

**Town of Sand Lake
Planning Board Minutes
June 20, 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: Ralph LaMontagna, Dominick Bates, David King, Jonathan Bernstein, Michael Groff, Mary Ellen Trumbull and Lawrence Howard, Esq.

MEMBER ABSENT:

OTHERS PRESENT: Bonnie Cook, Michelle Elliot, Rob Harris, Diane DuBlois, John Butkus, Jenny Butkus, Crystal Walters, Ann Morris, Rich Keyesswy and Monica Ryan

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

Site Plan Review Application and Public Hearing

Arts, Letters and Numbers, Inc.
1525 and 1543 Burden Lake Road
Averill Park, NY 12018
HMU – Hamlet Mixed Use Zoning District

Tax Map #159.1-1-21.4/159.1-2-26

A Site Plan Review Application regarding proposed parking and pedestrian linkage improvements for the site.

Craig Tripp (CT) presented before the Planning Board (PB), explaining he is the Civil Engineer and Landscape Architect for the project. He explained the project involves site improvements to support and compliment the building renovations which consists of pedestrian access improvements and vehicle parking connection to existing shared parking up the road from the Arts, Letters and Numbers (ALN) building. CT referenced the conceptual plans he had on a display board. He explained that the building is up tight to Burden Lake Road and on the east side of the building there is a flat area on which they plan to construct a new parking lot with 12 spaces which includes two handicapped accessible spots. This location will serve as the handicapped accessible area for parking and access into the building. Together with the shared parking up the road, a crosswalk is planned over Burden Lake Road leading to a walk path that will traverse along the bank leading to the building with stairs to the new parking lot and building.

CT explained some architectural renovations are planned for the existing barn on the hill to convert it to an open-air pavilion and gathering space. He summarized by saying these plans were the purpose of the discussion tonight. He explained while developing the design, they are also thinking of improvements to the terrain around the pavilion to add additional parking which would give them an additional 16 parking spots for a total of 28 parking spots on the parcel. He said they planned another set of stairs from that area down to the

building where they hoped to eventually connect a pedestrian bridge to the second floor of the building. He said drainage improvements, bollard pathway lighting and parking lot lighting were planned.

CT referenced the questions the PB raised at the prior meeting. He asked if the PB had received the new Conceptual Site Plan and Conceptual Drainage Plan documents recently sent in. The PB confirmed having the documents in front of them. CT discussed the bollard lights and parking area lights shown on the Conceptual Plan. He said ALN was asked to confirm how many cars could be parked in the shared parking lot up the road. CT stated 46 cars could fit in the lot. CT walked the PB through the Conceptual Drainage Plan outlining the drainage to the existing County storm structure. He mentioned PB questions regarding the surface of the path. He said ALN doesn't want to do a lot of paving on the property, but recognized parking areas would need some pavement for handicapped accessibility. He said the drainage for the pathway would be pitched to the back with a small French drain on the upper side. He said the surface of the walkway would be stone dust which would serve as a foundation for any future plans of paving the path.

Art Herman (AH) said the PB had done a site visit and saw the pathway was quite a distance from the road. He asked if the crosswalk would be located near the driveway of the house on the hill. CT said they would have to do some topo surveying and coordinate with Rensselaer County to determine the actual location. Dominick Bates (DB) stated the walkway was in a steep area and asked what the steepest slope was. CT said they wanted to stay at a longitudinal slope of 5 percent or less threshold. DB said that was a good idea. CT stated some of the pathway had already been started. Ralph LaMontagna (RL) addressed the crosswalk and discussions about having someone manage folks crossing safely. He asked if there was a plan to ensure that no one parks on Burden Lake Road. He said the new plan was an excellent improvement to shuttling people in from another parking site but wanted to know if there were any plans for making sure parking on Burden Lake Road does not happen. There was some discussion of the County putting "no parking" signs up and CT said the nature of the road itself would not allow for parking. RL stated there was potential for parking on the road and ALN should commit to monitor the issue. Mary Ellen Trumbull (MET) said she had done a site visit and was confused about the existing barn and the existing white house. She asked if that was where they planned to operate from. ALN explained the white house was not part of their Site Plan at this time and explained the barn was the planned pavilion with just electric service being involved. They likened the pavilion to a mini "Tanglewood."

AH asked RL to read the Public Hearing Notice and then motioned to open the Public Hearing at 7:46 PM. MET seconded the motion and all approved. Walter Yurdon stated he lived in a house behind the mill and his driveway runs along the ALN property line. He said what ALN is doing is very gallant for educational endeavors. He said he had concerns about the planned crosswalk with the speed of cars on the 30-mph road because few drive 30 mph on the road. Mr. Yurdon asked if approval for the crosswalk was received from the County. AH asked the Clerk to read the email from Wayne Bonesteel from Rensselaer County. (This email was also read at the June 6, 2018 PB meeting and is included in the June 6, 2018 meeting minutes.) Mr. Yurdon also asked about the setbacks of the planned walkway, staircase and pathways from his property line, stating he does not have a survey of his property and does not want to have to pay for a survey. CT said ALN would do a survey to ensure proper setbacks at the property lines. AH asked when the survey would be done and CT said at the time that the sidewalk/pathway moves forward.

