

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

February 26, 2014

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 – present, Robert McConnell – absent, Jennifer Koval – absent, Joseph Lewandowski – present, Brandon Myers – present, Alternate George Olsen – absent.

Also attending: Town Engineer Ken Martin, Jason Tommell, Fred Metzger, Mr. & Mrs. Goldberger and other interested persons. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: A motion was made by Brandon Myers, seconded by Joseph Lewandowski to accept the meeting minutes of January 22, 2014. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, Brandon Myers – aye.

Carried 4 - 0

Approved

Public Hearing for Minor Subdivision

Mr. & Mrs. Jeffrey Goldberger #14-01	Representative: Fred J. Metzger, LS, P.C.
275 Rt. 32	P.O. Box 237
Schuylerville, NY 12871	Troy, NY 12182
S/L/B 169.-1-48	

Applicants would like to subdivide their 15+/- acre parcel into 3 lots. Lot 1 will be 3.42+/- acres with the existing house and outbuildings, Lot 2 will be a 4.42+/- acre parcel on which a single family home will be built and Lot 3 will be a 7.75+/- acre parcel on which a single family home will be built.

Mr. Fred Metzger, LS, appeared on behalf of the Applicants stating he has added all the notes requested by the Board and he ever so slightly changed the lot by the road to stay under the 1/10th of an acre wetland disturbance.

Chairman Ian Murray stated the sight distance to the east is a little under. Town Engineer Ken Martin said he walked it himself and measured it and he feels Mr. Metzger was a bit conservative. He stated the sight distance to the east is 700' and to the west 750', unofficially speaking. Chairman Ian Murray added that they've looked at it and have no problem with it at all.

Chairman Ian Murray then stated they've talked at prior meetings of the wetland disturbance and the need for him to stay under the 10%, so there needs to be a note stating such on the plan. Chairman Ian Murray also said that Mr. Metzger is going to have to have the engineer that did the septic, draft up a crossing for the culvert there and a grading plan. The Board is worried and doesn't want him to go over that 1/10th of an acre; whether they do a retaining wall or if they can make the grades slope out.

Mr. Metzger responded that's why he adjusted it to where it was 20' wide and 20' on each side of it for the slopes and ditches; basically its 40' corrections and 20' road width and they are under the 1/10th of an acre.

Chairman Ian Murray directed Mr. Metzger to put a note on the survey stating that there will be no more than 1/10th acre disturbance for the driveway along with the driveway designs with the culvert shown.

Town Engineer Ken Martin added that they also need the culvert size on there.

Chairman Ian Murray said if need be, they could do a couple of culverts side by side. Mr. Metzger agreed. Chairman Ian Murray stated that depending on the width of the driveway there, if they dip it down they might go to two culverts to prevent spreading the width of it out so much and limit the disturbance a bit more.

Town Engineer Ken Martin stated he believes there's a point of drainage area up above there and he's not sure how big it is since he hasn't looked at the USGS or anything. Something is feeding the wetlands there and it spreads out so far you really don't know how much is going through there.

Chairman Ian Murray asked if there were any Board questions.

Joseph Lewandowski asked if they ever found out who owns or takes care of the cemetery and Mr. Metzger responded that Mr. Dan Hewitt, former owner of the property, told him that he took care of it, though he does not know who officially owns it. Patrick Hanehan questioned if there were going to be any changes to it, such as not allowing anyone access and Mr. Metzger responded the only thing they may do is place some shrubs behind it as to prevent seeing the house from the cemetery, but you will still be able to see the cemetery from the road.

Chairman Ian Murray asked if there were any other questions; there were none.

Proof of Notice having been furnished by newspaper on February 15, 2014, Chairman Ian Murray opened the Public Hearing at 7:39 p.m., asking those wishing to speak to please stand and state their name and address. No one spoke.

Chairman Ian Murray closed the Public Hearing at 7:40 p.m.

Town Engineer Ken Martin stated that on the Short Form SEQR, Part I, #14 – please strike that answer; not applicable to this project.

Brandon Myers 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, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, Brandon Myers – aye. Carried 4 - 0
Approved

Chairman Ian Murray made a motion, seconded by Patrick Hanehan, to approve the application as submitted with the following conditions:

- 1. Obtain a curb cut permit through Saratoga County**
- 2. Submit driveway details to Town Engineer Ken Martin.**

Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, Brandon Myers – aye. **Carried 4 - 0**

Approved

Sketch Plan Conference for Major Subdivision

Saratoga Development, LLC #14-02 Representative: Jason Tommell, Tommell & Michael LaMorgese & David DePaulo Associates

14 Ogden St.

Newark, NJ 07104

S/B/L 206.-1-34 Rural District II

Location: Brown Rd.

