

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

July 23, 2014

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

Planning Clerk Linda McCabe called the roll: Chairman Ian Murray – present, Laurie Griffen – absent, Patrick Hanehan – present, Robert McConnell – absent/arrived at 7:32 p.m., Jennifer Koval – absent, Joseph Lewandowski – present, Brandon Myers – present, Alternate George Olsen – present.

Due to the absence of a few Board Members, Chairman Ian Murray elevated Alternate Member George Olsen to full voting status.

Also attending: Town Engineer Ken Martin, Town Zoning Officer/Building Inspector Gil Albert, Town Dog Control Officer Edward Cross, Attorney Kim Crocetta, Anthony Capalbo, Jason Dell, Jim Vianna, Linda Macica, Chris Macica, Russell Kirkwood, Randall Odell and Terri Korb. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: A motion was made by Chairman Ian Murray, seconded by Joseph Lewandowski to accept the meeting minutes of June 25, 2014. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, Brandon Myers – aye, George Olsen - aye.

Carried 5 - 0

Approved

Preliminary Conference for Major Subdivision

**Saratoga Development, LLC #14-02 Representative: Lansing Engineering
Michael LaMorgese & David DePaulo
14 Ogden St.
Newark, NJ 07104
S/B/L 206.-1-34 Rural District II
Location: Brown Rd.**

Applicants would like to subdivide their 82.88+/- acre parcel into 11 single family residential lots.

Jason Dell, of Lansing Engineering, appeared on behalf of the Applicants. He stated they are looking to subdivide 82.88+/- acres into 11 single family residential lots, the Bella Vista Subdivision. This is located in the Rural District II area of the Town and all the proposed lots within the subdivision exceed the allowable, minimum lot size in accordance with the Town's zoning regulations. Access to each home will be provided by driveways directly off of Brown Rd., water will be supplied to each home with individual wells, septic systems will be provided for each individual home and stormwater for the project will be managed in accordance with NYS DEC requirements; stormwater pollution prevention plan (SWPPP) details

have been provided to Town Engineer Ken Martin, Chairman Ian Murray and to the Clerk for the file. He then said he would answer any questions and requested a date for public hearing.

Chairman Ian Murray stated the Board just received this information within the past two weeks and they are all just beginning to get through it and need time to do so. He explained he just finished going through the subdivision plan last night and began going through SWPPP, so this meeting is going to be a soft opening for this project. He then stated he already has questions, but once they get into next month they will have things to discuss and they'll go forward from there. He asked if they can put building envelopes on each lot on the maps so people can understand it a bit better, even though they are subject to change.

Jason Dell questioned if he's requesting actual setbacks and Chairman Ian Murray responded that's correct. Jason Dell said that on the larger plans they submitted to the Board, the spaced dashed lines are the setbacks per lot; it may be tough to see because the lines are faint.

Chairman Ian Murray stated to be honest, he and Town Engineer Ken Martin were having a hard time finding them because they are so small and there are so many lines on those prints; even with the legends it is tough to figure it all out.

Brandon Myers said it would be helpful if Jason could clarify, color code or layer them.

Chairman Ian Murray then stated the wetlands need to be clearly identified, as well as the wetland setbacks. They are indicated on the print and he knows what they are, but they aren't identified clearly for everyone else to understand it. He also wants to look at the driveway locations. Chairman Ian Murray then questioned the intent with the existing buildings on some of the lots on the east side of the property.

Jason Dell responded he assumes they would be used as sheds but he will have to verify that with the Applicant.

Patrick Hanehan stated the last time this application was before them there had been an issue with clear cutting of trees and brush on the two parcels on the west side. He knew Zoning Officer/Building Inspector Gil Albert was going to talk with them and questioned what happened with that.

Zoning Officer/Building Inspector Gil Albert responded he was supposed to receive a letter from the Applicant stating remediation and acceptance of such from the two property owners; he has received nothing to date. He has had verbal communication from the Applicant that it's been done, but he needs a letter with signatures of the property owners agreeing with and acceptance of the remediation plan before he issues any building permits.

Chairman Ian Murray stated he had noted that also and asked Jason Dell what the lot number was where all that clearing had been done. Jason Dell responded Lot 11.

Zoning Officer/Building Inspector Gil Albert added that they also did some clearing on the lot north and the lot south of Lot 11.

Chairman Ian Murray then stated he does not believe the vegetation boundary is correct as indicated. He'd like to have where that clearing was conducted plotted out because it's a bit deceiving.

Town Engineer Ken Martin stated for his purposes he'd like to see what vegetation was there before they began clear cutting, what has been cleared and what exactly they plan on clearing.

Zoning Officer/Building Inspector Gil Albert added someone went in there after that and surveyed it so they should have measurements.

Chairman Ian Murray stated Tommell & Associates did that so they may have a copy of it; the property owner owns it, so he imagines they could get a copy. He then stated he believes it would be beneficial to have another workshop on site. This has changed completely from what it was; the PUD is gone and now it's a subdivision. They'd be able to see where the driveways are staked to be located, walk the road, check out the contours, see where the proposed septic systems and houses are to be located; things like that to re-familiarize themselves with the property and this project.

Jason Dell noted that Chairman Ian Murray mentioned driveway stakes and asked if he wants that done ahead of time. Chairman Ian Murray responded yes; acknowledging they won't be exact locations, but seeing where they are proposed for now, will give the Board a better idea of the project and see if there are any areas where they can give suggestions for improvements.

