

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES**

May 23, 2012

Chairman Ian Murray called the meeting to order at 7:33 p.m.

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

Also attending: Town Engineer Ken Martin, Mr. & Mrs. Allen Masten, Mr. & Mrs. Jesse Ashdown, Mr. & Mrs. Kevin VanBuren and other interested persons. (Sign-in sheet is on file in the Planning Clerk's office)

Approval of Minutes: A motion was made by Laurie Griffen, seconded by Robert McConnell to accept the minutes of the April 25, 2012 meeting. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – aye, Patrick Hanehan - absent, Robert McConnell – aye, Joseph Lewandowski - aye, Brandon Myers - aye. **Carried 6 - 0**
Approved

Public Hearing for Minor Subdivision

**Allen & Mary Lou Liptak-Masten #12-03
49 Burgoyne St.
Schuylerville, NY 12871
S/B/L 157-1- 27 Rural Residential
Location: 139 Co. Rd. 338**

Returning Applicants propose a two lot subdivision located at 139 Co. Rd. 338. Lot 1 will be a 4+/- acre parcel and Lot 2 will be a 3+/- acre parcel with the existing house and outbuildings.

Returning Applicant Allen Masten appeared before the Board. Chairman Ian Murray noted that the Applicant had Building Inspector/Zoning Officer Gil Albert perform the perc tests for septic and stated he had no further questions. He then stated they will staple the perc tests results to the survey as an accompanying document because it is not logged on the map.

Chairman Ian Murray asked if there were any questions from the Board; there were none.

Proof of Notice having been furnished by newspaper on May 12, 2012, Chairman Ian Murray opened the Public Hearing at 7:38 p.m., asking those wishing to speak to please stand and state their name and address.

Brian Wrisley, 152 Co. Rt. 338, addressed the Board with concerns of the placement for the future driveway for Lot 1 and is hoping it will not be to the left/north side of the cemetery due to the blind curve there. He stated he'd like to keep that property open forever, wishing someone would find a lot of federal money so no one could ever build on that site. He said one can look directly into the monument from the top of that hill; it's the highest piece of property for miles

around and you can see forever. He reiterated that his first concern is for the safety of anyone pulling onto Rt. 338 from that parcel.

The Applicant stated if and when they build there, he's planning to have the driveway go up along the right side of the property line of this subdivision.

Chairman Ian Murray stated he and Town Engineer Ken Martin will go look at the sight distances and have Jim Vianna plot it on the survey.

With no one else wishing to speak, **Chairman Ian Murray closed the Public Hearing at 7:43 p.m.**

Chairman Ian Murray read the letter from the Saratoga County Planning Board indicating their approval as well as the following comment: *The Applicant will need to meet with Ted Serbalik, Saratoga County DPW, prior to the subdivision so the driveway location can be determined on the plat.*

Laurie Griffen read the short form EAF, line by line, which was completed by the Board. Chairman Ian Murray made a motion, seconded by Laurie Griffen to accept the documents as presented, to declare the SEQR review complete and to make a Negative Declaration. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – aye, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye.
**Carried 6 - 0
Approved**

Chairman Ian Murray made a motion, seconded by Laurie Griffen, to approve the application as proposed, with the exception of the driveway location, which Town Engineer Ken Martin and County Engineer Ted Serbalik will plot. Chairman Ian Murray – aye, Laurie Griffen – aye, Jennifer Koval – aye, Patrick Hanehan – absent, Robert McConnell – aye, Joseph Lewandowski – aye, Brandon Myers – aye. **Carried 6 - 0
Approved**

The Applicant questioned if he is to meet with Mr. Serbalik and Chairman Ian Murray clarified that Town Engineer Ken Martin will meet with County Engineer Ted Serbalik to find the appropriate location for the driveway for Lot 1; they will get that location back to Jim Vianna and he can plot it on the survey.

The Applicant thanked the Board.

Sketch Plan Conference for Subdivision

**Jesse & Kristen Ashdown #12-05
127 Pearl St.
Schuylerville, NY 12871
Location: 1117 Rt. 29
S/B/L 156.-3-10.2 Rural Residential**

**Owners: Norman & Lynn Humiston
1117 Rt. 29
Schuylerville, NY 12871**

Mr. & Mrs. Norman Humiston propose to subdivide a 2+/-acre parcel from their 34+/- acre parcel for their daughter and her family, Applicants Jesse & Kristen Ashdown, so they can build a 3000+/- sq. ft. single family home, located at 1117 Rt. 29.

Applicants Jesse & Kristen Ashdown appeared before the Board and explained that Norman & Lynn Humiston, parents of Kristen, would like to subdivide a 2+/- acre parcel from their 34+/- acre parcel on Rt. 29 so the Applicants can build a new home. They now have four children and one on the way, and after living in the village for the past 10 years they've decided it's time for a more rural location to raise their family. Terry Humiston has prepared the survey and Garry Robinson has completed the soil engineering and they will be applying within the next two days for a curb cut through NYS DOT.

Chairman Ian Murray stated it is critical for the Applicant to have their surveyor map out sight distances for the driveway due to the curve on Rt. 29, and to have him plot the sight distances on the survey.

The Applicant responded they know the proposed location of the driveway is very tricky there, especially if going across Rt. 29 to go toward Saratoga Springs.

Laurie Griffen questioned if they could hook into the current driveway and Chairman Ian Murray said he had the same thought in case sight distances don't work out in the proposed location. The Applicant responded they have thought of that and it's a good idea, though they'd like the option of having a separate drive. Chairman Ian Murray stated in case of resale it is a good option.

Laurie Griffen suggested they may want to have an easement or a deed drawn up just for the entryway of the existing driveway; then veer off with their own.

Chairman Ian Murray also stated they need to have the water notes on their map, deep hole test pit as well. That means digging down 6' - 8' with a backhoe and having that witnessed by an engineer; they also need to provide an engineered septic design. He then stated if the Applicant can have everything completed and back to the Clerk by June 13th we will advertise for a Public Hearing for the June 27, 2012 meeting. The Applicants thanked the Board

Returning

Information

Barbara VanBuren is under contract for 1061 Rt. 29 and would like some guidance on what she can/cannot do with that property.

Barbara and Kevin VanBuren appeared before the Board explaining they would like to turn the former egg farm, located at 1061 Rt. 29 into a landscaping business. They would sell topsoil, mulch, different color stones, patio bricks; more of a hardscape landscape business. There will be no greenhouses and no growing of any plants. Kevin VanBuren handed the Board Members information on the property; there are two parcels. Most of the buildings are located on the smaller parcel and will be used for their products and the house will be used for an office and storage, although they may have a brother live in the house for security purposes. Chairman Ian Murray stated they cannot do that; it's not allowed due to the town's multiple use law. The VanBuren's said that's fine; they'll have a security system put in.

Chairman Ian Murray stated they need to contact NYS DEC due to the wetlands there and told them there is a 100' buffer from the edge of the stream that has to be protected, so it's important they contact them. The VanBuren's said they have no intention of using that portion of the property and Chairman Ian Murray reiterated they need to investigate that with NYS DEC if they want to move forward with this. Chairman Ian Murray stated this can fit as a retail business and

if they want to go forward with a special use permit for that business, they'd have to have the current owner apply for the permit for them; special use permits can only be in the name of the property owner.

They thanked the Board.

Old Business: Robert McConnell questioned if the cell tower application is returning and Chairman Ian Murray responded if they complete what is required we may see them next month.

New Business: The Board was pleased that the Z.B.A. is on board with conducting a joint workshop to review certain zoning regulations. Since this is the busiest time for certain Planning Board Member's businesses, they'd like to hold the workshop in the fall.

Chairman Ian Murray made a motion, seconded by Jennifer Koval to adjourn the meeting at 9:07 p.m. Chairman Ian Murray – aye, Jennifer Koval – aye, Robert McConnell – aye, Laurie Griffen – aye, Patrick Hanehan – absent, Joseph Lewandowski – aye, Brandon Myers – aye.

Carried 6-0

Meeting Adjourned

The next meeting will be held Wednesday, June 27, 2012 at 7:30 PM.

Respectfully submitted,

Linda A. McCabe
Planning Clerk