

**Town of Sand Lake  
Planning Board Minutes  
August 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, began meeting at 7:00 PM

**MEMBERS PRESENT:** Andrew Karl (AK), Ralph LaMontagna (RL), Edward Patanian (EP), Michael Slavin (MS) Rick Giolito (RG), Craig Crist, Esq. (CC)

**MEMBERS ABSENT:** Arthur Herman (AH)-excused per AK; Mary Ellen Trumbull (MET)-excused per AK

**OTHERS PRESENT:** Heather and Laszlo Johanidesz, T. Delaney, K Cardamone, C Djernes, M. Bond, Ed Brzozowski

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

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**Site Plan Review with Public Hearing**

Heather & Laszlo Johanidesz  
18 Fisher Rd  
Averill Park, NY 12018  
**RR** –Rural Residential Zoning District

**Tax Map #:** 147.1-5-24  
**Lot Size:** 8.76 +/- acres

Site Plan Review Application to construct a metal 3200 sq' garage.

Mr. Johanidesz reviewed his application originally presented at the July 17, 2024, Planning Board meeting.

With no additional questions from the board AK motioned, seconded by EP and unanimously carried to open the public hearing at 7:04PM.

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

Tom Delaney, 5 Chaundray Ln came forward and said he lives at the back of the property under review. He is concerned about the amount of petroleum stored directly over the aquafer which supplies water to multiple residences in the local area. He posed a challenge to the board saying “it is a risk you are willing to take? “I don’t know, I am not sure I am” he also voiced concern about it being a working garage and being affected by noise and light pollution. He confirmed with Mr. Johanidesz that it was 1 story.

Karen Cardamone, 7 Chaundray Ln was in attendance to voice concerns regarding this application. She started by welcoming the Johanidesz family to the neighborhood and echoed that she agreed with Mr. Delaneys comments. She voiced additional concern about the light pollution, concerned the lights would shine in her windows and the noise from being a working garage. RG said that he did state that he will be working in his garage both at the initial meeting and again at this meeting but said he did not believe it would be as a business but for personal use and it is very difficult to tell someone that they cannot do something on their own property when it is accepted under town regulations. RG asked Mr. Johanidesz if he was storing gasoline. He said only in the vehicles. Mr. Delaney interjected that it is the board's job to tell people what they are allowed to do and not allowed to do on their property. At this point CC spoke up explaining that is not the purpose of the board. Mrs. Cardamone said there are appropriate places for a garage that size but this lot by us is not. AK explained this is a Site Plan Review, it is permitted by code. RL said to discuss changes they would have to appeal to the town board. AK confirmed there would be a concrete floor. EP asked if there would be floor drains and Mr. Johanidesz indicated there would not. RL asked Mr. Johanidesz to speak about the lighting that had been reviewed at the previous meeting. He indicated there would be minimal downward facing lighting to access the door and that security camera(s) would also be installed. Mrs. Cardamone said she was concerned about the wattage to which Mr. Johanidesz said he was using LED. EP asked about tree coverage. Mr. Delaney reviewed which homes he felt had sufficient tree coverage and the ones he felt did not.

Public comment was received in the Planning Office by Eric and Melissa Dahl of 11 Dahl way. In summary they reported they had no questions or concerns with the plan and welcomed the new homeowners, wishing them the best of luck.

AK motioned seconded by RL and unanimously approved to close the public hearing at 7:21 PM.

EP said he was familiar with the property and wondered if the applicant would be willing to add additional vegetative screening. Mr. Johanidesz said he planned to create additional barriers to maintain their privacy and the privacy of the adjoining neighbors.

With no additional questions from the board, AK motioned seconded by RG and carried unanimously to classify this as a Type 2 action under SEQR declaring the Town of Sand Lake Planning Board as Lead Agency with no other interested or involved parties.

AK motioned seconded by RL and carried unanimously to approve this Site Plan Review Application contingent upon proper erosion and sediment controls being installed during construction.

**Site Plan Review**

Chris and Sue Djernes  
18 Saxby Way  
Averill Park, NY 12018  
**R**– Residential Zoning District

**Tax Map #:** 170.2-1-22  
**Lot Size:** 2 +/- acres

Site Plan Review Application to construct a metal 1440 sq' garage.

