

PLANNING BOARD MEETING

Monday, September 25, 2023; 7:00pm

MINUTES

Meeting Place: Village Hall, Tracy Memorial Building, 77 Main St, Chatham, NY 12037.

Call To Order Regular Meeting: 7:00pm by Chairman D. Herrick.

Present: Chairman D. Herrick; Members F. Iaconetti, J. Sesma; Clerk D. Kelleher, Dep. Clerk S. Davis, Jr., V. Attorney K. Dow; Applicants A. Gaylord for 56 Church St, Chad Lindberg for Crandell Theatre; Columbia Paper Reporter E. Teasdale; Trustee Liaison for PB K. Schassler; Trustee R. O'Mara-Garcia. Residents N. Miles, R. and S. Trevellyan, P. Lucciardi, P. Voren.

CONTINUE Public Hearing (held open from August 28) for Application #2023-077 Jones Avenue Courts.

D. Herrick read his and K. Dow's opening statements aloud from the August 28, 2023 Planning Board Meeting and Public Hearing. Comments from the public were made regarding the speed sign placed on Jones Avenue by the CPD as well as traffic to and from the old medical center on Jones Avenue. A question was raised regarding the location of the tennis court in relation to the Village boundary.

Motion to close public hearing by J. Sesma, seconded by F. Iaconetti. All approved. Public Hearing closed.

Old Business:

- 1. Application #2023-077: Tax Map #66.10-2-44; Village of Chatham, Jones Avenue Courts,** Chatham, NY 12037; (Local Law 2-2019; Section 110-16M Special Use Permit amendment) Consideration of proposed Pickleball court lines to be added to one tennis court at Jones Avenue. *F. Iaconetti stated that he did not see a connection to the concerns that some members of the public had raised regarding traffic and speeding on Austerlitz Street and this matter. He also stated that there are no parking restrictions on Jones Avenue and that he did not feel that there would be a noticeable increase in traffic on Jones Avenue by the temporary addition of Pickleball lines to one of the tennis courts. He noted that the impact would also be limited by the facts that the courts would be only temporary (until such time as the Crellin Pickleball courts were constructed) and that, due to change in season, the soonest that the temporary striping of the court would likely not happen until spring 2024. He said that he understood the concerns of the area residents but in his estimation, the noise generated by one Pickleball court would not have an adverse effect given that it will be only temporary. K. Dow read the SEAQR aloud to the Board, after which they determined that there was no significant impact. General discussion followed regarding setting time limits, which tennis court to convert to Pickleball, and the logistics of the application of the stripes. K. Dow then read aloud the factors to determine recreational use as listed in the code. He then cited some existing cases "in order to shed some light on the subject." F. Iaconetti stated that of the many factors discussed he did not feel that any were significant in terms of the site plan or would be substantial or of major concern. General discussion regarding the placement of time restraints and the proposed Crellin project. F. Iaconetti made a motion that the Village of Chatham Planning Board approve Application #2023-077: Tax Map #66.10-2-44; Village of Chatham, Jones Avenue Courts, Chatham, NY 12037; (Local Law 2-2019; Section 110-16M Special Use Permit amendment) Consideration of proposed Pickleball court lines to be added to one tennis court at Jones Avenue. Approval of the Special Use Permit is for the restriping of one (1) of the existing tennis courts to create one (1)*

Pickleball court. The court to be restriped shall be the western tennis court. The Pickleball approval is limited in time to June 30, 2024 or the completion of the construction of the Pickleball courts at Crellin Park whichever comes first, at which time the temporary striping shall be removed. The approval of the Pickleball court can be renewed with the approval of the Planning Board. Motion seconded by J. Sesma. D. Herrick asked for a roll call vote:

- J. Sesma voted to approve
- F. Iaconetti voted to approve
- D. Herrick voted to approve

Motion approved by all.

New Business:

2. Application #2023-155: Tax Map # 66.9-1-59; Jack Shear, **2 Park Row**, Chatham, NY 12037; Renovate existing structure, and window replacement (Sketch plan/Site Plan Review per Table of Use (Mixed Use), and Historic Overzone for Window change). F. Iaconetti asked A. Gaylord to describe the work that has been done to the structure to date. A. Gaylord answered that the windows are replacements of 1950's windows and that the new windows mimic those of the windows that were original to the building. General discussion ensued regarding the previous application and whether the existing work had already been approved. F. Iaconetti stated that this was a good example of the need for the Board to have previous applications provided to them. D. Herrick read aloud a letter from property owner J. Shear which stated that A. Gaylord was allowed to speak on his behalf. J. Sesma made a motion to table the application. Motion seconded by F. Iaconetti and approved by all. F. Iaconetti requested the old file from the Code Enforcement Officer.

3. Application #2023-153: Tax Map #66.10-1-16; The Chatham Film Club, **45-48 Main Street**, Chatham, NY 12037; Renovations to the **Crandell Theatre** to include replacing the existing marquee to closely match the historic marquee, replacement of windows, adding a sill to the windows with no sill currently. Re-pointing, repairing, and sealing the brick, repairing the existing stucco, re-painting. Grading the alley for ADA accessibility and egress. Renew October 25, 2021 Site-plan approval with summary of changes as noted on "Description of Changes" dated September 8, 2023. (Zoning Section 110-49 Historic Review; & Section 110-45A Expansion of non-conforming structure). D. Herrick asked the applicant if this was a renewal with changes. F. Iaconetti stated that it must be an all new application since the previous approval was not sought in time. The applicant stated that he was not aware. F. Iaconetti read from the October 29, 2021 minutes of the Planning Board decision which stated that the applicant must submit updated and revised lighting study copies within 60 days' time. He said that the applicant had failed to do so and so the application was therefore never approved and that what they had now was a whole new application, noting the new application number. The applicant discussed the changes made since the previous application which included but was not limited to paint color, door changes, and marquee colors. Tabled until such time as the applicant submits to the Planning Board all information requested as well as the marquee illumination information.

Other Business/Recommendations/Referral from PB for ZBA:

4. Application #2023-130: Tax Map #66.13-1-32; Lawrence Gaylord, **56 Church Street**, Chatham, NY. New building for vehicles and storage. (Zoning Section 110, Attachment 2 Density Control Schedule); Side yard variances require 1-foot on Left, and 5-feet on Right. F. Iaconetti stated that site plan approval is needed for this application and that it must come before the Planning Board. K. Dow stated that the Building Inspector must send it to the

Planning Board. F. Iaconetti noted that the variance requested does not match the not-to-scale map provided by applicant. K. Dow stated that all that the Planning Board had before them was a recommendation to the ZBA and that the Board did not have an application. The only duty before the Board was to comment. J. Sesma stated that the comment of the Zoning Board of Appeals should be that the application requires site plan review and the side yard variances do not match the provided map.

Other Public Comments: *None*

Approve Minutes: August 28, 2023 PB meeting. *Motion to approve the August 28, 2023 Planning Board meeting minutes made by J. Sesma, Seconded by F. Iaconetti, approved by all.*

Adjournment: *9:00 pm by D. Herrick*

Next Planning Board meeting: October 23, 2023; 7:00pm.

Respectfully submitted,
Sam Davis, Deputy Clerk
(10/16/23)