

**Town of Sand Lake
Planning Board Minutes
February 7, 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, Chairman, began meeting at 7:30 PM

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

MEMBERS ABSENT: Mary Ellen Trumbull (MET)

OTHERS PRESENT: Ed Smyth, Seth Roberts, Kevin McGrath, Don Weizhold, Kyle Weizhold

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

Minor Subdivision Application

Suzanne M. Long & Wendy Hijos
Holser Rd/Huntley Rd
Averill Park, NY 12018
R –Residential Zoning District

Tax Map #: 158.1-27.11
Original Lot Size: 29.7+/- acres
Proposed Lot 1: 10.04 +/- acres
Proposed Lot 2: 19.66 +/- acres

A Minor Subdivision Application to create one new lot from vacant property.

Mr. McGrath presented a Minor Subdivision Application for Suzanne Long and Wendy Hijos. Stating that he had previously presented the application December 20, 2023, but it was deemed incomplete, and he was asked to return to the Zoning Determination Officer to confirm the Zoning Determination was correct. Mr. McGrath said the Zoning Determination Officer suggested he add revisions as follows; Sewer connection and indicating the lot is for a single-family home. This application was reviewed by Rensselaer County, the Senior Planner Adam Yagelski from Delaware Engineering, D.P.C. (Currently under contract to act as Planner for the Town of Sand Lake on an as needed basis) and by the Town Attorney. It was ultimately decided, following the guidance of the Town Attorney, to give this parcel separate tax ID's a subdivision application would need to be completed and approved with any necessary Area Variance approvals. CC explained that should this be approved by the Planning Board it would be contingent upon getting the Area Variance from the ZBA and confirmed that time frame for potential completion was acceptable.

With no questions from the board AK motioned, seconded by RL and unanimously approved to deem this application as complete.

AK motioned, seconded by RG and unanimously approved that the Town of Sand Lake Planning Board be Lead Agency.

AK motioned seconded by AH and unanimously approved to hold a Public Hearing February 21, 2024 at 7:30PM.

CC Confirmed that this was agreeable with Mr. McGrath, who indicated that it was.

Scenic Preservation Application

Edward Smyth
37 Blue Heron Rd
Averill Park, NY 12018
R-Residential Zoning District

Tax Map #: 170.1-2-4
Lot Size: 2.15 +/-acres

A Scenic Preservation Application to remove and replace dwelling located in the Scenic Preservation Zone of Burden Lake. Application is in association with an approved Area Variance.

Mr. Smyth was present and presented his Scenic Preservation Application. He said he is not looking to remove trees or alter landscape, only remove the camp with the intent to construct a new dwelling.

AK said that it appears the demolition is fine but when there is a Scenic Preservation Application for rebuilding the Board generally requires an arial view, materials, colors, distances from water and lot lines which would require him to return for additional review.

AH asked how far it is from the lake and the property lines. Mr. Smyth displayed a survey in an attempt to indicate the information.

RL said this is information that he would need to present in the future application to rebuild. Prior to demolition RH said he will need to measure each corner to the lot line and each corner to the lake.

AK motioned, seconded by MS and unanimously approved that the Town of Sand Lake Planning Board be Lead Agency with no other involved or interested parties and the activities proposed under the Scenic Preservation Application be classified as a Type 2 action under SEQR.

AK motioned, seconded by EP and unanimously approved to approve the demolition portion of this Scenic Preservation Application contingent upon plans being provided with measurements from the structure to the boundaries and lake.

Boundary Line Adjustment Application #1

Applicant: Alyson H. Regan
Donor: Alyson H. Regan
21 Arlene Ct
Averill Park NY 12018
R - Residential Zoning District

Tax Map #: 158.4-6-1
Original Lot Size: 3.54 acres
Proposed Lot Size: 3.53 acres

AND

Receiver: Alyson H. Regan
23 Sheer Rd
Averill Park, NY 12018
R - Residential Zoning District

Tax Map #: 158.-2-79.21
Original Lot Size: 50.47 acres
Proposed Lot Size: 50.48 acres

A Boundary Line Adjustment Application from a donor parcel of 3.54 acres to donate .01 acres to a receiving parcel of 50.47 acres which will result in a donor parcel of 3.53 acres and a receiving parcel of 50.48 acres

Mr. McGrath presented each of the 3 Boundary Line Adjustment Applications on behalf of Alyson Regan. He said that he was here two years ago for a Boundary Line Adjustment in relation to this property and the property that houses the boats is under contract for purchase. There is a discrepancy with a walking trail, and

it was blocked in two places which is why these boundary lines are being requested. In the end it is an “even” swap, they will have the expected walking path and it will give the contracted owner of the other land wider access to his property which will be beneficial when bringing boats and the like in or out.

With no questions from the board AK motioned seconded by RG and unanimously approved that the Town of Sand Lake Planning Board be Lead Agency with no other involved or interested parties and the activities proposed under the Scenic Preservation Application be classified as a Type 2 action under SEQR.

AK motioned seconded by AH and unanimously approved the Boundary Line Adjustment #1 for Alyson Regan.

Boundary Line Adjustment Application #2

Applicant: Alyson H. Regan
Donor: Alyson H. Regan
21 Arlene CT
Averill Park, NY 12018
R - Residential Zoning District
AND
Receiver: Alyson H. Regan
23 Sheer Rd
Averill Park, NY 12018
R - Residential Zoning District

Tax Map #: 158.4-6-1
Original Lot Size: 3.53 acres
Proposed Lot Size: 3.52 acres

Tax Map #: 158.-2-79-21
Original Lot Size: 50.48 acres
Proposed Lot Size: 50.49 acres

A Boundary Line Adjustment Application from a donor parcel of 3.53 acres to donate .01 acres to a receiving parcel of 50.48 acres which will result in a donor parcel of 3.52 acres and a receiving parcel of 50.49 acres.

Mr. McGrath presented each Boundary Line Adjustment for Alyson Regan. He said that he was here two years ago for a Boundary Line Adjustment in relation to this property. The property that houses the boats is under contract for purchase. There is a discrepancy with a walking trail, and it was blocked in two places which is why these boundary lines are being requested. In the end it is an “even” swap, they will have the expected walking path and it will give the contracted owner of the other land wider access to his property which will be beneficial when bringing boats and the like in or out.

With no questions from the board AK motioned seconded by AH and unanimously approved that the Town of Sand Lake Planning Board be Lead Agency with no other involved or interested parties and the activities proposed under the Scenic Preservation Application be classified as a Type 2 action under SEQR.

AK motioned seconded by AH and unanimously approved the Boundary Line Adjustment #2 for Alyson Regan.

Boundary Line Adjustment Application #3

Applicant: Alyson H. Regan
Donor: Alyson H. Regan
23 Sheer Rd
Averill Park, NY 12018
R - Residential Zoning District
AND
Receiver: Alyson H. Regan

Tax Map #: 158.-2-79-21
Original Lot Size: 50.49 acres
Proposed Lot Size: 50.47 acres

Tax Map #: 158.4-6-1

21 Arlene Ct
Averill Park, NY 12018
R - Residential Zoning District

Original Lot Size: 3.52 acres
Proposed Lot Size: 3.54 acres

A Boundary Line Adjustment Application from a donor parcel of 50.49 acres to donate .02 to a receiving parcel of 3.52 acres which will result in a donor parcel of 50.47 acres and a receiving parcel of 3.54 acres.

Mr. McGrath presented each Boundary Line Adjustment for Alyson Regan. He said that he was here two years ago for a Boundary Line Adjustment in relation to this property. The property that houses the boats is under contract for purchase. There is a discrepancy with a walking trail and it was blocked in two places which is why these boundary lines are being requested. In the end it is an “even” swap, they will have the expected walking path and it will give the contracted owner of the other land wider access to his property which will be beneficial when bringing boats and the like in or out.

With no questions from the board AK motioned seconded by RL and unanimously approved that the Town of Sand Lake Planning Board be Lead Agency with no other involved or interested parties and the activities proposed under the Scenic Preservation Application be classified as a Type 2 action under SEQ. R.

AK motioned seconded by AH and unanimously approved the Boundary Line Adjustment #3 for Alyson Regan.

RESCIND APPROVALS AND WAIVED READINGS AS FOLLOWS:

AK motioned seconded by EP and unanimously approved to rescind the approval of the Special Use Permit Resolution for Ariel Saati **SUP 24-01**. RL and RG abstained.

AK motioned seconded by MS and unanimously approved to rescind the approval of the Site Plan Review Resolution for Ariel Saati **SPR 24-01**. RL and RG abstained.

AK motioned seconded by RL and unanimously approved to rescind the approval of the Boundary Line Resolution for Todd Scaccia **BLA 24-01**. RG abstained.

AK motioned seconded by MS and unanimously approved to rescind the approval of the January 3, 2024; minutes approved at the January 17, 2024. RL abstained.

RESOLUTIONS FOR REAPPROVAL:

Special Use Permit Application Resolution for Ariel Saati SUP 24-01

AK motioned seconded by AH and carried by all members to approve the Special Use Permit Resolution for Ariel Saati **SUP 24-01**. RG abstained; RL did not vote.

Site Plan Review Application Resolution for Ariel Saati SPR 24-01

AK motioned seconded by AH and carried unanimously to approve the approve the Site Plan Review Resolution for Ariel Saati **SUP 24-01**. RG abstained; RL did not vote.

Boundary Line Adjustment Application Resolution for Todd Scaccia BLA 24-01

AK motioned seconded by MS and carried unanimously to approve the Boundary Line Adjustment Resolution **BLA 24-01** approved at the January 3, 2024, Planning Board Meeting for Todd Scaccia.

DRAFT RESOLUTIONS FOR APPROVAL

Scenic Preservation Application Resolution for Dennis and Kelly Tremont SPZ 24-01

AK motioned seconded by RL and carried unanimously to approve the Scenic Preservation Resolution **SPZ 24-01** for Dennis and Kelly Tremont approved at the January 17, 2024, meeting. RG and AH abstained.

Special Use Permit Application Resolution for Airosmith Development OBO Archtop Fiber SUP 24-01

AK motioned seconded by and unanimously approved to approve, with notated changes, the Special Use Permit Application Resolution for Airosmith Development OBO Archtop Fiber approved at the January 17, 2024, meeting. **SUP 24-01**.

ADDITIONAL BUSINESS

While Mary Ellen Trumbull was absent, she is in favor of this change as are all Planning Board Members, Craig Crist and Sarah Jones. A resolution will be requested of the Town Board for approval.

Andrew Karl motioned seconded Rick Giolito by and unanimously approved to move the Planning Board Meetings, scheduled the first and third Wednesdays of the month from 7:30PM to 7:00PM contingent on Town Boards approval.

Proposal for date change of Planning Board meeting date scheduled for June 19, 2024. This date is a Federal Holiday.

After discussion between the Board Members and CC it was determined that this would be tabled until May of 2024.

DRAFT MINUTES FOR APPROVAL

AK moved, seconded by MS, and carried unanimously, the January 3, 2024, minutes as presented for approval. RG abstained.

AK moved, seconded by MS, and carried unanimously, the January 17, 2024, minutes as presented for approval. RG and AH abstained.

ADJOURNMENT

AK motioned, seconded by AH, and unanimously approved to adjourn the meeting at 8:14PM.