Diane Dublois from West Sand Lake said she liked Mr. Yurdon's comment about ALN's gallant efforts for education. She said the project took courage and creativity and will benefit all of Sand Lake and the Capital District as the site improvements will make it possible for more people to enjoy the location. Bonnie Cook from West Sand Lake said it was astonishing that students and artists from all over the world come to the mill and she commended the PB and asked them to make the Site Plan happen and keep the area safe. She asked

about the upper staircase mentioned and the timeframe for that staircase and connection to the second floor of the building. CT said that would part of Phase 2 of the Site Plan. She also told RL that the circular driveway at the white house can also be used for parking. RL acknowledged the parking and stated his concerns about parking are related to expansion and is sure ALN would make sure it's taken care of.

AH stated the PB had also received a letter of support from Author, William Kennedy. The public asked if the letter could be read. The Clerk read the letter and such letter is attached to the minutes (Attachment A).

With no further comments from the public, AH motioned to close the Public Hearing at 7:58 PM. David King (DK) seconded the motion and all approved. AH made a motion to declare this Site Plan Review as an unlisted action under SEQR, declaring the Town of Sand Lake Planning Board to be the Lead Agency and Rensselaer County Highway Department as an involved party. MET seconded the motion and all approved. AH made a motion to give this action a negative declaration under SEQR. He stated 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. MET seconded the motion and all approved. AH made a motion to grant approval to this Site Plan Review Application as submitted. MET seconded the motion and all approved.

Scenic Preservation Application

Michael Marshall
Matthew Miller (Property Owner)
16 Lawson Road
Sand Lake, NY 12153
RR – Rural/Residential Zoning District

Tax Map #149.11-1-25

Lot Size: .58 acres

A Scenic Preservation Application to extend an existing deck into the front yard within 67 feet of Big Bowman Pond.

Michael Marshall presented before the PB on behalf of the owner. He explained that the dwelling currently has a 4' wide deck off the house and the owner would like to extend the deck out another 6' to enable the ability to have a table and chairs on the deck to enjoy the pond. He explained he would remove the existing posts and would reuse the existing railings as they can be taken off and reused. He said the deck would have the same look as the current deck (pictures provided) but it would just extend out an additional 6' for a total 10' wide deck. He explained the new posts would be pressure treated wood and there are plans for painting the house and deck next year. He said there will be 4 posts with a decorative piece across the top at the center of the new deck.

AH asked how far the deck would be from the road and was told 29'. The PB looked at the drawings and pictures provided. DK asked if Lawson Road was a Town road. While everyone was unsure, all agreed that the Town snow plows the road. DK asked for more details about the construction of the deck. Mr. Marshall gave dimensions of the wood to be used and how the floor of the deck would be attached to the joints of the building. DK asked if the owner parks a car in the garage and was advised no it is used as storage, as a project shop and for ski equipment. RL said the plan looked straightforward and confirmed that no trees needed to be removed.

With no other questions from the PB, AH made a motion to declare the activities proposed under the Scenic Preservation Application as an unlisted action under SEQR, declaring the Town of Sand Lake Planning Board, as Lead Agency. DK seconded the motion and all approved. AH made a motion to give this application a negative declaration under SEQR. He stated the Town of Sand Lake Planning Board, as Lead Agency, has determined from the information presented and discussion, that the proposed activities would have a non-significant impact on the environment. A determination of non-significance will be recorded and a Draft Environmental Impact Statement need not be prepared. MET seconded the motion and all approved. AH made a motion to grant approval to this Scenic Preservation Application, as submitted. RL seconded the motion and all approved.

Special Use Permit Application

Peter Ludder
11 Denver Drive

Tax Map #146.2-4-64

West Sand Lake, NY 12196

Lot Size: .40 acres

R – Residential Zoning District

A Special Use Permit Application to add a four-bedroom, 2,000 sq. ft. addition on an existing dwelling for operating a Family Type Home.

Peter Ludder presented before the PB stating he operates a small family-type home for senior living in a residential setting. He explained he has been in business for ten years and is looking to expand the house. He said they have been there a long time and the feels the plan will be a nice addition. AH asked if it was senior housing and Mr. Ludder said yes, it is for people who can't live alone. He said it is assisted living rather than a nursing home. He explained they are certified by the State of New York but are not a nursing home. It is a residential use where they take care of folks and allows them to age in place.

