

Town of Milton

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PLANNING BOARD MEETING MINUTES

Wednesday June 17, 2020

Present:

Chairman Bartow
Mr. Marsicano
Ms. Padula
Ms. VanDeinse-Perez
Ms. Stevens
Mr. Whittel

Also Present:

Planning Board Attorney Keniry
Planning Official: William Lewis
Town Engineer: Joel Bianchi

Absent:

Mr. Bianchi
Mr. Collins

1. Pledge to the Flag

Good evening and welcome to the June meeting of the Town of Milton Planning Board. Ms. Blanchard, would you please call the attendance of the Board. I would also note that we have in attendance Counsel Bill Keniry, our Engineer Joel Bianchi and Director of Planning and Codes Bill Lewis.

We will start this evening with a Pledge to the Flag. Pledge led by Chairman Bartow

2. Chairman announcement(s)

We are once again Zooming the Planning Board meeting, our second such meeting since the COVID-19 coronavirus prevented us from meeting in person. Please bear with us as we all adjust to new technology and a new means of communicating.

We have a couple of opportunities for the public to interface with us this evening and I would ask that if you are Zooming with us want to make a public comment please use the hand wave feature and alert us to your interest in commenting. You may also use the Q&A feature and submit a question, however will not accept anonymous questions; please submit your name with your question. If you have dialed in on the phone feature of Zoom and would like to make a comment, please text Bill Lewis at 518-376-1831 and provide him your name and interest in making a comment.

As with our usual comment protocol we request that you announce yourself and your address and then present your comments in 3 minutes or less. We want to accommodate all the public who would like to address the Board and we ask for your patience as we work through this.

We continue to have Nancy Padula serving as an Alternate Member in the absence of Marco Bianco.

The Executive Order enables the Town Boards to meet via Zoom, conference call, etc., have been extended until later this month. We may well see a change in how we are able to meet for our July meeting and I would ask for the Board members as well as the public to watch for public announcements/notices to possible changes next month. We will do our best to keep everyone posted.

That concludes my announcements, does anyone from the Board have an announcement or question at this point?

3. Approval of minutes from the May 20, 2020 meeting

Everyone should have the minutes from our May 20th Board meeting.

I will entertain a Motion to approve the May 20, 2020 Planning Board meeting minutes.

Motion to approve May 20, 2020 minutes made by Mr. Whittle, 2nd by Ms.

VanDeinse. Mr. Marsicano -yes; Ms. Padula- yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens- yes; Mr. Whittel-yes; Chairman Bartow-yes.

4. Public Comment

At this point we will open the meeting to comments from the public. Please note that we do have a public hearing for the Belmonte Site Plan Review and Special Use Permit so if you have comments for that project, please wait until we start the hearing so your comments may be on the record.

I would ask that if you are Zooming with us and want to make a public comment please use the hand wave feature or submit via the Q&A button and alert us to your interest in commenting. If you have dialed in on the phone and would like to make a comment, please text Bill Lewis at 518-376-1831 and provide him your name and interest in making a comment.

Morgan Jackson: Will we be able to get a full plan on what the plan is for the Belmonte project?

Chairman Bartow: Yes. Mr. Toohey is going to do a presentation on behalf of the Belmonte's. Also, all of the documents are on the Town of Milton website.

Morgan Jackson: Will you notify the neighbors of the Public Hearing?

Chairman Bartow: Yes. A Public Notice was put in the paper and on the website.

5. 7:05pm - Public Hearing for Belmonte Site Plan and Special Use Permit 202.-2-92

This evening we will continue our review of the Belmonte application for a Special Use Permit, including a Site Plan review, for a Home Occupation 2 in association with a tent rental business within their accessory pole barn. Last month we had a few questions and comments regarding the site plan and our Engineer Joel Bianchi had requested to review the Storm Water Plans.

The Board has before it this evening:

1. Correspondence from attorney Michael Toohey dated November 27th submitting a new application for a Special use Permit for a "storage facility in association with a tent rental business".
2. The Special Use Permit application for a "Storage facility in association with a tent rental business" dated 11/26/19
3. A Short Environmental Assessment Application "to construct an "80 x 120' barn to be used in conjunction with a tent rental business" dated 11/26/19.
4. Sketch Plans for "Belmonte Tent" dated 4/19/19, November 2019
5. Agricultural data statement for the application
6. Deed of the property
7. Correspondence from Saratoga County Planning Board dated 12/20/19 regarding a Special Use Permit for a tent rental business noting "no significant county-wide or intercommunity impact".
8. Correspondence from attorney Michael Toohey dated January 2, 2020 addressing the standards for review of a Home Occupation 2 and Special Use permit for such a use.
9. A cover letter dated March 4th conveying the Belmonte Septic Design from Insight Northeast dated 3/3/20 which also includes their proposed site plan review information.
10. An email exchange between myself and John Romeo dated 3/5/20 regarding the sufficiency of the Site Plan and detailing what we require for review.
11. Amended Special Use Permit for a Pole Barn Home Occupation 2 Function dated 3/6/20
12. Agricultural Data Statement dated 3/6/20

