

**TOWN OF GUILDERLAND
PLANNING BOARD
APRIL 27, 2016**

Minutes of meeting held at Guilderland Town Hall, Rt. 20, Guilderland NY, 12084 at 7:30pm.

Members Present: Stephen Feeney, Chairman
James Cohen
Thomas Robert
Herb Hennings
Theresa Coburn
Bruce Sherwin

Jan Weston, Planning Administrator

Absent: Michael Cleary

Chairman Feeney called the meeting to order at 7:30pm. He noted the emergency exits in the event they were needed.

Chairman Feeney asked for a motion to approve the minutes of March 23, 2016, so moved by Terry Coburn, seconded by Thomas Robert and carried by a 5 – 1 (Sherwin abstain) vote of the Board.

SILVESTRI – 181 BRANDLE ROAD

Chairman Feeney stated that this was a concept plan for a proposed two lot subdivision of 95.5 acres. Zoned: RA3 Stephen Walrath presenting.

Jan Weston, Town Planner, had the following comments:

“The applicant would like to cut the existing house, along with 2 acres, from the remaining 91 acre farm. I have the following comments:

- The property is zoned RA-3 and the applicant is requesting a one-time waiver to allow the 2 acre cut.
- Although nothing is proposed at this time, the general location of the wetlands and stream that are located on the eastern side of the farm should be delineated on the final plat.
- A note should be included indicating an Agricultural district along the eastern property line.

No objection to final approval.”

Stephen Walrath presented the case. Mr. Walrath stated that the applicant is proposing to create a 2-acre parcel around the existing farmhouse on the property. There is approximately 95.5 acre total. Mr. Walrath stated that to do a wetland delineation would cost a fair amount; he could overlay the existing mapping on it and show it if that is adequate.

Jan Weston replied that there is no need for full wetland delineation maps; it needs to be pointed out so if someone came for a building permit on that lot later it would show the wetlands on the parcel.

Mr. Walrath stated that there is existing well and septic for the house; those locations will be shown on the final survey map.

Chairman Feeney stated that this is pretty straightforward; this is a one-time exemption.

Jan Weston stated that language that will have to be added to the final plat, the agricultural district and that it is a one-time exemption of a two-acre cut.

Chairman Feeney asked if there were any questions or comments from the residents.

James Cartin of 906 Heather Lane asked about the wetlands.

Chairman Feeney replied that they told the applicant that he needs to indicate the wetlands on the map. Chairman Feeney stated that there are no wetlands on the lot that they are creating; but the larger lot has wetlands.

Mr. Cartin stated that if there are no wetlands on the proposed lot; does this application only pertain to the two acres and there are no plans for the remaining 93 acres as far as change of zoning.

Chairman Feeney replied that someone could build a house somewhere on the 93 acres without anything more than a building permit; they certainly couldn't fill any wetlands. Chairman Feeney stated that it has no effect other than that it is now a separate lot and if someone wants to buy the large lot and build a house they can or subdivide into more lots they will need to come back to the Planning Board for subdivision approval.

Carl Felix, owner of Altamont Country Kennels, across the street from the proposed subdivision, wanted to let everyone know that there was a boarding kennel there and that should be taken into consideration whatever is being proposed.

Jan Weston stated that the kennel is quite a distance but there is nothing different really happening on this land.

Chairman Feeney asked for a motion to approve the concept plan in the matter of Silvestri for this two-lot subdivision; so moved by Thomas Robert and seconded by Herb Hennings and carried by a 6 – 0 vote (Cleary absent) of the Board.

MEYER – 2751 W. LYDIUS STREET

Chairman Feeney stated that this is a concept presentation for a proposed 2 lot subdivision of 1.65 acres. Zoned: R20 Gregg Meyer presenting.

Jan Weston, Town Planner, had the following comments:

“The applicant is proposing a two lot subdivision of 1.65 acres. I have the following comments:

- The property is zoned R20 and has an existing house. Variances will be required for the width at the building line which requires 125ft. and a side line setback for the existing house which will be just shy of the required 20ft.
- Although the map shows the proposed lot will have a septic system, municipal water and sewer are available.
- The proposed location of the curbcut should be shown and approved by the Highway Superintendent.

No objection to concept approval.”

Gregg Meyer, representing his sister Carol Meyer who owns the property, presented the case. Mr. Meyer stated that his sister purchased the property last September and after total renovations to the house inside and out they had a survey done and figured that they may be able to get another building lot on the property.

Mr. Meyer stated that the placement of the existing home makes it so it is not conducive to getting a typical split of the lot. This property has 250ft at the front line, 250ft at the rear line but it is not a perfect parallel as there is a triangle carved out of the lot. Mr. Meyer stated that the proposed subdivision would require a variance because they are only showing 100ft. of road frontage on the proposed lot. Mr. Meyer asked the Board for their input on a possible keyhole lot.

Jan Weston replied that she did not think that the applicant would have a problem getting the variances because there are a lot of small lots in that general area. Jan Weston also stated that there would also be about a 3” variance needed for the side line setback.

