

**Town of Sand Lake
Planning Board Minutes
May 15, 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: Daniel Peeters, Theresa Primeau, Ray Primeau, Joel Greene, Peter Schaefer, Stuart Nippies

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

PLEDGE OF ALLEGIANCE

ATTENDANCE

Minor Subdivision Application with Public Hearing

Alison Drake-Slavin
106 Mosher Rd
Sand Lake, NY 12153
RR-Rural Residential Zoning District

Tax Map #: 148.-2-6.1
Lot 1: 3.24 ac
Lot 2: 44.05 ac

A Minor Subdivision Application to create one new lot.

MS has recused himself from the Drake-Slavin application.

Mr. Peeters reviewed the information originally presented at the May 1, 2024, Planning Board Meeting.

RL read the Public Hearing Notice which was published in the Troy Record.

With no questions from the board AK motioned seconded by EP and all approved to open the public hearing at 7:08PM.

Raymond Primeau came forward as a neighbor asking for clarification of how she was subdividing. Mr. Peeters reviewed the map in detail with him.

With no questions received by the Planning Board office and no other public questions or comments, AK motioned seconded by MET and all approved to close the public hearing at 7:10PM.

With no other questions from the board, AK motioned seconded by MET and carried unanimously 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 MET and unanimously carried to give this application a Negative Declaration under SEQR.

AK motioned seconded by RL and carried unanimously to give this Minor Subdivision preliminary and final approval and that the final hearing be waived.

Site Plan Review

Scott Slattery
4499 RT 150
Sand Lake, NY 12153
R –Residential Zoning District

Tax Map #: 146.2-1-46
Lot Size: 1.43 +/- acres

A Site Plan Review Application to construct a detached 1200 sq ft garage.

Mr. Slattery reviewed his Site Plan Review application explaining he wants to construct a 1200 sq ft detached garage.

EP asked what he planned to use the garage for. Mr. Slattery said it would be for storage and parking, adding when he retired, he may use it for woodworking, confirming there was no intent to run a business.

RL asked if the photo provided was what it would look like and reminded of the downward lighting requirement per Sand Lake town code. Mr. Slattery said the photo depicted what it would look like, however, he intended to match his house.

AK confirmed there was no dwelling being built and Mr. Slattery said if there was water ran out there it would be for a spigot to wash vehicles and such but there would be no plumbing for a bathroom.

RL reviewed the setbacks.

With no other questions from the board, AK motioned seconded by RG and carried unanimously to declare this a Type 2 Action under SEQR and Town of Sand Lake lead agency with no other involved or interested parties.

AK motioned seconded by RG and carried unanimously to approve this site plan review contingent upon proper erosion and sediment controls being installed during construction.

Major Subdivision Application

E.W. Birch Builders & Construction, Inc
Bittig Rd
Averill Park, NY 12018
RR-Rural Residential Zoning District

Tax Map #: 158.-1-35
Lot size: 22.95 +/- acres

A Major Subdivision Application to create 11 new lots with 750' of new streets from a vacant property.

To note: This is also known as the "Karl Farms Subdivision" and Andrew Karl-Chairman is not associated with this application beyond the extent of a voting member of the Planning Board.

Matt Bond was present to review the Major Subdivision Application. This is Phase 3 of the subdivision. He explained that this is a conservation style subdivision proposing 11 lots and a new town road with the proposed name being 'Karl Ct', all required septic testing and designs have been conditionally approved by the Rensselaer County Department of Health conditioned upon final subdivision approval. Mr. Bond reviewed the sketch/map with the board outlining the proposed road, driveways, septic tanks, and wells. He said that they have been in review with the towns engineer Wayne Bonesteel with Foit and Albert and are waiting for the most recent response letter in hopes to obtain final approval from the engineer. With the Septic fully designed and Stormwater Pollution Prevention Plan (SWPPP) reviewed, they wanted to present it to the board.

EP asked if an Area Variance was needed for road frontage-specific to lots 15 and 16. AK said with a conservation subdivision they can relax the standard requirements. EP also asked if a Notice of Intent had been filed with DEC. Mr. Bond said that it had not yet been filed but there is a draft of the Notice of Intent that had been sent to Mr. Bonesteel for his review and once the review is complete and the MS4 signed by the town it will be transmitted to the DEC.

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AK asked about the storm water pond and if there had been a determination as to ownership and maintenance. Mr. Bond said it was discussed during the conceptual phase turning ownership of the road and the pond over to the town, but he was not sure at this time if there was a preference to a drainage district or keeping it as a town owned facility.

