the chairperson reiterate the “list” of missing/still needed items at the end of an initial application discussion. Bullet points for what the applicant needs to do next.

Other Public Comments: *K. Dow mentioned the possibility of the Board of Trustees consideration to enact a local law that enables the Planning Board to issue a **temporary** special permit. Example: to issue a special use permit that authorizes 24-hour operating hours for on a 1-year temporary basis, and require that the applicant come back in 1 year for the planning board to review and possibly adjust the operating hours.*

Approve Minutes: October 24, 2022. So moved by L. Korda, seconded by J. Sesma. Approved by all.

Adjournment: So moved by L. Korda, seconded by J. Sesma. Approved by all at 8:19pm.

Next Planning Board meeting: January 23, 2023; 7:00pm. (No meeting in December 2022)

*Respectfully submitted,
Desiree Kelleher
Village Clerk
(1/23/23)*