

**Town of Sand Lake
Planning Board Minutes
December 1, 2021**

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: Arthur Herman, Chairman, called the meeting to order at 7:30 PM

MEMBERS PRESENT: Ralph LaMontagna, Michael Groff, Mary Ellen Trumbull, Rick Giolito, Jonathan Bernstein, Andrew Karl, Craig Crist, Esq.

MEMBER ABSENT:

OTHERS PRESENT: Kevin McGrath, Doug & Nancy Worden

RECORDING CLERK: Laura Fedoreshenko, Clerk for the Planning Board and ZBA

Minor Subdivision Application and Public Hearing

Sandra Deacon, Trustee (Applicant/Property Owner)
140 Old Route 66
Averill Park, NY 12018
RR – Rural Residential

Tax Map #: 148.-7-25.2
Original Lot Size: 2.387 acres
Lot 1 Size: 1.371 acres
Lot 2 Size: 1.016 acres

A Minor Subdivision application to create one new residential lot from an existing residential property.

Surveyor Kevin McGrath represented the project and summarized the project which was initially presented at the November 17, 2021 Planning Board (PB) meeting. With no questions from the Board members, Arthur Herman (AH) motioned to open the Public Hearing at 7:35pm; seconded by Michael Groff (MG) and all approved. Ralph LaMontagna (RL) read the public hearing notice that was published in the Troy Record and the Advertiser. Ms. Worden asked if the proposed subdivision met the Zoning code with regard to lot size. AH replied yes as the proposed subdivision would be over an acre. Ms. Worden asked for clarification of the project in relation to her home. Mr. McGrath referred to the survey map and outlined the proposed subdivision. Ms. Worden was concerned with the water runoff and Mr. McGrath stated that the direction for the flow of drainage from the property was towards the road. It was explained by Board members that the only project before them was the proposed subdivision and that any future building of a dwelling on the vacant lot would not be in their jurisdiction but rather the Building Inspector. With no further written or in-person public comments received, AH motioned to close the Public Hearing at 7:42pm; seconded by MG and all approved.

AH motioned to classify the project as an Unlisted Action under SEQR and declared the Town of Sand Lake Planning Board as Lead Agency; seconded by RL and all approved. AH motioned to give this action a Negative Declaration under SEQR. 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. The motion was seconded Mary Ellen Trumbull

(MET) and all approved. AH motioned to approve 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 motion was seconded by RL and all approved.

Boundary Line Adjustment Application

David Trickey & Elizabeth Wilkins (Applicant/Donor Parcel)
First Dyke Road
Averill Park, NY 12018
R – Residential

Tax Map #: 158.-3-10
Original Lot Size: 4.72 acres
Proposed Lot Size: 2.71 acres

AND

David Trickey & Elizabeth Wilkins (Receiving Parcel)
9 First Dyke Road
Averill Park, NY 12018
R – Residential

Tax Map #: 158.-3-9
Original Lot Size: 13.54 acres
Proposed Lot Size: 15.55 acres

A Boundary Line Adjustment Application for a donor parcel of 4.72 acres to donate 2.01 acres to a receiving parcel of 13.54 acres which will result in a donor parcel of 2.71 acres and a receiving parcel of 15.55 acres.

Surveyor Kevin McGrath represented the project. The survey map was viewed and Mr. McGrath explained that the applicants owned a home on 1st Dyke Road with 13 acres. He added that the Trickey's had purchased an adjacent lot several years later which also had a home on it. Mr. McGrath stated that his clients planned to the sell the home that existed on the 4-acre lot; however prior to doing so, wished to do a Boundary Line Adjustment (BLA) to add 2 acres from the back of it to the 13 acre lot. He added that the existing road frontage would remain the same and added that the area was served by the Town sewer.

With no questions from Board members, AH motioned to classify the project as a Type 2 Action under SEQR and declared the Town of Sand Lake Planning Board as Lead Agency; seconded by MG and all approved. AH motioned to approve this Boundary Line Adjustment, as presented. The motion was seconded by MET and all approved.

