

TOWN OF SARATOGA
PLANNING BOARD MEETING MINUTES*
August 28, 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, Joseph Lewandowski – present, Patrick Hanehan – absent, Laurie Griffen – absent.

Also attending: Zoning Officer/Building Inspector Gil Albert, Elisa and Alexandra Fasulo, Brianna Zell, Colin Stallard and Jim Sullivan. (Sign in sheet is on record in the Clerk's office)

A motion was made by Chairman Walter Borisenok, seconded by Christopher Koval, to accept the meeting minutes of July 24, 2024 as written. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, George Olsen – aye, Joseph Lewandowski – aye, Patrick Hanehan – absent, Laurie Griffen – absent.

Carried 5 - 0

Approved

Returning for Final Approval

Angie & Brandon Webster #24-3
121 Madison Ave. W.
P.O. Box 125
New Baltimore, NY 12124
Location: East side of DeGarmo Rd.,
between Rt. 29 & Burgoyne RD.
S/B/L 156.-4-59 Rural Residential District

Representative: Jim Vianna, PLS
170 Lohnes Rd.
Stillwater, NY 12170
Owner: Joseph Lewandowski
124 DeGarmo Rd.
Schuylerville, NY 12871

Returning applicants seek a minor subdivision of 32.05+/- acres, owned by Joseph Lewandowski. Lot 2 will remain with owner and will be 26+/- acres, containing existing residence and business. Proposed Lot 2A to be 6.37+/- acres, for a new single-family residence.

Board member Joseph Lewandowski recused himself from this application.

Chairman Walter Borisenok stated public hearing on this application was previously held and the Board was awaiting the results of the deep hole test.

Zoning Officer/Building Inspector Gil Albert stated that has now been completed, he conducted and witnessed the test and all is fine.

Chairman Walter Borisenok asked if there were any questions or comments from the Board; there were none. He then went through SEQR, line by line, with the Board.

A motion was made by Chairman Walter Borisenok, seconded by Christopher Koval, to declare SEQRA review complete and to make a Negative Declaration. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, George Olsen – aye, Joseph Lewandowski – recused, Patrick Hanehan – absent, Laurie Griffen – absent.

Carried 4 – 0 (1 recusal)

A motion was made by Christopher Koval, seconded by Robert McConnell, to approve the subdivision as presented. Chairman Walter Borisenok – aye, Christopher Koval - aye, Robert McConnell – aye, George Olsen – aye, Joseph Lewandowski – recused, Patrick Hanehan – absent, Laurie Griffen – absent.

Carried 4 – 0 (1 recusal)

Board member Joseph Lewandowski rejoined the Board.

Conference 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

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

Returning Applicant Colin Stallard appeared before the Board and stated he believes he's addressed everything the Board required.

Chairman Walter Borisenok stated Zoning Officer/Building Inspector Gil Albert witnessed the deep hole test and all is good with septic. Driveway language has been submitted but a turn-around is needed per Town code. The applicant needs to meet with Gil Albert, Town Zoning Officer/Building Inspector, for specifics. He also stated the applicant will have to meet county code on shared driveways and legal language for maintenance of the shared driveway is needed by the applicant's attorney. He added the applicant can contact the county for their shared driveway code and how to put the maintenance agreement together.

Applicant Colin Stallard questioned that he has to come up with that verbiage and he has to have his attorney review it?

Chairman Walter Borisenok replied the Board cannot tell you what to say. The applicant needs to submit the driveway maintenance language to the Board. Once submitted, we'll ask our attorney if it's legally strong enough for the Town, if not, you'll have to redo it. A public hearing is needed for this. The applicant has checked most of the boxes now, so we'll schedule a public hearing for September. If there are any issues, we can add terms or conditions and go forward. The building envelope is good, we need a stamped survey map.

Town engineer Ken Martin added the corner area of the driveway, Loudon Rd. and Rt. 29, needs to be cleared out as well. After a brief discussion it was determined that area is Town property, not the applicants. Chairman Walter Borisenok stated he'll ask and see if the highway department can clean that up.

Returning

Conference for Special Use Permit

Alexandra Fasulo #24-06

PO Box 66

Schuylerville, NY 12871

Location: 188 Co. Rd. 69

S/B/L 182.-2-29.13 Rural District

Returning 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.

Chairman Walter Boriesenok thanked her for her business description provided the Board at last month's meeting. He said parking, by Town code for home occupation, is determined by square footage of the building. A parking spot is needed for every 150 sq. ft. of a building, which in this case equals 24 parking spaces.

Applicant Alexandra Fasulo stated she doesn't want to cover the land with parking. It was explained to her that the parking doesn't take up much space of 6.74+/- acres and it doesn't have to be paved, she can gravel it.

A lengthy discussion between the Board, the Applicant and the Zoning Officer/Building Inspector ensued concerning the required parking spaces and the Applicant was adamantly against being required to put in the parking spaces for her business and said she'll just farm the land. The applicant tabled her application.

Tabled

James Sullivan #24-10

11 Pearl St.

Schuylerville, NY 12871

S/B/L 169.-2-11.3

Location: 117 Rt. 32 South

Returning applicant seeks to build a garage with two attached apartments. He appeared before the ZBA for a frontage variance, which was approved for the purpose of building one additional single-family dwelling only on the property.

Applicant James Sullivan appeared before the Board and stated he originally appeared for a special use permit to build two apartments with a garage between them and is now looking into determining if that is allowed within the current zoning regulations. He stated although the Zoning Board approved the variance, he neglected to send neighbor notifications out so he will appear before them in September and go through the process again.

Zoning Officer/Building Inspector Gil Albert stated two additional dwellings are not allowed in Town code; one additional dwelling is allowed, as long as all setbacks are met, but not two.

Applicant James Sullivan stated he then proposes to build one garage and one apartment.

Chairman Walter Borisenok stated that's fine, the Board needs a new formal application for this; new drawing and narrative reflecting the change to a garage with an attached single-family apartment and we'll publish for a public hearing for next month. He then told the applicant to let the Clerk know if he's unable to get his new drawing in time and this can be put off until he has them. We don't want neighbor notification mailings going out unless everything is submitted to our Clerk by submittal deadline. This can always go on another month's agenda.

Applicant James Sullivan 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, Joseph Lewandowski – aye, George Olsen – absent (left meeting after first application), Patrick Hanehan – absent, Laurie Griffen – absent.

Carried 4 - 0

Meeting Adjourned

The next regular meeting will be held Wednesday, September 25, 2024 at 7:00 p.m. *All submittals must be to the Clerk **no later** than 8:45 a.m., September 11, 2024 to be on the next agenda.*

Respectfully submitted,

Linda A. McCabe
Planning Clerk

~Minutes are not verbatim~