

**TOWN OF CHATHAM PLANNING BOARD
NOVEMBER 10, 2009**

**FINAL COPY
MEETING MINUTES**

Members Present:

Jack Schultz, Chairman
Dorothy Mackerer
Tony Ooms
Maria Lull
John Hanna
Donna Staron
Tal Rappleyea, Attorney
Paul McCreary, Engineer

Members Absent:

Bill Bulick

Public Present:

John Hanna, Jr. Greg Mountain
David Stocks Cynthia Elliot
Tom Clark Steve McCarthy
Jeffery Lick

The November 10, 2009 Planning Board meeting was called to order at 7:00PM by Chairman Jack Schultz. The Pledge of Allegiance was recited. Correspondence from the Zoning Board of Appeals was received, and that will be taken up at the end of the meeting. Chairman Schultz thanked both Donna Staron and Atty. Tal Rappleyea for their assistance in preparing last month's meeting minutes. Tony Ooms moved and Dorothy Mackerer seconded that the minutes be approved. This carried. John Hanna abstained from the portion dealing with the Shaker Museum.

Shaker Museum
Subdivision request-Shaker Museum Rd.
Additional information

John Hanna recused himself. This is no longer in a Public Hearing. Cynthia Elliot reported on the changes to the map. There is now a building envelope on Lot 1 with a note explaining that this envelope has been created to maintain the scenic character of the property. A note indicating the possible need for a fill system on that property has also been added. Lots 1 and 2 have existing driveways. If there is ever a desire to move same, the owner would have to come back to the Planning Board and to the Highway Department. A map legend was placed on the map as well as a location sketch. The Long Form EAF was submitted, along with soil types and information about the neighboring historic property. Much of the long form was not applicable to the 3-lot subdivision. Atty. Greg Mountain added that the changes on the map were the result of an agreement made between the applicants and the neighbors. Maria Lull wondered if there were other restrictions being placed. Ms. Elliot stated that other than the ones explained, nothing further has been placed. If another subdivision of this land is to be made sometime in the future, the owner would have to come before the Planning Board. Marie Lull noted that the Long Form EAF indicated the maximum number of potential homes on this property is 8. Ms. Elliot replied that the applicant never asked for that, however the Long Form EAF posed the question regarding the maximum number of homes, and it had to be answered. In order for there to

be that many homes a variance would be required as there would not be enough road frontage, or a town road would have to be constructed. Mr. Mountain said that the comment about preserving the view that was placed on the map will also be in the deed, so that if there are to be any future subdivisions, the Planning Board will know the intention of this subdivision. Chairman Schultz spoke about the letter from NYS Parks and Historic Preservation, which indicated that there is no problem with this subdivision from their perspective.

Atty. Rappleyea stated that the review of the Long Form EAF is required since this is a Type 1 action under SEQRA. Tony Ooms moved and Donna Staron seconded that Part 1 of the Long Form EAF be accepted as submitted. This carried unanimously. Pages 11-21 were reviewed by the Planning Board. The Board recognizes the fact that this area is important to the Town and that there is a good scenic quality to the area. The efforts of the applicant and the surrounding neighbors have mitigated any potential negative effects by this project. The Board determined that a potentially large impact may occur with respect to historic impacts. However, SHPO (ORPHP) has provided correspondence indicating that it does not believe any negative impacts shall occur. Additionally, the applicant has worked with the owner of the historic site to achieve acceptance of the project and further mitigate potential impacts with project modifications. Tony Ooms moved and Dorothy Mackerer seconded that under the SEQRA review this project will not cause significant negative effects. This carried unanimously. Chairman Schultz reviewed the subdivision checklist. The deed restrictions and the title report are still outstanding. These will be sent to Atty. Rappleyea for his review. The Board discussed the potential need to reopen the Public Hearing in light of the changes presented this evening. However, they were deemed to not be significant, rather they fine-tuned the intentions, so the Board decided this was not necessary. Tony Ooms moved that this subdivision be approved pending the receipt of the abstracts, deeds and covenants. Once these are reviewed by Atty. Rappleyea and are satisfactory, the chairman may stamp the maps. Dorothy Mackerer seconded the motion and it carried unanimously.

A letter from the ZBA was read requesting input on three projects located on East Shore Drive that are going to Public Hearing this month. Engineer McCreary reminded the Board that the area around portions of Kinderhook Lake is protected by DEC, and that permits might be needed to do anything within the 100' buffer zone. This information will be passed on to the ZBA. Regarding the Serignese project, the Planning Board suggested that the porch should not be converted to living space. Regarding the Loughran project, the Planning Board feels that the negative impact is limited, and that redoing this

camp is improving the area. The request was made to allow relief to the applicant. No specific comments were made regarding the Johann project.

Tony Ooms moved and Donna Staron seconded that the meeting be adjourned. The meeting ended at 8:10 PM.

Jack Schultz, chairman

Respectfully submitted,

Marilyn Cohen, clerk