

**Planning Board Meeting
May 25, 2011**

Present:

Lance Spallholz, Chairman
Peter Sheridan
Virginia Hewitt
Sandy Debus
Fred Sievers
Thomas Peterson, Planning Board Attorney

Absent:

William Ryan

Guests:

Corliss Robichaud
Stuart Hodsoll
Forrest Stata
Lisa Stata

Agenda: May Monthly Meeting, part 2

- MS4 Public Hearing
 - Robichaud Property Subdivision
 - Open Discussion
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At 7:02 PM, Mr. Spallholz called the meeting to order and reopened the May 11th meeting to address the MS4 report, the Robichaud Property subdivision and to approve the April minutes.

MS4 Public Hearing

For the public hearing of the MS4 report there were no members of the audience that had questions. This is a report that has to be filed with the state to demonstrate compliance with stormwater management regulations. The report is due June 1st. With no comments from the public Mr. Spallholz closed the hearing.

Robichaud Property Subdivision

Ms. Robichaud has paid her fee, filed the maps and Ms. Whitbeck confirmed the application is complete. The lot will be subdivided in to two pieces with one piece for sale that has a house and out-buildings. The house has been on the property since 1879. 2.86 acres of land of the total 55 acres is offered for sale. The board has reviewed the Short Environmental Assessment Form and determined it to be complete without issues.

Ms. Debus made a motion to be the Lead Agency for SEQR review of the Robichaud subdivision, Ms. Hewitt seconded the motion. Mr. Spallholz polled the board: Mr. Sheridan – aye, Mr. Sievers – aye, Ms. Hewitt – aye, Ms. Debus – aye and Mr. Spallholz – aye. The board needs to evaluate the environmental impact, if any, and process the application in tandem. The board will alert Saratoga County and Clifton Park that there will be a Public Hearing. They have 30 days to challenge the status of SEQR Lead Agency, unless they forfeit the lead status in writing prior to the 30 days passing.

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Mr. Sievers made a motion to declare negative declaration, which Ms. Debus seconded. Mr. Spallholz polled the board: Mr. Sheridan – aye, Mr. Sievers – aye, Ms. Hewitt – aye, Ms. Debus – aye and Mr. Spallholz – aye.

Ms. Debus then made a motion to declare the application for the subdivision requested by Ms. Robichaud complete, which Mr. Sheridan seconded. Mr. Spallholz polled the board: Mr. Sievers – aye, Ms. Hewitt – aye, Ms. Debus – aye, Mr. Sheridan – aye and Mr. Spallholz – aye. Mr. Spallholz requested Ms. Elford contact Ms. Whitbeck to schedule a public hearing and to put a notice in the paper for June 8th, the regular meeting.

Ms. Robichaud asked if she could sell the whole property now, before final approval and the final filing of the map. Mr. Peterson responded that until Saratoga County declares it is two pieces of property, it is still one piece.

Open Discussion

The April minutes were then reviewed. Ms. Debus made a motion to approve the minutes as amended for Mr. Peterson’s title and the total acreage of the Robichaud property, which Mr. Sheridan seconded, and all were in favor. In discussion of the April minutes, Mr. Peterson confirmed he will follow up on the Round Lake relationship for MS4 with Malta.

Mr. Spallholz brought up for discussion considering recommending a change to the Village Board for the subdivision law when only one lot is offered for sale, as this instance has pointed out a weakness in the law. Mr. Sheridan said this situation is unique, but Mr. Sievers countered there are some properties in Round Lake that are five or more acres. Mr. Peterson supports an amendment so that it is clear what the expectations are of an applicant in this situation.

Discussion ensued about the differences between a base survey vs. tax map to satisfy survey requirements. Currently a lot line adjustment has a survey requirement. Mr. Spallholz pointed out when the retained property goes for sale in the future, a survey will then need to be conducted on the remaining lot. Mr. Spallholz would like to make the recommendation that if someone wants to subdivide their lot once and wants to retain a piece and sell a piece, no matter the size of the properties, that only the piece for sale have a survey requirement. Ms. Hewitt was interested if properties are being sold on tax maps versus surveys routinely and Mr. Peterson indicated he would follow-up and respond in the June meeting. Ms. Hewitt suggested tabling the discussion for next month pending Mr. Peterson’s feedback.

Ms. Hewitt made a motion to adjourn at 8:01 PM. All were in favor.

Respectfully submitted,

Heather K. Elford

Heather Elford
Planning Board Secretary