

**TOWN OF SARATOGA
PLANNING BOARD MEETING DRAFT MINUTES*
July 24, 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, George Olsen – present, Robert McConnell – present, Patrick Hanehan – absent, Laurie Griffen – absent, Joseph Lewandowski – absent.

Also attending: Gil Albert, Rebekah Anderson, Ronald Ciani, Elisa and Alexandra Fasulo, Beau Stallard, Jim Sullivan and Mark Dore. (Sign in sheet is on record in the Clerk's office)

A motion was made by Laurie Griffen, seconded by Christopher Koval, to accept the meeting minutes of June 26, 2024 as written. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, George Olsen – aye, Patrick Hanehan – absent, Joseph Lewandowski – absent, Laurie Griffen – absent.

Carried 4 - 0

Approved

Sketch Plan Conferences for 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

Applicant seeks a four-lot subdivision of his 9.64+/- acre parcel.

Rebekah Anderson appeared on behalf of Colin Stallard and reviewed his submitted application. She handed a large map to the Chairman and Engineer for review as well.

Chairman Walter Borisenok stated with the next submission they need to provide large maps for the entire Board. He noted that perc tests need to be completed and submitted, location of septic systems and wells need to be on the survey map. Frontage is good, but Lot 4 frontage needs to be adjusted, which can be done by readjusting the lines of the other proposed parcels. He questioned the driveway locations.

Rebekah Anderson replied they'd like to use the existing driveway and then they'd like a shared drive branching off for the other three lots.

Chairman Walter Borisenok responded the Board typically approves shared driveways for two lots.

Zoning Officer/Building Inspector Gil Albert stated they'll have to put in a pull-off for a 300' driveway and if 300' – 500' they'll need a pull-off and a turnaround. He also said no perc work has been done to date and it'll need to be witnessed.

Beau Stallard joined the discussion and asked if Zoning Officer/Building Inspector Gil Albert can witness the perc tests. Zoning Officer/Building Inspector Gil Albert responded certainly, the applicant just needs to call him in advance to set the date and time.

Chairman Walter Borisenok and Town Engineer Ken Martin stated they want sight line distance for the driveways. Chairman Walter Borisenok stated the Board needs to see all the details on the survey: septic locations, well locations, deep hole tests, driveway locations and measurements. It all needs to be

submitted with the formal application. He told Beau Stallard this work is normally done by the applicant's engineer and surveyor.

Town Engineer Ken Martin stated the Town has only done shared drives for two lots.

Zoning Officer/Building Inspector Gil Albert said the applicant needs their attorney to put together and write up details of easements, responsibilities of driveway maintenance, etc. He suggested they talk with a land attorney. He then added there is nothing allowing three or more homes on a shared drive in our Town regulations.

Chairman Walter Borisenok stated the Board needs to see if they'll allow a shared drive for three homes, it seems more like a private road. George Olsen and Chris Koval agreed with the Chairman.

Beau Stallard asked about private roads and Chairman Walter Borisenok stated there are a lot of issues with private roads, such as no one wants to maintain it, easements need to be done, but who maintains it in future; it can be very messy and nightmarish.

Chairman Walter Borisenok and Town Engineer will research this and during that time the applicant can get the perc tests completed on each lot, talk with his attorney and engineer. He said to be sure and have their engineer show location of septic systems, wells, building envelopes with proper measurements on the survey and adjust the frontage on the lots; be sure to check all the boxes of the application.

Returning

Ronald R. Ciani #24-09
28108 Herring Way
Bonita Springs, FL 54135
Location: 1262 Rt. 9P
S/B/L 193.14-1-12 Lake Residential

Applicant seeks to subdivide his 0.56+/- acre parcel, with 175' of frontage, into two lots; one lot will have existing home and the other lot will be put up for sale.

Applicant Ronald Ciani appeared before the Board, stating he seeks to subdivide his 0.56+/-acre parcel with 175' frontage. He knows he'll need a variance to do so.

Chairman Walter Borisenok stated the bottom line is the applicant needs 15,000 sq. ft. to subdivide and the Board won't approve a nonconforming lot, even with a variance given by the ZBA.

Applicant Ronald Ciani responded there are numerous lots just like this one subdividing, according to his realtor.

Chairman Walter Borisenok stated 15,000 sq. ft. is required for a Lake Residential lot to be subdivided. If you have land across the road attached to this and you meet regulation size, you'd be good to go. The Town reduced the size down to 15,000 sq. ft. years ago, but you cannot create two nonconforming lots; you must have 15,000 sq. ft. per lot to subdivide. Your realtor is wrong.

Applicant Ronald Ciani responded he'd like them to grant him a variance.

Chairman Walter Borisenok replied this Board does not grant variances; he'd have to go to the Zoning Board of Appeals for that.

Applicant Ronald Ciani questioned if he goes for a variance and it's granted, can he come back for the subdivision.

Chairman Walter Borisenok replied he can, but Planning will not approve it. This Board cannot allow anyone to create nonconforming parcels from a conforming parcel for a subdivision.

Applicant Ronald Ciani stated he will seek a variance.

Pre-submission Conferences for Special Use Permit

James Sullivan #24-10
11 Pearl St.
Schuylerville, NY 12871
Location: 117 Rt. 32 South
S/B/L 169.-2-11.3 Rural District

Applicant seeks to construct a garage with an in-law apartment.

Applicant James Sullivan appeared before the Board and reviewed his submittal. He stated he has frontage issues as the frontage is 239', but with his acreage, a minimum of 300' is required. He seeks a special use permit for a garage with two apartments.

Zoning Officer/Building Inspector Gil Albert stated he only knew of one apartment, now the applicant's saying two.

Chairman Walter Borisenok you're creating two apartments with a garage; that's really a duplex with a garage.

Applicant James Sullivan said he's looking for a special use permit, he meets setback requirements and the duplex will have separate septic and well from the existing house.

Chairman Walter Borisenok questioned the location of the driveway.

Applicant James Sullivan responded he'd like to use the existing drive and continue it over to the proposed duplex. He added the current garage will be removed and he'll be replacing that with the proposed garage and two apartments for his family.

Zoning Officer/Building Inspector Gil Albert said he has to look into regulations. The Town allows a separate second home on a lot with an existing home; we allow two dwelling units on a lot with minimum of 4 acres. He meets that, plus some. He needs a frontage variance.

Chairman Walter Borisenok stated let's send him to the Zoning Board of Appeals for the variance. He has perc tests completed and the septic and well locations are noted. He told the applicant to look into a duplex and to apply for a variance through the Zoning Board of Appeals.

Applicant James Sullivan thanked the Board.

Returning

Alexandra Fasulo #24-06
PO Box 66
Schuylerville, NY 12871
Location: 188 Co. Rd. 69
S/B/L 182.-2-29.13 Rural District

Applicant seeks a special use permit to open a store for multiple uses on the 6.74+/- acre parcel.

Applicant Alexandra Fasulo appeared before the Board stating she'd like a special use permit to open a store for multiple uses on her 6.74+/- acre parcel. She handed information to the Board which states this is to be a Community Art Barn and Workshop called House of Green Saratoga,

LLC. She'll host in-person workshops, art exhibitions and community gatherings. She'll have art exhibitions for local and emerging artists, documentary makers and showcase entrepreneurs prioritizing sustainability and environmental conservation in their work, as well as wood-burning, gardening and microgreen 101 workshops.

The workshops will be overseen and taught by the applicant and her mother, Elisa Fasulo. Ideally, she'd like to welcome art and gardening experts to host their own workshops in her facility. She will be onsite for all workshops and gatherings hosted on her property. Her workshops will be a place for people to sit at tables and draw, carve, wood-burn, fill pots with soil, inoculate logs with mushroom spores and the list goes on. They are not overseeing multi-month curriculums, rather creating one-hour, half day or eventually, full day workshops that challenge community members to be creative and push their artistic bounds. It is her goal to host 20 – 25 person workshops with occasional art exhibitions or features. They will host new and emerging artists, directors, videographers, sculptors, etcetera, who want to share their creations with the community. It is her goal to be able to host 30 – 50 visitors to tour the art exhibitions in person once a month. She also intends to livestream/broadcast the creative process in the barn, for those unable to make it to the events, in an attempt to make it easier for people of every age and physical ability to participate.

There is a 400' gravel driveway and parking area for 8 vehicles at this time. If there are more than 8 cars, the acre in front of the barn has been brush hogged and cleared for spillover parking. There will never be any hunting or trapping on her property, as her business will coexist with nature, reflecting an organic architecture that blends it into the surrounding tree-lines. Her business will provide a safe and reliable space for attendees to relax and immerse themselves in hands-on workshops and art shows. There will be no cannabis cultivation, no commercial kitchen, no permanent bar; it will be a family friendly setting in which to create and grow together.

Chairman Walter Borisenok questioned if this is an agriculture business.

Applicant Alexandra Fasulo responded yes, she has a small area within the Community Art Barn to grow microgreens; no processing, just raw cut.

Chairman Walter Borisenok questioned if anyone is living there.

Applicant Alexandra Fasulo responded for a short time her mother and stepfather are staying there, but they reside in Florida. She, herself, resides in Saratoga Springs.

Chairman Walter Borisenok questioned the location of the parking for the 30 – 50 people.

Applicant Alexandra Fasulo replied there will actually be 15 - 20 people daily, 30 – 50 just for the shows.

Chairman Walter Borisenok said she needs to go down and complete the check list of the application, as the Board must go through that list. She needs to show on the survey the location of the 50 parking spaces, she needs to supply Stormwater Management Plan, location of the Arts and Crafts area of the barn, the workshop spaces for 15 – 20 people, hours of operation, etc.

Zoning Officer/Building Inspector Gil Albert said he will let her know the number of parking spaces required based upon Board approval, aside from the parking, this is not out of character for the area. (Upon looking into the regulations, she needs 24 parking spaces, including two handicap spaces.)

Robert McConnell questioned if this is a seasonal business.

Chris Koval said she can't have parking in the field if it rains, it gets really wet in there.

Chairman Walter Borisenok stated the Board needs to know how many parking spaces are needed, they cannot park on the septic, they need her business plan with hours of operation, lighting, professional layout, dumpster location, again parking layout and a full completed application.

Applicant Alexandra Fasulo thanked the Board.

Returning

Old Business: none

New Business: none

A motion was made by Chairman Walter Borisenok, seconded by Robert McConnell, to adjourn the meeting at 7:58 p.m. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, George Olsen – aye, Patrick Hanehan – absent, Joseph Lewandowski – absent, Laurie Griffen – absent.

Carried 4 - 0

Meeting Adjourned

The next regular meeting will be held Wednesday, August 28 2024 at 7:00 p.m. *All submittals must be to the Clerk **no later than 8:45 a.m., August 14, 2024 to be on the next agenda.***

Respectfully submitted,

Linda A. McCabe
Planning Clerk

~Minutes are not verbatim~