Mr. Meyer stated that the line could be modified to maintain the 20ft.

Jan Weston stated that if his sister really wants a house behind her house they could go for a keyhole lot.

Mr. Meyer replied that he is also running utilities; when this was bought it was on septic and well. The new lot will have municipal water and sewer. Mr. Meyer stated that he does not know where the actual leach lines are.

Chairman Feeney recommended hooking up to the municipal system and abandon the existing septic system.

Mr. Meyer stated that the existing home is on town water already and will hook it up to town sewer also.

Chairman Feeney stated that they would not like to see the septic system partially on another property.

Chairman Feeney stated that they could possibly design a nice keyhole lot and not need any variances; it is totally up to the applicant.

There was discussion regarding the new driveway.

Mr. Meyer stated that he would probably move the line to 100' so it is 100' of road frontage and will give them about 20' from the existing garage.

Chairman Feeney asked if there were any questions or comments from the residents.

Ken Satterlee, whose parent's land adjoins the subdivision, had concerns regarding the septic system, the large pine trees and the drainage.

Chairman Feeney stated that they would make the applicant submit a grading plan and would need to show where they are hooking up to the utilities. Chairman Feeney stated that the trees are existing and not sure building the house itself would make them worse.

Jan Weston stated that there is state wetland in the back.

Chairman Feeney stated that the applicant will need to show the connections to the public water and sewer on the plan, will need a grading plan and will need to adjust the lot line if he is not going to go for the minor variance.

Chairman Feeney asked for a motion to approve the concept plan, so moved by Terry Coburn and seconded by Jim Cohen and carried by a 6 – 0 vote (Cleary absent) of the Board.

FRIEDLANDER – 6338 GUN CLUB ROAD

Chairman Feeney stated that this a concept presentation for a 2 lot subdivision of 22.4 acres. Zoned RA3. Richard Friedlander presenting.

Jan Weston, Town Planner, had the following comments:

“The applicant has submitted a 2 lot concept which would cut a 1 acre parcel from the remaining 22 acre site. I have the following comments:

- The land is presently zoned RA3 and this cut will require a variance. However, the majority of the lots on Gun Club Road are zoned R20 and the only reason this land is not is because it is currently attached to the large parcel in the rear.

- The parcel contains an existing 4 family house and no new building is proposed for the large parcel. However, it does have other access points should it be developed in the future.

No objection to concept approval.”

Richard Friedlander presented the case. Mr. Friedlander stated that on this 23.4 acres there is an apartment complex and the back is all farmland. The apartments will be sold and they will break that parcel off.

Chairman Feeney asked if it was connected to public water and sewer.

Mr. Friedlander replied it has public water but has a septic system.

Chairman Feeney stated that as long as the septic is not on the other property; the plans will have to show the limits of the existing septic system. The Board wants to know that the new lot is not bisecting the septic system.

Chairman Feeney asked if public sewer was available.

Jan Weston replied that she did not know because while reviewing the assessor’s records it appears that it is on public sewer.

Jason Zavia, representing the purchaser of the 4-unit building, stated that they did a septic inspection at the residence and he noted the location of the septic on the map.

Chairman Feeney stated that it does need a variance. Chairman Feeney stated that it seems to him that in the long run it would make more sense to rezone it and their recommendation to the Town Board would be to rezone the property to R20. But the applicant should proceed with the variance application.

Jan Weston stated that timing wise it would be better to go for the variance.

Chairman Feeney asked if there were any questions or comments. There were none.

Chairman Feeney asked for a motion to approve the concept plan, so moved by Tom Robert and seconded by Bruce Sherwin and carried by a 6 – 0 vote (Cleary absent) of the Board.

RIGGI – 1071 JOSHUA LANE

Chairman Feeney stated that this is a site plan review to allow a religious retreat. Zoned RA5.

Gary Riggi, applicant, was not present for the hearing.

Chairman Feeney stated that this is an existing two-family estate and they are requesting to use the estate for religious retreats. Chairman Feeney stated that it does not seem like a very intense use given the size of the parcel.

Jam Weston, Town Planner, had the following comments:

“The applicant has requested a special use permit to use the residence for religious retreats. This is a large estate home located on almost 100 acres off of Leesome Lane. There is a parking area that would accommodate stacked cars, which is probably adequate since the clients will be staying on site the entire time of the retreat. No planning objections.”

Chairman Feeney asked if there were any questions or comments regarding the application. There were none.

Chairman Feeney called for a motion to recommend approval of the site plan for 1071 Joshua Lane. Moved by Terry Coburn, seconded by Tom Robert. Vote 6 – 0. (Cleary absent)

Jan Weston stated that there will be no Planning Board meeting on May 11, 2016.

Chairman Feeney called for motion to adjourn, so moved by Tom Robert, seconded by Terry Coburn. Vote 6 – 0. (Cleary absent)

Meeting adjourned at 8:20pm.