

**TOWN OF SARATOGA**  
**PLANNING BOARD MEETING DRAFT MINUTES\***  
**October 23, 2024**

Chairman Walter Borisenok called the meeting to order at 7:05 p.m.

Clerk Linda McCabe called the roll: Chairman Walter Borisenok – present, Christopher Koval - present, Robert McConnell – present, Patrick Hanehan – present, Laurie Griffen – absent, Joseph Lewandowski – absent, George Olsen – absent.

Also attending: Walter Taras, Dio Kaufman and Rebekah Anderson. (Sign in sheet is on record in the Clerk’s office)

**A motion was made by Chairman Walter Borisenok, seconded by Christopher Koval, to accept the meeting minutes of September 25, 2024 as written.** Chairman Walter Borisenok – aye, Patrick Hanehan – aye, Christopher Koval - aye, Robert McConnell – aye, Laurie Griffen – absent, Joseph Lewandowski – absent, George Olsen – absent.

**Carried 4 - 0**

**Approved**

**Public Hearing for Minor Subdivision**

**Colin Stallard #24-08**

**5 Louden Rd.**

**Saratoga Springs, NY 12866**

**Location: 5 Louden Rd.**

**S/B/L 155.-1-12.12 Rural Residential District**

Returning applicant seeks a four-lot subdivision of his 9.64+/- acre parcel.

Rebekah Anderson appeared on behalf of the applicant.

Chairman Walter Borisenok and the Board went through the survey and saw no real issues. The property’s wells and septic have been noted on the map, the wetlands and buffer are marked and the driveway locations are fine. He then stated he had the Town Attorney review the easement language the applicant had submitted and today, he received a response. He then read the following: “You had asked us to provide guidance regarding the shared access and driveway maintenance proposed for the Stallard Subdivision. From the subdivision map you provided, it appears that proposed Lot 2 would have an access easement over Lot 3 for ingress and egress to Louden Road. You also provided a proposed “Maintenance Agreement as to Common Driveway” for the easement area. We first note that the Map provided seems to have a rough hand-drawn sketch of the shared driveway/easement area that will provide access for Lot 2. The Board should require that the final plat include the easement area and that it be clearly labelled as an easement for Lot 2. We further recommend that to ensure Lot 2 has legal access to Louden Road, the Board include as conditions on any approval that: 1) The Deed of conveyance from the applicant for Lot 3 must state that it is subject to an access easement for the benefit of Lot 2 as depicted on the subdivision map and that said easement shall run with the land. Walt Borisenok, Planning Board Chairperson Re: Access Easement and Shared Driveway for Stallard Subdivision October 23, 2024 Page 2 of 2 2) The Deed of conveyance for Lot 2 must state that it being conveyed together with an access easement over Lot 3. 3) An Easement and Maintenance Agreement/Declaration as to Common Driveway must be recorded in the Saratoga County Clerk’s Office prior to any Deed conveying Lot 2 or Lot 3. 4) Prior to Building Permit issuance, the proposed Easement and

Maintenance Agreement/Declaration and the proposed Deeds for Lots 2 and 3 must be provided to and approved by Town Counsel. We would likely recommend changes to the proposed Driveway Maintenance Agreement the applicant provided, but before we make any such recommendations, we would also want to review the proposed Deeds for Lots 2 and 3. The conditions recommended above would allow the Board to approve the subdivision if it is prepared to do so at this time but ensure the Easement and Maintenance Agreement and the Deeds are in acceptable form prior to construction. Thank you”

**Proof of Notice having been furnished by newspaper on October 13, 2024, Chairman Walter Borisenok opened the Public Hearing at 7:09 p.m.**, asking those wishing to speak to the Board to please stand at the podium, state their name and address and direct their comments to the Board. The Board received a letter from Wilton Emergency Squad, which was taken into account. Seeing as no one wished to speak, **Chairman Walter Borisenok closed the Public Hearing at 7:10 p.m.**

Chairman Walter Borisenok went through SEQR line by line with the Board. The Board found in favor of the Applicant.