After Board discussion, it was decided a workshop will be held on site, August 20th, 2014 at 6:30 p.m.; noting this meeting is open to the public.

Jason Dell questioned if Chairman Ian Murray wanted to see the revised plans, building envelopes, boundaries and setbacks before the on-site meeting. Chairman Ian Murray responded he should have those to the Clerk by submittal date, August 13th by 10 a.m. for the next meeting.

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

Zoning Officer/Building Inspector Gil Albert stated he had been approached by Mr. Tanner Cross of Bella Builders to put a house there, on the Lot 11 site, prior to approval of the subdivision and would like the Chairman's thoughts on that.

Chairman Ian Murray stated it is not appropriate, subdivision should be done first. Legally, it would give the owner of that proposed house ownership on the deed to all 80+/- acres on the permit since it's not yet subdivided. Depending on what happens, who knows if they'll get 11 lots, 5 lots or 2 lots; it's certainly a risk they'd be taking. Chairman Ian Murray and Zoning Officer/Building Inspector Gil Albert have conveyed their objections to the town attorney, but legally they can do it if they want to.

Jason Dell said this was the first he'd heard of that.

Chairman Ian Murray asked if there were any Board questions at this time; there were none.

Town Engineer Ken Martin stated concerning the sanitary systems, deep pits and perc tests aren't listed or shown on the map.

Jason Dell responded that Lansing Engineering won't be designing those septic systems.

Town Engineer Ken Martin said due to the soils being so iffy there, most of those systems will be raised systems and as such they must be part of the subdivision plan.

Jason Dell responded he will be sure to make engineer Robert Flansburg aware of that and coordinate that with him.

Chairman Ian Murray stated the Board will need that information prior to subdivision approval; there's rock there, high ground water and other things that will have bearing on placements and design of those systems.

Jason Dell thanked the Board.

Returning

Sketch Plan Conference /Preliminary Application for Minor Subdivision

**Mr. John Hall #14-07
295 Fitch Rd.
Saratoga Springs, NY 12866
S/B/L 193.-1-47 Rural**

**Representative: James Vianna, PLS
170 Lohnes Rd.
Stillwater, NY 12170**

Location: South side of Nielson Rd.

Applicant proposes to subdivide a 2 acre lot from his 41+/- acre parcel on Nielson Rd. The 2 acre lot is for a single family home and the remaining 39+/- acres will remain in agricultural.

Jim Vianna, PLS, appeared before the Board on behalf of the Applicant and reviewed the proposed subdivision. He stated this is on the south side of Neilson Rd., the wetlands have been flagged as Army Corp. wetlands and there's a NYS DEC 100' setback, they need a 20' Army Corp. permit and have already applied for that. SHPPO was negative impact, test pit and perc tests have been completed and were good. He then said he has relocated the driveways 90' west of what the submitted map shows.

Chairman Ian Murray questioned if there's less wetland impact with that move.

Jim Vianna responded no, it's about the same - 200' of wetlands. He said they have 762' of frontage west and 701' east. He added that supposedly he is to have a response from Army Corp within 45 days, but we all know how that goes. He also said if one doesn't hear back from Army Corp. within the 45 day time frame it is then considered approved and you can go forward.

Chairman Ian Murray asked if there were any questions from the Board; there were none.

Chairman Ian Murray then stated since everything is complete we will advertise for a public hearing for next month's meeting.

Jim Vianna thanked the Board.

Returning

Sketch Plan Conference for Subdivision

**William & Frieda Barton Living Trust#14-08
677 Rt. 29
Saratoga Springs, NY 12866
S/B/L 168.-3-74 Rural Residential**

**Representative: Attorney Kim Crocetta
125 High Rock Ave. #201
Saratoga Springs, NY
12866**

**Owner: Mr. Adrian Clute, Doris I. Clute & John F. Clute Irrevocable Trust
686 Rt. 29
S/B/L 167.-1-22.1 Rural Residential**

Attorney Kim Crocetta, on behalf of the Applicant, would like to review the sketch plan for correcting the illegal subdivision of the Clute property located on NYS Rt. 29, S/B/L168.-3-74, the illegally subdivided portion of Mr. Adrian Clute's land.

Attorney Kim Crocetta appeared on behalf of Mr. Barton and reviewed the proposed sketch plan to correct the illegally subdivided lands of Mr. Clute/Mr. Barton. The added acreage will convey the needed frontage to correct the landlocked illegal parcel.

The Board reviewed the sketch plan. Chairman Ian Murray stated this has been ongoing for three years and as long as Mr. Clute and the Applicant are in agreement, the proposal will work. He then stated the Board will need updated surveys prior to setting a date for a public hearing.

Attorney Kim Crocetta thanked the Board.

Returning

Old Business: Special Use Permit of Justin Liptak will be reviewed at the August meeting.

New Business: None

A motion was made by Robert McConnell, seconded by Patrick Hanehan to adjourn the meeting at 8:43 p.m. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye, George Olsen - aye. **Carried 6 - 0**

Meeting Adjourned

Reminder: The on-site Workshop Meeting will be 6:30 p.m., Wednesday, August 20, 2014. Please meet at the south end of the property on Brown Rd.

The next regular meeting will be held Wednesday, August 27, 2014 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk