

**Planning Board Meeting
August 8, 2018**

Present:

Peter Sheridan, Chairman
Lance Spallholz
Marybeth Murphy
Timothy Lesar, Alternate

Absent:

Thomas Peterson, Planning Board Attorney
Doug Harple, Sr.
Fred Sievers
William Ryan, Alternate

Agenda: August Monthly Meeting

- Curry Avenue Subdivision Proposal
- Firehouse, minor plan changes
- Open Discussion

Guests:

Ron Miller
Lori Miller

At 7:06 PM, Mr. Sheridan called the meeting to order noting that Mr. Sievers, Mr. Harple, Mr. Ryan, and Mr. Peterson were absent.

Curry Avenue Subdivision Proposal

The Planning Board convened to review a proposed subdivision for Mr. Ronald and Mrs. Lori Miller of 14 Curry Avenue. They have 12 lots, which are all on the same deed. Part of the property is on a former paper street, Shepherd Avenue. It is a rectangular lot with 220' ft. running north to south. It is just over 17,000 sq. ft.

The SEQR documentation has not yet been completed; however, the Zoning Board of Appeals application is attached. Tonight the Planning Board will review the paperwork and then schedule a public hearing.

The subdivision will be for their son Mr. Matt Miller, who wants to put up a garage with an apartment over it. Mr. Spallholz's immediate concern is the right of way of the gravel driveway. When they subdivide, right of way would need to be attached to the lot. Reviewing the map the Village owns Griffin Avenue, a paper street, but is not available for purchase.

This is zoned RV2, which requires a minimum 20' front setback, 10' on the sides, and a rear setback of 30'. They will need to avoid disturbing water and sewer lines during construction, which run along the top of the hill. In determining frontage, a street must be identified, and Griffin Avenue qualifies, so this would be considered a minor subdivision.

The Millers need to complete the SEAF, have the public hearing, and then get final site-plan approval. They will need to pay a fee and file maps with the Saratoga County Clerk. Mr. Spallholz recommended they speak with Mr. John Stevenson, Superintendent of Public Works, to confirm the additional load and capacity on the water line. Mr. Sheridan will follow up with the fee amount and any necessary paperwork. The Miller's will need to get the easement for the driveway, and have it documented on the maps.

Mr. Sheridan noted the property is not in the historic district. The next meeting will be September 12, 2018 and Mr. Sheridan will schedule the public hearing for 6:45 PM.

Firehouse, minor plan changes

In Mr. Sievers's absence, Mr. Sheridan spoke of plan changes to the new Round Lake Fire Department building. They will be attaching motion lights to the building, rather than traditional lights. They will also be expanding the apron and adding a curb, but it will not exceed the original footprint. Mr. Sheridan will ask Mr. Sievers to elaborate at the next meeting, as they will not be making these changes in the current phase of construction.

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Open Discussion

Mr. Scott Lansing approached Mr. Sheridan about the possibility of cluster development at the end of New York Avenue. Cluster Development is covered in Village Code § 158-40 – § 158-47. Without a PDD, they can only develop 60% of the land.

Mr. Lansing asked what defines a steep slope in terms of development. Consulting with Mr. Blue Neils, Malta and Saratoga Springs define a steep slope at 25°, and Clifton Park defines it as 18°. Mr. Neils said 15° would be reasonable depending on the soil type, and a soil test would need to be provided by the developer to give the composition of the soil. Mr. Sheridan said he thought the Planning Board should make a recommendation to the Village Board that the Planning Board considers 15° degrees and above as a steep slope.

In updates from the July 11 meeting, first for 26 Albany Avenue, the Cattrells put up gutters, but need to redirect the water to not drain on neighboring property. Mr. Sheridan will reach out to see what progress has been made in the loan application process. It is imperative that work begins on the property before the winter.

Regarding the Hurley's garage, they will likely not begin construction this year. All the land is deeded on one property.

The Planning Board reviewed the July 11, 2018 minutes. Mr. Spallholz moved to approve the minutes as amended, which Ms. Murphy seconded. Ms. Elford polled the Board: Ms. Murphy – aye, Mr. Spallholz – aye, Mr. Lesar – aye, and Mr. Sheridan – aye.

Mr. Sheridan made a motion to adjourn at 8:41 PM. All were in favor.

Respectfully submitted,

Heather K. Elford

Heather Elford
Planning Board Secretary

Legend

- IPF ----- Iron pipe found
- IRF ----- Iron rod found
- CRS ----- Capped iron rod set
- Overhead utility line
- (152) ----- Lot No. as per Map Ref. No. 1

Deed References

1. Round Lake Association to William R. and Mary L. Miller, dated August 29, 1929 and recorded in the office of the Saratoga County Clerk on August 11, 1933 in Liber 1,043 of Deeds at Page 949.
2. Grant of Right of Way, William R. Miller, Sr. and Mary L. Miller to Ronald R. and Lori J. Miller, dated August 27, 1990 and recorded in the office of the Saratoga County Clerk on March 15, 1996 in Liber 1431 of Deeds at Page 677.
3. William R. Miller, Jr. as Executor of the Estate of William R. Miller, Sr. to Robert David Miller, dated October 9, 2012 and recorded in the office of the Saratoga County Clerk on October 15, 2012 as Instrument No. 2012036510.

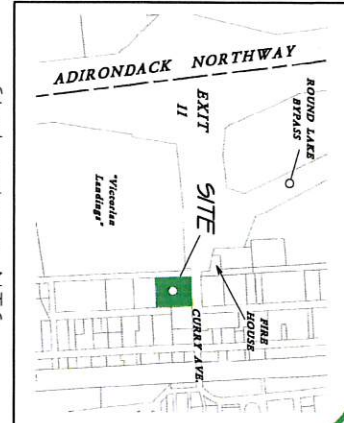
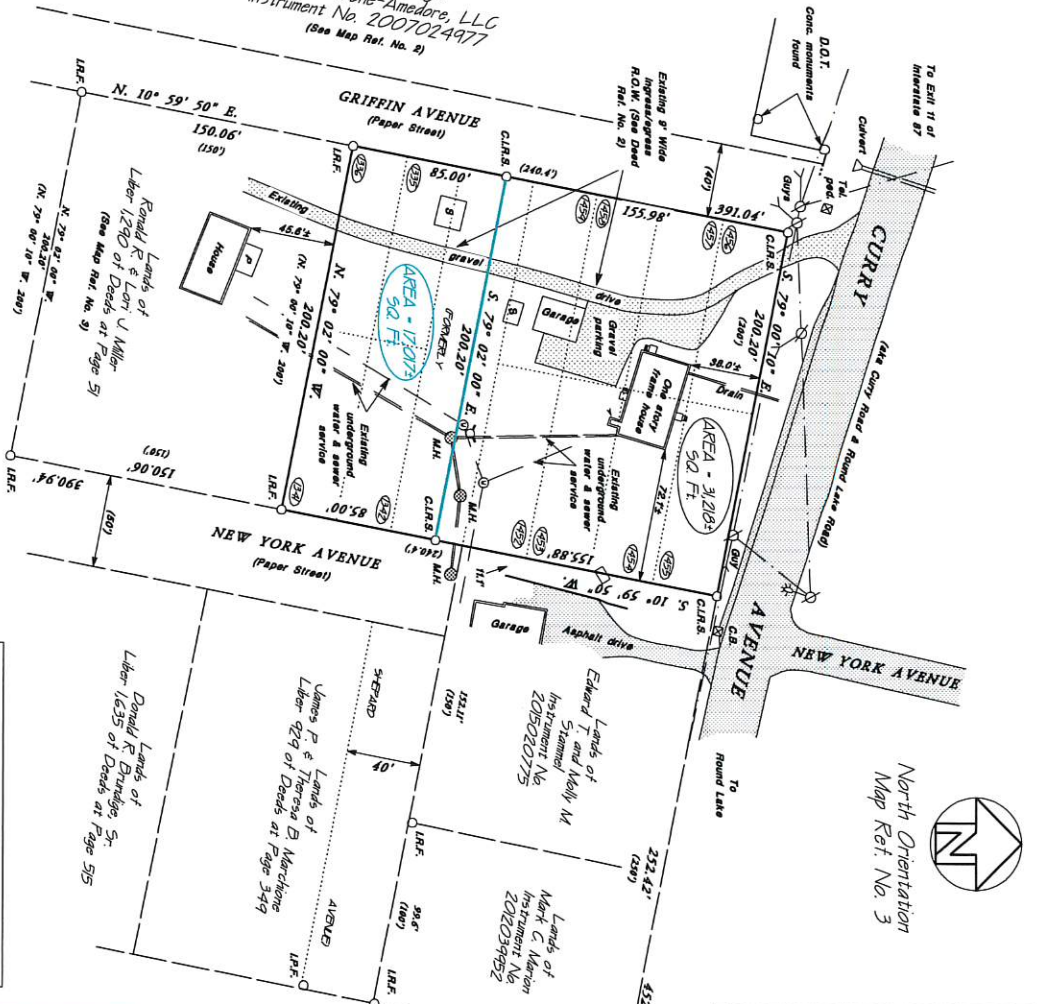
Survey Notes

