

**Town of Sand Lake
Planning Board Minutes
April 3, 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), Edward Patanian (EP), Michael Slavin (MS), Ralph La Montagna (RL), Rick Giolito (RG), Arthur Herman (AH), Mary Ellen Trumbull (MET), Craig Crist, Esq. (CC)

MEMBERS ABSENT:

OTHERS PRESENT: Kevin McGrath, Dan Espey, Josh Fodrowski, Lance Farrell, Justin Farrell, Hunter Farrell, Stephen Clemens, Rachel Clemens, Russell Blair, Scott Blair, Christal Blair, Josh Fodrowski, Stuart Nippes

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

Minor Subdivision Application with Public Hearing

Justin Farrell
98 Snake Hill Rd
Sand Lake, NY 12153
RR-Rural Residential Zoning District

Tax Map #: 148.-1-9.1
Lot Size: 55.74 +/- acres
Proposed Lot 1: 3.11 +/- acres
Proposed Lot 2: 3.14 +/- acres
Proposed Lot 3: 52.73 +/- acres

A Minor Subdivision Application to create two new lots.

Mr. Farrell and Dan Espey reviewed his application originally presented at the March 20, 2024, Planning Board Meeting. AK asked if they were planning to put a driveway in for access to lot 3. Mr. Farrell said no as it is overall unbuildable at this time. Ak asked about the right of way, Mr. Espey said that is owned by the Loportos and is their right of way.

EP asked about septic designs, which the applicant indicated there were none at this time.

MET reviewed Lot 3 and how it was displayed on the map as she was looking for clarification.

With no additional questions from the Board, RL read the Public Hearing Notice and AK motioned seconded by MS and all approved to open the public hearing at 7:07PM.

With no public comments made or received AK motioned seconded by AH and all approved to close the public hearing at 7:08PM.

RL reminded the board of a ZBA condition relating to the approved Area Variance in association to this application. Reminding the applicants that the vernal pool needs to be avoided, which is outlined in the Area Variance Resolution associated with this application.

AK said he would like the map labeled as applicable, “not for construction at this time” and “contingent upon if and when a driveway is constructed, that the applicant installs proper erosion and sediment controls and abide by all local, state and federal laws and regulations regarding area of disturbance and impacts to wetlands. The applicant agreed.

AK motioned seconded by RG and unanimously approved to declare this an Unlisted Action under SEQR and Town of Sand Lake lead agency with no other involved or interested parties.

AK motioned seconded by RL and all approved to adopt a Negative Declaration to be drafted by the Planning Board Attorney (CC) for this board in association with this application.

AK motioned seconded by EP and unanimously carried to approve this Minor Subdivision Application with the following contingencies: The map be properly labeled as applicable, “not for construction at this time be placed on Lot 2 and Lot 3” and “contingent upon if and when a driveway is constructed, that the applicant installs proper erosion and sediment controls and abide by all local, state and federal laws and regulations regarding area of disturbance and impacts to wetlands.”

Minor Subdivision Application with Public Hearing

Nadine and Joshua Fodrowski
Olmstead LN
Sand Lake, NY 12153
R- Residential Zoning District

Tax Map #: 159.-1-71
Lot Size: 77.65 +/- acres
Proposed Lot 1: 8.88 +/- acres
Proposed Lot 2: 68.78 +/- acres

A Minor Subdivision Application to create one new lot.

Kevin McGrath reviewed the application originally presented at the March 20, 2024, Planning Board Meeting. Explaining again that all required Variances had been approved.

With no additional questions from the Board, RL read the Public Hearing Notice and AK motioned seconded by MET and all approved to open the public hearing at 7:16PM.

With no public comments made or received AK motioned seconded by MS and all approved to close the public hearing at 7:17PM.

AK motioned seconded by RG and unanimously approved to declare this an unlisted action under SEQR and that the Town of Sand Lake be lead agency with no other involved or interested parties.

AK motioned seconded by RL and all approved to adopt a negative declaration in association with this application to be drafted by the attorney (CC) for this board.

AK motioned seconded by RG and unanimously carried to approve this Minor Subdivision Application with the following contingencies: The map be properly labeled as applicable “contingent upon if and when a driveway is constructed, that the applicant installs proper erosion and sediment controls and abide by all local, state and federal laws and regulations regarding area of disturbance and impacts to wetlands.”

Minor Subdivision Application

Nicholas Goyer
244 Shaver Rd
Averill Park, NY 12018
RR-Rural Residential Zoning District

Tax Map #: 157.-3-13
Lot Size: 10.59 +/- acres
Proposed Lot 1: 4 +/- acres
Proposed Lot 2: 6.59 +/- acres

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

With no one in attendance to represent this application AK motioned seconded by AH and all approved to table this application until the next scheduled meeting on April 17, 2024, at 7 PM with all applicable time periods being held in abeyance.

