

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

August 22, 2012

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 – absent, Robert McConnell – present, Jennifer Koval – absent (arrived at 7:35 p.m.), Joseph Lewandowski – present, Brandon Myers – present, Alternate George Olsen – present.

Chairman Ian Murray elevated Alternate Board Member George Olsen to full voting status due to the absence of a few Board Members.

Also attending: Town Engineer Ken Martin, Doug & Carol Post, Walter & Lisa Taras, Michele McClure & Andy Sheeran and other interested persons. (Sign-in sheet is on file in the Planning Clerk's office)

Approval of Minutes: A motion was made by Chairman Ian Murray, seconded by Robert McConnell to accept the minutes of the July 25, 2012 meeting. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – abstained due to absence at July's meeting, Brandon Myers – aye, George Olsen – aye. **Carried 4 – 0**

Approved

Chairman Ian Murray made a motion at 7:34 p.m., seconded by Brandon Myers, to go into executive session due to possible upcoming litigation. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye, George Olsen – aye.

Carried 5 – 0

Approved

Chairman Ian Murray made a motion, seconded by Brandon Myers to end executive session at 8:08 p.m. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye, George Olsen – aye. **Carried 6 – 0**

Approved

Sketch Plan Review for Minor Subdivision

**Douglas & Carol Post
580 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.14-1-13 Lake Residential
Location: 1258-1260 Rt. 9P**

Applicants propose a two lot subdivision, located at 1258-1260 Rt. 9P.

Applicant Douglas Post appeared before the Board and explained how he would like to subdivide his property on Rt. 9P. Chairman Ian Murray questioned if both existing houses are on public

sewer and independent wells and the Applicant responded yes.

Chairman Ian Murray explained the way the Applicant is showing the division of land will not meet town regulations and if he doesn't meet regulations for subdivision, the Planning Board would have to deny him and send him before the Zoning Board of Appeals in hope of obtaining the needed variances.

After a brief discussion between the Applicant, Planning Board members and Town Engineer Ken Martin, the Applicant stated he will have his surveyor redraw the boundary lines to stay within town regulations.

Chairman Ian Murray stated if the Applicant can have his survey complete and back to the Planning Office by 10:00 a.m. on September 12th, we will go forward with a public hearing at the September 26th meeting.

The Applicant stated this process was painless compared to other municipalities' Planning Boards that he's been in front of and he thanked the Board.

Returning

Special Use Permit

**Walter Taras #11-07
182 Co. Rd. 69
Schuylerville, NY 12871
S/B/L 182.-2-29 Rural**

Returning Applicant seeks a Special Use Permit for sand mining on Co. Rd. 69.

The Applicant appeared before the Board asking if the Board has heard back from SHPPO and if it was enough information.

Chairman Ian Murray stated yes, they received a letter from SHPPO which was a release for the Board to go forward with the application. Chairman Ian Murray asked if there were any questions from the Board; there were none.

Chairman Ian Murray continued, saying the Board reviewed the updated SEQR changes to Part I, verified those changes and went through Part II, with the same findings they had at the last SEQR meeting.

Chairman Ian Murray made a motion, seconded by Jennifer Koval, to declare SEQR complete and to make a Negative Declaration toward the Special Use Permit for the Walter Taras Sand Mine. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye, George Olsen – aye.

Carried 6 – 0

Chairman Ian Murray stated the Board conducted a Public Hearing on this special use permit on March 26, 2012; this process is now complete, as is the county review.

Chairman Ian Murray stated there are a couple corrections that are needed on the current mine plan; the easterly berms and southerly berms are missing from the boundaries of the mine in the revised plan and having these in place is necessary for noise mitigation.

Town Engineer Ken Martin agreed and suggested the berms go along the boundaries where he is going to phase in, whether it be one acre or more, on both the east and south sides of the mine.

Chairman Ian Murray stated the Board needs that on the mine plan because it is a measure of noise mitigation and they want to make sure it is in place. The Applicant responded he has no problem with that. Chairman Ian Murray questioned if Tommell is the engineer and the Applicant responded yes.

Town Engineer Ken Martin stated if this is approved tonight, the berms should be on the plan for the east and south side and it needs to be tied in with the mining permit as well as hours of operation and noise control per NYS DEC regulations. Chairman Ian Murray agreed.

Chairman Ian Murray noted that the Applicant had been before the Zoning Board of Appeals to get the variance needed for the new mine road, the Applicant submitted the data for the decibels on the equipment and the Board reviewed the MSHA requirements, which the Applicant meets for this operation.

Chairman Ian Murray reminded the Applicant that he needs to be sure to stay within the MSHA regulations and reiterated that the berms need to be in place; Chairman Ian Murray then stated it meets the level of the law.

Chairman Ian Murray made a motion, seconded by Brandon Myers, for Conditional Approval for the Taras Sand Mine Special Use Permit as follows:

- 1. Applicant must obtain a NYS DEC Mining Permit and show proof of said permit to Zoning Officer Gil Albert, prior to the issuance of a Town of Saratoga Special Use Permit for Mining, and a copy of said permit to the Planning Clerk for the file.**
- 2. Adherence to the Mine Plan as per Planning Board approval.**

Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye,
Brandon Myers – aye, George Olsen – aye. **Carried 6 – 0**
Approved

Chairman Ian Murray stated we will issue a Notice of Action which the applicant can take to the NYS DEC and once NYS DEC issues the Applicant a mining permit, he is to bring that DEC permit back to the Planning Clerk so we have a copy in the file. The Zoning Officer will then issue a town special use permit to the applicant.

Old Business: None

New Business: None

Brandon Myers made a motion, seconded by Jennifer Koval to adjourn the meeting at 8:50 p.m. Chairman Ian Murray – aye, Jennifer Koval – aye, Robert McConnell – aye, Laurie Griffen – absent, Patrick Hanehan – absent, Joseph Lewandowski – aye, Brandon Myers – aye.

Carried 6-0

Meeting Adjourned

The next meeting will be held Wednesday, September 26, 2012 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk