

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MEETING MINUTES*
JULY 27, 2022**

Chairman Ian Murray called the meeting to order at 7:30 p.m.

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

Due to the absence of Robert McConnell, Alternate Walter Borisenok was elevated to full voting status.

Also attending: Attorney Libby Coreno, Jeff Mancini, John Witt, Paul & Jan Murphy, Russell & Lauren Kirkwood, Maxine Lautenberg, Matt Malinoski, Linda Macica, Chris & Maribeth Macica, Louise Gilgallon Smith, Donna Hladik, Elizabeth Forbes, Tim Neet, Ken LaRocque, Terri Korb, Tom Yannios, Edith Rubinson, Trish Peraueltt, Jerry Meehan, Marjorie McShane, Sergei Niremburg, Tom Carrangi, Garry Robinson, Remy Engerran and other interested persons. (Sign-in sheet is on file in the Clerk's office)

A motion was made by Laurie Griffen, seconded by George Olsen, to accept the meeting minutes of June 22, 2022 as written. Chairman Ian Murray – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Robert McConnell – absent, George Olsen - aye, Joseph Lewandowski – aye, Christopher Koval - aye, Walter Borisenok - aye.

Carried 7 - 0

Approved

Chairman Ian Murray stated due to the acoustics in the room not being fixed as of yet, it will be helpful to have no chatter from those in the audience so the Board can hear each one who presents to the them. It's hard to hear and hard to pick up on the tape for the minutes, but keeping the chatter down will help us get the notes that are needed, recorded. When this is opened up for the public hearing, he requested each who wishes to speak to the Board, to come up to the podium, state their name and address in order to be clearly heard. Each person has 3 minutes.

(Board Member Walter Borisenok recused himself for the Cedar Bluff application and sat in the audience.)

Public Hearing Cedar Bluff Major Subdivision

John Witt, Witt Construction #15-05

563 N. Broadway

Saratoga Springs, NY 12866

S/B/L 193.-1-17, 193.-1-18, 193.18-1-55 Lake Residential, Rural District II, Rural District

Location: Cedar Bluff Rd. (Co. Rd. 71)

Returning Applicant seeks a 32 lot major subdivision.

Attorney Libby Coreno and Jeff Mancini appeared before the Board, with John Witt sitting in the audience. She stated they were before the Board last month with their final preliminary subdivision plan to receive comments from the Board. Several comments had been made by the Board and first on the list was Lot 2, which had been cut out as part of the common space but didn't make sense as it was a common space island. They proposed instead to incorporate it into

Lot 2 and create a deed restriction for No Build at the front area, where you can see where the test pit was. So it will be attached to Lot 2, but fully conserved land with a No Build deed restriction. It just won't be in the common area, but on Lot 2 and non-buildable.

The second comment was concerning the location of the stormwater maintenance easement on the eastern land. The stormwater maintenance area will actually be located between Lots 30, 31 and 24 because that's where the existing gravel roadway is now. There's a proposed easement between Lots 11 and 12 in favor of the Town. The Applicant is willing to provide that easement to the Town and whether the Town decides to use it or build it out that's up to them; it would not be up to the Applicant. This is a moment where you don't need to let this opportunity pass you by. What the Town decides to do with that is completely a Town decision. It's not an Applicant decision. This would be the opportunity where the Planning Board has jurisdiction over this particular subdivision to create future planning opportunities. She clarified what the Town does with it is not up to the Applicant. She said they're willing to let the Planning Board decide on that. Next she said there were many discussions about tree planting along the existing homes on Hill Rd. This is within the 50' setback of a certain amount of selected tree planting between the homes of the Yannios and Murphy properties and there are no other homes located in between. This will create additional vegetative buffers between Lots 11, 12, 13, 17, 18, 19 and 20.