Boundary Line Adjustment Application

Dennis Tremont & Kelly Millett-Wilson (Applicant/Receiving Parcel)
202-204 Eastern Union Turnpike
Averill Park, NY 12018
R – Residential

Tax Map #: 159.4-1-11
Original Lot Size: 1.59 acres
Proposed Lot Size: 1.66 acres

AND

Richard Rusin (Property Owner/Donor Parcel)
208 Eastern Union Turnpike
Averill Park, NY 12018
R – Residential

Tax Map #: 159.-3-1
Original Lot Size: 37.89 acres
Proposed Lot Size: 37.82 acres

A Boundary Line Adjustment Application for a donor parcel of 37.89 acres to donate 0.07 acres to a receiving parcel of 1.59 acres which will result in a donor parcel of 37.82 acres and a receiving parcel of 1.66 acres.

Surveyor Kevin McGrath represented the project and explained that the applicant had purchased the property approximately a year ago from Wally Bryce and it had consisted of two dwellings on it (a main house and small cottage) and, a third "camp" had been demolished after it was unsafe. He summarized that at the time, Mr. Bryce had wanted to keep a portion of the property that was the old camp site. As such, Mr. Tremont had proposed to split the lot keeping the main house and cottage on one lot and creating a second lot which Bryce would retain. It was explained that the prior proposed split required area variances as the new lot would be both undersized, shy on lot width and had a question of possible wetland. Since that time, Mr. Tremont decided to hold on moving forward with the proposed minor subdivision and subsequently ended up purchasing the whole parcel from Mr. Bryce. Mr. McGrath stated that, at this time, his client was seeking to obtain additional vacant land from a neighbor which would add property frontage and square feet to his lot.

AH motioned to classify the project as a Type 2 Action under SEQR and declared the Town of Sand Lake Planning Board as Lead Agency; seconded by MG and all approved. AH motioned to approve this Boundary Line Adjustment, as presented. The motion was seconded by MET and all approved.

Boundary Line Adjustment Application

Dennis & Katherine Stewart (Applicant/Donor Parcel)
11 Morlock Drive
West Sand Lake, NY 12196
R – Residential

Tax Map #: 147.3-1-6.1
Original Lot Size: 1.74 acres
Proposed Lot Size: 1.66 acres

AND

Dennis & Katherine Stewart (Receiving Parcel)
17 Morlock Drive
West Sand Lake, NY 12196
R – Residential

Tax Map #: 147.3-1-6.2
Original Lot Size: .69 acres
Proposed Lot Size: .77 acres

A Boundary Line Adjustment Application for a donor parcel of 1.74 acres to donate 0.08 acres to a receiving parcel of .69 acres which will result in a donor parcel of 1.66 acres and a receiving parcel of .77 acres.

Surveyor Dan Peeters represented the project. The survey plat was viewed and Mr. Peeters stated that his clients owned both parcels. He explained that the Stewart's had a home on the larger parcel and the smaller parcel had a home on it that was rented out for which the tenant wished to purchase. He stated that the tenant, prior to purchasing, wanted to ensure there would be enough room to back out of the garage without encroaching on the Stewart's side property line; thus, was the reason for the proposed BLA. Mr. Peeters added that the existing shed was currently utilized by the tenant. He also explained that the septic line to the smaller lot currently crossed the property line; however, the proposed BLA would also correct that issue. Mr. Peeters stated that the donor lot did not meet the 3:1 lot depth to width ratio however was an existing situation which would not be made worse by the proposed BLA as the width is measured at the 50' front setback line and the BLA was behind that line. AH noted that the proposed BLA would make the smaller lot a bit more conforming.

AH motioned to classify the project as a Type 2 Action under SEQR and declared the Town of Sand Lake Planning Board as Lead Agency; seconded by MG and all approved. AH motioned to approve this Boundary Line Adjustment, as presented. The motion was seconded by RL and all approved.

RESOLUTIONS FOR APPROVAL

- Site Plan Review for Matt Baumgartner- June Farms
AH motioned to waive the full reading of the draft Resolution; seconded by MET and all approved.
AH motioned to approve the Resolution in its entirety; seconded by RG and all approved.
- Site Plan Review for David Leckonby – Leckonby’s Autoworks
AH motioned to waive the full reading of the draft Resolution; seconded by RG and all approved.
AH motioned to approve the Resolution in its entirety; seconded by MET and all approved.
- Site Plan Review for Rensselaer Plateau Alliance
AH motioned to waive the full reading of the draft Resolution; seconded by MET and all approved.
AH motioned to approve the Resolution in its entirety; seconded by RL and all approved.

ADJOURNMENT – MET motioned to adjourn the meeting at 8:00pm; seconded by AH and all approved.