

Town of Chatham  
Meeting Minutes March 9, 2021

Planning Board

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Members Present:

Public Present:

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

William Better, Leona Scarpinato  
Rebecca McBride, Damian Carter  
Laurie Farina, Dan Russell, Andrew Aubin  
Joshua Jelly-Schapiro

The March 9, 2021 Planning Board meeting was called to order at 7:00 PM by Chairperson Gabriella Sperry via googlemeet. Chairperson Sperry began with the Approval of the minutes of the February 9, 2021 meeting, motion to approve the minutes as amended was made by Mr. Eaton, seconded by Mr. Haimbach, all in favor, motion carried.

**Communications:**

None

**Public Hearing:**

**Jeanette Neff**

**Minor Subdivision**

**30 Cotter Road**

Chairperson Sperry reads aloud a letter from a Public Member. Mr. Young reads aloud the site visit report. Public Member, Rebecca McBride asks about the driveway on parcel 2 if there are no plans on building on it, Mr. Young states the Board needs to confirm the parcel is accessible from the road even if there are no current plans to build. Public Member, Leona Scarpinato asks why parcel 2 cannot be accessed from Cotter Road instead of Decker Road and why is there tree clearing if there aren't any plans to build, Mr. Jelly-Schapiro states it is actually NYSEG that is doing the clearing and Parcel 1 is the only buyer that plans to build.

Chairperson Sperry closes the Public Hearing at 7:22pm

Chairperson Sperry states the subdivision is in line with the Comprehensive Plan, Ms. Meyers confirms it is. Mr. Eaton asks about the rate of run-off, Mr. Rappleyea states that would be addressed prior to the building permit being issued and a note could be added to the map. Mr. Young states from the site visit, it is evident the ~~existing~~ parcel identified as "Parcel 3" has a

residence on the property. The existing building is not shown on the survey. Mr. Young asked where the building was in relation to the proposed lot line. The applicant stated that the existing building is located greater than 200' from the proposed lot line and meets the setback requirements. Mr. Young states a note should be added to the map speaking to approval of on-site sanitation from the CCDOH.

Motion to determine the application complete was made by Mr. Haimbach, seconded by Ms. Meyers, all in favor, motion carried.

Motion to approve the application contingent on the following:

1. Contours are included on the survey map/plat at intervals of not more than 20 feet
2. The utility line is shown in full.
3. The following condition is included for all parcels: For all parcels, all on-site sanitation shall be designed to meet the minimum specifications of and be approved by the Columbia County Department of Health
4. The following condition is included for parcel 2: The rate of runoff from areas in Parcel 2 cleared and/or where impervious cover is installed after March 9, 2021 must be reduced to the rate of runoff prior to such clearing or installation of impervious cover.

was made by Mr. Haimbach, seconded by Mr. Eaton, all in favor, motion carried.

**Kenneth Blass**  
**Minor Subdivision**  
**357 Pitts Road**

Mr. Eaton reads aloud the SEQRA comments.

Motion to determine a negative declaration was made by Mr. Young, seconded by Mr. Haimbach, all in favor, motion carried.

Motion to determine the application complete was made by Mr. Eaton, seconded by Ms. Meyers, all in favor, motion carried.

Chairperson Sperry opens the Public Hearing at 7:44pm.

Chairperson Sperry closes the Public Hearing at 7:44pm

Motion to approve the application as presented was made by Mr. Young, seconded by Mr. Haimbach, all in favor, motion carried.

**Old Business:**

**Damian Carter**

**Minor Subdivision**

**71 Howes Road**

Chairperson Sperry reads aloud a letter from the Highway Superintendent that is to be added to the record. Mr. Carter states the setbacks have been added to the maps and shares them on the screen. Chairperson Sperry asks about SEQRA, Mr. Eaton states a negative declaration is recommended.

Motion to determine a negative declaration was made by Mr. Haimbach, seconded by Ms. Meyers, all in favor, motion carried.