13. A Short Environmental Assessment Form for “Belmonte Septic Design” prepared by John Romeo of Insight Northeast dated 5/11/20
14. A Belmonte Site Plan dated 5/11/20
15. An erosion and sediment control plan dated 5/11/20
16. Letter and White board from Richard and Nancy Shultes dated 5/12/20
17. SEAF Parts 2 and 3 dated 5/20/20 regarding our environmental assessment and that the proposed action will not result in any significant adverse environmental impacts
18. Correspondence date 6/8/20 from our Engineer Joel Bianchi regarding the Stormwater Plan.
19. Correspondence dated 6/12/20 signed by several neighbors adjoining and near the property raising concerns about the project.

Mr. Bianchi: We provided a comment letter to Belmonte’s engineer. John Romeo knows what needs to be done and that it needs to be done in a timely manner.

Mr. Lewis: I have talked to the applicants engineer and their legal counsel regarding the Storm Water information.

Mr. Toohey: The Belmonte’s property at 804 Middleline Rd. is their primary residence. The primary occupation is within the accessory building and that is exactly what Home Occupation 2 is allowed to be. On April 9, 2019, the Town issued a building permit for the structure that has been constructed. I have a copy of that permit. The Building Inspector, who was also the Code Enforcement Officer and the Zoning Officer, had issued the permit for not just a Pole Barn but also a storage building. There was full knowledge in Town records as to what the use of this property would be. The home is primarily a residence. It has 5 bedrooms, 4 full baths. There are barns with horses. The 18 acres are used for permitted use within the zone of which they are located. It is residential and farm. A Special Use is a use that is permitted and is based on the approval of this Planning Board. Town Code 180-31 states ; The business use of residential property shall be allowed when the business activity will be compatible with the other uses allowed pursuant to the District Schedule of Use Regulations, § 180-87 and when such use will maintain the character of the neighborhood; ensure the peace, privacy, quiet and dignity of the area; and avoid excessive noise, traffic, nuisance, fire hazard and other adverse effects of business uses’.

Mr. Toohey: There are existing stables on the property. In the record, one of the neighbors thought it was an inside riding arena. As a result, the exterior of the building is consistent with the rural nature of the Town. Across the street, there are public stables. You can see a very large structure which is comparable in size to the Belmonte’s accessory structure. The inside storage is exactly what the building permit allowed. 180-31 (D) states ‘Home occupations shall be conducted in a manner which does not give the outward appearance of a business. Any new construction undertaken to accommodate the home occupation activity shall also be

wholly consistent with the character of a residential premises. Home occupations must not infringe on the privacy of neighbors or their quiet and peaceful enjoyment of their property’.

Mr. Toohey: There will be no advertising on this building. There will be a permitted sign located on Galway Road that will direct vehicles up to the building. There will be no noise or light pollution extended from this site. The light will be run off the north side and one small light off of the south side of the property. There will only be one Home Occupation on this property. It will not interfere with the use and utilization of the property as a residence.

Mr. Toohey: There are five members of the Belmonte family; Mom, Dad, son are intimately involved in the tent business. The two daughters come on board during the peak season. There are 1.5 clerical staff members, only one appears on the property. The other one works remotely. There are two drivers for the trucks. Their primary job is to load and unload the trucks.

Mr. Toohey: Parking in regards to the loading and unloading of the truck will be on the north side of the building. There are paddocks and tree lines that will diminish the view of the trucks. It is not a business that generates any level of traffic on and off of the property. It generates less traffic than the stables across the street. The only outside truck that will be on and off the property is the truck that takes and returns the laundry.

Mr. Toohey: There is no kitchen in this facility. There is the ability to wash and dry the dishes and glassware for the business.

Mr. Toohey: Regarding signage, the Belmonte’s understand that their ability to have a sign is controlled by the Town Code. The code states they can have 4 sq. ft. sign. That is all the signage that they need because they are not advertising as a business.

Mr. Toohey: The traffic will be minimal. There are two access portals to the building. The primary one is on Galway Rd. The secondary access is for emergency access which is on Middleline Rd. The intersection of Middleline and Galway Road is controlled by a four way stop. This results in automatic design breaks in the traffic. There is very little traffic noise on the property. The majority of the business is done off the property.