She reviewed the proposed clearing area, stating nothing behind that line will be cleared. Final SWPPP will be in place when final subdivision approval is done; this is the preliminary map. Calculations are done once the Planning Board sets the lot-lines on the map. This will go to preliminary approval, then there will be an opportunity for the Applicant to produce the calculations sufficient for the Town's review, at which point they come back for final approval based upon those calculations. There will be a lot clearing plan that is required to be Town approved at the building permit stage and all lot clearing plans have to be compliant with Town law §400-8.12, which is the steep slopes' tree clearing provisions. Lots 9 – 11, their steep slope lots, will have a designated No Build line and no shrubs will be removed to retain soil integrity. Archeology – avoidance should be practiced whenever possible, but if avoidance is impossible the State takes over in the area of potential effect, Phase III is required (state law, not local law) and there shall be a maintenance agreement drafted to the Town, by the Applicant, of all shared maintenance of the roadways, driveway and private drives. Prior to final approval, the Town attorney and herself will review language for permanent easements, maintenance and clearing Lots 16 and 17, 18, 19, 20 and that easement will be recorded upon the final map. Those are the comments and issues they responded to with this submission. SEQR is complete, finishing up the public hearing if they receive preliminary approval, calculations will begin on SWPPP (storm water pollution prevention plan).

Chairman Ian Murray said he was looking for the print of the plan that Attorney Libby Coreno and Jeff Mancini were reviewing with the Board and was told it's a hybrid; the Board doesn't have it. Chairman Ian Murray noted the following:

On G (1) there's a note that states 'all lots will have site specific detail plans which shall include drainage, grading, stormwater measures, lot clearing plan, tree removals, site specific features submitted to the building department, along with all the building plans and if applicable, on-site sewage disposal plan. Documents will be submitted in conjunction with building permit application.' That's got to be a boiler plate detail because the Board's proposing no on-site sanitary systems; connecting to sewer system, correct?

Jeff Mancini responded he thought that note came from the Board a while back.

Chairman Ian Murray said they need to erase that part from their proposal. He said he was unable to go over his notes with Engineer Ken Martin prior to tonight's meeting, but Lots 9, 10 and 11

look like they're at 380 (where that hash line is on the plat) and the Board wants that No Build line at 390.

Attorney Libby Coreno responded that's correct, it's supposed to be 390.

Engineer Ken Martin said it does show up on a couple of plans, so it's got to be coordinated a bit.

Chairman Ian Murray agreed and suggested they put a hatch pattern on it to coordinate throughout and Attorney Libby Coreno agreed.

Chairman Ian Murray said they went over the easement on Lot 2 and would like a hatch pattern on it as well. Attorney Libby Coreno agreed.

Chairman Ian Murray stated east side of the cul de sac, pipe size calculations need to be done there and Jeff Mancini agreed.

Chairman Ian Murray said he found a couple of typos and the Board doesn't have the hybrid planning scheme as being proposed, as Jeff Mancini indicated, but Lots 12 & 13 for the planning, Lots 17 – 20, it just notes in there some of the lot numbers are just carried through. It says Lots 16 – 19 on all but three of the notes. Needs to be specific and carried through on all notes.

Chairman Ian Murray noted on the west side, the 21/22+/- acres where the wetland fingers are, that needs to be marked as protective lands, please. Nothing to be proposed and nothing to be built in there. Jeff Mancini replied okay.

On the L-1 print, at the 390 line it says 'proposed No Build limit line Lots 9 – 11, selective tree harvesting with Town approval below this line'. There is to be no tree clearing. Per SEQR and the way the Board wrote it, there is to be no tree clearing below that line on the steep slopes.

Attorney Libby Coreno said that's getting into the technicality that there will have to be trees that will have to come down, that there are things that will have to be done for maintenance on that slope; that's what she has for original approval.

Chairman Ian Murray stated he believes and he can ask the whole Board, it's been a consensus of the Board that they want to limit no clearing on there and that's how they wrote SEQR.

Attorney Libby Coreno responded she wants to be clear about 'clearing' as she thinks that definition is the issue. She wants to be sure they are talking about the same thing.

Chris Koval stated the Board wants no cutting of trees there. No cutting. They don't want stumps. Leave the vegetation.

John Witt stood and said that's a deal killer. All along he's said he wants those views. Look at the houses on Hill Rd. They've all been cleared for those views.

Chairman Ian Murray responded if that's true, that was before his time on the Board and if this is a deal killer, just say so and the Board will move on to the next Applicant.

John Witt said it's a deal killer, adding he gave up about 60% of greenspace, it's been eight years, this was a farm and when you farm, you clear the land. They're not going to disturb the slope, the

deal the whole time was to preserve the slope, top trees where needed and do select clearing at the top...this is all totally new.

