

**Town of Sand Lake
Planning Board Minutes
October 2, 2024**

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: Andrew Karl, began meeting at 7:00 PM

MEMBERS PRESENT: Andrew Karl (AK), Ralph La Montagna (RL), Michael Slavin (MS), Arthur Herman (AH), Edward Patanian (EP), Rick Giolito (RG) Mary Ellen Trumbull (MET), Craig Crist, Esq. (CC)

MEMBERS ABSENT:

OTHERS PRESENT: Denise Riccardi Bagramian, Timothy Komdat, Mary Komdat, Katie Komdat, Andrew Didio, Ed Brzozowski, Laurie Bourdeau, Justin Sherwin, Kieley Sherwin, Chris (owners' representative-Capital Land Companies from September 18, 2024, meeting), Matt Baumgartner, William Hoffay, Rick Hoffay, Matt Bond and Ed Brzozowski

RECORDING CLERK: Sarah Jones (SJ), Clerk for the Planning Board and ZBA

PLEDGE OF ALLEGIANCE

APPLICATIONS

Major Subdivision Application with public hearing

EWB-KFIII, LLC

Biittig Rd

Averill Park, NY 12018

AR-Agricultural Residential Zoning District

Tax Map #: 158.-1-35

Lot size: 22.95 +/- acres

A Major Subdivision Application to create eleven new lots with 750' of new streets from a vacant property.

Major Subdivision application for Karl farms Phase 3 Biittig Rd. AK said he was not going to make the applicant come up and review the project as he had done so numerous times at other meetings as the public hearing remained open from the last meeting, AK asked if anyone in the audience wished to speak regarding this application, hearing nothing, AK also asked if any comments were received by the town, and there were none. AK motioned, seconded by MET and carried unanimously to close the public hearing at 7:02 PM. With no additional questions from the board, he then explained to the applicant that there are some contingencies in the Resolution Granting

Conditional Preliminary Subdivision Approval. At this time CC read the Resolution Granting Conditional Preliminary Subdivision Approval.

EP asked about the escrow calculations from AZAR and what was included.

asked about an ILOC. CC explained that within the code it outlined escrow or bond, it did not cover the ILOC. Mr. Brzozowski indicated he would put funds into escrow with the town.

With no additional questions from the board, AK motioned, seconded by RL and carried unanimously to approve the application, reminding the applicant that this is a preliminary approval not final as there is still work to be done.

Site Plan Review with Public Hearing

Justin & Kieley Sherwin-Capital Land Companies
4 Teal Rd
Averill Park, NY 12018
HMU- Hamlet Mixed Use Zoning District

Tax Map #: 159.2-2-12
Lot Size: .90 +/- acres

Site Plan Review Application to use property for equipment storage.

Before beginning the review of this application, Denise Riccardi Bagramian introduced herself explaining she is the Broker for the property disclosing she is the Planning Board Chair for Clifton Park, NY. She is here to represent the Sherwins in the application. AK confirmed with CC that there was no conflict with her representing the application. She said this is really a chance of tenancy. She reviewed how the building is currently being used and saying it is going to be an approved site as it will no longer be used for Oil storage.

Justin Sherwin spoke up and said there is a conflict with a portion of the driveway and and it would be best to use Teal Ave as the entrance/exit. AK agreed based on the revised tax map provided by the county as they no longer have access to 43 as originally presented based on tax map information obtained at the filing of the initial application.

AK asked if snow plowing services are offered and if they intended to gate the entrance to Teal Rd. Mr. Sherwin indicated they offer snow removal services, but equipment is not stored at this location and that they did not intend to gate the driveway unless required by the Planning Board.

RL confirmed that the Sign Placement Application was on hold at this time.

With no questions from the board, RL read the Public Hearing Notice which appeared in the Troy Record on September 19, 2024. AK motioned seconded by Mary Ellen Trumbull and unanimously approved to open the public hearing at 7:21PM

Laurie Bourdeau came forward indicating she is a neighbor adjacent to this property. She requested more information on the definition of equipment storage. She is concerned that her property will be less enjoyable and is concerned about the noise from large vehicles.

MET asked where her property is and Mrs. Bourdeau said she is across from the funeral home and her garage is against the property on 43.

