

**TOWN OF SARATOGA  
PLANNING BOARD DRAFT MEETING MINUTES\*  
February 23, 2022**

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, Joseph Lewandowski – present, George Olsen - present, Christopher Koval - present, Alternate Walter Borisenok - absent.

Also attending: Shane Drumm, Gil Albert, Hub Miller, Kevin Weed, Pat Jarosz, Jeff Mancini, John Witt, Steven Kind, Gary Squires, Michael Dahlquist, John McSwieney, Jan & Paul Murphy, Jerry Meehan, Trish Perrault, Gene Fedorone, Russell Kirkwood, Michael Korb and Marge McShane. (Sign-in sheet is on file in the Clerk's office)

**A motion was made by Chris Koval, seconded by George Olsen, to accept the meeting minutes of January 26, 2022 as written.** Chairman Ian Murray – aye, Laurie Griffen – absent, Patrick Hanehan – aye, Robert McConnell – absent, George Olsen - aye, Joseph Lewandowski – aye, Christopher Koval - aye, Walter Borisenok - absent.

**Carried 5 - 0**

**Approved**

**Public Hearing Minor Subdivision**

**John J. Kearns III #21-06 Representative: Kevin Weed, GVG Land Surveyor, PLLC**  
**600 Grant St. 44<sup>th</sup> floor 988 Rt 146**  
**Pittsburgh, PA 15219 Clifton Park, NY 12065**  
**S/B/L 207.-1-21.2**  
**Location: 611 Rt. 32**

Applicant seeks to subdivide a 10+/- acre parcel from his 44+/- acre parcel.

Kevin Weed and Pat Jarosz appeared on behalf of the Applicant. Pat Jarosz went through the history of the property, adding that septic and perc testing were completed.

Chairman Ian Murray stated the map needs to have the Town water notes on it. He added he contacted the National Park Service concerning this application and received correspondence that they're fine with this. Chairman Ian Murray asked if there were any questions of the Board; there were none.

**Proof of Notice having been furnished by newspaper on January 13, 2022, Chairman Ian Murray opened the Public Hearing at 7:33 p.m., asking those wishing to speak to the Board concerning this application, to please stand and state their name and address; no one spoke. Chairman Ian Murray closed the Public Hearing at 7:34 p.m.**

Chairman Ian Murray then read the Saratoga County Planning Board's response to this proposed subdivision: ***“RE: SCPB Referral Review #22-A-10-Subdivision Review – Kearns A proposed subdivision by creating a 10-acre lot from an existing 44-acre lot in order to construct a single-family residence.***

***Location: NYS RT 32 South (Town of Stillwater & Ag. Dist. #1)***

***Received from the Town of Saratoga Planning Board on February 11, 2022.***

***Reviewed by the Saratoga County Planning Board February 17, 2022.***

**Decision:** *No Significant County-wide or Intercommunity Impact.*

**Comment:** *A NYSDOT curb cut permit will be required to provide access from NYS Rt. 32 for the new single-family residence. Please contact the Saratoga County Planning Department if you have any questions regarding this matter.*

*Sincerely,  
Jeffrey R. Williams, Planner  
Authorized Agent for Saratoga County”*

George Olsen went through SEQRA, line by line, with the Board.

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

**A motion was made by Chairman Ian Murray, seconded by Patrick Hanehan, to accept the documents as presented, to declare SEQR review complete and to make a Negative Declaration.** Chairman Ian Murray – aye, Laurie Griffen – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, George Olsen - aye, Christopher Koval – aye, Walter Borisenok - absent.

**Carried 5 - 0**

**A motion was made by Chairman Ian Murray, seconded by Joseph Lewandowski to approve the subdivision application as proposed, contingent on the Town water notes being added to the survey.** Chairman Ian Murray – aye, Laurie Griffen – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, George Olsen - aye, Christopher Koval – aye, Walter Borisenok - absent.

**Carried 5 - 0**

**Approved**

Chairman Ian Murray noted that once the survey and deed are completed, the Applicant is to bring them in for sign-off from the Chairman and Engineer and he will then be notified to pick them up and file them with the County.

### **Major Subdivision Continued Public Hearing**

**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.

Jeff Mancini appeared on behalf of Witt Construction, stating he was before the Board to obtain information.

Chairman Ian Murray stated, unfortunately, both the Planning Board's and the Applicant's Council were unable to make the meeting. However, the Planning Board is going to continue moving forward with the application review. He said the Board's been reviewing this

subdivision for a really long time and he thinks they're all looking forward to the day it's completed, in one form or another.