Site Plan Review

Stephen Clemens
122 1st Dyke Rd
Averill Park, NY 12018
R –Residential Zoning District

Tax Map #: 158.4-2-20
Lot Size: 5.47 +/- acres

A Site Plan Review Application to construct a detached, brown, and black, storage garage/workshop over 900 sq feet.

Stephen and Rachel Clemens presented their Site Plan Review application with Stephen Clemens first stating for the record that he is the current Town of Sand Lake Supervisor and to be given no special treatment. He explained that he wanted to build a 30x36 garage for storage next to the house/side of the house.

EP asked who owns the property in front. He stated he owns that property and all properties boarding this property are owned by himself or father.

RG confirmed this garage was for storage and there would not be hazardous materials stored.

RL asked if there were lighting plans, reminding the applicant of the ordinance.

AK confirmed that the location of the proposed garage is not considered in-front of the house based on his location. Mr. Clemens then said that the front of the house is 550' from the road.

With no additional questions from the board, AK motioned seconded by RG and unanimously approved to declare this a type 2 action under SEQR and Town of Sand Lake be lead agency with no other involved or interested parties. Under guidance of the Planning Board Attorney (CC) this motion was then struck from the record to amend the action to unlisted.

AK motioned seconded by RG and unanimously approved to declare this an Unlisted Action under SEQR and Town of Sand Lake lead agency with no other involved or interested parties.

AK motioned seconded by RL and all approved to adopt a negative declaration to be drafted by the attorney (CC) for this board in association with this application.

AK motioned seconded by RL and unanimously carried to approve this Site Plan Review Application.

Boundary Line Adjustment Application

Applicant: Russell & Christal Blair
Donor: Michael E. Lawrence
4066 NY 150
West Sand Lake, NY 12196
AR-Agricultural Residential Zoning District
AND

Tax Map #: 158.-1-30.1
Original Lot Size: 4.77 +/-acres
Proposed Lot Size: 4.06 +/- acres

Receiver: Russell & Christina Blair
3996 NY 150
West Sand Lake, NY 12196
AR – Agricultural Residential Zoning District

Tax Map #: 158.-1-27.112
Original Lot Size: 55.13 +/- acres
Proposed Lot Size: 55.84 +/- acres

Boundary Line Adjustment application from a from a donor parcel of 4.77 ac to donate .71 ac to a receiving parcel of 55.13 which will result in a donor parcel of 4.06 ac and a receiving parcel of 55.84 ac.

EP recused himself from action related to this application.

Mr. McGrath presented the amended application originally presented during the March 20, 2024, Planning Board Meeting supplying further details as to wanting access to the northern part of the driveway.

CC read from the code:

§225-4 Preapplicaton procedure; boundary line adjustments.

- B.** Boundary line adjustments. The applicants for a boundary line adjustment shall submit a sketch plan or survey showing the boundary as it exists and as it is proposed to be adjusted, including such portions of the parcels proposed to be adjusted as shall be reasonably necessary for the Board's understanding of the proposal. Where it appears to the Board that the adjustment will result in the creation of a nonconforming parcel or nonconforming buildings or structures, the applicant(s) shall be referred to the Zoning Board of Appeals for application for any needed area variances. The Planning Board shall not issue its approval unless such variances are granted. When the adjustment does not create a nonconforming parcel or buildings, or upon the issuance of needed variances by the Zoning Board, the Planning Board shall approve the proposal by resolution as presented or as modified. The Planning Board may deny the application, but only for good cause shown upon substantial evidence. As a condition of approval the Board shall require that a new deed for each parcel as adjusted be recorded with the County Clerk and a copy thereof supplied to the Board. Applicants must present sufficient copies of a certified survey map to the Planning Board for signing by the authorized Planning Board officer. Such survey map shall contain such detail as the Board required in its resolution of approval.

MS confirmed that the application could be approved as presented or approved with modifications. AK added or it could be denied with substantial evidence.

RL reminded the board that at this time they are only looking at a Boundary Line Adjustment, should there be any additional proposals for this lot the applicants would need to obtain the appropriate approvals at that time AH echoed this information.

AK motioned seconded by AH and unanimously approved to declare this amended application a type 2 action under SEQR and Town of Sand Lake be lead agency with no other involved or interested parties on this amended application.

AK motioned seconded by MET and unanimously carried to approve this amended Boundary Line Adjustment with the following contingencies: The map be properly labeled as applicable “contingent upon if and when a driveway is constructed, that the applicant installs proper erosion and sediment controls and abide by all local, state and federal laws and regulations regarding area of disturbance and impacts to wetlands.”

ADJOURNMENT

AK motioned, seconded by MET, and unanimously approved to adjourn the meeting at 7:43PM.