Motion to determine the application complete, declare this a minor subdivision and schedule the Public Hearing for April 13<sup>th</sup> was made by Mr. Eaton, seconded by Mr. Haimbach, all in favor, motion carried.

Mr. Young states the Agricultural Data Statement is not needed.

**Edwin & Cherie Williams**

**Site Plan Review**

**509 Bashford Road**

Mr. Young recuses himself for this application and 297 Cotter Road by Pelaccio because both applications include representatives from Crawford & Associates Engineering & Land Surveying, where Mr. Young is employed.

Mr. Better gives a brief explanation of the application. Mr. Aubin shares the maps and explains the site plan. Ms. Meyers states the Board had asked for the neighbor's houses to be added to the map, Mr. Aubin states they are very far away but they will add them. Chairperson Sperry states the Board needs the size of the vineyard added and the first year of production in bottles or cases included in the application. Mr. Haimbach asked how many acres of vines had been planted. Mr. Aubin clarified that 0.2 acres of vines had been planted and that the area shown on the map for vines is approximately 0.75 acres. Mr. Eaton states there are three guidelines for the review and reads them aloud. Because the application criteria and the review criteria depend upon it, the threshold issue of compliance with Agriculture and Markets Guidelines must be resolved before reviewing any other details of the application.

Neither the first submission nor the most recent submission for this project discuss how the project will comply with these guidance documents.

The NYSDAM guidance for wineries clearly states on page 3 that the Board can limit the number of marketing events based on the amount of wine produced by the farm. It states that farms that have limited production (like less than 1000 gallons of wine per year) will not need large scale events to market its wine. It further states that the size and number of events can be limited each year based on the production. In addition, under the NYSDAM guidance the number and size of tasting events are proportional to the production and sale of the wine from the premises.

To give a sense of how much wine can be expected the Board learned from a previous application of a winery with similar soils, in close proximity to this vineyard, that is currently producing approximately 2000 liters of wine from approximately 6 acres of vines.

Chairperson Sperry reiterated a request from the September meeting, that the applicant provide information on the amount of wine to be produced in the first year as well as some other information, so the Board could evaluate how many events and the type of events that might be warranted under the NYSDAM guidance. This revised submission does not yet address this request.

Mr. Better states they are waiting on the five year start-up plan which will be added to the application. Ms. Meyers states they will also need to know where the wine will be made and when the initial fruit will be ready for production, Mr. Eaton adds that the two submissions list different hours of operation and that they will need to clarify the hours of operation and months for tasting or the entire facility.

**New Business:**

**Pelaccio**

**Minor Subdivision**

**297 Cotter Road**

Mr. Young remains recused.

Mr. Russell explains the maps that are presented on the screen. Mr. Eaton states the setbacks need to be added to the maps.

Motion to declare this a Minor Subdivision as well as an Unlisted Action and the Planning Board is lead agency and schedule the Public Hearing for April 13<sup>th</sup> contingent on the setbacks added to the maps was made by Mr. Eaton, seconded by Mr. Haimbach, all in favor, motion carried.

Mr. Young returns to the Board.

**Other Business:**

Chairperson Sperry states the Special Use Permit applications are to be switched from the Zoning Board to the Planning Board soon. Mr. Rappleyea states the Building Department just needs to be sure to send the applicants to the correct board. Chairperson Sperry noted that the Town Board also considered a modification to the zoning code that would simplify Planning Board reviews of Lot Line adjustments (removing hearings at the discretion of the Planning Board). Based on comments at the Town Board workshop and the consensus of the Planning Board, Chairperson Sperry stated that the modifications to the law for lot line adjustments needs to be simplified before it is passed.

Chairperson Sperry states Mr. Rappleyea is reviewing the new forms prior to using them. Mr. Young reiterates the need for a simpler Lot Line Adjustment Law than what was previously presented

Meeting Adjourned at 8:38PM

Respectfully submitted,

Erin Reis, clerk