MET asked if these homes were being built on speculation, Mr. Bond said the intent was that they would all be built by the current property owner, E.W. Birch Builders and there is not an intent to form a Homeowners Association at this time. MET also asked if the homes would be built as lots purchased. Mr. Bond said there may be the initial home as a spec/showcase home.

AK asked about spacing on the cul-de-sac and it appeared that there were adjustments made spacing between driveways.

AK asked about the septic system fields and confirmed the dashed lines (shown on the map) were an expansion area. Mr. Bond said yes it is showing a 50' expansion area for potential failure per county requirements.

MS asked about storm water overflowing and potentially freezing on the roads as to who would be responsible. EP said the SWPPP goes into detailed calculations as well as the 100-year flood plan.

EP confirmed the design is generally a dry pond, Mr. Bond said there is a shallow permanent pool in the bottom of the pond solely to meet water quality standards. It will also help maintain the vegetation in the pond and on the slopes.

AK asked about fencing around the pond. Mr. Bond said it is determined by the slope of the pond and this pond is well within not needing fencing. EP said it is visually more aesthetic without the fencing. He also asked about a drainage easement. Mr. Bond said that will be in conversation with the building department.

AK asked about lot 21, is there any buffer between that lot and the neighbor to the rear. Mr. Bond said there was a natural buffer currently in place.

AK asked if electric and telecom would be underground as it is preferred. Mr. Bond said he would confirm this information.

AK asked if the fire department had reviewed this at all. Mr. Bond said he did not believe they had but that they would reach out to the fire department to review and possibly make suggestions.

CC confirmed with Mr. Bond on behalf of E.W. Birch Builders that his client's application is not complete yet as he is working with the town engineer on certain engineering issues and therefore, he expressly agreed and consented to no time periods running at this time. Mr. Bond is in agreement with this.

EP confirmed there was an escrow with Foit Albert.

With no other questions from the board Mr. Bond is working to obtain any relevant information still needed to continue with the application process and will return before the Planning Board at the appropriate time.

RESOLUTIONS

Minor Subdivision Application for Goyer SUB 24-04

- AK motioned seconded by RG and all approved to waive the full reading of the Negative Declaration approved at the May 1, 2024, Planning Board Meeting for Goyer.
- AK motioned seconded by EP and all approved to adopt the Negative Declaration for the Minor Subdivision Application for Goyer.
- AK motioned seconded by MS and all approved to waive the reading of the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Goyer.
- AK motioned seconded by AH and carried unanimously to approve the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Goyer.

Minor Subdivision Application for Besch III SUB 24-05

- AK motioned seconded by MET and all approved to waive the full reading of the Negative Declaration approved at the May 1, 2024, Planning Board Meeting for Besch III.
- AK motioned seconded by RG and all approved to adopt the Negative Declaration for the Minor Subdivision Application for Besch III.
- AK motioned seconded by AH and all approved to waive the reading of the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Besch III.
- AK motioned seconded by RL and carried unanimously to approve the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Besch III. SUB 24-05.

Minor Subdivision Application for Besch III Hall SUB 24-06

- AK motioned seconded by MET and all approved to waive the full reading of the Negative Declaration approved at the May 1, 2024, Planning Board Meeting for Hall.
- AK motioned seconded by EP and all approved to adopt the Negative Declaration for the Minor Subdivision Application for Hall.
- AK motioned seconded by MET and all approved to waive the reading of the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Hall.
- AK motioned seconded by RL and carried unanimously to approve the Minor Subdivision Resolution, approved at the May 1, 2024, Planning Board Meeting for Hall. SUB 24-06.

Boundary Line Adjustment Application #1 of 2 Resolution Drake-Slavin BLA 24-07

- AK motioned seconded by MET and carried unanimously to waive the full reading of the Boundary Line Adjustment for Drake-Slavin.
- MS abstained.
- AK motioned seconded by AH and carried unanimously to approve the Boundary Line Adjustment BLA 24-07 for Drake-Slavin.
- MS abstained.

Boundary Line Adjustment Application #2 of 2 Resolution Drake-Slavin BLA 24-08

- AK motioned seconded by RG and carried unanimously to waive the full reading of the Boundary Line Adjustment BLA 24-08 for Drake-Slavin.
- MS abstained.

- AK motioned seconded by EP and carried unanimously to approve the Boundary Line Adjustment for Drake-Slavin.
- MS abstained.

DRAFT MINUTES FOR APPROVAL

MET moved seconded by AH and unanimously carried to approve the May 1, 2024; minutes as presented.

ADJOURNMENT

AK motioned seconded by AH and unanimously carried to adjourn the meeting at 7:39PM.