

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES
December 16, 2009**

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 – present, Paul Griffen – absent, Laurie Griffen – absent, Patrick Hanehan – present, Robert McConnell – present, Jennifer Koval – present and Alternate Joseph Lewandowski – absent.

Also attending: Town Engineer Ken Martin, Beth Woodard, Michael Giovanone, Sam Palazzole, Mike Russo and other interested persons.

Sign-in sheet is on file in the Planning Clerk's office.

Approval of Minutes: A motion was made by Patrick Hanehan, and seconded by Jennifer Koval to accept the minutes of the November 18, 2009 meeting as written. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – absent, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – aye, Jennifer Koval – aye.

Carried 5 - 0

Approved

Board Member Laurie Griffen arrived at 7:33 p.m.

Public Hearing

Special Use Permit

Beth Woodard #09-16

139 Co. Rt. 338

Schuylerville, NY

S/B/L 157-1-49.2 Rural Residential

Location: 1164 Rt. 29, Schuylerville, NY

Owner: Matthew Ernst

Northern Pines Rd.

Gansevoort, NY 12831

Applicant proposes to open a beauty salon located at 1164 Rt. 29, Schuylerville, NY.

Applicant Beth Woodard appeared before the Board, handing information to Chairman Ian Murray and Town Engineer Ken Martin concerning the septic. She stated that Rob Streeter, of DEC in Warrensburg, has stated he has no concerns with the leach field or septic system and he can be contacted with any questions. Chairman Ian Murray stated it looks like they upgraded the septic system in 1990. Town Engineer Ken Martin questioned if she had a written statement from Mr. Streeter; she does not. Chairman Ian Murray added that Town Engineer Ken Martin, Town Building Inspector Gil Albert and he have talked about the septic issue; adding that Town Engineer Ken Martin has concerns on the leach field. He said he knows the Applicant has asked for four chairs/stations, but until they receive a complete investigation and formal written report back from an engineering firm stating the septic system can handle the capacity of four chairs/stations, they have decided to issue a conditional approval for two chairs/stations tonight. Town Engineer Ken Martin stated he will contact D.E.C. and get the investigation completed. The Applicant said normally one hairdresser will use 250 gallons of water or less per day. Town Engineer Ken Martin stated he believes it is 170 gallons per unit (chair) and that the Applicant is using water saver equipment which saves 20%. There is a 2000 gallon tank, which is more than sufficient. Chairman Ian Murray questions the 2000 gallon tank; it's so much more than necessary. He also added he thinks this business is making good use of the property. Chairman Ian Murray asked if there were any other questions of the Board, there were none.

Proof of Notice having been furnished by newspaper on December 6, 2009, Chairman Ian Murray opened the Public Hearing at 7:37 p.m., asking those wishing to speak to please stand and state their name and address:

Mr. Carr, abutting neighbor of 1164 Rt. 29, questioned the septic system and added he wishes the Applicant great success with her business.

Chairman Ian Murray asked if there were any other questions of the Board, seeing none
Chairman Ian Murray closed the Public Hearing at 7:39 p.m.

Chairman Ian Murray read the letter from the Saratoga County Planning Board indicating no significant county wide or intercommunity impact.

Patrick Hanehan read the short form EAF, line by line, which was completed by the Board. Chairman Ian Murray made a motion, seconded by Patrick Hanehan to accept the documents as presented, to declare the SEQR review complete and to make a Negative Declaration. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – aye, Jennifer Koval – aye.

Carried 6-0

Approved

Town Engineer Ken Martin suggested that the Applicant have the owner, Mr. Ernst, contact him.

Chairman Ian Murray made a motion, seconded by Patrick Hanehan to approve this special use permit with the following conditions: this is a one year renewable special use permit; the Applicant is approved temporarily for two stations, and upon approval by Town Engineer Ken Martin, up to four work stations. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – aye, Jennifer Koval – aye.

Carried 6-0

Approved

Special Use Permits Pre-Submission Conference

**Michael Giovanone #09-17
5 Campion Lane
Saratoga Springs, NY 12866
S/B/L 193.6-1-1.1 Lake Commercial
Location: 1434 Rt. 9P, Saratoga Springs, NY**

**Owner: Christopher Destephano
16 Bear Brook Ct.
Clifton Park, NY 12065**

Applicant proposes to construct a boat and recreational vehicle storage facility, located at 1434 Rt. 9P.

The Applicant appeared before the Board explaining he owns the Boat N RV Condos on Rt. 9P and the location of this proposed project is directly across the street from his current business. He keeps his facility immaculate and would do so with this proposed project. He is purchasing the land with an existing house and would like to have his daughter live there; they will also put an office in that house. He would like to construct a winter seasonal storage facility on this property. This facility will be wide open, free span on the interior for storage of boats and RVs, with one large garage door at one end of the facility and a safety door at the other end. The Applicant explained he had a meeting with Army Corp. and D.E.C. and they came up with four

different layouts; they felt this project has merit and told the Applicant to stay under 1/10th acre of wetlands, that way they (D.E.C and Army Corp.) would have no jurisdiction. The Applicant said they plan to construct the building behind the existing house. He also met with Zoning Officer Gil Albert and stated they meet setbacks so no variance is required. There is an upland area on the property, which is where they plan to build; they will not be in wetlands. He has spoken with all the neighbors and no one has objections to this project. He reiterated that his daughter will live in the existing house and have an office there, adding that they don't need well, septic or roadway since they are existing, nor signage since this will be an ancillary building. Eighty to eighty-five percent of his clients come from within a five mile radius of this site. This shows a specific local need for indoor storage. The Applicant believes this is an ideal location, as it sits directly across from his successful storage business and this also keeps in character with the neighborhood. The building will be done in earth tones and masonry; traffic will be minimal since it will be loaded up in October-November and unloaded April-May. He stated they have had to turn away business; 75% of which were boat owners.

Board member Patrick Hanehan stated it looks like the Applicant can expand even more and the Applicant responded there will be no expansion; and there will be no parking lot since there is no need for one. Patrick Hanehan also stated that Mr. Giovanone has done an immaculate job with his existing business and that the new fire house is great.

Board member Robert McConnell questioned what 'common storage' is and wants to be sure the facility would not be used for the purpose of someone moving and storing their belongings there. The Applicant responded its storage use is for wintering boats, motorcycles, RVs and wave runners; this is not a "storage" business.

Board member Jennifer Koval questioned where the wetlands are located and the Applicant proceeded to show that location on the plans, explaining they can only build in the location they have presented due to the wetlands.

Chairman Ian Murray questioned if this business will be tied to the Applicant's existing business and the Applicant responded yes; this will be an ancillary building to catch the overflow.

Chairman Ian Murray stated the Applicant will need an area variance, and explained that if the Applicant occupies the house he is creating multiple uses there and that is not allowed in that district. Nor can the Applicant petition for a P.U.D. because the lot is too small; the Applicant cannot subdivide it out either. Chairman Ian Murray then suggested the Applicant remove the house completely and expand the storage building a bit more, adding this is a creative idea but multiple use is not allowed.

Board member Robert Park questioned if they can do stackable storage and the Applicant responded no, the insurance is too high and he doesn't want to stack things, he wants to keep a low profile to the building. Board member Jennifer Koval questioned if they remove the house will they build closer to the road and Board member Laurie Griffen questioned if it will be paved. The Applicant responded he was not planning on paving but will do landscaping up to the door.

Chairman Ian Murray stated the Board likes the concept; the bigger issue is the occupancy of the house on the property. This is not a home business; again they are limited because multiple uses are not allowed. They really have to knock it down and go from there. The Applicant responded if they remove the house, they then can go larger with the building and Chairman Ian Murray said yes, that's correct. He also stated that the Applicant needs to provide SWPPP plan due to the drainage on the lot, with the grading plan because it borders the wetlands there, especially with the footprint of the building and the slopes. The Board also needs better wetland delineation and a better building envelope and site plan. The Applicant stated they will reconfigure their plan and return.

Returning

Subdivision Sketch Plan Conference

Mike Russo #09-18
1150 Rt. 9P
S/B/L 206.9-1-20 Lake Residential

Applicant proposes to subdivide a .22 acre parcel with 20' of frontage, located lakeside at the crossroads of Palmer Heights and Rt. 9P.

The Applicant appeared before the Board stating he has a house on Palmer Heights, it is not a lake front property, but he wants to sell it and the buyers want some lake frontage. The Applicant owns Palmer Heights Road and he has the frontage and wants to subdivide a twenty foot wide parcel for that house; the buyer would like a dock on the lake. The lake front property jumps the road; he owns the road and stated this piece of lake frontage is tied to the road; any property that touches 9P owns lakefront. Chairman Ian Murray stated the Board needs to send this to the county for review, interpretation and guidance before they move forward, adding this will take a month or two. Board member Jennifer Koval questioned if the Applicant could just grant an easement and the Applicant responded he's not sure, adding he is not adverse to deeding it; if there's a way to do it they'll do it. He just wants to be able to give some lake front to this buyer.

Returning

Old Business: The Board discussed P.U.D.s and wetland impacts.

New Business: Chairman Ian Murray said that Leo Nosal's special use permit for the campground expansion was pulled due to the Town Attorney's discretion. Chairman Ian Murray stated that since this is an existing business, he had hoped to continue with the application and write the campground regulations at the same time.

Patrick Hanehan made a motion, seconded by Laurie Griffin, to adjourn the meeting at 8:45 p.m. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – aye, Jennifer Koval – aye.

Carried 6-0

Meeting Adjourned

The next meeting will be held January 27, 2010 at 7:30 PM.

Respectfully submitted,

Linda McCabe
Planning Clerk