Over the past several months the Board's been getting their heads back into the application and independently they've had conversations with each other at different times and locations. Along the way, a positive relationship has been established with a few neighbors. On several occasions he's had the opportunity to meet with some of those neighbors, listening to their concerns and answering what questions he could. He's happy to report that a few of the other Board members have had the same opportunity. Those positive scenarios have offered them the opportunity to revisit both scenarios of the conceptual plans; the cul de sac and the through-road. Although there's still a lot of engineering work that needs to be completed as they move forward, they are at the point where the Board needs to give the Applicant a clear direction of how the Board wants them to proceed. The Board held a SEQR Workshop in early February, where they went through Part 1, Part 2 and Part 3. Part 3 is not complete at this time and the Board has been tasked to further review and complete Part 3 by summarizing the questions and facts they discussed.

Chairman Ian Murray then called for a roll call vote of the Board as to which scenario to go with. Clerk Linda McCabe polled the Board:

*Pat Hanehan – cul de sac*

*Chris Koval – cul de sac*

*George Olsen – a cul de sac will result in more tree removal, but if the Board wants the cul de sac he will go with them.*

*Joe Lewandowski – he'd like to see a one-way road going onto Hill Rd. to exit the area.*

*Chairman Ian Murray – cul de sac although work is needed.*

*Laurie Griffen – absent*

*Walt Borisenok – absent*

Carried 4 - 1 for a cul de sac.

Chairman Ian Murray then told Jeff Mancini to proceed in the direction for a cul de sac.

Jeff Mancini stated they'll get going with those plans.

Chairman Ian Murray then stated he would re-open the Public Hearing on the conceptual plan. **Chairman Ian Murray re-opened the Public Hearing at 7:44 p.m., asking those wishing to speak to the Board concerning this application, to please stand and state their name and address:**

*Russell Kirkwood, 26 Hill Rd.,* said he has concerns with the cutting of trees there and a full SEQR needs to be done to see the devastating effects this will cause.

*John Swieney, 3 Hill Rd.,* thanked the Board for preserving the cul de sac and maintaining their quality of life and sincerely appreciates it.

*Hub Miller, 97 Brown Rd.,* handed out papers to the Board on his points of concern with the steep slopes, ground water and density of the development, adding these concerns are the same ones in his 2018 letters to the Board. It's a challenging development with the steep slopes in the area. He applauded the Board for hiring their own hydro team and encouraged the Board to look hard at and the density of 32 houses. He knows further work will happen but at some broad level he'd like the Board to answer their concerns. He thanked the Board for their hard work.

*Paul Murphy, 36 Hill Rd.,* stated he echos John Swieney's comments. He asked if the Board can state, with authority, that the cul de sac is final.

*Chairman Ian Murray responded a poll of the Board was taken – it's final.*

*Marge McShane, 34 Hill Rd.,* said she has water concerns and asked, in worst case scenario, if the water situation turns bad for her, is there any way the Board has sway with the level of county taxes or whatever, to help people out if they have no water left and don't make enough to get another well. It's already tough with the water there and she wants to know what the contingency is for them, if the Board's decision goes south.

*Chairman Ian Murray asked her to clarify as he wasn't understanding if she was asking for future or now.*

Marge McShane responded in future. Right now, she has a touchy situation with her water as it is, so if they don't have any water in future, they'd have to dig another well and if people get in a niche will the town help that situation, seeing as to some degree the risks should have been foreseen by the Board.

*Chairman Ian Murray stated no, that isn't something to impose on the Board. He suggested she may want to take that up with the Town or NYS Department of Health. The Planning Board is going through an exhaustive study right now to make sure there is adequate water, especially as it is a fact that there have been problems on Brown Rd. with wells in the past, which is why the Planning Board ramped up the testing they've had done. Not to say there aren't some pockets out there with ongoing issues, which she may be one of, but the other things is, not all wells for every lot have been drilled, but they have to be drilled and proven prior to the issuance of a building permit. If that doesn't work out, then it is not a viable building lot. For instance, when there was a proposed subdivision on Brown Rd., they drilled some wells and did some fracking there, which impacted a lot of people on the lake. The Town immediately stopped that process and continued forward by banning fracking for developers throughout the Town to prevent that problem happening again. We're all residents of the Town and we're trying to make this right for everyone.*

Chairman Ian Murray asked if anyone further wished to speak; seeing no one, **Chairman Ian Murray closed the public hearing at 7:57 p.m.** He stated they will pick up again when further in the process.

### **Special Use Permit Conference**

**Shane Drumm, Drumm's Turf & Sawmill, LLC. #22-01**  
**883 Rt. 4 South**  
**Schuylerville, NY 12871**  
**S/B/L 183.-1-20.12 Rural**

Applicant seeks to move the sawmill from its current location to his 10.7+/- acre property on Rt. 4.

