

**VILLAGE OF CHATHAM
PLANNING BOARD MEETING
July 16, 2012
Approved Minutes with Resolution**

Board Present:

Chairman Dan Herrick
Peter Minahan, absent
Aaron Gaylord
Stephen Piazza
Leo Ponter

Cheryl Roberts, Esq.
Pat Prendergast, Engineer for the Village

Engineering

Village Clerk

Public Present:

Lynn Rubin
Scott Wood
Chuck Chishoh
Steven Duffy
Karla Kavanaugh

Melissa Sarris
Eric Laner
Melissa Laner
Sandi Krakal
Tom Curran, Mayor
Joe Loviene
Patricia Luccardi
Edgar Aoededo
Howard Reznikoff
Gunnel Reznikoff
Trevor Alford
Dan Tuczinski
Doug Clark, Clark

Barbara Fischer,

Elaine Vogel
Carol Tuczinski
Jan Gamello
Lenore Packet
Lael Locke
Paul Calcagno
Rob Lagonia
Brian Sullivan
Madeline Delosh
Edward Delosh
Peter Lynch, Esq.
Bill Better, Esq.

Call to order: The Village of Chatham Planning Board Public Hearing of July 16, 2012 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) Application # 12-006, The Chatham Film Club, Applicant, Crandell Theatre 46-48 Main St.; site plan review for exterior paint color. Applicant informed the Secretary that they are not changing the color of the façade paint and did not appear.

2.) Application # 12-009, My Little LLC, Jonathan Pratt, Applicant, 59-61 Main Street; site plan review to alter building for hamburger cafe. Applicant did not appear.

3.) Application # 10-040, Chatham Associates LLC, Applicant, site plan review for proposed 45,000 sq. ft. Price Chopper supermarket in Ghent, partially in the Village of Chatham. Cheryl Roberts, the attorney for the Chatham Planning Board, advises the application would not be complete without a special use permit to build in a C-3 zone and that the resolution previously passed to make Price Chopper exempt was invalid, a resolution could not amend a local law. It was then decided to go forward with the presentation regardless.

Steve Duffy and Peter Lynch, the attorney for Price Chopper began by presenting color posters of landscaping as well as the walls facing the Village and Rte. 66. There would be a screening wall facing the Village that trucks would pull behind and dumpsters would be behind the wall as well. There would then be a mixture of trees to make the view of the wall more appealing. The board expressed concerns regarding the scale of the drawings, the height of the trees over time and during winter months, traffic flow between Chatham Plaza and the new Price Chopper, timing of delivery trucks and the hours and height of lighting. Peter Lynch noted the concerns and stated the project now did not include a connection between Chatham Plaza and the new Price Chopper. The public expressed concerns regarding flooding and garbage disposal as well as lighting, view of the wall, connection between Chatham Plaza and the new Price Chopper and timing of delivery trucks.

The Board decided before the next public hearing the applicant would need to present drawings that were more to scale, height and visual of lights at night, height of trees over a period of years and during winter months. The applicant would also need to have a more definite schedule of delivery trucks and show they have attempted to make contact with Francis Greenburger, the property owner of the strip of land between Chatham Plaza and the new Price Chopper. The Board deemed the application incomplete until the applicant obtained a special use permit or the law changed.

Steve Piazza made a motion to close the Public Hearing, 2nd by Ponter, all voting in favor.

4.) Application # 12-008, Depot Square Chatham LLC, Applicant, 4 Depot Square; site plan review to demolish barn. The board advises the applicant that two of the members had to re-cuse themselves therefore there weren't enough board members to

hold a Public Hearing.

5.) Application # 12-005, MM Works, LTD., Applicant, 5 Austerlitz St.: Public Hearing: Offices for Metz Wood Insurance, plus five 2-bedroom apartments, and parking. Applicant went to the ZBA regarding the height of the tower, layout of the lot, brick material and the elevator. The elevator would be big enough to fit a stretcher. After review of the plans, Mr. Piazza made a motion to approve the application, Mr. Gaylord 2nd, all voted in favor, thus the motion passed.

May minutes approved by motion introduced by Ponter, 2nd Piazza. All voted in favor. Minutes were approved.

Chairman Herrick made a motion to adjourn at 9:28, 2nd by Ponter, all voted in favor.

**Resolution No. 12-004
May 21, 2012
Village of Chatham Planning Board**

WHEREAS, Hampshire Companies (“the applicant”) has submitted an application for site plan approval to expand the grocery store component of its existing Chatham Retail Plaza located at Route 66 and Dardess Drive, Chatham, New York, from 43,830 square feet to 60,116 square feet (hereinafter “the Project”); and

WHEREAS, by Resolution dated March 26, 2012, the Village of Chatham Planning Board (“VPB”) declared this action to be a Type I action and sought lead agency status and to coordinate project review; and

WHEREAS, by letter dated April 11, 2012 the NYSDEC, and by Resolution adopted April 12, 2012, the Village of Chatham Board of Trustees agreed to the VPB’s request for lead agency status; and

WHEREAS, by resolution dated March 26, 2012, the VPB adopted a Negative Declaration for this Project and a notice was published in the Environmental Notice Bulletin on April 25, 2012; and

WHEREAS, a public hearing on the Project was opened on February 27, 2012 and was

closed on May 21, 2012; and

WHEREAS, public comments addressed to the VPB to date have been in overwhelming support of this Project, but have consistently sought additional screening, the addition of bicycle racks and other measures to improve pedestrian access to the Project site, reduction in lighting impacts, and reduction in the number and size of associated signs; and

WHEREAS, the Project comports with the following site plan standards as follows:

1. Layout and Design

- a. The proposed expansion will be integrated into the existing plaza through a design which adds the majority of the new square footage at the rear of the building. All additional square footage will therefore either be hidden from Hudson Avenue, the Village's main street or will be set back from the road consistent with the existing plaza and the residential structures on Hudson Avenue, thereby following the historic street and building patterns of the village.
- b. The structure will be compatible with the existing plaza set back and the Project will involve improving the façade of the plaza stores to make them more visually compatible with the traditional structures in the village.
- c. The design of the structure does not incorporate any large expanses of undifferentiated facades and long plain wall sections. As set forth in paragraph "a", the scale of the structure as viewed from Hudson Avenue will not change from the existing scale.
- d. Setbacks will remain unchanged and are consistent with the surrounding historic development.
- e. The applicant will support the placement of a rails to trails trail for better pedestrian access on their property.
- f. Landscape buffers shall be provided between the plaza and Hudson Avenue in order to screen the plaza from Hudson Avenue and the Blinn-Pulver farmhouse. The buffer shall consist of the plants as set forth in the site plan and the width of such buffer shall be 40 feet.

2. Landscaping

- a. The applicant will include a detailed landscaping planting schedule and chart for the entire project which shall buffer the site from views from Hudson Avenue, the Blinn Pulver farm house, and the Senior Center and uses to the rear of the Project.
- b. Primary landscaping between the front façade of the Project and Hudson Avenue will consist of shrubs, shade trees, conifers and shrubs and will be integrated with the rails to trails trail network. All plants shall be native species.
- c. Existing plants will be integrated into the landscape design.
- d. Shade trees at least two inches in caliper and grown to American Standards for Nursery Stock shall be integrated into, planted and maintained at twenty to forty

foot intervals along Hudson Avenue and Payne Avenue.

3. Parking, circulation and loading
 - a. Off-street parking shall conform to section 110-28.
 - b. A rail trail connection shall be provided and installed pursuant to applicable standards established by the Rails to Trails standards of the National Park Service. If authorized by the involved land owners, the applicant shall also connect parking lots, service roads, alleys, footpaths, and bike paths to adjacent properties.
 - c. To accommodate building setbacks, off street parking shall remain in its current location, but landscaping shall be added as set forth above to screen the parking lot to the greatest extent practicable.
 - d. The Applicant shall obtain any and all necessary approvals from the appropriate highway departments.
 - e. All buildings are accessible to emergency vehicles/
4. Miscellaneous Standards
 - a. Design of paving, light fixtures, retaining wall, fences, curbs, benches shall be attractive and easily maintained as per the site plan.
 - b. Exterior Lighting shall be shielded to prevent light from shining directly onto neighborhood properties and public ways. Light fixtures shall be restricted to a maximum of 20 feet in height.
 - c. Drainage at the site shall recharge ground water to the extent practical. The amount of peak runoff shall not increase above predevelopment conditions. The Project will increase the amount of impervious surface by 7000 square feet and the VPB's engineer has determined that measures have been proposed in the site plan to mitigate the impacts from the run off related to this additional impervious surface through improvements to the existing subsurface drainage system. Therefore the amount of runoff will not increase above predevelopment conditions.
 - d. The applicant shall be responsible for properly disposing of all demolition and construction debris; and

WHEREAS, the applicant will be required to post a performance guaranty in an amount to be determined by the Village Engineer in a form approved by the Planning Board Attorney, which shall be posted in accordance with the procedures specified in section 7-730, of Subdivision 9 of the Village Law; and

WHEREAS, a Certificate of Occupancy shall not be granted until the requirements of section 110-19H of the Village Code have been complied with.

NOW THEREFORE, THE VILLAGE PLANNING BOARD:

Approves the attached site plan application subject to the following conditions:

1. The Applicant complies with all details as set forth on the attached site plans;
2. The Applicant posts a performance guaranty in an amount to be determined by the Village Engineer in a form approved by the Planning Board Attorney, which shall be posted in accordance with the procedures specified in section 7-730, of Subdivision 9 of the Village Law;
3. The Applicant obtains all necessary approvals, if any, from the Village Board of Trustees for the continued connection and supply of Village sewer and water service.
4. The applicant shall include a sign detail on the site plan map to require a wood sign at the main entrance of the plaza that is externally lit.
5. The Applicant will replace the existing wall pack lighting on the rear or the building with full cut off wall mounted fixtures of a similar fixture type used in the parking lot in the front of the plaza.
6. Outdoor lighting will be reduced by no less than 50% one hour after the plaza closes until 6 am, consistent with the protection of health and safety. At a minimum, the row of lights in the front of the parking lot closest to the plaza retail store shall remain lit.

Introduction: Aaron Gaylord

Seconded: Pete Minahan

Record Votes: Piazza -AYE
Minahan -AYE
Gaylord -AYE
Ponter -AYE

Approved: Leo Ponter, Vice

Chairman

