

Town of Chatham  
Meeting Minutes May 12, 2020

Planning Board  
Final Copy

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Members Present:

Public Present:

Gabriella Sperry – Chairperson  
Evan Young  
Frank Haimbach  
John Catlett  
Cindy Meyers  
David Everett  
Angus Eaton  
Tal Rappleyea – Town Attorney

Andy Didio, Matt Greitzer  
Samantha Cummings, Tom Clark

The May 12, 2020 Planning Board meeting was called to order at 7:00 PM by Chairperson Gabriella Sperry via googlemeet.com. Chairperson Sperry began with the Approval of the minutes of the April 14, 2020 meeting, motion to approve the minutes as written was made by Ms. Meyers, seconded by Mr. Haimbach, all in favor, motion carried.

**Communications:**

None

**Old Business:**

**Silver Brothers Capital, LLC  
Site Plan Review  
155 Shaker Museum Rd.**

Chairperson Sperry begins by stating they have received two emails from the public that have been entered into the record, they have requested the highway department review the application and asked the Town attorney to create an escrow agreement for Town Attorney and Engineering fees. Mr. Greitzer states they have submitted a project narrative and gives an brief overview of it. Mr. Eaton asks how it complies with Ag. & Markets, Mr. Greitzer states that ¾ of the product used will be grown onsite which is well over the required 50%. Mr. Eaton asks where the grain will be stored, Mr. Geitzer states in bins on site that are behind the barn and not visible. Chairperson Sperry asks if they will plant this year, Mr. Greitzer states they may not until 2021. Mr. Everett gives an explanation of the site visit, Chairperson Sperry adds that it was very helpful for the Board to visualize the planned activities and the main concern for all is the traffic that will be generated, Mr. Greitzer states it will be low impact. Mr. Didio adds they have the DOT information from 2015 and they are figuring 60-70 trips per day for customers and employees, the creamery had several weekends per year and the neighbors will only see two times per year what the creamery did every weekend. Mr. Eaton asks about truck traffic, Mr. Didio states they propose one small truck per day and one trailer for grain. Mr. Eaton asks about removing the grain, Mr. Didio states only once or twice per week. Chairperson Sperry

states they will need signage and lighting information on the site plan. Chairperson Sperry asks about public water and waste water, Mr. Eaton states that the water and wastewater will be permitted by CCDOH and NYSDEC, respectively. Mr. Didio states they conducted some field investigations and perc tests. Mr. Haimbach states the sewer discharge to the creek was changed to self-contained on the property. Mr. Young adds questions 6,7,8 pertain to the wetlands delineation and located the newly delineated boundaries on the site plan, as requested. Mr. Everett asks about the lighting for the signage, Mr. Greitzer states they will keep in character with the current signage.

Motion to declare the Planning Board as lead agency and that this is a Type II Action for agricultural practices was made by Mr. Eaton, seconded by Mr. Haimbach, all in favor.

Mr. Catlett states question 12 pertains to the Historic Preservation, Mr. Eaton states that will be part of the DEC review. Ms. Meyers adds that this application falls in line with the Comprehensive Plan, Chairperson Sperry states the Board has recommended that they will need to hire the Town Engineer to review this as well. Mr. Young states they should identify specific questions for the Town Engineer, such as traffic and the potential for other necessary permits. Mr. Everett also suggests the engineer look at fire protection and if the existing wells will be enough, Mr. Didio states they have provided a letter from their engineer and that is more in line with the building code, Mr. Young states if it was determined, down the line, that exterior water storage was deemed necessary to provide adequate fire protection, there is potential that the applicant would need to come back for site plan modification. Mr. Rappleyea states they could do parallel SEQRA review.

Motion to engage Town Engineering services was made by Mr. Young, seconded by Mr. Eaton, all in favor.

Chairperson Sperry states they have determined a set Escrow to begin is \$3,500, Mr. Rappleyea states if it is not all used it will be returned and if it drops to \$500 at any time it would need to be replenished back to \$3,500.

Motion to set the Escrow agreement at \$3,500 was made by Ms. Meyers, seconded by Mr. Everett, all in favor.

Motion to determine the application complete and schedule the Public Hearing for June 9<sup>th</sup> was made by Mr. Eaton, seconded by Ms. Meyers, all in favor.

Mr. Greitzer asks how do they set up the escrow, Mr. Rappleyea states he will email the agreement. Mr. Didio states he will coordinate a site visit with the Town Engineer, Mr.

Prendergast. Mr. Young adds that farming is an important part of the Town of Chatham and the community as a whole. This property is zoned RL-2 and according to the comprehensive plan, the principal permitted use within RL-2 should be farming and farm related ag activities and low density residential uses. This application does not describe farming in a traditional sense, but it does appear to be an agricultural use pursuant to Ag & Markets guidelines. He states that he believes this application is in line with and supports the goals of farming detailed in the comprehensive plan. Chairperson Sperry thanks the applicants for their extensive reports.

Mr. Eaton states Sabba Vineyards should be scheduled for a public hearing for June 9<sup>th</sup> as well, Chairperson Sperry asks if there are any outstanding items, Mr. Young states the water needs to be added to the site plan.

Meeting Adjourned at 8:15PM

Respectfully submitted,

Erin Reis, clerk