Applicant Shane Drumm appeared before the Board, said he'd like to move the sawmill from 93 Casey Rd. to the Rt. 4 property, lumber yard in the front, logs in the back, dry kiln, trucks will come in the back, almost the same way as he does it now.

Chairman Ian Murray noted the Board had a little information before and Applicant Shane Drumm told the Board last month that he was going all electric now and asked if that holds true.

Applicant Shane Drumm responded he's trying to go electric but it depends on National Grid. They told him he needs 3 phase powerlines; to look up and if three lines are not there, then no going electric. He's waiting to hear back from them.

Chairman Ian Murray stated Applicant Shane Drumm said he wants to bring the logs in off from the County Rd., so he'll need to provide the sight distance measurements coming from the top of that hill, and the distance from the driveway. He then asked if there were any Board questions.

Joseph Lewandowski questioned is it an existing barn or is the Applicant looking to construct a new one.

Applicant Shane Drumm replied he is looking to put an addition onto the existing barn.

Chairman Ian Murray questioned where the addition is to go.

Applicant Shane Drumm responded on the dairy barn, north end.

Chairman Ian Murray questioned the distance between the kiln and the red barn.

Applicant Shane Drumm replied 100'.

Chairman Ian Murray asked if he will be paving the lot.

Applicant Shane Drumm responded yes, he just brought in 500 tons of millings for the roadways and shale everywhere else.

Chairman Ian Murray stated he has concerns with the pervious surface there and the drainage.

Applicant Shane Drumm said he's down to bedrock now.

Chairman Ian Murray responded he took the shale out and is now down to bedrock so it won't fracture anymore and Applicant Shane Drumm replied right.

Chairman Ian Murray then questioned the location of bathrooms and was told they're in the house.

Chairman Ian Murray stated we'll send this to County Planning, though he's sure there will be more questions and advertise for a public hearing next month.

Applicant Shane Drumm thanked the Board.

### **Information**

Thomas Carrangi, Point Breeze Marina, 1423 Rt. 9P, Saratoga Springs, NY 12866, seeks

information Board approval of submitted map. *Cancelled due to illness.*

Steven Kind seeks advice on possibly subdividing 116 Rt. 32 south and on what he can do there. He said it's roughly a 165+/- acre parcel with an old colonial farm house, a barn, a house with four apartments and a trailer park. He'd like to subdivide the brick house and barn from the rest of the property to put up for sale.

Chairman Ian Murray questioned how many lots on the trailer park.

Steve Kind replied six. He added the house well system treats the trailer park and the apartment house.

Chairman Ian Murray stated he cannot subdivide that unless he puts in new wells for those. He'd need to set up a separate water supply for the mobile home park with a holding tank, water treatment tank, suspension tank, etcetera. If he splits that, it is no longer grandfathered in so everything needs to be brought up to code.

Steve Kind then questioned if the house, barn and trailer park go as a parcel, can he subdivide the rest.

Chairman Ian Murray responded yes, but he'd need to think on it as it's in the Village Extension District. He said it's interesting how the trailer park has five septic systems, some share. He then asked if he knew where the septic systems are located.

Steve Kind replied no.

Zoning Officer/Building Inspector Gil Albert stated he has concerns of those systems meeting code. As is, it's grandfathered, but if he subdivides it out, possibly creating non-conforming lots, it wouldn't be grandfathered any longer. Changing it requires all of it being brought up to today's code compliance.

Chairman Ian Murray added distances are needed, setbacks can be met; he asked if there's a survey.

Steve Kind replied no.

Chairman Ian Murray stated they've no idea how metes and bounds correspond there. He suggested the Board talk about this and he'd get back to him.

Steven Kind then asked if he can sell as is and was told yes. He said he'd like to divide the 160+/- acres from the trailer park.

Zoning Officer/Building Inspector Gil Albert said it's an old trailer park. He said Steven Kind would have to figure out the economics of it; is it better to end the trailer park? A lengthy discussion continued between the Board and Steven Kind on different things he may be able to do.

Steven Kind said there are many things to think about and thanked the Board.

**Old Business:** None

**New Business:** None

**A motion was made by Patrick Hanehan, seconded by George Olsen to adjourn the meeting at 8:25 p.m.** Chairman Ian Murray – aye, Patrick Hanehan – aye, Joseph Lewandowski – aye, George Olsen - aye, Christopher Koval – aye, Laurie Griffen – absent, Robert McConnell – absent, Walter Borisenok - absent.

**Carried 5 - 0**

**Meeting Adjourned**

The next regular meeting will be held Wednesday, March 23, 2022 at 7:30 p.m.

*All submittals must be to the Clerk no later than 8:45 a.m., March 9, 2022 to be on the March agenda.*

Respectfully submitted,

Linda A. McCabe  
Planning Clerk

\*Minutes are not verbatim