AH asked if additional parking was planned. Mr. Ludder explained a small driveway will run to the back of the lot. He explained the small driveway on the front of the house on View Avenue and said it will not change. He explained there are two employees (two cars) for each shift and they can always park across the street at 10 Denver Drive which is Mr. Ludder's residence. Mr. Ludder explained that families have an open-door policy and can visit at any time. AH stated there could be 6 cars there at any one time. Mr. Ludder explained that probably would not happen unless there was a birthday party celebration and folks could then park on Denver Drive. DK asked if he anticipated an increase in traffic going from 3 bedrooms to 7 bedrooms. Mr. Ludder said yes there could be a little more traffic and he may have an occasional Shop Rite delivery, but in most cases, they do their own grocery shopping. He explained that some residents don't have local families and, in those cases, they only have visitors on holidays. DK asked if there will be additional staff. Mr. Ludder explained they currently have one full time staff during the day and they will be adding one additional full-time staff for that shift. The night shift will remain one full time staff person. RL said there would be 2 to 3 cars there each day. Mr. Ludder said during shift change there could be 3 cars for a short period of time. Mr. Ludder explained that one of the current bedrooms will be used as an office, so there will only be 6 rooms occupied. RL said originally Mr. Ludder said he was creating a driveway in the back of the house that could accommodate 3 spots. Mr. Ludder said yes it could and just wants the cars to be able to pull in and

out. RL confirmed that the shed in the back yard was going to be removed from the property. Mr. Ludder said he wanted the staff to use the back lot and come through the back of the building leaving the front driveway for visitors.

Jonathan Bernstein (JB) asked if the residents were homebound. Mr. Ludder explained they may use ambulatory walkers but are not wheelchair bound. He said they may use a wheelchair to occasionally transport a resident from the house to a car. He explained one wheelchair bound woman had been given an exception from NYS at one of their homes. JB asked if they have wheelchair vans coming to the house. Mr. Ludder said while they used the Town van once, usually family members or he and his wife transport residents to appointments. JB confirmed the house was a ranch structure. Mr. Ludder explained the house was built in the 60's and he wanted the addition to be tied in and look exactly like the house does now with overhangs, etc., so it will look like it has always been there. Mr. Ludder offered the PB his building plans for review. RL stated the plans must have to be built to spec. Mr. Ludder said it is considered a residential home and therefore other than a handicapped bathroom or ramp being installed, there were no other requirements such as sprinkler systems, etc.

RL brought up how the addition would impact water usage. Mr. Ludder said they are on well and septic and stated water use was not extreme with seniors. He explained that residents receive 3 to 4 showers per week and he felt the water should be adequate. He offered that his water quality has been tested and confirmed water capacity has not been tested.

MET stated the plans as drawn should have no impact on neighbors. Mr. Ludder said it is a quiet house and that he lives across the street. He said this type of home is allowed by NYS. MET summarized what she heard about parking and people coming in and out. She said some families are out of state and some have local family visiting. Mr. Ludder explained some clients have family in Sand Lake or Albany. MET asked if there was a waiting list and Mr. Ludder said yes there was a fluid flow of clients because they have a better space to live in and there is a growing need for the service.

RL asked where the well was located on the property and was told it was on the View Avenue side of the lot. DB asked if the neighbor on Rosemont would have their view blocked. Mr. Ludder explained his plans for a berm and fire bushes between their properties. He added the neighbor said they would take some of the fill from the planned driveway and would like the berm and bushes. He said he will not be disturbing property lines and wants the front of the house to remain the same.

MET confirmed one additional staff during the day and Mr. Ludder said yes, they have 12-hour shifts. He explained he and his wife, as well as staff, prepare all the meals. His wife prepares the menu each week. He said the ratio of residents to staff is 3:1. He said residents can eat at the dinner table or watch TV and eat if they wish.

RL asked about lighting plans. Mr. Ludder said there would be walkway and deck lighting. No lighting would be attached to the building or in the back-parking lot. All agreed all lighting would be dark sky friendly and not impact neighbors. DB asked if the WSL Fire Department knows of the residence. Mr. Ludder explained yes and the Fire Chief has been up to review the layout and he will ask the Chief to come up again. AH confirmed the house is centered on the lot and the driveway will be in the back.

With no other questions from the PB, AH made a motion to declare this Site Plan Review as an unlisted action under SEQ, declaring the Town of Sand Lake Planning Board to be the Lead Agency. DK seconded the motion and all approved. AH motioned to schedule a Public Hearing for July 18, 2018, stating the State requires a Public Hearing for a Special Use Permit. RL asked Mr. Ludder to bring information on the capacity of the well to the next meeting.

MINUTES – MET motioned to approve the April 18, 2018 meeting minutes. AH seconded the motion and all approved.

ADJOURNMENT

AH motioned to adjourn the meeting at 8:33 PM. Michael Groff seconded the motion and all approved.