Mr. Toohey: The specifications within the Town Code for Special Use Permit talk about whether there is enough room on the site for this building. There is 18 acres of land. There is enough room on this site for the building that the Town gave a building permit for.

Mr. Romeo: With regards to the Site Plan, I wanted to touch base with some updates we’ve provided. The project site included 20 trees. The most recent, which has not been provided to the Board yet, has 29 trees to screen the truck parking area as well as supplement the screening for the propane storage area. An additional 9 trees

have been added to screen the project site. Regarding Stormwater, we are working on that with the applicant. The project site has a graded area from the building through the parking area. We are looking to include a combination of drainage swales, bio retention and a small dry or wet pond area to accommodate the green infrastructure the runoff reduction and the quantity controls mandated by NYS DEC and MJ Engineering letter. Through those methods, we are confident we can control all of the stormwater on the site and minimize it to at or below what was on the site before, when it was a vacant field. All of that water will be discharged on site and it will be maintained. We will have separation from the on-site well and from the on-site septic. We are looking to minimize the footprint of those items and minimize the maintenance requirements for the homeowners at the property. All of that will be submitted to MJ Engineering.

Chairman Bartow: At this point I believe we are ready to open the public hearing for the Belmonte Special Use Permit and Site Plan Review;

Nancy Shultes: 3652 Galway Rd. I can see the building from my front door. The building that is being referenced, across the street from Belmonte, is not the same. I submitted pictures to show the difference between the two. One is a rounded structure, hidden amongst the trees and is barely seen from the road. The structure on the Belmonte property is gigantic. It is a big square building and it's very obvious. It is not hidden by the trees. One reason that we moved into this area was because we never thought we'd have to deal with a commercial business being run. That's what this is. They are running a business out of that building. There are lights on at night, which I can see from my window. This building changed the essence of our neighborhood. The Zoning rules, as I read them, say that buildings like this should not interfere with the nature of the area, which it does. If there is a special permit allowed for this building, what's to say that another one can't come? I sent a letter that has 11 signatures from the neighbors. The neighbors were not consulted by the Belmontes prior to this structure being built. It isn't fair to the people that have lived in this area. I am not alone in this. I wanted to make sure our voice isn't lost in all of this.

Chairman Bartow: The letters and pictures that Ms. Shultes provided are on the website.

Mrs. Belmonte: Before we moved into this area, we talked to the Town and were mistakenly told that we did not need a permit, that it was an acceptable use because the previous owner had his work trucks and ran a business from the property as well. I apologize for not knowing.

Morgan Jackson: I have followed this project over the last 8 or 9 months. Mr. Toohey mentioned the permit was issued for a commercial storage building for their

business. Can the Board clarify if the permit was issued for a commercial business or a pole barn?

Mr. Lewis: It was issued as storage only. I issued the permit. It meets all the Area and Bulk requirements for the zone. The issue is the use of the building. The building itself is in character of the neighborhood and it does meet the Area and Bulk. The permit was issued for a storage building, not a commercial storage building.

Morgan Jackson: I am fine with the Belmonte's running a small tent business off of their property. The concern I have is that over the next two years, they will have 25 employees and 15 trucks on the property. I do not want a tent rental business with 30-40 employees run next door to me. If the business grows, does the Town have the ability to limit the amount of traffic and employees on the site? Also, does their dishwasher system affect the water I drink?

Chairman Bartow: with respect to the dishwasher system, it is there as part of the dishwashing that is part of the dishwashing that is part of the rental equipment that they send out and it returns back. They have put in a septic system that the Town has been inspecting and the Department of Health has been monitoring. Bill Lewis has been inspecting that as it goes in. The size of the septic system has met the criteria.

Travis Fitzgerald: Will they be responsible for maintaining commercial insurance on the property?

Chairman Bartow: That is a matter between the Belmonte's and their insurance company.

Mrs. Belmonte: We do carry commercial Insurance. We insure our tents and it is a commercial policy. I have homeowners as well.

Mr. Jackson: Who determines, once the business grows, that there will only be two full time employees on site and how is that enforced?

Chairman Bartow: That would be the Building Department. The Planning Board could also require that the Special Use Permit be re-visited. The Board could request that the Belmonte's come in report back that they are still in compliance with the conditions and terms of the SUP that was issued.

Mr. Lewis: The building will be subject to an annual fire and safety inspection. At that time, we will complete a commercial fire inspection and we'll be able to gauge if the use of building has changed. The employees will be a tough thing to monitor.

Mrs. Belmonte: We have been in business for 15 years and we've had the same amount of staff. We are not looking to expand.

