



Present: Chairman Herrmann, Chairman
James Dixon, Planning Board Member
Jerry Grant, Planning Board Member
Matt Murnane, Planning Board Member
Trina Porte, Planning Board Member
Mark Sheline, Planning Board Member

Absent: Craig Trombley, Planning Board Member

Others Present: Fred Haley, Joe Deyo, Terry Bingham, Judith Bingham, Elizabeth Bingham, Stanley F. Koloski, William Hoffman, Ken Mooney, Joe Iuviene, Bruce Baldwin, Jeff Redd, Lisa Robinson

I. Call to Order:

Chairman Herrmann called the regular meeting of the Planning Board to order at 7:35 pm.

II. Minutes Review:

Upon Review of the July 21, 2010 minutes, a motion was made by James Dixon , seconded by Jerry Grant to approve them as submitted. The motion carried upon the following vote:

Chairman Herrmann	Aye
James Dixon	Aye
Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Aye
Mark Sheline	Aye
Craig Trombley	Absent

III. Public Hearing:

Case No.: PB-2010-014: Lands of Baum (TM #'s 7.-1-15 and 16)

Request for a lot line change on County Route 13. Portion of land is situated in Chatham. All structures and taxes pertain to New Lebanon.

Map Title: Lands of Robert W. Baum & Joyce S. Baum

Map Date: June 28, 2010

Agent: Fred Haley

Proof of publication having been furnished, Chairman Herrmann opened the public hearing 7:45

Joe Deyo and Mr. Bingham stated that they would like to know more about the application and what the applicants wish to do.

Fred Haley explained that they are just adjusting the property line in between their two parcels. Mr. Bingham stated that he was satisfied that his right of way and the variance granted on his property some years ago will not be compromised by this proposal.

With no further comments or questions, Chairman Herrmann closed the public hearing at 7:50 pm.

IV: Regular Meeting:

Case No.: PB-2010-014: Lands of Baum (TM #'s 7.-1-15 and 16)

Request for a lot line change on County Route 13. Portion of land is situated in Chatham. All structures and taxes pertain to New Lebanon.

Map Title: Lands of Robert W. Baum & Joyce S. Baum

Map Date: June 28, 2010

Agent: Fred Haley

Trina Porte asked Fred Haley if during Chatham's review they had anything to add to or any comments pertaining to SEQR. Mr. Haley said "No".

Upon SEQR review it was determined that this request will have a negative impact on the environment. A motion was made by Mark Sheline, seconded by Matthew Murnane to declare the request a Type II action and authorized Chairman Herrmann to sign the Short Form SEQR. The motion carried on the following vote:

Chairman Herrmann	Aye
James Dixon	Aye
Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Aye
Mark Sheline	Aye
Craig Trombley	Absent

A motion was made by Mark Sheline, seconded by Matthew Murnane to approve the request for a lot line change. The motion carried on the following vote:

Chairman Herrmann	Aye
James Dixon	Aye
Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Aye
Mark Sheline	Aye
Craig Trombley	Absent

Case No.: PB-2010-015: Lands of Shirley Brent TM# 8.-2-41.1

New Application with revised drawing of the proposed two lot minor subdivision located on route 20 where the cell tower is situated.

Map Title: Lands of Shirley Brent

Map Date: July 20, 2010

Agent: Fred Haley

Fred Haley explained that when he revised the Brent drawings he submitted it as a new application in the event the Board would view it as such. The Board agreed that this was not a new application, rather it is simply a revised plan that has been modified to comply with Town regulation in that 60 ft. of road frontage is now depicted.

A motion was made by Matthew Murnane, seconded by Trina Porte to accept the revised plan dated July 20, 2010 as a Preliminary Plat and to schedule the public hearing for next month's regularly scheduled meeting [October 20, 2010]. The motion carried on the following vote:

Chairman Herrmann	Aye
James Dixon	Aye
Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Aye
Mark Sheline	Aye
Craig Trombley	Absent

Case No.: ZBA-2010-044: Lisa Robinson TM# 18.-1-35

Recommendation to the ZBA on a request for a Bed and Breakfast located on School House Road

Authorized Agents: Jeff Redd and/or Chris Robinson

Upon review of the proposal a motion was made by Jim Dixon, seconded by Jerry Grant to recommend that the ZBA grant approval on the request provided all the requirements are met. It was mentioned that this is good for the Town. The motion carried on the following vote:

Chairman Herrmann	Aye
James Dixon	Aye
Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Abstained [not enough information on the property]
Mark Sheline	Aye
Craig Trombley	Absent

