

**Town of Sand Lake  
Planning Board Minutes**

**January 3, 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:** Arthur Herman, Chairman, called the meeting to order at 7:30 PM

**MEMBERS PRESENT:** Dominick Bates, Jonathan Bernstein, Michael Groff, Ralph LaMontagna

**MEMBER ABSENT:** David King and Lawrence Howard, Esq.

**OTHERS PRESENT:** Bill Glasser, Joshua Macey, Jeff Mahar, Bill Macey, Cynthia Jones, Bruce Curtis, George Balogh, Sophia Morrell, Danielle Sowalski and Monica Ryan

**RECORDING CLERK:** Karol O’Sullivan, Clerk for the Planning Board and Zoning Board of Appeals

Art Herman (AH) asked Ralph LaMontagna (RL) to read the Public Hearing Notices for the evening’s agenda.

**Special Use Permit and Public Hearing**

Bruce Curtis and Cynthia Jones

10 Birds Hill Road

Averill Park, NY 12018

AR – Agricultural/Residential Zoning District

**Tax Map #169.-2-16.12**

Lot Size: 6 acres

A Special Use Permit Application to build an under 800 sq. ft. accessory, dwelling.

Cynthia Jones and Bruce Curtis presented before the PB stating they are looking to put an accessory dwelling on their property where they already have their primary home. They are planning a prefabricated, 800 sq. ft. or less building. AH asked if the building would be used on a temporary basis and Ms. Jones said yes, but for now it would be used 365 days per year.

With no other questions from the PB, AH opened the Public Hearing at 7:32 PM. Dominick Bates seconded the motion and all approved. With no public comment, AH closed the Public Hearing at 7:33 PM. RL seconded the motion and all approved.

RL stated he understood the accessory dwelling was to help someone who is ill and then asked what would the accessory dwelling be used for when no longer needed for the ill person. Ms. Jones said they would either live there themselves, rent it or run a business out of it. Mr. Curtis explained he is

older than Ms. Jones and that possibly one day she would move into it and have their younger generations take over the house.

AH stated the SEQR process was started at the previous meeting, stating it was an Unlisted Action under SEQR. AH made a motion 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. A determination of non-significance will be recorded and a Draft Environmental Impact Statement need not be prepared. DB seconded the motion and all approved. AH made a motion to grant approval to this Special Use Permit Application, as submitted. Michael Groff seconded the motion and all approved.

**Minor Subdivision Application and Public Hearing**

Joshua Macey (Applicant)

**Tax Map #160.-1-22.3**

Thomas and Geraldine Adams (Property Owner)

127 Momrow Road

Averill Park, NY 12018

Lot Size: 74.34 acres

RR - Rural/Residential Zoning District

A Minor Subdivision Application to subdivide a 74.34-acre lot into two 34.17-acre lots.

Bill Glasser (BG) presented before the PB representing Joshua Macey. BG explained they are re-subdividing Lot 3 from the 6-lot subdivision created in 2000. He said Lot 3 would be subdivided into 2 34-acre lots. BG said they had received the ZBA's approval for an area variance for insufficient road frontage on the two lots as well as the 3:1 ratio.

AH motioned to open the Public Hearing at 7:36 PM. DB seconded the motion and all approved. With no public comment, AH motioned to close the Public Hearing at 7:37 PM. RL seconded the motion and all approved.

RL said he wanted to make a statement regarding the shared driveway proposed for the two lots at the prior meeting. He explained he had raised concerns at the meeting and just wanted to say that after hearing all the explanations at the prior meeting, he wanted to go on record as withdrawing his concerns for the shared driveway, because there is sufficient land to create a second driveway. Any future problems with the shared driveway could be resolved because there is sufficient land to create a second driveway.

AH stated he started the SEQR process at the prior meeting stating it was an Unlisted Action under SEQR. AH made a motion 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. MG seconded the motion and all approved. AH 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. DB seconded the motion and all approved.

**MINUTES** – AH asked if anyone had comments on the December 6, 2017 minutes. RL motioned to approve the minutes as submitted. AH seconded the motion and all approved.

**OTHER DISCUSSION** – Monica Ryan (MR) explained that the PB has been provided with the Guide to NYS Planning Board and ZBA Law. MR said that anything that is not in our Zoning may be covered by the State Law. She said she uses it about once per month. She said the State Law is a minimum and anything in our Town Zoning that may be silent can be found in the State Zoning Law.

**ADJOURNMENT**

AH motioned to adjourn the meeting at 7:45 PM. MG seconded the motion and it was unanimously approved.