Christine Cook: Oakwood Ct. Is there a limit to how many trucks you can have on site?

Chairman Bartow: We have asked how many vehicles they will have and where they will be parked. The Board can set a limit as to how many trucks can be on site at any given time.

Ms. Cook: Our property backs up to the Belmonte property. We are concerned about the noise.

Ms. Stevens: There are allowed two employees, not members of the family, on the site at one time. How do you manage that with the trucks? Does one person load the truck?

Ms. Belmonte: The loaders come in early or the night before, to load the trucks. They usually load them at night, when the staff person is gone. They are gone before she comes in.

Ms. VanDeinse: Mr. or Mrs. Belmonte, could one of you summarize who lives on the property and is also an employee?

Mrs. Belmonte: My son, my husband, my daughter in law, my daughter and my mother all live on the property. The only one that doesn't live on the property is my daughter. We have two other employees, not related, who work on the property.

Mr. Marsicano: Is there a bathroom in the facility?

Mrs. Belmonte: Yes

Mr. Whittle: do we have the latest plan as 5/11/20 or is it 5/5/20?

Chairman Bartow: The latest Site Plan is 5/11/20

Mr. Whittle: You are still working on the revisions?

Mr. Romeo: Yes. Instead of submitting a plan for this meeting, knowing that we have to include the stormwater measures, we decided to hold off on submitting a plan and would rather show a complete plan that will show the stormwater improvements as well as the landscaping.

Chairman Bartow: We are happy to set up a meeting if it helps expedite things.

Mr. Whittle: How many trucks do you think will be there permanently?

Mrs. Belmonte: We have 3 trucks

John Dooley: The last time we all met together, the entire seating section was full. When people raised their hand in opposition, every hand was raised except the Belmonte's. The kind words of Mr. Jackson and others really do reflect how we feel. Having buildings like this that are acceptable to the Town, is actually unacceptable to us as tax payers. It is not very becoming of the type of neighborhood that we would like. The Belmonte's have stated that there were a lot of things they didn't know when the permit was issued. I wanted to highlight the opposition and I appreciate the Board hearing our voices.

Mr. Toohey: The Belmonte's went to the Town to see if they could build this structure and a building permit was issued. I understand the different views on this but the idea that they blindly built this structure is not correct.

Ms. Stevens: We are not reviewing the building. We are reviewing the Special Use Permit. The building has already gone through all the procedures needed. We are reviewing the use of the building, not the building itself.

Chairman Bartow: A building permit was issued, meeting all the Area and Bulk regulations, for a pole barn structure for storage. It is the commercial use of the building that is coming under the Home Occupation / Special Use Permit.

Mr. Jackson: Who misled the Belmonte's?

Mr. Lewis: The Belmonte's consulted with Wayne Howe. The building meets all of the Area and Bulk requirements. The permit was issued as a pole barn for storage. The use was not an issue. It was a storage building that meets all setbacks.

Mrs. Belmonte: When we purchased this property, we wrote in our contract, pending Special Use Permit. We spoke to Mr. Howe and he said the previous owner ran a business from his house. It wasn't until after that we found out there was never a Special Use Permit granted on this property. The building itself is legal. We tried to make it fit into the character of the area. We tried to make it look beautiful.

Mr. Fitzgerald: Would a building permit have been issued if they were asking for a commercial use?

Chairman Bartow: They do have the right to ask for a Home Occupation 2. That is a use that is permitted by Special Use Permit. We have to review it in consideration with the standards that are in place. You can see all of the standards on the Town website. Mr. Toohey has explained how the Belmonte's feel that they have met those standards.

Chairman Bartow: There are a number of things that need to be submitted to the Board, which include the stormwater prevention plan and some of the Site Plan comments. At this point, I will adjourn the Public Hearing and we will resume next month, July 15th. If the Belmonte's can get us that info, we will resume at 7:05 PM on July 15, 2020

Ms. Cooper: The initial permit did not have extra things in it. How can they continue to add items to it? What can go inside the Pole Barn?

Mr. Lewis: The original application was for the Pole Barn. We completed a footing and framing inspections. We went to do an initial insulation inspection and noticed that they were building out the interior. At that time, they submitted additional plans for the structure, meeting all residential and commercial codes for what they are looking to do. They retrofitted a corner of the building with a bathroom, an office and a sink. That is as far as we've been.

Mrs. Cooper: Were they supposed to continue past the November meeting?

Chairman Bartow: Putting in an office space is not prohibited in an accessory structure. It's the Tent Rental business that is the subject of the question. It's the commercial nature of the Tent Rental business that is here before us as the Special Use Permit.