Tim Komdat then came forward and introduced himself indicating he is the one that had blacktopped the driveway, which he owns but it was not discovered until after the initial Site Plan Review application was filed. He is a long-time neighbor of 40 plus years of the Ackner/Main Care property. He is concerned about the hours as the application is not clear. He also asked about what would be stored on the property and expressed concern regarding fuel storage.

With no comments received in the Planning Board office AK motioned seconded by Mary Ellen Trumbull and carried unanimously to close the Public Hearing at 7:25PM

AK asked Mr. Sherwin what type of equipment would be stored there, he indicated, pickup trucks, cars, dump truck. We try and move from site to site and not continuously return to the shop as it is not advantageous to us. There may be a loader on site. He does not feel that there will be any more beeping noises than are heard here.

Mrs. Bourdeau asked about the town's noise ordinance. AK reviewed.

RL confirmed if there would be building materials store outside. He said no but there may be supplies that were extra from a job that they could later use on another site. Mr. Sherwin also confirmed that there may be a pool stored on site as it is in transit to its destination.

MS asked about the hours and Mr. Sherwin said he felt 7-5 was fair with the caveat that there may be additional hours if there are repairs that must be made.

AK asked about topsoil or gravel and Mr. Sherwin said there may be #1 and #2 stone stored on occasion. RG asked that there be corrals installed to shelter the view.

AK also confirmed that vehicle work will be done inside, and Mr. Sherwin said yes except for, as example, a tire popping in the yard. Chris said that they do not run air tools.

AK motioned seconded by RG and carried unanimously that the Town of Sand Lake be lead agency with no other interested or involved parties.

AK motioned seconded by RL and carried unanimously to classify this as a Type 2 action under REQR.

AK motioned seconded by RL and carried unanimously to approve this application with the contingent upon corral being used to screen any stockpiles and to the extent practical the majority of vehicle repair work be done indoors to mitigate the sound impact to the neighborhood. 4039

Site Plan Review

Matt Baumgartner/June Farms
274 Parker Rd
Averill Park, NY 12018

Tax Map #: 157.-3-2.1
Lot Size: 77.30 +/- acres

AR – Agricultural Residential Zoning District

Matt Baumgartner and Andy Didio reviewed the Site Plan Review application. Mr. Didio indicated all the existing parking, and other items requested by the board at a prior meeting. Over 250 people is a large event falling under the 12 large events per year, explaining the hours of operation and the

pool which is controlled by the Department of Health 1500sq' pool (25'x60') so there could potentially be 100 people swimming. It is not a community pool but a membership and for people staying at June Farms. Mr. Dido said the actual number can vary as there are chairs, cabanas and so on surrounding the pool.

AK asked about the events. He reviewed the old resolutions. The Planning Board said we need a full application (a comprehensive overview all information related to June Farms including the number of people, number of large events and so on added to site plan or special use permit per the zoning officer.

Site Plan Review Application to:

- 1) Construct an additional building (a second hobbit house).
- 2) & 3) Add bathrooms to and renovate the Timbertown Cabins.
- 4) Construct a swimming pool with a hot tub and a cold plunge.
- 5) Installation of new septic system to service proposed Hobbit house 2 and Timbertown.

Special Use Permit

Hoffay Farms/William H. Hoffay
449 Sheer Rd
Averill Park, NY 12018

Tax Map #: 158.-1-5.1
Lot Size: 77.12 +/- acres

AR – Agricultural Residential Zoning District

Mr. Hoffay presented his special use permit application explaining that there is a building built in 1999 that he intends to convert to a 1-bedroom apartment to live in. He explained that family was moving back home and they would be living in his house and he would be moving into the building he is converting.

MS asked what it was now and Mr. Hoffay said a barn, it used to have horses in it. There is currently septic which is hooked into the home septic system.

AK and EP confirmed there is already a house on the property.

AK motioned seconded by MS and carried unanimously that the Town of Sand Lake be lead agency with no other interested parties.

AK motioned seconded by AH and carried unanimously to hold a public hearing on this application on October 16, 2024.

ADJOURNMENT

AK motioned seconded by AH and carried unanimously to adjourn the meeting at 8:13PM.