1. Information shown in parenthesis is of record and is shown on this map to facilitate understanding the relationship between said information with that of the professional opinion expressed herein.
2. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
3. Building dimensions and offsets shown thereon, are as measured from the foundation of said building.
4. Tax Map ID: No. 250234-34 of the Town of Malta

Map References

1. Plat entitled "ROUND LAKE GROUNDS, SARATOGA CO. N.Y.", dated 1934 as prepared by C. D. Duran, Fact and recorded in the office of the Saratoga County Clerk on December 13, 1934 as Map No. FF-2.
2. Plat entitled "FARONE-AMEODORE, LLC, VICTORIAN LANDINGS", dated December 29, 2007 as prepared by the Environmental Design Partnership, LLP and recorded in the office of the Saratoga County Clerk on March 29, 2011 as Map No. M201141.
3. Plat entitled "SURVEY OF LANDS OF RONALD R. & LORI J. MILLER, BOOK 1290 OF DEEDS - PAGE 51", dated October 29, 1990 as prepared by Robert John Madefriene, L.S.
4. Plat entitled "MAP SHOWING LANDS OF ROBERT DAVID MILLER, KNOWN AS LOTS 1335, 1336, 1341, 1342, 1452-1454 AND A PORTION OF SHEPARD AVE.", dated January 31, 2015 and lastly revised on August 17, 2015 as prepared by James M. Vianna, P.L.S.

"Victorian Landings"
Lands of Farone-Amedore, LLC
Instrument No. 2007024977
(See Map Ref. No. 2)



Approved by Resolution of the Planning Board of the Village of Round Lake, New York, on the _____ day of _____, 20____, subject to all requirements and conditions of said Resolution. Any change, esterase, modification or revision of this Plat as approved, shall void this approval.

Signed this _____ day of _____, 20____, by _____ CHAIRPERSON

Date	Work Performed
11/30/15	Field survey completed
5/21/16	Subdivision created

SUBDIVISION PLAT

Robert D. Miller
Subdivision of 2018

BING LOT'S 1335, 1336, 1341, 1342 AND A PORTION OF THE FORMER SHEPARD AVE

Located in the Village of Round Lake, Town of Malta Saratoga County, New York

Scale: 1" = 50' / May 31, 2018

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owners or subsequent owners of the surveyed parcel, unless specifically stated in said certification

2. Only surveys bearing the makers' embossed seal should be relied upon since other than embossed seal copies may contain unauthorized and undetectable modifications, deletions, additions and changes.
3. The certifications hereon are not transferable.
4. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.

James M. Vianna, P.L.S.

N.Y.S. Lic. No. 059415



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Map No. 18-10-M

TO THE VILLAGE OF ROUND LAKE ZONING BOARD OF APPEALS/PLANNING
BOARDS:

I am respectfully requesting the Zoning Board of Appeals grant an area variance to allow for the subdivision of a portion of real property owned by Robert Miller. If the area variance is granted and ultimately subdivision approval obtained, then Robert Miller intends to convey the vacant parcel of real property to his nephew, Matthew Miller. Matthew's intent is to construct a single family residence.

