

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

June 23, 2015

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 – present, Jennifer Koval – present, Joseph Lewandowski – present, Brandon Myers – absent, Alternate George Olsen – absent.

Also attending: Town Engineer Ken Martin, Anthony Erceg, Peter Loyola and Wade Newman. (Sign-in sheet is on file in the Clerk's office)

A motion was made by Joseph Lewandowski, seconded by Jennifer Koval, to accept the meeting minutes of May 27, 2015. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – aye, Joseph Lewandowski – aye, Robert McConnell – aye, Brandon Myers – absent.

Carried 5 - 0

Approved

Subdivision Amendment Conference

**John W. Arpey #05-18
340 Broadway Suite 2
Saratoga Springs, NY 12866
S/B/L 155.14-1-1-13, 155.14-1-99,
155.18-1-1-16 Rural Residential District
Location: Rt. 29 & Wooley Rd.**

**Representative: Peter Loyola, RLA
CLA Site
157 Lake Ave.
Saratoga Springs, NY 12866**

Applicant proposes to amend the November 28, 2007 approved 28 lot Schuyler Hills Conservation Subdivision, located on Rt. 29 and Wooley Rd.

Peter Loyola and Wade Newman, CLA Site, appeared before the Board. Peter Loyola stated they had a difficult time finding a developer to go along with the original road system the Board had previously approved, due to too many wetland crossings. With this amendment he has kept the 28 lots, has increased the conservation area and created a much improved roadway system; it's 150' shorter than the originally approved roadway. He stated they thought they could use the old logger road as access to the development, but due to its grading, alignment and wetlands, they couldn't make it work. They since have decided to use the original curb cut and come in at a 10% grade. He added that with the new design they reduce the wetland crossing disturbances by over fifty percent and they'll utilize a lot of the natural grades; the approved subdivision had a lot of steep grades with more wetland crossings so this is a great improvement.

They would have liked the hammerhead designs for the cul-de-sacs because other municipalities have found them to be easier to maneuver their plow trucks, but Town Highway Superintendent Don Ormsby didn't like it, so the teardrop design will work because it gives them a 75' radius on the corners. They would like Board approval for a

shared driveway for lots 6 and 7 on the map. He also added they have completed stormwater pollution prevention plan (SWPPP) and will have two stormwater ponds. Mike Shaw, NYS DOH, was out to witness several of the test pits on some of the newly configured lots and the perc and soil testings were all good. He's finalizing his technical review and issuing a letter of acceptance.

Peter Loyola stated they need to talk with Anna Stanko, Saratoga County Real Property, on how to amend the realty subdivision they previously filed with the county. Again, NYS DOH is on board with the new lot configurations and are going to approve the changes.

Peter Loyola then stated that Kevin Bliss, NYS DEC, has approved the modifications of the wetlands since the disturbance has been minimized, actually cut in half, with the new roadway design.

Chairman Ian Murray stated he'd now like to go through Town Engineer Ken Martin's notes and questions. Peter Loyola and Wade Newman responded to the questions as follows:

1. Drawing L-001 HOA Notes #3 needs to read as Drawing S-1 Note #3:

They replied they will take care of that.

2. Drawing L-001 Wetland Notes-has ACOE been informed of changes and are they requesting a current review? How much wetland area is being disturbed?

They explained that they have talked with Kevin Bliss, Army Corp of Engineers, and he's reviewed and approved the modifications of wetland disturbance which has been minimized with this amendment.

3. Question is no longer relevant; they are completely away from any sensitive area.
4. Drawing L-003-shows a shared driveway to Lots 6 & 7; will it be paved?

They replied yes, the shared drive will be paved.

5. What are the culvert sizes proposed?

There will be approximately 8 culvert crossings, with one larger than the rest. They are relying on their structural engineer to design the culverts and the large culvert will remain an arched concrete one as in the original design. They will submit a report to Building Inspector Gil Albert once complete. They discussed minimizing the grading a bit there so they can possibly reduce the head walls, the possibility of an elliptical crossing for the shared driveway, the elevation changes, the existing logging roads on the property and the removal of a few trees in regards to clearing for the road.

6. Town Engineer Ken Martin and Chairman Ian Murray wanted Highway Superintendent Don Ormsby to review the roads, turn-arounds and cul-de-sacs since the cul-de-sacs were not per Town standards:

Highway Superintendent Don Ormsby has reviewed the proposed roads and turn-arounds and they are going with teardrop cul-de-sacs per his request.