Chairman Ian Murray responded this is not totally new. The Board has discussed this numerous times and we went through it in Part I, Part II and Part III of SEQR and it's been and is the consensus of the Board not to have any clear cutting on the steep slopes.

Attorney Libby Coreno said she wants to be very clear on that, because there are differences between clear cutting and stump removal and the living of trees in the care of forestry. They're not the same thing and she agrees with her client. She's been on this application for 6 of the 8 years. They brought forward careful evidence for the record, careful that in order for the stumps to maintain the slopes, they have to be left there. But that the living of the trees has no environmental impact whatsoever and that it was the agreement of the Board that it was the Building Inspector's job to walk the site of the building plan to determine the best interest of the lot at the time, how much time has gone by, how much the trees have overgrown and whether or not they present a danger to the site, but Chairman Murray is right, no clear cutting was ever proposed. That is true. She wants to be sure they aren't having a distinction over word selection that is overly comprehensive than what they're trying to say.

Chairman Ian Murray responded they will have to detail further, for the Board, what they are proposing for the clearing.

Attorney Libby Coreno added, again, it's not clearing they are proposing. If a tree has to come down for any reason - health and safety, if there's an environmental reason a tree would have to come down, she wants the Board to understand that the Applicant has the parcel for only a certain period of time, once that leaves his hands, new owners will have that lot and may decide to do something.

Chris Koval added that's right, it's a moving target and other people will be in there cutting and there's a line, if it's no cut, then it's no cut.

Attorney Libby Coreno replied she hears him, but the Board has a lot clearing plan that's developed with the Building Inspector, and it's passed on to the new owner and other owners on the slope. A concern is in the transfer of development rights, two years down the road, five – ten years down the road no one remembers this meeting and what was said or wasn't said. Then you have an owner who takes down a dead tree and gets sited for lot clearing. That's not what they're talking about. She wants to be sure that everyone is saying the same thing because at some point, some buyer is going to go in there and it should be 100% accurate as to what the word means. She said they are not proposing that in any regard and she doesn't want that to be the implication and she doesn't think that's what the Board is asking for either. She needs to be sure they are saying the same thing so that the beneficial owners that come to buy these, understand exactly what the Town means and what they are able to do and not do. Because someone will come in and down dead trees and she doesn't want them to be sited, especially if it's removed for health and safety reasons.

Chairman Ian Murray asked if there were Board questions; there were none at this time. He then stated the Lot Clearing Plan is basically on each lot. And in Part III they asked for demarcation of the steep slopes. That Lot Clearing Plan will cover everything inside of that, essentially from the road to that line. That is what they are speaking to with Lot Clearing Plan.

Attorney Libby Coreno replied they're not saying that they don't have to stay compliant with §400-8.12, 'Steep Slopes; erosion and sediment control' code provision for the Town. She just wants to be clear that there's no intention to not live by those provisions.

Chairman Ian Murray stated they need to provide the Board further description.

Attorney Libby Coreno questioned further description on what.

Chairman Ian Murray replied on what they're proposing beyond that line.

Attorney Libby Coreno responded what they're proposing has been to have the Town approved Lot Clearing Plan specific to the drawings and plans on record and all clearing plans shall be compliant with Town law §400-8.12, 'Steep Slopes; erosion and sediment control' code restrictions. That's been the subdivision condition for three years. Is that not correct; that's what she's been operating with.

Chairman Ian Murray replied the Board's intent is to look for it within the demarcation line of the steep slope; if the Applicant's proposing something beyond that, the Board wants to clearly see what is being proposed for their clearing and maintenance.

Pat Hanehan added there are no other lots aside from Lots 9, 10 & 11 that are being talked about for the demarcation lines, so it's obvious this is for the views.

Attorney Libby Coreno said if the implication is they're clear cutting for views that would be impossible, because of the Town's restrictions as well as the Planning Board. The idea that this is some mature forest is not accurate. Their concern is that a blanket statement may be made that is difficult to enforce or vague or unclear and they're trying to be sure there won't be any problems down the road when the property is no longer in their hands.

Christopher Koval responded that's what they're talking about. They want no cutting outside that No Cut demarcation line. It's very steep and it protects the lake.

