

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MINUTES
October 28, 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 – absent and Alternate Joseph Lewandowski – present.

Chairman Ian Murray elevated Alternate Joseph Lewandowski to full voting status due to the absence of three board members.

Also attending: Town Engineer Ken Martin and other interested persons.

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

Approval of Minutes: A motion was made by Robert Park, seconded by Robert McConnell to accept the minutes of the September 21, 2009, September 23, 2009 and October 21, 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 – absent, Alternate Joseph Lewandowski - aye. **Carried 5 - 0**

Approved

Board Members Jennifer Koval and Laurie Griffin arrived at 7:33 p.m.

Subdivision Sketch Plan Conference

**David and Rebecca Howard
121 Co. Rt. 338
Schuylerville, NY 12871
S/B/L 157.-1-25.211 Rural Residential**

Applicants propose to subdivide their 12.02± acre parcel into two lots; Lot 1 will be 8.87± acres, remaining in agriculture and retained by the Howard's. Lot 2 will be a 3.15± acre parcel; with the existing house and other buildings, and will be for sale.

Jim Vianna appeared before the Board on behalf of the Applicants. He stated the Applicants have been trying to sell their house but with the economy today, they have been unsuccessful. They do, however, have a buyer interested in purchasing the house with a smaller lot, not the entire parcel, therefore they would like to subdivide and sell the house with 3.15+/- acres as Lot 2 and retain the 8.87+/- acres as Lot 1 and keep it in agriculture. They meet all the zoning requirements and Jim Vianna will put an agricultural note on the survey map. Chairman Ian Murray stated there is an existing septic and well, so this Board will schedule a Public Hearing for next month, November 18, 2009.

Returning

Special Use Permits Pre-Submission Conference

Michelle McClure and Andrew Sheeran

178 Co. Rt. 69

Schuylerville, NY 12871

S/B/L 182.-2-16 Rural

Applicants are seeking a special use permit to open a Bed & Breakfast, located at 178 Co. Rt. 69, Schuylerville, NY.

The Applicants appeared before the Board explaining they would like a special use permit to open a Tourist House/Bed & Breakfast. They would be operating most of the year but closed from April 25th through July 4th. They questioned the Board on many aspects of their proposal, such as: are there any tax implications by getting a Special Use Permit, would they need a liquor license if serving wine with the dinners for guests, would they need a license to serve dinners, do they need to contact Dept. of Health (DOH) or NYS Liquor Authority. Chairman Ian Murray and Engineer Ken Martin told them DOH and DEC would surely be involved and they need to contact the NYS Liquor Authority concerning the liquor questions. Laurie Griffen stated that she felt a lot of their answers will depend upon how many rooms they would be using; she also added they should check with other local Bed & Breakfasts (B & B) and the B & B Association for some good guidance; most of their proposal requires answers from the state. Chairman Ian Murray added that a front setback variance is needed otherwise they meet all regulations of the Town. Town Engineer Ken Martin stated they need to check and see if septic systems are different for a B & B than for residential; they can check with DEC or DOH for that answer. Chairman Ian Murray then explained that since they need a variance, the Board can deny them tonight and send them to the ZBA for the 25' variance. Pending ZBA approval, the Applicants will come back before this Board and they will need to supply a site plan for parking and show the well location and septic location.

Pending the outcome of ZBA, this Applicant will return for Public Hearing in December.

Patrick Hanehan made a motion, seconded by Robert Park to deny and send to the Zoning Board of Appeals for the 25' front setback variance. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – present, Patrick Hanehan – aye, Paul Griffen – absent, Robert McConnell – aye, Jennifer Koval – present, Alternate Joseph Lewandowski - aye. **Carried 7 - 0**
Denied, sending to ZBA.

Walter and Lisa Taras

182 Co. Rt. 69

Schuylerville, NY 12871

S/B/L 182.-2-15.112 Rural

Applicants are seeking a special use permit to construct a 30' x 28' general store with two apartments above it, located at 173 Co. Rt. 69, Schuylerville, NY. Each apartment will be 1300 sq. ft.

Applicant Walter Taras appeared before the Board explaining that he would like to build a store with two apartments above it. Chairman Ian Murray stated that the Applicant can have a two family structure, but not a store. This property is in the rural district and there is no permitted use for a retail store allowed; Board Member Robert Park added that multi-use is not allowed in the rural district either. After a short discussion between the Board and the Applicant, it was decided that the Applicant would have to go before the Town Board for a Planned Unit Development if he wants to continue with this plan.

The Applicant rescinded his application.

Old Business: None

New Business: None

Patrick Hanehan made a motion, seconded by Laurie Griffin, to adjourn the meeting at 7:56 p.m. Chairman Ian Murray – aye, Robert Park – aye, Laurie Griffen – aye, Patrick Hanehan –aye, Paul Griffen – absent, Robert McConnell –aye, Jennifer Koval – aye, Joseph Lewandowski - aye.
Carried 7 – 0

Meeting Adjourned

The next meeting will be held November 18, 2009 at 7:30 PM.

Respectfully submitted,

Linda McCabe
Planning Clerk