Case No: PB-2010-049: Grocery Store/Pharmacy Project
TM# 19.2-1-60, 59, 58.11, 58.12, 58.2

Sketch Plan for Site Plan Review

Project Title: SUPERMARKET PHARMACY

Plans Dated: July 2010₁, Rev. 1 Date 09.10.2010₂, Received date: 09.14.2010₃

Agent: William G. Hoffman, PE of DeLuca-Hoffman Associates, Inc

Stan Koloski, ZEO informed the Board that this application will be reviewed under Site Plan Review because the new Zoning Law will be imminently effective. He further stated that he has worked on a checklist in addition to new applications and tried to follow the intent of the new law. Mr. Koloski also informed the Board that he has had two meetings with the applicant to help put the information together and that this does not mean that it is necessarily complete. The Board should determine its completeness and to keep in mind that this is only a sketch plan.

Mr. Koloski further stated that he has violated section 14.5 of the new law because it does not allow for the ZEO to take part in the process. Chairman Herrmann stated that while it may not provide for ZEO review, it does not appear to be prohibited. Mr. Koloski stated "not at this point" but he feels that a ZEO review should be included in the new law. If the Board has no objection, a ZEO review can be accomplished on future applications.

Mr. Koloski pointed out that the subject property for this application requires lot line adjustments as it currently is shown as 4 lots on the graphic tax maps. He also pointed out that there will be a need for at least one, possibly two variances for the new grocery store structure which will have to be referred to the ZBA for approval. Mr. Koloski also cautioned that the Board pay attention to storm water runoff and other engineering issues involving both parcels [New Grocery Store and Former IGA Location]. He further pointed out that while Section 14 of the new law outlines the procedures for Site Plan Review the entire law applies.

GROCERY/PHARMACY: New Structure

Bill Hoffmann PE (Hoffman & DeLuca) stated that they are in the process of cleaning up the lot lines. Mr. Hoffmann summarized the application with some of the highlights are as follows: loading will take place at the back of the new building; there will be a Pharmacy drive through on the west side; they will leave open spaces and landscape pocket parks; they will re use the well from the Gallup Inn, aside from that they will not be using anything else from the Gallup Inn such as drainage, etc.. Mr. Hoffmann acknowledged the need for DEC approval. Propane gas will be used for cooking; tanks are above grade located near the island by the drive through [three 1,000 gallon tanks]. Drainage was discussed. The new law indicates that corner lots such as this will have two frontages therefore; there is a need for an area variance. Additionally, the parking may require a variance from the ZBA, since the proposal depicts 98 spaces.

Jim Dixon asked about pedestrian access. Mr. Hoffman said that the Town Board has talked about sidewalks along Route 20. We could pull back the landscaping to allow for sidewalks. Jim Dixon said that this is a good time to plan for it and set an example. It could be a good trade off for the shortage of parking. Jim Dixon further stated that the people on West Street need a logical way to safely walk across the street. Mr. Hoffman acknowledged this concern.

Jim Dixon also inquired about the rearrangement of the propane tanks and the possibility of burying them.

Relocation of the OTB and the Gallop Inn (to the former IGA location)

Joe Iuviene [Architect overseeing the renovations of the former IGA location) took the floor and explained that the OTB entrance will be at the back. Trina Porte stated that there seems to be an unrealistic traffic pattern with trucks existing while OTB/Gallop Patrons are entering. Mr. Iuviene acknowledged this as a valid concern and will re address the issue.

Signage was briefly discussed. Council Member Bruce Baldwin stated that the sign ordinance will be adopted this month. Matthew Murnane stated that the existing sign law is going to be adopted into the new law, which means that the proposed signage of the Grocery Store will require a variance as well.

Chairman Herrmann explained to Mr. Hoffman that \$5,000.00 will be required for the initial escrow deposit.

Other areas of concern were as follows: Additional storm water runoff information involving both parcels, submittal of a LONG form SEQR, effects of salt/snow melt entering the storm water drainage system (Dec review).

A motion was made by Matthew Murnane seconded by Mark Sheline to accept the submission as a sketch plan. The motion carried on the following vote:

Chairman Herrmann Aye
James Dixon Aye

Jerry Grant	Aye
Matt Murnane	Aye
Trina Porte	Aye
Mark Sheline	Aye
Craig Trombley	Absent

IV. Other/New Business:

Trina Porte and Matthew Murnane announced that they will not be in attendance at the October meeting.

V. Adjournment

The meeting adjourned at 9:15 pm.

Respectfully submitted,

Cissy Hernandez
Planning/Zoning Clerk