Attorney Libby Coreno said the purpose of her job as attorney for the Applicant, is to deal with what is in the record. Three and a half years ago, this issue was raised. At which point a soil integrity report was submitted by them, which indicates exactly that the integrity of the slope remains as long as there is no stump removal. The idea was to have plans approved by the Town, when the house is set and when slope analysis is looked at and what trees are exactly being proposed for removal, and that will continue to the ownership of the lot.

Chairman Ian Murray stated which again, he interrupts is from the road to the demarcated line of the steep slopes. Not into the steep slopes.

George Olsen added that he's a bit confused as John Witt said those will be the ultimate building sites with views. You'd have to go beyond the 280 line to have views of the lake and to cut trees.

Attorney Libby Coreno said the no build line will be there long after Witt is gone, per deeds of owners. If you drive down Cedar Bluff, Hill Rd., etcetera, take a drive and you'll see most of those properties have been clear cut for the views, on the same exact slope. What she's trying to say is, 5 – 10 years down the road, what's to stop an owner looking around and saying everyone else around here has done it, so I can too. All deeds must be compliant with §400-8.12, which

goes above and beyond. Reciprocal enforcement rights. She proposed the language of the Lot Clearing Plan be worked out between the Town's attorney and herself.

Chairman Ian Murray stated as in deed restricting the buffer, the same thing can happen with the deeds on that portion, as well as with the steep slope, just reference §400-8.12 Steep Slopes on the deeds for those lots.

Libby Coreno stated that's exactly what she's proposing, which is all lot clearing plans will have to be compliant with §400-8.12 Steep Slopes and make it ongoing and enforceable. She proposed that the lot clearing plan and language would need to be finalized by Town Counsel and the Planning Board, prior to adoption of the final plan. That way they have time to work through what the exact language will say and still have the ability for the Planning Board to be happy with the language. She will write it up and give it to the Town's Attorney.

Chairman Ian Murray agreed.

Chairman Ian Murray asked if there were any Board questions or comments; there were none.

Proof of Notice having been furnished by newspaper on July 17, 2022, Chairman Ian Murray opened the Public Hearing at 8:02 p.m., asking those wishing to speak to the Board to please stand, state their name and address:

Hubert Miller, 97 Brown Rd., stated he submitted letters to the Board prior to the meeting, as well as many over the course of this application. He reviewed the Applicant's 2017 proposed tree cutting plan and is concerned with protecting the lake and the property below the ridge and enforcing the law. He said not all steep slopes are the same and this is very steep. Town law doesn't allow steep slope cutting and he believes it is illegal for them to do what they propose.

Tom Yannios, 43 Hill Rd., said he appreciates the Board's hard work and especially Chairman Murray, as he's reached out many times to the residents, listening to their concerns and communicating with them helping them understand the process of subdivision. He said they listened to Attorney Coreno and quoting her from prior meetings 'lots 9 – 11 will be subject to selective tree removal to line, diameter breast height, no stumps to be removed to maintain slope integrity and removal only below that line with Board approval.' The line has been moved. He has serious concerns of the proposed tree cutting on the steep slope. Mr. Witt wants to remove the canopy of trees for views of the lake. Almost none of the trees on lots 10 & 11 are protected by the tree cutting regulations of the Town. Most are only 6" – 10" in diameter and that means 90% of the trees on Lots 9 – 11 will be removed of coverage by the builder's criteria, all but 3. Stumps do not equate to a tree. Within 3.5 years – 5 years you have no stability. A tree canopy and it's living roots are what stabilize the slopes. The regulations are correct and to proceed with this plan is outrageous.

Marjorie McShane, 34 Hill Rd., said she echos what Tom Yannios said. She's happy there's no through road and is against a walking path, easement and against this subdivision.

Lauren Kirkwood, 26 Hill Rd., has always had concerns with water: that her water pressure will get worse and she's fearful of running out of water. She questioned if she runs out of water, is there a plan in place.

Marybeth Macica, 120 Brown Rd., doesn't understand conservation subdivisions. She said 60 acres have been cleared and questions how many acres will be protected.

