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**Town of Sand Lake
Planning Board Minutes
August 1, 2018**

The minutes, as follows, are intended to provide a general summary of the Agenda items and Public Hearings. Quotes presented are not verbatim, nor is all discussion which occurred presented herein. This document should not be relied upon as a transcript of the actual proceedings. The transcript of this meeting has been recorded and is available at the Town Hall.

CALL TO ORDER: Ralph LaMontagna, Vice Chairman, called the meeting to order at 7:30 PM

MEMBERS PRESENT: Dominick Bates, David King, Jonathan Bernstein, Michael Groff, Mary Ellen Trumbull and Lawrence Howard, Esq.

MEMBER ABSENT: Arthur Herman

OTHERS PRESENT: Luke Shea, Lori Shea and Geoffrey Mohos

RECORDING CLERK: Karol O’Sullivan, Clerk for the Planning Board and ZBA

Minor Subdivision Application and Public Hearing

Luke Shea

#5 and #9 Tin Can Alley

Averill Park, NY 12018

R – Residential Zoning District

A Minor Subdivision Application to subdivide a lot, which has two existing dwellings on it, into two lots.

Tax Map #148.3-6-35

Lot Size: .48 acres

Lot 1 - 6,404 sq. ft.

Lot 2 – 8,265 sq. ft.

Ralph LaMontagna (RL) explained the Planning Board (PB) had previously reviewed the Minor Subdivision Application at a prior meeting receiving information about the request. RL asked Dominick Bates (DB) to read the Public Hearing Notice. RL motioned to open the Public Hearing Notice at 7:33 PM. Mary Ellen Trumbull (MET) seconded the motion and all approved. With no one in the audience to make public comment, RL motioned to close the Public Hearing at 7:34 PM.

Luke Shea presented before the PB. RL explained that the Sheas built their house on a small lot next to his parents’ home and now want to separate the deeds so his parents could sell their property when they wish. Mr. Shea explained his parents are aging and may wish to sell their house and move somewhere more appropriate for them. He said he and his wife wish to stay in their house on the property and just want to do the subdivision to allow for his parents to sell while they remain there. He said the two houses have separate wells, sewer hookups and driveways. RL asked the PB for comments/questions. All said the application was straightforward.

RL made a motion to declare this Minor Subdivision Application as an unlisted action under SEQR, declaring the Town of Sand Lake Planning Board to be the Lead Agency. Met seconded the motion

and all approved. RL made a motion to give this action a negative declaration under SEQ. He stated that the Town of Sand Lake Planning Board, as Lead Agency, has determined from the information presented and ensuing discussion, the proposed activities will not present a significant adverse effect on the environment. DB seconded the motion and all approved. RL made a motion to grant approval to the Minor Subdivision Application, as presented, granting preliminary and final approval of the plan and waived the final hearing. The signed maps and a new deed for each parcel as adjusted should be recorded with the Rensselaer County Clerk within 60 days of the maps being signed by an Authorized Representative of the Town of Sand Lake Planning Board. MET seconded the motion and all approved.

Conceptual Discussion Regarding a Minor Subdivision

Geoffrey Mohos

33 Zack Lane

Averill Park, NY 12018

R – Residential Zoning District

A conceptual discussion regarding a proposed minor subdivision.

Tax Map #169.2-1-47.111

Lot Size: 10.42 acres

Geoffrey Mohos presented before the PB stating he has a lot he wishes to subdivide. He explained he came before the PB in 2002 and received approval to subdivide his land. (The PB reviewed copies of his 2002 subdivision map as well as his proposed new subdivision layout.) Mr. Mohos said he recently had discussions with the Town Planner (Monica Ryan) about a new proposed subdivision of his Lot 1 and she explained to him that he may not have sufficient road frontage to do his new subdivision. He said in 2002 his lawyer and everyone involved said that his properties (Lots 1 and 3 on 2002 survey map) would have access to Zack Lane. He said Monica Ryan’s concern is regarding sufficient road frontage even though the 2002 subdivision was approved. The PB tried to absorb the 2002 subdivision map and the proposed new subdivision map as they asked questions of Mr. Mohos. He explained that he obtained Lot 1 and Lot 3 from the 2002 subdivision. Lot 2 was purchased by his neighbors, the Reeds. He explained his house is on Lot 1A on the new proposed subdivision map and he would like to sell the new Lot 1B if the new subdivision was approved. He also shared concern about his Lot 3 on the 2002 subdivision map and whether it would have access from Zack Lane.

The PB and Lawrence Howard (LH) continued to look at the 2002 subdivision map and how Zack Lane runs through the properties. Mr. Mohos stated he owns 110’ of property on each side of Zack Lane and the easement is 60’ wide. The PB and Mr. Mohos discussed that Zack Lane runs right through his property and the sewer easement runs up to 50’ from Gundrum Point. They also discussed whether the Town considers Zack Lane to be a Town road as they do snow plow the road. Mr. Mohos showed the PB how far Zack Lane has been paved by the Town and how crusher run then continues on through his property over the easement.

Looking at the proposed subdivision, the PB noted that Lot 1B has road frontage from 2nd Dyke Road. LH advised the PB and Mr. Mohos that an Area Variance could be sought from the ZBA for insufficient road frontage for Lot 1A if the PB deemed the proposed subdivision could move forward.

The PB, LH and Mr. Mohos discussed next steps. All wanted confirmation that Zack Lane is considered a Town road. Mr. Mohos said he wanted confirmation from the PB that the 60’ wide easement through Lot 1A, through Lot 2 (owned by the Reeds) and to Lot 3 (which he may wish to sell). LH stated that may be a question for a private attorney. The PB and LH continued to debate the easement access to Lot 3. Pavement of the easement further was also discussed. It was recommended that further discussion take place with Monica Ryan and whether the Area Variance should be pursued.

MINUTES –

OTHER BUSINESS – Mary Ellen Trumbull requested a discussion at next meeting regarding a system by which the PB could place time stamps on their conditional approvals to ensure that Applicants follow through on completing such conditions. LH advised that time limitations could be established but ultimately it would be the responsibility of Code Enforcement to ensure such conditions are completed.

ADJOURNMENT

AH motioned to adjourn the meeting at 8:07 PM. MET seconded the motion and all approved.