

**TOWN OF SARATOGA  
PLANNING BOARD DRAFT MINUTES  
August 24, 2011**

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

Planning Clerk Linda McCabe called the roll: Chairman Ian Murray – present, Robert Park – absent, Laurie Griffen – absent, Patrick Hanehan – present, Robert McConnell – present, Jennifer Koval – present, Joseph Lewandowski – present, Alternate Brandon Myers – present.

Due to the absence of Board Members Robert Park and Laurie Griffen, Chairman Ian Murray elevated Alternate Brandon Myers to full voting status.

Also attending: Town Engineer Ken Martin, Zoning Officer Gil Albert, Walter Taras, Michele McClure and Andrew Sheeran. (Sign-in sheet is on file in the Planning Clerk's office)

**Approval of Minutes: A motion was made by Jennifer Koval and seconded by Robert McConnell to accept the minutes of the June 22, 2011 meeting as written.** Chairman Ian Murray – aye, Robert Park – absent, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – abstained due to absence at June's meeting, Robert McConnell – aye, Joseph Lewandowski – abstained due to absence at June's meeting, Brandon Myers – aye.

**Carried 4-0**

**Approved**

**Special Use Permit Conference for Sand Mining**

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

Returning Applicant proposes a Special Use Permit for sand mining on Co. Rt. 69.

Applicant Walter Taras appeared before the Board stating that nothing has changed since he was last before this Board. He stated he has built up the berm along the haul road to keep dust from going over onto the neighbor's property, he has put up a fence-way and will be putting in a couple of gates, that the grasses he planted are now in on the berm, hay is in, as well as the corn he planted in the field. He is requesting that the Board send him to the ZBA for a variance for the road since Town Engineer Ken Martin told him at the last meeting his haul road does not meet regulation setbacks from the neighboring land, although the DEC told him to build it at the entranceway where he has it in order to keep the dust down as they enter or exit the property so it wouldn't blow the dust onto the neighbor's greenhouse business.

Chairman Ian Murray stated that is correct; according to Town regulations it is a nonconforming road.

Applicant Walter Taras added that he built the haul road the way NYS DEC told him to build it. Chairman Ian Murray stated he believes the roadway already existed; it wasn't built because DEC told him to, it was built according to the mining plans the Applicant had Tommell & Associates create and submit to the DEC for approval for the mining permit application. It was pre-designed and DEC approved it; DEC did not design it and send it back.

Applicant Walter Taras asked if the Chairman needed proof that he had talked with DEC and Chairman Ian Murray replied no, because the permit got pulled and is null and void. They (NYS

DEC) are now doing this correctly; the Town has to approve it first, with conditions, and then send it to DEC and they will then review our conditions and issue a mining permit from there. Discussion continued concerning the road.

Chairman Ian Murray stated now that the Board has received the long form EAF, they need to declare lead agency and conduct a SEQR review workshop.

**Chairman Ian Murray made a motion, seconded by Patrick Hanehan to accept the long form EAF and to declare the Town of Saratoga Planning Board lead agency for SEQR review for this application.** Chairman Ian Murray – aye, Robert Park – absent, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – aye, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye. **Carried 6-0**  
**Approved**

Chairman Ian Murray stated we will advertise a public notice that this workshop will take place on September 21, 2011 at 7:00 PM, here at the town hall. He explained the workshop will be a public meeting, but there will be no public input or comments allowed.

Chairman Ian Murray then stated as a mitigating measure, he thinks the road should be moved to the east, where there is already an existing road since the current haul road does not meet town regulations. A lengthy discussion between the Applicant and the Board ensued concerning moving the road.

Chairman Ian Murray asked Zoning Officer Gil Albert for his input and he stated that he too, feels the road should be moved to the other side of the Applicant's home and that according to his discussions with Marc Migliori of the NYS DEC, Mr. Migliori is not adverse to moving the road and it is just about equal distance to the mine using the road on the other side of his house as the current one.

Town Engineer Ken Martin stated there are other roads that go down in there so he'd like to take a look at the area. Zoning Officer Gil Albert stated that the Applicant has had trucks out there and he thinks it's a good idea for the Board to go out and look around.

The Applicant invited everyone to go out to his property and look at all the roads. The Board determined they, along with Zoning Officer Gil Albert, will meet at the Taras' pond Thursday, September 1, 2011 at 6:30 PM.

**Old Business:** None

**New Business:** None

Zoning Officer Gil Albert stated he is still working on the amendments for certain zoning regulations and will soon have it ready for Board input.

**Patrick Hanehan made a motion, seconded by Robert McConnell, to adjourn the meeting at 8:00 p.m.** Chairman Ian Murray – aye, Robert Park – absent, Laurie Griffen – absent, Jennifer Koval – aye, Patrick Hanehan – aye, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye. **Carried 6-0**  
**Meeting Adjourned**

The next meeting will be held September 28, 2011 at 7:30 p.m.

Respectfully submitted,

Linda A. McCabe  
Planning Clerk