Mark DAquila, 7 Hill Rd., questioned what the consequences are if they break the steep slopes law; a law is a law. He's concerned with traffic and water as well. He questioned what the consequences are if his water is affected. He believes there should be immediate penalties and suggested an escrow account to be held for a number of years and have the developer pay for deeper wells to be dug for them if he affects their water.

Paul Murphy, 36 Hill Rd., echoed what Tom Yannios said, adding this is a complex project and he is against it, he appreciates the efforts of the Board, and feels making the applicant conform 100% to regulation §400.812 will make it black and white. The verbage 'clear cutting' is vague and words can be twisted. The slopes are steep and nothing should be allowed there. This should be about enriching the environment, not the view shed.

Terri Korb, 17 Hill Rd., stated she's confused to the origin of this, all traffic should be kept away including the footpath, she is opposed to the development and added perhaps the trails should be on the 60+/- acres for those residents to walk, to train their kids to ride bikes, the five foot easement is dangerous. She does not believe this should impact Hill Rd. in any way.

Attorney Libby Coreno stated she wants to answer some things she heard tonight. She's never been accused of saying anything under her breath. She understands the slide of words, the slip of concepts together, which she intended to avoid as she stood before the Board. Words really do matter and when you say a proposal is illegal, her ears perk up, because that is never something that's in her interest in her 20 years of practice, proposing something that is illegal. There is no doubt that the steep slope, §400-8.12, speaks to no disturbance. The advocate intends to comply with that. The decision maker, whether or not something constitutes disturbance, is the Code Enforcement Officer and that is under New York State law. If that's occurring, that will be his role to enforce. In order to go a step beyond that, it was proposed that the Applicant produce a lot clearing plan. The diameter breastplate of the site, came from the Lake George Park Commission and the ADA regulations and prompts this Board to say how do those conservation agencies protect slopes, trees and land. So that's where that information came from. The idea was to get some guidance to the Town Code Enforcement Officer about what may cause a disturbance, that is what the Planning Board was contemplating when that was purposed. There is no doubt that selective harvesting below that line appears on L-1 and L-4 of every generation since that was discussed. There is no intent to violate §400-8.12. The idea was to make it enforceable, to give the Code Enforcement Officer an enforcement ability to give context to what constitutes disturbance or not and there is no doubt that what did not get read tonight, is that the Town still had to approve. There is no chance that 30% of the trees get torn down without approval, that is an absolute mistake. This is what they're proposing and what they've been proposing for years. Above and beyond what the Town law says, but she wants the record to be clear, there is no intent to violate the steep slope regulations of the Town. She is happy to go back through all her notes to produce a lot clearing language for the Planning Board to consider, but none of it will include asking the Board to violate the law.

Edith Rubinson, 43 Hill Rd., said she appreciates a reprimand but she said they're responding to John Witt, who is her client, who got up and undercut exactly what she just said. He stood up and said his intent was to cut down the trees.

Hubert Miller, 97 Brown Rd., said the statements made by Attorney Libby Coreno and John Witt that this is no different than what's been done along the road, on the surface, is correct, but there is a difference, as these slopes are radically different.

Tom Yannios, 43 Hill Rd., showed the Board a chart of stormwater runoff showing without trees the runoff is 400 times greater.

Seeing as no one further wished to speak, **Chairman Ian Murray stopped the Public Hearing at 8:39 p.m., adding he's leaving it open and will pick it up again at the next meeting.**

He said the Planning Board has some things to think about, he wants to talk with the Town Engineer, the Town Code Enforcement Officer and Town Counsel for the Planning Board.

Public Hearing for Special Use Permits

Thomas Carrangi #21-07

1459 Rt. 9P

Saratoga Springs, NY 12866

S/B/L 193.6-1-46.11 Lake Commercial

Location: 1423 Rt. 9P

Representative: Garry Robinson, PE

114 Monument Dr.

Schuylerville, NY 12871

Returning Applicant seeks to modify his existing Special Use Permit by changing some of the conditions to the permit. He also proposes to expand his buildings to give additional storage for more boats.

Garry Robinson appeared before the Board on behalf of the Applicant. He reviewed the proposed building expansions and the changes they'd like to the special use permit.

Chairman Ian Murray stated, about the buildings, don't block off the lanes between the buildings as emergency services can't get in there if needed.

Garry Robinson responded talk to the fire department, they don't need that open to put out fires.