Filed with the application is a survey map prepared by James M. Vianna, P.L.S. showing the location of the parcel of land, the improvements located on the remaining lands (owned by Robert Miller) and the parcel of land located to the south/adjoining the land to be conveyed to Matthew Miller. The land located to the south/adjoining the land to be conveyed is owned by applicant's parents, Ronald and Lori Miller. The land owned by Ron and Lori has located on it a single family residence. Their access is through the existing gravel driveway located through the real property owned by Robert Miller.

I believe the Zoning Board of Appeals has the right to grant the area variance based on the following:

1. There will not be an undesirable change in the character of the neighborhood. The lot size is in keeping with the neighborhood lot sizes. Robert Miller will grant an easement to allow applicant access to his lot through Robert's lot over the existing gravel driveway.
2. There is a paper street, New York Avenue located on the east side of the subject property, and a paper street, Griffin Avenue located on the west side of the subject

property, that should be allowed as constituting road frontage allowing the approval for the area variance. The zoning ordinance for the village defines Street to “includes streets, roads, avenues, lanes or other traffic ways between right-of-way lines. The term ‘street’ will apply to those streets which appear on the Official Map, whether developed or not”. Under the circumstances, both New York Avenue and Griffin Avenue fall within this definition.

3. The request for the area variance is not substantial.
4. The granting of the area variance will not have an adverse effect or impact on the physical or environmental condition of the neighborhood due to the fact the size of the subject property is in keeping with the lot size of adjoining building lots on which are located single family residences. Access to the subject property will be through the existing gravel driveway through the real property owned by Robert Miller.
5. There is no self-created hardship as the applicant has not received a deed granting him ownership of the subject property and no construction of the building has occurred.

Applicant respectfully requests the Zoning Board of Appeals grants the area variance.

VILLAGE OF ROUND LAKE
ZONING BOARD OF APPEALS APPLICATION (July 21, 2004)

Tax Map No. _____

Application No. _____

Please read and understand the Village of Round Lake Zoning Board of Appeals Application Requirements and Guidelines before filing your appeal.

1. Applicant

Name: Matthew Miller
Address: 16 Curry Avenue PO Box 611
Round Lake NY 12151
Telephone: 518 899 4120

2. Property Owner (if different than item 1. above)

Name: Robert David Miller
Address: 14 Curry Avenue PO Box 68
Round Lake NY 12151
Telephone: 518 899 7499

3. Location

Street and No.: portion of 14 Curry Avenue

4. Action Denied

Building Permit _____ Use _____ Other _____

5. Type of Action Requested

Use Variance _____ Area Variance Interpretation _____ Other _____
This appeal is for relief from the provisions of Zoning Ordinance:
Article(s) _____ Section(s) _____ Paragraph(s) _____

6. Narrative Description of Request

Attach a narrative that explains what is being proposed, why the approval should be considered, hardships or practical difficulties involved and why this change would not be detrimental to the neighborhood and Village. For a use variance, the narrative must demonstrate all four (4) criteria outlined in the Application Guidelines. For an area variance, the narrative must discuss the five (5) factors outlined in the Application Guidelines. The narrative must provide discussion of each of these criteria or factors, not simply a statement that the criteria or factor is met. For example, for the self-created hardship criterion, simply stating that the hardship or difficulty was not self-created is not acceptable. The narrative must explain why the applicant believes this is so.

7. Lot Information

Acres _____ Sq. Ft. 17017 Frontage on Grubb Avenue (paper street)

8. Provided with Application

Survey Site Map _____ Plot Plan _____ Proof of Ownership _____
Owner Permission _____ SEQR Documentation _____

9. Signature of Owner

Robert D Miller Date 7/27/18

10. Fee Paid _____

I, ROBERT MILLER, hereby grant authority to Matthew Miller and/or Ronald Miller, to present an application for an area variance and subdivision application concerning my real property located at 14 Curry Road.

Dated: 7/27/, 2018

Robert D. Miller
ROBERT MILLER