

**TOWN OF SARATOGA
PLANNING BOARD MEETING DRAFT MINUTES*
JUNE 22, 2022**

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

Clerk Linda McCabe called the roll: Chairman Ian Murray – present, Laurie Griffen – present, Patrick Hanehan – present, Robert McConnell – present, Joseph Lewandowski – absent, George Olsen - absent, Christopher Koval - present, Alternate Walter Borisenok - present.

Due to the absence of Joseph Lewandowski and George Olsen, Alternate Walter Borisenok was elevated to full voting status.

Also attending: Bryan Meskill, Hubert Miller, Jim Vianna, Gary Squires, John Witt, Libby Coreno, Jeff Mancini, Jean Seiler, John McSwieney, Terri Korb, Al Hall, Thomas Yannios and Paul Murphy. (Sign-in sheet is on file in the Clerk's office)

A motion was made by Robert McConnell, seconded by Christopher Koval, to accept the meeting minutes of May 25, 2022 as written. Chairman Ian Murray – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Robert McConnell – aye, George Olsen - absent, Joseph Lewandowski – absent, Christopher Koval - aye, Walter Borisenok - aye.

Carried 6 - 0

Approved

Chairman Ian Murray stated due to the acoustics in the room, it's hard to hear and hard to pick up on the tape for the minutes, so it will be helpful to allow the presenters to speak, the Board to ask questions and/or comments, that way we won't get a lot of chatter back and forth; like back in school days.

(Board Member Walter Borisenok recused himself for the Cedar Bluff application and sat in the audience.)

Preliminary Conference – Cedar Bluff Major Subdivision

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.

Attorney Libby Coreno and Jeff Mancini appeared before the Board on behalf of the Applicant. She reviewed the historical timeline of this application, going back to 2015 and added they are really pleased to be before the Board tonight.

Jeff Mancini then went through the plat, which they felt was consistent with both engineering comments and SEQR, that was issued earlier this year. He stated the key changes made since the last meeting, were the following:

- ❖ Lots 1 & 2 have changed in size, next to Lots 2 & 3 there used to be open space which they've condensed, moved the houses down the hill and took away approximately 40,000 SQ FT total, which gives them more room for stormwater.
- ❖ Access to the private drive for Lots 16 – 20: sewage and stormwater will be collected in roadway instead of going down steep slopes.
- ❖ Plantings: There will be plantings added along the buffer area of Remy's property and Lots 16 - 19, Lots 12 & 13, the Murphy's property and along Lot 11 and the Yannios' property as well.
- ❖ The connection to the cul de sac has been taken away, they now have a loop road through there.
- ❖ All the stone trenches have been taken away so there will be no stormwater collection or storage on the cul de sac. All will have deeded drainage easements; same with the Trombley Rd. cul de sac; there will be no infiltrator trenches on the project.

Chairman Ian Murray questioned the easement on the property lines for Lots 24 & 31.

Jeff Mancini replied that pipe can be accessed via roadway. The easement goes down, there's a catch basin on the cul de sac that goes down through the property line; it's a 20' easement.

Engineer Ken Martin questioned that there will be two easements? One from the cul de sac and maintenance for the other?

Jeff Mancini responded one comes down from the cul de sac and the other incorporates maintenance; technically that can all be the same. The metes and bounds can be wrapped into one easement; there's 20' so there's room for it.

Chairman Ian Murray and Engineer Ken Martin agreed.

Chairman Ian Murray then stated the layouts on prints L - 1, 2, 3 & 4 are incorrect. They meet everything per the proposed plan, but the lineage footage is off. The front requires 75, so the proposed 50% reduction is 32.5. Same with rear, the rear requirement is 50 so it would be 25, the side requirement is 100 then drops to 50. The lot width 200 to 100 and frontage 200 to 100; so just make those adjustments.

Jeff Mancini said that L – 1, with flag lots, 8,000 SQ FT goes to open space.

Chairman Ian Murray questioned why that isn't tied to Lot 2. He'd rather see it tied to Lot 2 and restricted instead of open space and be done with it.

Jeff Mancini responded that's a steep spot and they felt it would take away any temptation the homeowner may get to do something with it, but if the Board prefers, they can do a restriction and incorporate it into Lot 2.

Chairman Ian Murray then questioned on L – 4, after the last meeting, Jeff Mancini requested a meeting with Ken Martin, Libby Coreno and himself and that's when they discussed buffers, cul de sac, storm water and that's how they came up with the screening plantings as well. In that meeting they discussed possibly putting plant material on those private properties to help screen. He wants to reserve the right to be able to do that.

Libby Coreno responded the issue was a legal one – they have the right to help if that person says yes, but not if they say no.

Chairman Ian Murray agreed. He said Remy's house is one they located on plat and Jeff Mancini has an additional statement proposing additional plantings along buffer lines of Lots 16 & 19 with screening of 5' – 6' tall. Same thing with the 5' – 6' plantings by the Murphy property and update with the 5' – 6' plantings for Lots 11 – 13. And to be clear, concerning erosion control plan, the intention for the stormwater is essentially that they'll take everything from the teardrop on the cul de sac and run it all the way down to just east of Lot 1.

Jeff replied yes, during a storm, they'll contain it, it'll be collected and then it'll go down.

Chairman Ian Murray agreed. He then said he has a running list to go through and Attorney Libby Coreno questioned if they could go through hers and then if he has additional concerns, they'll go through those as well. Chairman Ian Murray agreed.

Attorney Libby Coreno then went through the following 2017 running list of conditions they agreed to along the way:

1. SWPPP for roadway and all infrastructure to be in place prior to final approval. Each lot will be required to have a Town approved erosion control plan at the time of building permit issuance.
2. Lot Clearing Plan for each lot shall be required to receive a Town approved lot clearing plan which is consistent with the drawings, the plans and conditions in the record of decision of the Planning Board. All lot clearing plans shall be compliant with town Law 400-8.12 (Steep Slopes).
3. Lots 9 – 11 shall have a No Build Line as designated on Map G-1 below which no development shall occur. Lots 9 – 11 will be subject to approved selective tree removal as part of the lot clearing plan. Removal of trees shall be limited to no more than 30% of trees with diameter breast height of 10 – 12". No stumps shall be removed in order to preserve soil integrity.
4. Archeology: Avoidance shall be practiced where possible but a Phase III will be required for ALL areas in the APE which cannot be avoided prior to issuance of first building permit.
5. SCSD #1: Subject to all comments from the Saratoga County Sewer District.
6. Hydrology: Prior to final approval, a final hydrology data report shall be submitted to the Town Engineer demonstrating with state and local water flow and quality standards.
7. Shared Driveway: There will be shared driveway easements that will need language acceptable to the Town Attorney. They'll reference the 20' easement of which 5' will be cleared for a walking path, 20' can be cleared. The shared driveway access to be provided with permanent easement language and maintenance language approved by the Town Attorney and recorded in the office of the Saratoga County Clerk.
8. Deed restriction and easement for Lots 31 & 32 to be drafted and approved by Town Counsel and attached to the final subdivision resolution.

Chairman Ian Murray stated he had a few things to add to this running list:

1. Demarcate, prior to construction and for the duration of the project, all the steep slopes.

2. No building, grading or earthwork within the steep slopes, other than for proposed road or SWPPP requirements.
3. Deed Restrict no cut buffers.
4. Deed Restrict rain gardens and/or SWPPP provisions designed on each lot.
5. Lot Clearing Plan must be filed prior to building permit. Further criteria to be established.
6. Town Water Regulations & Requirements

Last Thursday Chairman Ian Murray met with the neighbors on Hill Rd., he doesn't know the outcome of it, but some were for and some were against the walking path. For now, keep it in place and then after the public hearing, decisions can be made concerning such.

Chris Koval said he is struggling with Lot 2 – it makes the road go through the steep slope.

Ian said it's a work in progress until they get into SWPPP design, but that detention pond could stretch out all along the road there, could be a lot bigger in size on that side. So, there could be a little manipulation on Lot 1. That really is the best spot for this. The Board agreed.

Libby Coreno questioned that SWPPP will be done after preliminary plat approval, but has to be completed for final approval? So preliminary resolution will be subject to Town Engineer approval of SWPPP.

Chairman Ian Murray replied yes, that's correct.

She then asked where'd they'd like to see the access for the storm pond.

Chairman Ian Murray responded he'd like the storm pond to come off the Trombley Rd. cul de sac between Lots 24 – 32, with one easement.

Engineer Ken Martin agreed that one easement makes the most sense.

Attorney Libby Coreno thanked the Board and said they'll update and resubmit for next month.

Returning

Public Hearing for Minor Subdivision

**William Galcik #22-08
8 Melanie Rd.
Saratoga Springs, NY 12866
S/B/L 156.-4-28.11 Rural
Location: East side of DeGarmo Rd.**

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

Returning Applicant seeks a two-lot minor subdivision of the 63.8+/- acre parcel; Lot 1 to be 3.60+/- acre parcel for possible future residence and Lot 2 to be 60.2+/- acre parcel with no change of residential and agriculture. This subdivision is for estate planning.

(Board Member Walter Borisenok returned to the Board.)

James Vianna, PLS, appeared on behalf of the Applicant. He stated nothing has changed since last month and this 64+/- acres subdivision is for estate planning purposes. Most of the property is

held in a conservation easement for the Town of Saratoga, but two sections were held back from it for the sons. This is for the son, Bill. Currently the land is hay fields but there may come a point in future where he may want to build a home and if so, the Applicant will have to come back before the Board.

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

Proof of Notice having been furnished by newspaper on June 12, 2022, Chairman Ian Murray opened the Public Hearing at 8:02 p.m., asking those wishing to speak to the Board to please stand, state their name and address.

Seeing as no one wished to speak, **Chairman Ian Murray closed the Public Hearing at 8:03 p.m.**

Laurie Griffen went through SEQR, line by line with the Board.

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

Carried 6 – 0

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

Carried 6 – 0

Public Hearing for Special Use Permits

**Bryan Meskill #22-09
28 Ballard Rd.
Gansevoort, NY 12831
S/B/L 180.-2-10.1 Rural**

Returning Applicant seeks an additional single-family dwelling on his 175 Hathaway Rd. property.

Applicant Bryan Meskill appeared before the Board.

Chairman Ian Murray stated he went out to the property, walked it and it meets regulations for the second residence. There are no changes with this application from last month and he asked if there were any Board questions or comments; there were none.

Proof of Notice having been furnished by newspaper on June 12, 2022, Chairman Ian Murray opened the Public Hearing at 8:06 p.m., asking those wishing to speak to the Board to please stand, state their name and address.

Seeing no one, **Chairman Ian Murray closed the Public Hearing at 8:07 p.m.**

Laurie Griffen went through SEQR, line by line with the Board.

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

Carried 6 – 0

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

Carried 6 – 0

Pre-submission Conference for Special Use Permit

**Timothy & Rachel Neet #22-10
38 Trombley Rd.
Stillwater, NY 12170
S/B/L 193.-1-49 Rural**

Applicants seek a three car garage with second floor apartment.

Applicants did not appear.

Old Business: Erin Sisk, Equine Therapy, 683 Rt. 29, (S/B/L 167.-1-4) – out of compliance with previously granted Special Use Permit. Board members noted that Erin Sisk is out of compliance, again, allowing parking where she has been told parking is not allowed. The Board noted they told Erin Sisk from the beginning of her application she cannot have parking in the front, off the driveway, but she went ahead and paved it, striped it and allowed parking. The Board told Erin Sisk she needed to remove the pavement and reseed, but she asked their mercy saying she would put permanent planters there and not use it again. The planters have been removed and currently the Saratoga Springs police truck and horse trailer park there daily. She will be notified to remove the pavement and seed that area, to get in compliance with the conditional approval that was granted.

New Business: None.

A motion was made by Chairman Ian Murray, seconded by Laurie Griffen, to adjourn the meeting at 8:15 p.m. Chairman Ian Murray – aye, Laurie Griffen – aye, Robert McConnell – aye, Christopher Koval – aye, Walter Borisenok – aye, Patrick Hanehan – aye, Joseph Lewandowski – absent, George Olsen – absent.

Carried 6 – 0

Meeting Adjourned

The next regular meeting will be held Wednesday, July 27, 2022 at 7:30 p.m.

All submittals must be to the Clerk no later than 8:45 a.m., July 13, 2022, to be on the agenda.

Respectfully submitted,

Linda A. McCabe
Planning Clerk

*Minutes are not verbatim