Applicants would like to subdivide their 84+/- acre parcel into 11 single family residential lots.

Jason Tommell, Tommell & Associates, appeared on behalf of the Applicants and with him were Mr. DePaulo and realtor Lisa Breen. Mr. DePaulo submitted a copy of the email between Mr. Rapisarda and himself concerning damage compensation for the trees they removed and the damage they did to the Rapisarda property. That email is on file in the Clerk's office.

Chairman Ian Murray stated he'd like to go over some concerns he'd found but first asked Jason Tommell if he'd like to update the Board.

Jason Tommell stated he recently added the driveways showing the curb cuts and clarified the setbacks a bit since they are carving out some archeological areas that were identified. He also stated that on Lot 5, behind the proposed house, there are some areas they need to avoid and notes will be on the final survey.

Brandon Myers asked if they can line up the driveways center line to center line because they're so close, or is there a reason they're offset.

Jason Tommell responded yes, there's no reason not to and they will line them up as much as possible.

Chairman Ian Murray also reminded Jason Tommell that he needs to place the location of the Rapisarda property on their survey.

Jason Tommell responded he will get the house and driveway on there. He then stated once the frost comes out of the ground they will complete test pits, septic systems, locations of the driveways, etc.

Chairman Ian Murray stated he knew they had to complete test pits and that also affects Lots 3 & 4 with the possible swapping of the placements of the houses and septic, if it works out. Jason Tommell responded if it can be swapped; it'll have to work out with what Dave DePaulo wants, because as you can see on Lots 4 & 3 those circles are 100'

and 200' setbacks from the wells, so if they start flipping they may have a conflict with the septic systems. The size of the septic systems are quite big; they were really being conservative with those details in the beginning because they didn't know the number of bedrooms or all the data so they erred on the side of caution, they may be a bit smaller.

Chairman Ian Murray stated he and Town Engineer Ken Martin were talking things over concerning Lots 10 & 11; he'd like to see clearing limit lines imposed on there. He added he knows that there was quite a bit of clearing done there to open up the view shed but he'd like to catalogue the balance of what is there.

Jason Tommell questioned what type of limits or restrictions the Board is looking for.

Chairman Ian Murray stated his concerns are future erosion problems if they continue to remove things; there are existing issues with residents on the lake road already, so the Board needs to prevent any further erosion.

Jason Tommell questioned if they could head that off with whatever solutions they come up with; they already have the drainage study on those two lots.

Town Engineer Ken Martin responded that as far as clearing limits go, it isn't just a matter of erosion itself, it's that the Applicant has pushed the limits to begin with. The engineering on the SWPPP needs to be looked at and if they clear whatever that clearing limit is, the Applicant won't be able to go over that at any rate. He explained that in the past, concerning clearing, such as the Neilson's Landing subdivision, they've allowed clearing of white pine, but he's not sure what's on this property.

It was stated part of the problem the Applicant has been running into is what's been done historically; it's basically a rolling grass plane now with view shed easements over it so no one can put anything up. Now they're dealing with the opposite and they're just trying to find the balance of it.

Chairman Ian Murray responded that all the years he's lived in this town that property has been maintained as wooded, but a lot of the lands on the other side of Brown Rd. have always been in agriculture and actively farmed; though there's been a lot of clearing on Hill Rd.

Mr. DePaulo stated north of this property it's been cleared completely and they need, financially, to advertise these lots as 'lake view' lots in order to sell them.

Chairman Ian Murray responded it's going to take a workshop for the Board members to meet and walk through the property and establish the boundary and guidelines that the Board is looking for and to build in the protections. Conversation continued concerning the lots, sight distances of Lots 8 & 9, wetland disturbances, test pits, septic and time lines.

Chairman Ian Murray stated he feels they have a good working plan thus far. He stated there will be no Public Hearing on this matter until April at the earliest since there is still work to be done and SWPPP has not yet been completed. Once everything is completed as requested, the Board will hold a workshop to review all submittals and hopefully come to a happy medium for all concerned. Once that is completed the Board will advertise for a Public Hearing.

Returning

Old Business: None

New Business: The next Joint Workshop is to be held on March 12, 2014 at 7 p.m., though subject to change.

A motion was made by Ian Murray, seconded by Patrick Hanehan to adjourn the meeting at 8:29 p.m. Chairman Ian Murray – aye, Laurie Griffen – absent, Jennifer Koval – absent, Patrick Hanehan – aye, Robert McConnell – absent, Joseph Lewandowski – aye, Brandon Myers – aye. **Carried 4 - 0**
Meeting Adjourned

The next regular meeting will be held Wednesday, March 26, 2014 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk