

**TOWN OF SARATOGA
PLANNING BOARD MEETING DRAFT MINUTES*
December 18, 2024**

Chairman Walter Borisenok called the meeting to order at 7:00 p.m.

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

Also attending: Andrew Sheeran, Michael Giovanone, Brian Sipperly, Bill Keniry, Connor DeMyer, Victoria and Robert Paterson, Attorney Jacquelyn Poulos White and Zoning Officer/Building Inspector Gil Albert. (Sign in sheet is on record in the Clerk’s office)

Minute approval: Motion made by Chairman Walter Borisenok, seconded by Patrick Hanehan, to accept the October 23, 2024 and the November 20, 2024 meeting minutes. Chairman Walter Borisenok – aye, Christopher Koval – aye, Robert McConnell – aye, Patrick Hanehan – aye, Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – absent.

Carried 6 – 0

Public Hearing for Minor Subdivision

**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 failed to appear due to a miscommunication; his public hearing will be held at the January 22, 2025 meeting.

Re-vote of Minor Subdivision

**Colin Stallard #24-08
5 Loudon Rd.
Saratoga Springs, NY 12866
Location: 5 Loudon Rd.
S/B/L 155.-1-12.12 Rural Residential District**

Chairman Walter Borisenok stated due to administrative requirements, last month this Board rescinded the approval of this application. Those requirements have now been met, so a re-vote must now take place for this four-lot subdivision of applicant’s 9.64+/- acre parcel.

A motion was made by Chairman Walter Borisenok, seconded by Christopher Koval, 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, Laurie Griffen – aye, Robert McConnell – aye, Christopher Koval – aye, Patrick Hanehan – aye, Joseph Lewandowski – aye, George Olsen – absent.

Approved 6 – 0

Conference for Special Use Permit

**Michael Giovanone #24-01
Boat N RV Condos, LLC
1438 Rt. 9P
Saratoga Springs, NY 12866
Location: 1428 Rt. 9P
S/B/L 180.18-1-2.1, 12 & 29 Lake Commercial District**

**Representative: Brian Sipperly, Verity Engineering
P.O. Box 474
Troy, NY 12181**

Returning applicant seeks a special use permit to expand his Boat -n- RV and motor vehicle storage business.

Brian Sipperly addressed the Board and stated they submitted updated design plans, SPPP, for the November 20, 2024 meeting and the Board wanted more copies of the plans and needed time to digest all the information. As they are looking to advance the project, they'd like SEQR determination at tonight's meeting and public hearing at the January meeting. It appears that the NYS DEC permit is imminent, fees have been paid and all looks good with the archeology. He had nothing further for the Board.

Chairman Walter Borisenok asked for Board comments on the new site plan that was submitted last month.

Christopher Koval stated he has concerns with them filling up the space as the wetlands are right there; there're too many buildings going in, so much so that it's hard to determine where the wetlands are.

Brian Sipperly stated the mobile home park was right up to the actual edge of the wetlands. They only have about six hundredths of an acre of delineated actual wetland on the parcel, it just clips it. They're filling in that wetland, no disturbance of that wetland, no discharges or fills there and the State is okay with the buffer, hence the imminent permit. He said if you were to walk into the edge of the tree-line you'd probably see standing water, as there is standing water between there and Stewart's. One needs to go in midway into the parcel and look north to see the wetlands.

Chairman Walter Borisenok stated they did pull back some of the pavement around the building, in and away from the buffer.

Brian Sipperly responded yes, and what applicant Michael Giavonone did, in negotiations with NYS DEC as well, is the pavement used to come out 50' from the edge of the building, so they've pulled that in to minimize the impacts in the buffer area.

Laurie Griffen stated she looked out there as well and archeology is complete. She questioned how high the site is going to be raised, for the water system, as it's low through there.

Brian Sipperly responded archeological is complete, Phase 1A, B, the testing parts have been done in the area, SHPPO reviewed and letter was provided in Board packets as well. He then stated that the height isn't to fit the stormwater, it's to meet flood plain height, which is based upon elevation requirements for new builds in flood plains. Town code requires that new builds are to be, with finished elevations, one foot above base flood plain, which is set by FEMA. Across the site, he believes it will be raised between 3' – 5'.

Chairman Walter Borisenok stated, to give a heads up, NYS DOT has been very active with people on their driveways out there. 5% meets Town code, but with NYS DOT it's different. He suggested that Brian Sipperly call and speak with NYS DOT going forward.

Brian Sipperly stated he'll do so. He said they've conversed with them and are nearly done with the Stage 1 process.

Chairman Walter Borisenok stated Town Engineer Ken Martin reviewed the emergency access and is fine with it. He then stated we are now an MS-4 Town and questioned if Code Enforcement Officer/Building Inspector Gil Albert received the MS-4 application.

Code Enforcement Officer/Building Inspector Gil Albert stated he has the application; he's reviewed it all and is ready to sign it.

Chairman Walter Borisenok stated overall, this is heading in the right direction. The Board would like to schedule a public hearing for January 22, 2025 and will go through SEQR once the public hearing is closed.

Brian Sipperly would like the Board to go through SEQR, if possible, at tonight's meeting. If not, they're okay with that.

Christopher Koval stated he's uncomfortable with that. He wants to continue going forward, but doing so with the Board's process and procedures, as is always done. Public hearing first, then SEQR review and public input; that is the procedure of the Board. Patrick Hanehan agreed, as did the rest of the Board members.

Chairman Walter Borisenok stated seeing as the Board wants to stay with our process, the Board will schedule and publish for a public hearing for the January 22, 2025 meeting.

Brian Sipperly stated he needs the list of names for notifications and was handed the Neighbor Notification list, sample letter and mailing instructions. He thanked the Board.

Pre-Submission Conference for Special Use Permit

**Robert & Victoria Paterson
433 Co. Rd. 68
Saratoga Springs, NY 12866
S/B/L 181.-1-16 and 17 Rural District**

Applicant seeks a special use permit to construct a 5,800 sq. ft. music barn, three cabins, driveway connection to Burke Rd. and installation of on-site stormwater and wastewater management areas.

Chairman Walter Borisenok said the Board has read through the proposal, but a narrative is needed.

Applicant's Engineer, Connor DeMyer, gave an overview of the proposed project. There are three parcels and the applicants reside on one of those. They'd like to open a business where musicians and artists can come record music, have a theater for performances and houses where they can dwell. On the first parcel they'd like to construct a 5800 sq. ft. music venue and art barn, with outdoor theater seating, as well as two resident houses with 2 – 3 bedrooms each, (although one house appears to be partially on the owner's parcel). On the second parcel, they'd like to build two houses, 2 – 3 bedrooms each. They'd also like to renovate and update their own home, which is located on a separate parcel.

Although the Board members like his proposal, after a lengthy discussion of the Board, Code Enforcement Officer and applicant, it was decided to have the applicant speak and make presentation to the Town Board concerning a possible Planned Unit Development for this project.

The applicant 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 7:43 p.m. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, Patrick Hanehan – aye, Laurie Griffen – aye, Joseph Lewandowski – aye, George Olsen – absent.

**Carried 6 - 0
Meeting Adjourned**

The next regular meeting will be held Wednesday, January 22, 2025 at 7:00 p.m. *All submittals must be to the Clerk **no later than 8:45 a.m., January 8, 2024 to be on the next agenda.***

Respectfully submitted,

Linda McCabe