Mr. Djernes presented his Site Plan Review Application and said he was proposing a 1440 sq' garage as he has a lot of boats, a pontoon and jet ski that he would like to store and was working

with various local companies towards this build. EP asked what the plan was for the room above the garage. Mr. Djernes said he currently did not have any plans aside from keeping it open for storage. EP asked if this would be fed into the sewer. He said it would be, there will be 1 bathroom and has had the sewer department come to the property to confirm how that could be successfully accomplished. EP asked if he would need to install an additional grinder pump, and the applicant indicated he did not know. AK asked if Saxby Way was a private road, and the applicant indicated it was. RL asked about lighting. He said he does not have the exact information regarding the lighting but did learn about the low lighting during this meeting and the lights would be downward. EP again asked about the room above the garage, questioning if he planned to make it a dwelling unit or a grannie flat. Mr. Djernes said he did, not, but with full transparency he had no idea what could happen years down the road, again saying he had no intention of the space being anything but storage at this time. RL asked about the tree removal and Mr. Djernes indicated there were many to be removed. AK asked how far from Saxby Way the garage would be located. The applicant indicated it would be significantly more than the required 10’.

With no additional questions from the board, AK motioned seconded by MS and carried unanimously to classify this as a Type 2 action under SEQR declaring the Town of Sand Lake Planning Board as Lead Agency with no other interested or involved parties.

AK motioned seconded by MS and carried unanimously to approve this Site Plan Review Application contingent upon proper erosion and sediment controls being installed during construction.

**Major Subdivision Application**

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 11 new lots with 750’ of new streets from a vacant property.

Matt Bond of Hart Engineering presented the Major Subdivision Application that is often referred to as “Karl Farms subdivision phase 3”. This phase was originally presented to the board at the May 15, 2024, Planning Board meeting. Currently roughly 22 acres remain with a proposal for an 11-lot subdivision. Test and design of the septic’s have already been completed and approved through the Rensselaer County Department of health. The stormwater Pollution Prevention Plan (SWPPP) has been designed in accordance with New York State Department of Environmental Conservation (NYSDEC) standards. The SWPPP appears to be in its final review with the town’s engineer and only minor comments are expected back. Mr. Bond indicated he has been in conversation with the Fire Department per the board’s request at the May meeting. Based on the fire department’s request they will be installing a dry hydrant and are working with the Chief to finalize location, attachment hook ups and so on. An additional question at that meeting was regarding the electric/telecommunication lines and Mr. Bond confirmed the intention is to run all lines underground. Mr. Bond said that a Homeowners Association (HOA) would be established to take ownership and maintenance of the stormwater pond.

EP questioned the HOA and if a shared maintenance agreement may be acceptable. Mr. Bond said they were instructed by the town supervisor to create an HOA. EP said it is his advice not to do a

HOA but a shared maintenance agreement and have a covenant in the deed as a HOA must be approved through the Attorney General and so on. MS said that the supervisor said it was advisable not required. AK said he did not want to overstep and require an HOA or a shared maintenance agreement but to be clear the town was in no way taking responsibility and it would have to be maintained and taken care of. RG asked if they would have a final agreement as to how the Storm Water Pond maintenance would be handled when they came for final approval. Mr. Bond indicated that was accurate. RL said he thought that the pond would be routinely inspected by the Town of Sand Lakes Municipal Separate Storm Sewer System coordinator (MS4) however CC and AK said it would not be. The town would have no responsibility relating to the pond. AK said there would need to be a final determination regarding ownership and maintenance of the stormwater pond before the board could issue the final approval.

At this time AK motioned seconded by EP and unanimously carried to seek lead agency under SEQR.

RG asked if the pond would need water brought in if it dropped below a specific level. Mr. Bond said no as it was designed to refill naturally. AK asked about the underdrain on the road. Mr. Bond said he needs to speak to Wayne further as they are roadside swales, and they would likely daylight the subbase to the swales so it would naturally drain out.

**DRAFT MINUTES FOR APPROVAL**

AK moved, seconded by RG and carried unanimously the July 17, 2024, minutes as written.

**ADJOURNMENT**

AK motioned seconded by MS and carried unanimously to adjourn the meeting at 7:57PM