

**Planning Board Meeting
September 12, 2018**

Present:

Peter Sheridan, Chairman
Doug Harple, Sr.
Fred Sievers
Marybeth Murphy

Absent:

Lance Spallholz
Timothy Lesar, Alternate
William Ryan, Alternate
Thomas Peterson, Planning Board Attorney

Guests:

Matt Coldrick, Village Board
Ron Miller
Lori Miller
Katelyn J. Rivera
Gail Dean
Rhonda Agnew
Patty Lu
Matt Miller
Robert Miller
Susan Jones
Walt Agnew
Jessica Worobey
Andrew Lu

Agenda: September Monthly Meeting

- Public Hearing – 14 Curry Avenue Subdivision
- 14 Curry Avenue Subdivision Review
- Goldfoot Road Site Plan Review
- Firehouse, Minor Plan Changes
- Open Discussion

Public Hearing – 14 Curry Avenue Subdivision

At 6:45 PM, Mr. Sheridan called the Public Hearing for the 14 Curry Avenue subdivision to order noting that this is a subdivision of the Miller's property, creating a new lot. Mr. Sheridan invited the public up to the table to view the plans if they wished. Mr. Sheridan noted that the SEQR would be reviewed when the remaining Planning Board members arrived.

Ms. Murphy arrived at 6:53 PM. Mr. Sievers arrived at 6:55 PM.

Mr. Sheridan asked if the audience had any concerns. No concerns were raised. The Public Hearing closed at 6:56 PM.

14 Curry Avenue Subdivision Review

Mr. Sheridan called the Planning Board meeting to order at 6:57 PM, noting that Mr. Spallholz, Mr. Peterson, Mr. Lesar, and Mr. Ryan were absent this evening.

Mr. Ron Miller gave a copy of the SEAF documentation, attached, which Mr. Sheridan made copies of for the Planning Board. Mr. Sheridan asked about the yes response to the wetlands in question 13.a., to which Mr. Miller affirmed that there are wetlands within 100' of the property, but there are no wetlands on the property. Mr. Stevenson said to Mr. Miller that there would be no issue getting water to the new structure, because there is a 2" pipe feeding the property.

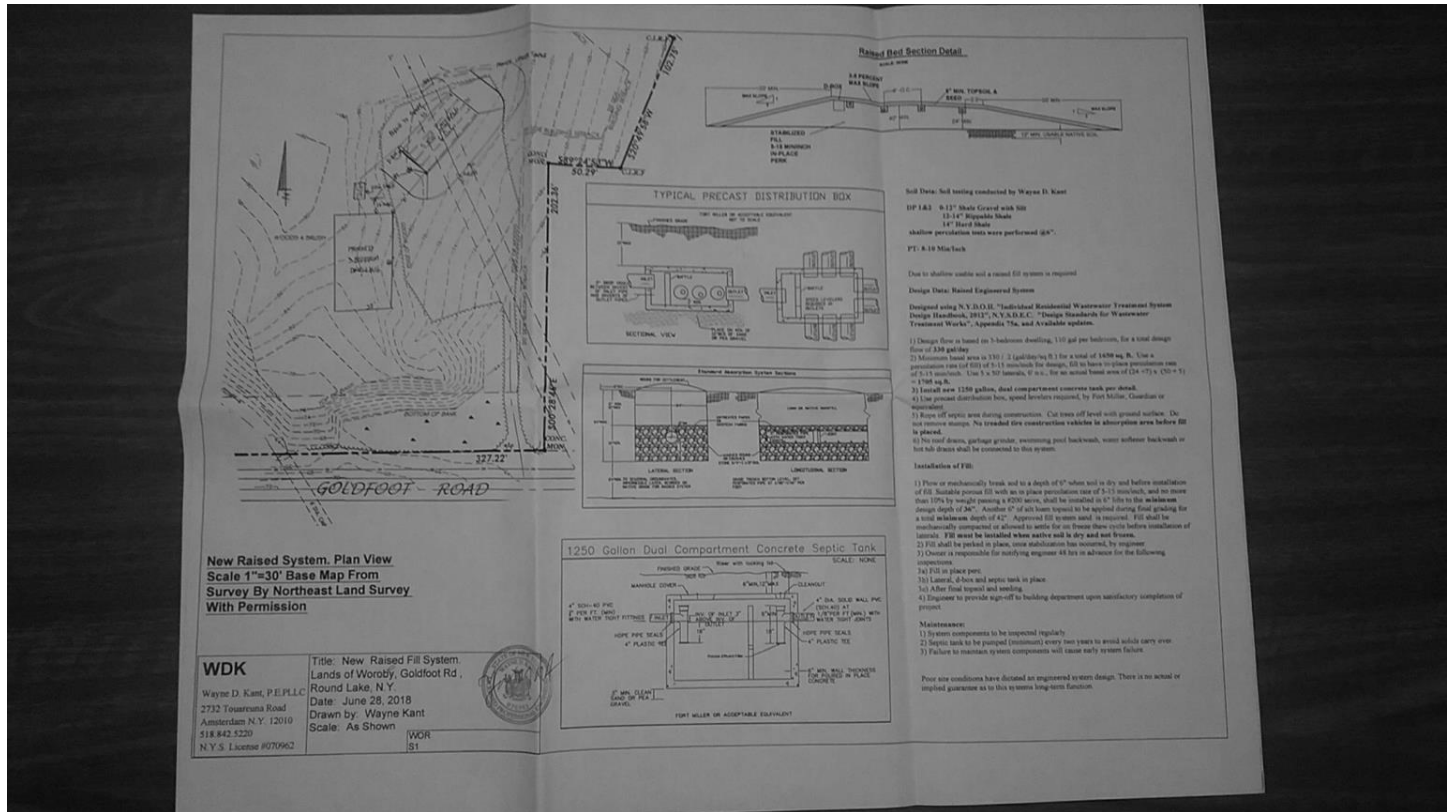
Mr. Sievers expressed concerns about the right of way in regards future resident(s), and for an emergency vehicle if needed. If Griffin Avenue could be made into a usable street instead of a paper street that would be ideal, and would need to be at least 12' wide for an emergency vehicle to safely travel the road. This is not in the plans at the time, but would be at the expense of the property owner should it be done.

Mr. Sievers made a motion to approve the subdivision with a contingency that it has a deeded right of away with a 12' width that grants access to all properties, and if any of the three property owners sell any of the parcels outside of the family that Griffin Avenue would be upgraded a percentage cost to the owners. Mr. Harple seconded the motion. There was no further discussion. Ms. Elford polled the Planning Board: Mr. Sievers – aye, Ms. Murphy – aye, Mr. Harple – aye, and Mr. Sheridan – aye.

Mr. Sheridan let the Millers know they would need a Mylar copy of the map to give to Saratoga County. He instructed them to bring it in to him first, and he would sign it. Mr. Sheridan will also need the fee paid.

23 Goldfoot Road Site Plan Approval

Mr. Sheridan has the septic information, but does not have the site plan. Mrs. Worobey provided copies of the septic site plan, embedded below, which the Planning Board reviewed.



Mrs. Worobey confirmed that there will be a basement and that the structure will be a ranch style home. Electric will run underground from the poles to the house. There will be no garage, and the driveway will follow the existing path line that looks like a driveway. The Worobey's did research the easement for the power line over the septic, but she did not have that paperwork available. Water will come in from Goldfoot Road.

Mr. Sheridan said to be sure to speak to the neighbors about construction timelines, as he has, to ensure that no one is caught by surprise when it commences.

Mr. Sievers raised a motion that conditional approval for the site plan be granted pending that the Code Enforcement Officer (CEO) will review the power company easement provided to the Agnew's and Worobey's. If that prohibits any of the improvements shown on the site plan, they would have to come back to the Planning Board with a revised site plan for approval. There was no further discussion. Ms. Elford polled the Planning Board: Mr. Sievers – aye, Ms. Murphy – aye, Mr. Harple – aye, and Mr. Sheridan – aye.

Firehouse, Minor Plan Changes

Mr. Sievers elaborated on the changes that Mr. Sheridan brought up at the August 8, 2018 meeting. The Fire Department ultimately decided to keep the pole lighting, undoing the proposed changes for attached/motion lighting.

Open Discussion

Mr. Andrew Lu and his wife Mrs. Patty Lu, live on 7 Kavanaugh Avenue. They have concerns on the construction on 5 Saratoga Avenue. The first week began the noise problems for the Lu's with the clearing of trees. The second week, construction started at 6 AM, and went through 5 PM. Mr. Lu feels that there are discrepancies from the plan presented to the Planning Board and what was being constructed. The Lu's also have concerns about the amount of fill being added to the property. They submitted a formal complaint on August 17, 2018, attached, and they want to see the grade be put back to where it was and enforce the plans be constructed as submitted to Planning Board. They also want noise abatement enforced by the Planning Board, and have their concerns about water runoff addressed.

Mr. Sheridan said the Planning Board does not enforce noise abatement, and requests that crews not begin before 7 AM. Ms. Catelyn Rivera addressed the noise, saying the loudest noise was only over the span of two days. Ms. Rivera looked into the concerns, terminated the contract with the construction company when they continued to begin work at 6 AM, and offered her apologies for the inconvenience. The larger machine phase is over. Water and sewer lines are in, and her next steps are quotes on framing.

The Lu's maintain that the slope changed from the initial plan. Regarding drainage and water runoff, it is an underground system approved by the Village Board in October 2017. Mr. Harple said the drainage would be a benefit to all parties. Mr. Sheridan clarified it had to be approved by the Village Board since it ran under a paper street. Mrs. Dean raised concerns about drainage from Ms. Rivera's property. Mr. Sheridan said when the driveway is in, it will need to tilt toward Ms. Rivera's and the Jones's property and not the Dean's. Mr. Sheridan does not want the driveway to be at a higher level than Mrs. Dean's property. Mr. Harple said it would be graded from the Dean's to the Jones's property. Ms. Rivera showed video of water runoff from the Lu's property on to hers, adding her concerns.

Mr. Sievers said the Planning Board would look into all of the concerns, but the Lu's concerns are CEO issues. This is a good opportunity as neighbors to discuss, and if no resolution can be found, then Mr. Sheridan would be involved as CEO. The Lu's expressed their concerns about the long term health effects of noise. Ms. Rivera reaffirmed the longest period of loudest noise is over, and the only excessive upcoming noise would be the cement pouring, the crane for trusses, and framing. The Jones's will notify the Lu's when the construction will begin and Mr. Sheridan will make sure the drainage is done properly and not affected by water runoff. Mr. Coldrick said the noise ordinance is being reviewed by the Village Board. Ms. Murphy encouraged the Lu's, the Jones's, and Ms. Rivera keep communication open and positive as to not negatively affect their long-term relationship as neighbors.

Mr. Sheridan made a motion to adjourn at 8:09 PM. All were in favor.

Respectfully submitted,

Heather K. Elford

Heather Elford
Planning Board Secretary