7. Show the 100' or 200' well/septic separations.

They will show the 100' and 200' sanitary separations as appropriate.

8. Need to incorporate the Town of Saratoga water notes into the Drinking Well Notes on sheet L-002.

They will have the water notes on the map.

9. Drawing L-703-need to coordinate the test pits and perc tests with the septic field schedule.

They said, as mentioned earlier, Mike Shaw is reviewing this and they should have a letter from him shortly.

10. Label the distances from the back lot line to the agricultural fields; should be 75' minimum.

Concerning the 75' minimum setback requirement; they've had to make some concessions with the new design and are hoping to obtain a waiver for that.

Patrick Hanehan stated he thought it was to be 100' not 75' due to the agriculture fields.

Peter Loyola, after reviewing his 2013 notes, agreed with him.

Patrick Hanehan stated he will push for the 100' setback due to the dust, manure and odors of farming those fields; folks move here and then complain about the farming smells.

Peter Loyola responded that odors carry much further than 100' depending on how the wind blows.

Jennifer Koval stated she's concerned with the wells in the future if they don't meet 100'.

Wade Newman stated that the agriculture land drains in a different direction than the location of the houses. He also stated they tried to balance everything out, minimizing impacts to wetlands and working with the separation distances. The road to the far west was very steep so they pulled it up-slope to the flattest area, but it started getting close to the property line. They can't meet the 100' setback there. There are wetlands to the east and west of that section and due to wetland setbacks it can't be done. The houses will already be at 75'.

Chairman Ian Murray stated the Board isn't concerned with the costs to the developer, the Board would like to see it pushed east, elongate the lots north and south and get the 100'.

After a lengthy discussion between the Board and the applicants concerning the 75' setback of the 5 lots to the west, a poll of the Board was taken:

Chairman Ian Murray - due to the discussion he is okay with the 75' setback for the 5 houses to the west only; all others must meet 100' setback.

Patrick Hanehan - would like them to meet the 100'; people will complain.

Robert McConnell - agrees with Ian and supports the 75' for the 5 lots only, 100' for the rest.

Joseph Lewandowski - he too will go for the 75' for the 5 lots only, 100' for the rest.

Jennifer Koval - would like the 75' for the 5 lots and 100' for all others; she likes the lesser disturbance of the wetlands, she also stated she is concerned someone may complain and blame farmers if something goes wrong with their water well. She then asked if it will be paved.

Wade Newman replied yes, Don Ormsby requires it. He then asked if the town will take over stormwater.

Chairman Ian Murray responded no, it goes to their homeowner's association (HOA) and they'll have to deal with that. The Town maintains the roads only.

Chairman Ian Murray stated he thinks they're almost there with the amendments. They could possibly move the last house on the west road, down to the two that share a driveway; it would help. He then stated according to Town Law 276, which states nothing about modifications, the Board can complete this subdivision amendment by going through the full/complete subdivision application. The applicants have worked on this amendment for two years now and it's a good product. NYS DOH has already given approval, SEQR is complete and there are no substantial changes. Chairman Ian Murray stated Town Attorney William Reynolds told him it's the Board's lead.

After a brief discussion the Board decided to go forward with the project and they would like to see the modifications they have discussed. The Board likes that it will be invisible from Rt. 29 except for the one lot and they really would like them to move that one lot from the road to the west down to the shared drive lot and elongate the others on the west road, as well as moving lots 10 and 11 a bit.

Peter Loyola replied they'll look at it again and will come back before the Board with a better product.

11. Need to indicate frontage of each lot.

Peter Loyola stated they will do so.

Returning

Information: Anthony Erceg addressed the Board concerning a 32 acre parcel behind his Condon Rd. parcel. After a lengthy discussion he was told that the 32 acre landlocked parcel behind him cannot be legally developed. There is no road frontage and it's an illegal lot, as is the driveway the developer put in. The Board understands his issues but it cannot be done.

He thanked the Board.

Old Business: None

New Business: None

A motion was made by Patrick Hanehan, seconded by Robert McConnell to adjourn the meeting at 8:47 p.m. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – aye, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – absent.

Carried 5 - 0

Meeting Adjourned

The next regular meeting will be held Wednesday, July 22, 2015 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk