

**VILLAGE OF CHATHAM  
PLANNING BOARD MEETING  
April 20<sup>th</sup>, 2015  
Approved Minutes**

**Board Present:**

Chairman Dan Herrick  
Leo Ponter  
Ernest Reis  
Harry Pisila  
Stephen Piazza  
Ken Dow – Village Attorney

**Public Present:**

Eric Schillinger  
Bhavesh Patel  
Heema Patel  
Joanne Gerstel  
Francis Iaconetti  
Joe Iuvieine  
Gail Heinsohn  
Bill Stratton  
Kirk Kneller  
Vincent Mackowski

**Call to order:** The Village of Chatham Planning Board Public Hearing of April 20<sup>th</sup>, 2015 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application, 2 Church St., Bhavesh Patel**, Applicant; site plan review for addition to building. Chairman Herrick reads aloud the recommendation received from the Columbia County Planning Board. Chairman Herrick asks if the Board needs any further discussion on this Application. Mr. Piazza states the issue with the addition is the easement and that is a private issue between property owners not a Planning Board issue. Mr. Dow adds that yes easements are not zoning issues or if it encroaches on the easement, private covenants and easements are issues between property owners. Mr. Dow states there are some issues that need to be laid out by the Board and specifics in the code that should be addressed and how the Board made its determination as well as why this Application meets the standards.

Mr. Piazza states there is to be no parking along the addition and signage and enforcement, as well as, no trucks between Lofgren and set delivery times. Chairman Herrick states when the motion is made the Board will state what the conditions are. Mr. Dow adds that the Board needs to state what it is they are approving and the reasons and conditions. Mr. Reis adds from the map showing the delivery truck route, will deliveries be allowed any time of day instead of set times. Chairman Herrick states as long as they follow this route they can be done anytime of the day. Mr. Piazza adds that the previous discussions were that delivery trucks do not go behind Charron's. Chairman Herrick states one of the stipulations is that Charron's delivery trucks follow the route on the map and the delivery truck issue is eliminated. Mr. Ponter adds that no one goes behind Charron's for Charron's. Mr. Piazza states the parking issue needs to be enforced behind the building.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member Vincent Mackowski states they only asked the Board to follow the law and look at the

code, and they feel until a few months ago and by legal advice did the Board follow the law. Mr. Mackowski adds that they requested the advice from the Fire Department and DOT and neither of them got involved and now the traffic flow will be affected by the delivery trucks pulling into the parking lot. Mr. Mackowski presents the Board with photos of the snow removal and drainage issues in the parking lot. Public Member Mr. Kneller adds that he has put extra drains on his property to take away the excess water and there are no drains on Mr. Patel's property. Mr. Piazza states he agrees there is a drainage problem, but the addition is not going to affect the drainage in any way. Chairman Herrick adds that the addition will not change the flow of water in the parking lot therefore the drainage issue does not affect this Application.

Public Member, Francis Iaconetti asks why deliveries will not be allowed behind the building when they have always been there, and does not agree with that stipulation. Mr. Piazza states the turning radius will be different with the addition and the Applicant has already agreed.

Mr. Dow states the stipulations for Approval are that no vehicles for Charron's will go between them and Lofgren Agency for any reason, stopping/standing/unloading, etc... and second there will be no parking adjacent to the addition and it will be marked with no parking/firelane signage.

Chairman Herrick closes the public comment and adds that each Board Member may comment with their motion.

Motion to Approve Application, 2 Church St., Bhavesh Patel, Applicant; site plan review for addition to building with stipulations stated by Mr. Dow, made by Mr. Reis, seconded by Mr. Ponter.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza - Aye

Chairman Herrick – Aye

2.) **Application; #15-003; 22 Main St., Bill Stratton**, Applicant; site plan review for new windows and change of use. Chairman Herrick states that it is the front façade that will be changed. Mr. Piazza asks about details on the awning. Bill Stratton, the Applicant confirms it is the façade and that they will not be replacing the awning. Mr. Pisila adds this will be a big improvement to the building. Mr. Piazza asks if there will be any changes to the brick. Mr. Stratton states there will not be any changes to the brick.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member, Francis Iaconetti states this is a vast improvement, and adds if the siding were removed whatever is underneath might be even better and less expensive to renovate. Mr. Iaconetti states he's not sure if the metal door is in character with the historic overzone and if possibly the Applicant could get approval for the awning and revise the Application after looking under the siding. Mr. Stratton states there is really only brick on one side of the building and the owner of the building would not have an issue with changing the door to wood. Mr. Pisila asks if they know the condition of the brick, Mr. Statton states he does not know. Mr. Pisila adds that this is a Planning Board not a design board and they need to go by the code. Mr. Piazza adds that he feels

either a wood or metal door would be fine. Mr. Pisila adds that a metal door would be better since the door goes down to the sidewalk, a wood door would rot from the rain.

Public Member, Joanne Gerstel states the Board could put a stipulation in the approval if brick is under the siding the Applicant will use that instead. Chairman Herrick states if the Applicant finds he wants to amend the Application he can come back at that point. Mr. Stratton states if they find brick they would be happy to use the brick instead. Mr. Piazza states this Application is within the code as it is and that is what the Board needs to follow.

Chairman Herrick asks if there are any other questions or comments – no response.

Motion to close the Public Hearing for Application; #15-003; 22 Main St., Bill Stratton, Applicant; site plan review for new windows and change of use made by Mr. Reis, seconded by Mr. Ponter.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza – Aye

Mr. Pisila - Aye

Chairman Herrick – Aye

Motion to approve Application; #15-003; 22 Main St., Bill Stratton, Applicant; site plan review for new windows and change of use made by Mr. Reis, seconded by Mr. Pisila.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza – Aye

Mr. Pisila - Aye

Chairman Herrick – Aye

**3.) Application; 12 Main St., G. Scott Palladino, Applicant; site plan review for change of use from retail to office. Applicant did not appear, Application tabled till May.**

**4.) Application; #2015; 27-31 Main St., Thomas Chulak, Applicant; site plan review to change color of trim. Thomas Chulak, the Applicant presents the Board with the paint colors for the trim.**

Chairman Herrick asks if there are any other questions or comments – no response.

Motion to approve Application; #2015; 27-31 Main St., Thomas Chulak, Applicant; site plan review to change color of trim made by Mr. Piazza, seconded by Mr. Pisila.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza – Aye

Mr. Pisila - Aye

Chairman Herrick – Aye

**Other Business:**

Chairman Herrick brings to the attention of the Board the construction going on at the old Price Chopper location in the plaza and adds that he feels the Building Permit was issued improperly and a stop work order should be issued. Mr. Dow states if the Building Inspector made a point that the permit was issued properly it can be brought to the Zoning Board of Appeals.

Motion to consult with the Building Inspector regarding the Building Permit for this site plan issued improperly and to issue a stop work order until it is brought in front of the Planning Board, based on the Zoning Code made by Mr. Ponter, seconded by Mr. Reis.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza – Aye

Mr. Pisila - Aye

Chairman Herrick – Aye

A motion to approve the minutes of the February 16<sup>th</sup> meeting is made by Mr. Ponter, seconded by Mr. Reis.

Mr. Reis - Aye

Mr. Ponter - Aye

Mr. Piazza – Aye

Mr. Pisila - Aye

Chairman Herrick – Aye

The meeting of April 20<sup>th</sup>, 2015 is adjourned at 9:54pm.

Respectfully submitted,

Erin Reis-Costa, Secretary