**A motion was made by Chairman Walter Borisenok, seconded by Patrick Hanehan to accept SEQR as complete and to make a Negative Declaration.** Chairman Walter Borisenok – aye, Robert McConnell – aye, Christopher Koval – aye, Patrick Hanehan – aye, George Olsen – absent, Laurie Griffen – absent, Joseph Lewandowski – absent.  
**Carried 4 – 0**

**A motion was made by Chairman Walter Borisenok, seconded by Patrick Hanehan, to approve the subdivision as presented, conditional upon the following:**

1. The final plat must include the easement area and clearly labelled as an easement for Lot 2.
2. The Deed of Conveyance, ‘Access Easement and Shared Driveway’, from the applicant for Lot 3 must state that it is subject to an access easement for the benefit of Lot 2 as depicted on the subdivision map and that said easement shall run with the land.
3. The Deed of Conveyance for Lot 2 must state that it being conveyed together with an access easement over Lot 3.
4. An Easement and Maintenance Agreement/Declaration as to Common Driveway must be recorded in the Saratoga County Clerk’s Office prior to any Deed conveying Lot 2 or Lot 3.
5. Prior to Building Permit issuance, the proposed Easement and Maintenance Agreement/Declaration and the proposed Deeds for Lots 2 and 3 must be provided to and approved by Town Counsel.
6. Maintenance Agreement – the applicant must provide proposed Deeds for Lots 2 and 3 with final review and approval by Town Counsel, to ensure the Easement and Maintenance Agreement and Deeds are in acceptable form prior to construction.

Chairman Walter Borisenok – aye, Robert McConnell – aye, Christopher Koval – aye, Patrick Hanehan – aye, George Olsen – absent, Laurie Griffen – absent, Joseph Lewandowski – absent.  
**Carried 4 – 0**

**Minor Subdivision Conference**

**Walter Taras #23-06**  
**182 Co. Rd. 69**  
**Schuylerville, NY 12871**  
**S/B/L 182.-2-29.11 Rural District**

Returning applicant seeks to subdivide a 6.7+/- acre parcel from his 29.76+/- parcel for a single family residence.

Applicant Walter Taras appeared before the Board and reviewed his application.

Chairman Walter Borisenok stated this is straight forward. Applicant meets Town regulations, perc test is completed, distance between the well meet regulations. He questioned why the proposed house was in the location shown on the map.

Applicant Walter Taras responded it brings it to the back of the lot, which is all sand. The system will be up on the hill in the back.

Town Engineer Ken Martin was fine with that.

Chairman Walter Borisenok suggested he flip the house from the proposed location to the other side-just flip it around. He wants to see the location of the neighbor's well, so the applicant will need to adjust his map. To be clear, he wants the map to show the house flipped, the 100' distance and updated with the well and septic and be sure to show the accurate distance/measurement from the neighboring property's well and septic in relation to applicant's well and septic. The lot is all sand, we have the DEC letter of final reclamation approval. He then told the applicant if he can submit all required by deadline (Nov. 6, 2024), we will publish for a public hearing for November 20<sup>th</sup>.

Applicant Walter Taras thanked the Board.

Old Business: none

New Business: none

**A motion was made by Chairman Walter Borisenok, seconded by Laurie Griffen, to adjourn the meeting at 7:20 p.m.** Chairman Walter Borisenok – aye, Robert McConnell – aye, Christopher Koval – aye, Patrick Hanehan – aye, Laurie Griffen – absent, George Olsen – absent, Joseph Lewandowski – absent.

**Carried 4 – 0**

**Meeting Adjourned**

The next regular meeting will be held Wednesday, November 20, 2024 at 7:00 p.m. *All submittals must be to the Clerk no later than 8:45 a.m., November 6, 2024 to be on the next agenda.*

Respectfully submitted,

Linda A. McCabe  
Planning Clerk

~Minutes are not verbatim~