

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES
February 24, 2010**

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

Also attending: Town Engineer Ken Martin, Bill Thompson, David Brown and other interested persons.

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

Due to the absence of several Board Members, Chairman Ian Murray elevated Alternate Joseph Lewandowski to full voting status.

Approval of Minutes: A motion was made by Laurie Griffen, and seconded by Patrick Hanehan to accept the minutes of the January 27, 2009 meeting as written. Chairman Ian Murray – aye, Robert Park – absent, Laurie Griffen – aye, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – absent, Jennifer Koval – absent, Joseph Lewandowski - aye.

Carried 4 - 0

Approved

Lot-Line Adjustment Conference

**Terry Humiston, Benchmark Surveying Svc.
14 Dutchess Ct.
Saratoga Springs, NY 12866
S/B/L 155.-1-39.2; 39.11; 39.12 Rural Residential
Location: 844 Rt. 29**

**Owner: John J. Macica #10-02
844 Rt. 29
Saratoga Springs, NY 12866**

Applicant proposes to adjust the lot-lines between Lots 1, 2 & 3: decrease Lot 3 from 27+/- acres to 24+/- acres to increase Lot 2 from 1.18 acres to 4 acres and adjust the line between Lots 1 & 2.

Mr. Humiston appeared before the Board on behalf of the Applicant, explaining exactly how he adjusted the lot-lines in order for the Applicant's daughter to build a house on Lot 2, which was too small at 1.18 acres. With this lot-line adjustment that lot will increase to 4 acres with the proper amount of frontage and both Lot 1 and 3 remain conforming lots with proper frontage. He also stated they had DEC flag the wetlands along Fish Creek; he shows the wetland limits as well as the 100' buffer and the soil there is sandy. They have drilled wells and standard septic systems.

Chairman Ian Murray asked if there were any more questions; there were none. He then stated everything looks good, no Board action is required. All that is needed is an updated deed and survey brought in; Chairman Ian Murray and Town Engineer Ken Martin will stamp and sign the maps and Mr. Humiston will then file those with the county.

Mr. Humiston thanked the Board.

Subdivision Sketch Plan Conference

**William Thompson, Thompson–Fleming Surveying
12 Lake Ave.
Saratoga Springs, NY 12866
S/B/L 207.-1-17.1 Rural
Location: 424 Rt. 71**

**Owner: William & Jean Varley #10-03
32 Yunch Rd.
Mechanicville, NY 12118**

Applicant proposes a two-lot subdivision, dividing a 10 acre parcel in half. Lots A and B will each be 5+/- acre parcels with the required frontage, located at 424 Rt. 71.

Bill Thompson appeared before the Board on behalf of the Applicant. He stated the Applicant's own a 10+/- acre parcel located at 424 Co. Rt. 71 and they would like to subdivide this property into two lots of 5+/- acres each. The property has an existing house, barns and two sheds. They are proposing that Lot B will have the existing structures. With the pre-existing structures, that parcel does not meet the front setback requirements. Since they are such old structures they believe it is a pre-existing condition, and they ask to have those structures grandfathered in so the Applicants can continue using them as they are.

Lot A is a vacant lot and will be a buildable lot for someone in the future.

Lot A has 596' of frontage, and Lot B has 571' of frontage.

Chairman Ian Murray questioned if this is being farmed right now and Bill Thompson responded Lot A looks like a field and looks like it has been mowed. Chairman Ian Murray added possibly someone taking hay off.

Patrick Hanehan questioned if this had been subdivided from the rest of the farm at some point. Bill Thompson answered it has been at least ten years or more; originally it had been a farm of 99 acres. Chairman Ian Murray stated it has been at least ten years because it was done before he was on the Board. Chairman Ian Murray added if the Applicant wants to keep it in agriculture they need to have an agriculture statement on the survey map; he also stated that if they don't keep that lot in agriculture, they will have to get a deep hole test and perc test done on Lot A before the subdivision can go through. Bill Thompson stated he will ask the Applicant if they want to deal with this now or later.

Chairman Ian Murray then stated he knows exactly where the culvert is and he knows there's a curve there and that it goes down a bit, so he questioned if the site distance there is good for the location of a driveway. Bill Thompson stated he will verify site distance for that. Chairman Ian Murray stated the Board will schedule a Public Hearing for next month as long as Bill Thompson can get that information in, along with their short form SEQR.

Returning

**David Brown #10-04
78 Condon Rd.
Stillwater, NY 12170
S/B/L 193.-1-8 Rural
Location: 78 Condon Rd.**

Applicant proposes to subdivide a 2 acre parcel from his 7.036+/- acres on Condon Rd. This Application was approved in November 2007, but the Applicant failed to file his maps with the county, which has caused the original approval to become null and void.

David Brown appeared before the Board stating he made a mistake by not filing his map with the county. Chairman Ian Murray stated it is Town Law #276 that states 'filing a final plat, expiration of approval: The owner shall file, in the office of the County Clerk or register, such a proof of final plat or section of such plat within sixty-two days from the date of final approval'. He also stated he remembers the application well, as does the Board. David Brown stated the last thing that needed to

be done was put the elevation note on the map, and that has been completed. Laurie Griffen questioned if anything has changed and was told no. Laurie Griffen then questioned if there is an expiration date on survey maps; is this map still valid. Chairman Ian Murray stated that would be an education department question since they are the ones who certify surveyors. If the maps are stamped by the surveyor, and the date is valid then hopefully all is ok. Town Engineer Ken Martin stated he'd be surprised if it's not good, but the Board needs to find out. Laurie Griffen stated as long as Town Engineer Ken Martin reviews this and is fine with it, and as long as the Board finds there is no problem with expiration of the map, this is fine with her. Chairman Ian Murray asked if there were any other questions from the Board; there were none. He then stated the Board needs to go through the formalities again; public hearing and SEQR short form. If the Applicant would like, the Board can schedule a Public Hearing for next month. David Brown thanked the Board.

Returning

Laurie Griffen made a motion, seconded by Patrick Hanehan, to adjourn the meeting at 7:51 p.m. Chairman Ian Murray – aye, Robert Park – absent, Laurie Griffen – aye, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – absent, Jennifer Koval – absent, Joseph Lewandowski – aye. **Carried 4-0**

Meeting Adjourned

Old Business: None

New Business: None

The next meeting will be held March 24, 2010 at 7:30 PM.