

**Town of Sand Lake
Planning Board Minutes
February 19, 2020**

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: Michael Groff, Mary Ellen Trumbull, Jonathan Bernstein, Rick Giolito, William Glasser, Craig Crist

MEMBER ABSENT: Arthur Herman

OTHERS PRESENT: David Douttiel, Karen Clickner Douttiel, William Kullman, Jack Paris, Jim Bonesteel, Lorraine Ferguson, Bruce Sowalski, Mike Essenter

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

Minor Subdivision Application – Preliminary Plat and Public Hearing

Roland LeBarron (Property Owner)	Tax Map #149.-2-2.1
640 Taborton Road	Lot Size: 143.32 acres
Sand Lake, NY 12153	Lot 1: 21.51 acres
RR – Rural Residential Zoning District	Remainder - 121.81 acres

A Minor Subdivision Application to subdivide a 143.32-acre lot into two lots.

Jeffrey Briggs of the Rensselaer Plateau Alliance (RPA) presented on behalf of Roland LeBarron. Mr. Briggs stated that Mr. LeBarron wished to retain 21 acres and donate the remainder of land to the RPA for conservancy purposes. Rick Giolito (RG) noted it was a rural area and asked where parking was at this time for the RPA. Mr. Briggs replied that they have between 6 and 10 parking spots just in off the road. Jim Bonesteel, Executive Director of the RPA stepped forward and explained that as the donation of this land was brought to their attention recently, they would invite the neighborhood to a community meeting to create a committee of the neighborhood to discuss future plans for the land. With no further questions, Michael Groff (MG) read the Public Hearing Notice. At 7:38 pm, Ralph LaMontagna (RL) opened the Public Hearing for comment. Karen Clickner Douttiel and Kevin Douttiel stepped forward. Ms. Douttiel stated that they lived diagonally and asked if there was going to be another driveway to the 21-acre lot. RG replied the existing driveway would be the only one into that lot. Ms. Douttiel then asked if there would be deed restrictions on the proposed 21-acre lot or could it become additional lots and would there be any deed restrictions on the RPA property. Mr. Bonesteel replied for the RPA land and stated that typically there are no restrictions on the deed itself. He explained that the RPA was a not-for-profit organization and would be accepting this land as a donation with the donor's intent that it be conserved as open land in perpetuity. He added that with that restriction the RPA is required to hold that land as undeveloped forest land into the future. RL asked Mr. Bonesteel if it was fair to say that was the mission

of the RPA for which Mr. Bonesteel agreed. Mr. Bonesteel concluded that this property may end up having a kiosk, signage and some trails but that would be it. RG then addressed the question regarding subdivision for the 21-acre parcel and stated that anyone could come before the Planning Board to request a subdivision of property. Ms. Douttiel then asked for the RPA land, was there plans to eradicate erosion into Big Bowman, would any porta-john be placed on the property and how would the parking lot be utilized. RL replied that the task at hand was to look at the Subdivision of land and was not a Site Plan Review. He explained that if something was to be built, the RPA would come into the Planning Board with a Site Plan Review where those issues would be addressed with the public. Ms. Douttiel replied that she understood and stated she had no objection to the proposed two-lot subdivision. Mr. Bonesteel added that Ms. Douttiel, along with other neighbors, would be invited to the future community meeting to help them figure out the areas of concerns she had raised and hoped they would stay involved. Mr. Bonesteel then replied to the question on erosion and stated if it was coming from the property being donated, it would be something they would address as part of their mission is to protect the environment. RG asked if the erosion was in effect before the logging. Ms. Douttiel replied not a prevalent as now and believe that logging is what that caused the erosion. Mr. Douttiel added that it had increased quite a bit. Mr. Bonesteel spoke of the restroom facilities and stated he had not envisioned that for this property however their other sites have a concrete vault system that are pumped out as needed. He added that this was also something that could be discussed when the committee was formed as there could be grants to help cover the cost. RG asked if the RPA did selective wood cutting and logging. Mr. Bonesteel replied yes and it would depend on the property. RL stated that it was a positive to see that both parties had the same goal in mind which was to preserve the land. With no further comments from the public, RL motioned to close the Public Hearing at 7:49 pm; seconded by MG and all approved. RL motioned to declare the Town of Sand Lake Planning Board as the Lead Agency; seconded by RG and all approved. RL motioned to classify this project as a Type 2 under SEQR; seconded by MG and all approved. RL motioned to grant preliminary and final approval for the Minor Subdivision as submitted; seconded by MET and all approved.

Special Use Permit

Brian Banks
39 Holloway Lane
Averill Park, NY 12018
RR – Rural Residential Zoning District

Tax Map #147.-2-10.11

Lot Size: 2.9 acres

A Special Use Permit Application to construct a 500-600 sq. ft. accessory dwelling unit on the property.

Contractor Mike Essenter stated he was representing the Banks. Mr. Essenter explained that he was contracted to build an accessory dwelling for the Banks. RL asked if it was a flag lot for which Mr. Essenter agreed. Mary Ellen Trumbull (MET) asked if it would be like an in-law-apartment on the back. Mr. Essenter agreed and stated that to the best of his knowledge, all the setbacks was met. PB members then asked Mr. Essenter if he had brought more detailed site plan information as the copy they had received only indicated an “X” for the placement of the new accessory dwelling unit. RL asked if there was anything to show what the building would look like. Mr. Essenter handed out renderings of what the finished product would resemble. MET asked if it would be a standalone building for which Mr. Essenter replied yes. RL asked the square footage for which Mr. Essenter responded it would be 600 sq. ft. William Glasser (WG) stated that the Town’s Zoning regulation required a site plan for the proposed project that would reflect items such as: location of the new dwelling, distance from other building and distance from the septic system. WG then asked if the current site plan could be updated to reflect those items for Mr. Essenter replied that it could be

done. WG then asked if the existing septic system would be sufficient to accommodate this new dwelling. Mr. Essenter replied he believed so as the tank was 1,000 gallons and the main house had three bedrooms and this project would only add one more bedroom. WG then stated the leach field would also need to be considered. RL stated that the PB would need specific information added to the site plan to reflect the items mentioned by WG. RL then asked about lighting for exterior of the building. Mr. Essenter replied most there would be lighting at the front steps. RL stated that any exterior lighting should be project downward rather than to the sky or neighbors. Mr. Essenter stated that Michael Wager had visited the property and indicated that the setbacks and layout looked feasible for the construction of the new dwelling. RL stated that while was positive, he felt the PB members needed more information as to the actual layout. RL then asked the PB members if more specifics were needed versus the general layout for which RG replied yes and stated that the well should also be tested for accommodating the new dwelling with a kitchen and washing machine. RL asked Mr. Essenter when he could have the requested information. Mr. Essenter replied that he could have it by the end of the week. RL then motioned to declare the Town of Sand Lake Planning Board as the Lead Agency with no other interested or involved agencies seconded by MET and all approved. RL then motioned to set the Public Hearing for March 4, 2020 based on all requested information being received; seconded by RG and all approved.

Scenic Preservation Review Application

Janice and William Kullman`

28 Lawson Road

Sand Lake, NY 12153

RR – Rural Residential Zoning District

Tax Map #149.11-2-6

Lot Size: .57 acres

A Scenic Preservation Application to remove existing 13' x 16' porch on dwelling and add a new 11' x 16' addition on the dwelling to create a new 24' x 16' room.

William Kullman presented and stated that the proposed project was to remove an existing porch located on the side back of the house and add an addition to allow for a larger kitchen, laundry facility and a sitting area. RL asked if the new kitchen area would be where the current porch was for which Mr. Kullman replied yes. MET stated that while the 13 x16 porch was to be removed, would the overall result be 24' x 16' when the 11' x 16' addition was completed. Mr. Kullman replied yes. RL asked what the distance was from the property line for which Mr. Kullman replied 60'. WG and RL asked about distance from the back corner. Mr. Kullman replied that while he did not have a number, he believed it to be pretty far back as there was a steep slope and easement on right side for lake access and approximated it at 65'. PB members asked the property line distance to the neighbor and the site plan was reviewed to specify. Mr. Kullman replied that while he was unaware of that distance, the footprint on that side of the house would not change nor become any closer. MET asked if it was a seasonal dwelling, RG replied yes. RG asked if any trees would be removed. Mr. Kullman relied that there was one at the front door that has been a threat and would be only one tree that would need to be removed – a site plan picture was reviewed to identify the tree. RL asked Mr. Kullman if he was willing to replace it with another tree on the property for which Mr. Kullman agreed. With no further questions, RL motioned to declare the Town of Sand Lake Planning Board as Lead Agency with no other interested or

involved agencies; seconded by MG and all approved. RL motioned to declare this Scenic Preservation Application as a Type 2 action under SEQR; seconded by MET and all approved. RL motioned to approve the Scenic Preservation Application as submitted and subject to the following conditions: 1) while under construction; proper precautions will be taken to prevent any discharge of sediment into the Lake and proper erosion controls will be put in place to prevent future erosion into the Lake; 2) a tree be planted onto the property to replace the one approved for removal. This motion was seconded by MET and all approved.

DRAFT RESOLUTION APPROVALS:

MINUTES – Jonathan Bernstein (JB) motioned to approve the November 20, 2019 minutes as submitted; seconded by WG and motion carried by RL and RG. MET and MG abstained due to absence.

ADJOURNMENT – MET motioned to adjourn the meeting at 8:24 pm; seconded by MG and all approved.