Chairman Ian Murray questioned who he spoke with in the fire department and when he received no answer, said he will contact the fire department himself.

Christopher Koval said you can't trust this with only one way through, they're blocking off between buildings 1 and 2.

Chairman Ian Murray stated with this expansion on the south side, you can't get through; where building 3 is, it's all wetlands with no access there. He was told they built a road there and Christopher Koval questioned that they shortened the access and was told yes by Garry Robinson. He also stated they're below 29.8% of coverage and they took part of the rear lot and hooked it to this.

Chairman Ian Murray questioned this was merged by lot-line, as it has not come before him to date. He needs to see the updated deed and map on this.

Garry Robinson said for conditional changes to the permit, page 2, first building, it says there's to be no other buildings on site. Since then, it changed from residential to commercial so it doesn't pertain anymore.

Chairman Ian Murray stated, #1 – came back with increased building – null & void.

Garry Robinson said the only service is electric.

Chairman Ian Murray responded, right.

Garry Robinson said change 'store boats' as they store other things as well. Boats in and out all times of the year and with so many storage buildings there, it doesn't apply.

Chairman Ian Murray stated you want boats, trailers, wash station, etcetera.

Chris Koval stated it's too much; he's against this.

Chairman Ian Murray stated he's against this as proposed.

Laurie Griffen stated, #3, you say year round.

Garry Robinson responded, yes, cleaning boats.

Walter Borisenok and George Olsen stated if you're storing the boats inside, per your permit, you don't need to clean the boats, no cleaning station is needed.

Walter Borisenok added the sales station/office; there's a real estate office across the road.

Chairman Ian Murray responded yes, and fully permitted and working within their permit. This Applicant has never been in compliance from day one and never will be.

Applicant Tom Carrangi said he will be compliant and will do what the Board says. Garry Robinson added the Town Code Enforcement Officer can police it and put a stop work order if the Applicant is doing something wrong. It looks better there now.

Chairman Ian Murray responded for how long; he only cleans it up when he wants something. He's never compliant.

Garry Robinson said his Applicant has learned his lesson. If not, make him come back in each year.

Chairman Ian Murray said this'll be done in small steps. Do the building expansion this year and we'll see how it looks in two years.

Garry Robinson replied he wants to do this now.

Chris Koval responded take things off the list. How about no sales office and no cleaning of boats.

Applicant Tom Carrangi replied he'll just clean them off, blow off the leaves and spray the boats down.

Patrick Hanehan questioned why is that necessary if stored inside? There's a difference between detailing and dusting them off.

George Olsen stated no detailing, no spraying them.

Garry Robinson said there's no water there, so no spraying.

Patrick Hanehan and George Olsen responded the Applicant just said he'll spray them down.

Chairman Ian Murray stated, landscaping, #6, modify the landscape plan per Planning Board.

Laurie Griffen, under #3 – only store boats all year. The Applicant can walk potential purchasers down and show them the boats, sales office is not needed. Take all language out other than store year round.

Christopher Koval stated the Applicant wants too many things. Just follow the Board's guidelines for storage, period.

Garry Robinson questioned if he can have more signage.

Chairman Ian Murray replied he has signage. He can check with Code Enforcement and conform to current zoning regulations for signage in that district.

Laurie Griffen stated there's to be no outside storage. Change #3 and add no outside storage. Since you are storing everything inside, you don't need to shrink wrap anymore. That language needs to change.

Applicant Tom Carrangi responded he shrink wraps boats to leave with owners.

Chairman Ian Murray stated no outside storage – if shrink wrapping, you cannot store those boats on site; the owner will have to pick up and leave with the boat same day as wrapped. He then stated access for drive - ingress from Rt. 9P. Operating conditions – remove time limit for when they go into storage and are removed from storage.

Applicant Tom Carrangi questioned if he can unload boats at the storage facility and Chairman Ian Murray responded as long as they are moved right away, as no outside storage is allowed.

Garry Robinson said there are times that boats will be stored outside 3 – 4 days.

Chairman Ian Murray responded no, put No Trades and No Outside Storage on your sign.

Laurie Griffen said 'days' is transient and Christopher Koval said it could end up being there all year.

A lengthy discussion continued on the no boat storage outside. Garry Robinson said they park the trailers back behind the buildings and they're stacked 4 – 5 high now. He said he has to store new trailers for new boats.

Chairman Ian Murray said slip rentals - those trailers go inside. You can stack no more than 20 new ones. He then added that on page 3, the last sentence the Applicant has is contradicting. You say eliminate vegetation to prevent vandalism; do the landscaping according to what the Board has told you.

Patrick Hanehan said it's nonsense that it will create vandalism. Put cameras all around to prevent that.

Chairman Ian Murray asked if there were further comments; there were none.

Proof of Notice having been furnished by newspaper on July 17, 2022, Chairman Ian Murray opened the Public Hearing at 9:30 p.m., asking those wishing to speak to the Board to please stand, state their name and address:

Louise Gilgallon Smith, 144 Franklin Beach Rd., said this marina is an eyesore. There are fluids and the smell of gas and she doesn't know if it's been tested for fluid leaks but should be. Their wells are too close and she believes there are environmental hazards there. The back/rear property is a swamp and all of a sudden, they're property is getting swampy as the Applicant fills in his wetlands. She's happy to hear trees and vegetation will be going in as hopefully it will help with the sight and sounds. She said if you look at the storage facility next to this one, it's clean and tidy and no problems. If all boats are indoors, there's no need to blow off leaves. With shrink wrapping, there's a lot of waste and you can shrink wrap outdoors, so he doesn't need a building for that purpose; he could put the trailers in there. She then thanked the Board for working on getting this Applicant compliant, as that area of the lake is a gateway to the Town.

Chairman Ian Murray asked if anyone further would like to address the Board; seeing no one, **Chairman Ian Murray closed the Public Hearing at 9:34 p.m.** Chairman Ian Murray added there are to be no vehicles to be stored there either. He then asked if there were any Board comments at that time; there were none. He told the Applicant to get a new list going.

Garry Robinson questioned if the landscaper can begin and Chairman Ian Murray said yes, it needs to get done.

Laurie Griffen questioned if this will be an amended permit or null and void the original and begin anew.

Chairman Ian Murray responded begin anew. He reiterated the Applicant needs to submit new plans with a new list.

Returning

Pre-submission Conference for Special Use Permit

**Timothy & Rachel Neet #22-10
38 Trombley Rd.
Stillwater, NY 12170
S/B/L 193.-1-49 Rural**

Applicants seek a three car garage with second floor apartment.

Applicant Timothy Neet appeared before the Board and reviewed his application.

Chairman Ian Murray said to do this, you have to look at how to meet zoning regulations in order to subdivide out in the future, if needed.

The Applicant replied he has 16 acres.

Chairman Ian Murray explained he'll need 300' of frontage for a parcel of 5 acres or more and 200' of frontage for a parcel of 2 – 4 acres. He said the Applicant will need to get creative and questioned the location of the well and septic.

The Applicant showed the Board the location of the two wells, the leach field and discussed the septic on the property and said he plans to have his engineer draw up prints on the current system.

Chairman Ian Murray questioned if there were infiltrators.

The Applicant responded yes. He has a distribution box and said that he can make it bigger if needed and can add a tray or trays.

Chairman Ian Murray said that egress for the apartment has to be separate from the garage. You can't exit the apartment through the garage according to code.

Engineer Ken Martin agreed, said you have to have an independent egress/ingress separate from the garage.

Chairman Ian Murray asked if there were any Board questions; there were none. He then stated they're fine with this and we'll publish for a public hearing for the August meeting.

Returning

Old Business: None.

New Business: None.

A motion was made by George Olsen, seconded by Joseph Lewandowski, to adjourn the meeting at 9:45 p.m. Chairman Ian Murray – aye, Laurie Griffen – aye, Christopher Koval – aye, Walter Borisenok – aye, Patrick Hanehan – aye, Joseph Lewandowski – aye, George Olsen – aye, Robert McConnell – absent.

Carried 7 – 0

Meeting Adjourned

The next regular meeting will be held Wednesday, August 24, 2022 at 7:30 p.m.

All submittals must be to the Clerk no later than 8:45 a.m., August 10, 2022, to be on the agenda.

Respectfully submitted,

Linda A. McCabe
Planning Clerk

*Minutes are not verbatim