Chairman Bartow: We do not have a complete application. Neither the Public nor the Board has had the opportunity to review everything. We will not be making a decision on that today. We will adjourn the Public Hearing until our July 15, 2020 meeting. If we have all the information, we will hear from the Public again and the Board can make a decision. Bill Lewis is monitoring this. He has been out there periodically. He has had inspection schedules that he has to meet. Whenever they are ready at each stage of the building permit, he goes out and inspects it.

If there are no further public comments, we will now adjourn the Public Hearing. We will resume on July 15, 2020 at 7:05pm

6. Rhodes Family Minor Subdivision – Lewis Rd. 189.-3-87

Chairman Bartow: Next, we have an application from Rhodes and Wheat families for a minor subdivision Lewis, Rd. Dewar Rd. and Galway Rd. We last reviewed this project in October 2019 and were about to go to public hearing when Mr. Lou Gnip, on behalf of the applicant, withdrew the application scheduled for hearing to work on some additional matter the Board had discussed with the applicant.

Chairman Bartow: In October 2019 we declared the Milton Planning Board Lead agency pursuant to SEQRA, completed the environmental assessment and concluded that that proposed approval of a minor subdivision will not result in any significant environmental impact.

The Board should have before it:

1. Original Subdivision Plat 46-414 from September 2019 for a two-lot subdivision totaling 58.346 acres.
2. Deed dated May 18, 1993
3. Boundary Line Agreement dated April 28, 2010
4. Subdivision plat location map dated 9/23/19
5. Email between Carl Wheat and Donald DeBois of National Grid dated 9/20/19
6. Subdivision Application and SEAF Part 1 dated 9/23/19
7. SEAF Parts 2 and 3 dated 10/9/19
8. Saratoga County referral dated 10/30/19 declaring "No Significant County-wide or Intercommunity Impact."
9. Email from Tina Blanchard to Lou Gnip dated 10/30/19 deferring the November 13th public hearing to 12/11/19.
10. Correspondence from Lou Gnip dated 11/25/19 deferring the December 11th public hearing to sometime in 2020 while they work on boundary line adjustment for the proposed subdivision.
11. Deed dated 3/9/20 reflecting a boundary line adjustment between the Rhodes/Wheat families and Ronald Rybicki providing access to the proposed subdivision from Lewis Rd.
12. Correspondence from Lou Gnip dated 3/27/20 submitting a revised minor subdivision for 3 lots.
13. Revised subdivision application dated 5/27/20
14. Revised subdivision plat 46-414A dated 5/27/20 reflecting a three-lot subdivision consisting of lots 1, 1 east and 2 including access to Lewis Rd., Lewis Rd. and Galway Rd.

Mr. Gnip: We met in October 2019. There were some inquiries by the Board. We had parcel #1 covered on both side of the transmission line which is owned by National Grid. Chairman Bartow had a strong feeling that the license that they would give would be a restrictive one, not a non-restrictive license. That led us to investigate and see if we could obtain access to lot #1 which is east of the transmission line. We were aware that lot #1, west of transmission line, which is the 12.098 acre parcel, was already subdivided because it's divided by the transmission line. Our subdivision is still a two lot subdivision. We modified lot #1 to include the 100 foot strip that was acquired from Ronald Rybicki. We conveyed to him 5.098 acres, which is the east end of lot#1. The map that we have shows the boundary line adjustment and the ownership change that took place. As well as addresses some of the concerns that the Board had in regards to the 100 year flood plan. My May 27th letter, I addressed some of the concerns. We'd like the Board to consider the east portion of lot#1, which is now east of the transmission line. Lot# 2 has not changed.

Chairman Bartow: Since there are no comments, I will entertain a motion to schedule a Public Hearing for the Rhodes Minor Subdivision, for 7:10 PM on July 15, 2020

Motion made by Ms. Stevens, 2nd by Ms. VanDeinse. Mr. Marsicano –yes, Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens- yes; Mr. Whittel-yes; Chairman Bartow-yes.

Mr. Masciacno: I recall from the last meeting, you were going to try to get a Right Of Way from the power company. Was that presented?

Mr. Gnip: We have been in contact with them. They were going to give a license for crossing but the only issue would be a restrictive license. If they would want to move the Right of Way, they could. Chairman Bartow said we would need a non-restrictive license but they will not issue one. While we were talking to National Grid, we negotiated 100 foot strip which we were successful in doing.

Chairman Bartow: On the Northern part, there's now access from lot #1 east.

Mr. Gnip: Correct. On Lewis Road

Chairman Bartow: We are getting a subdivision for lot #1, east, and lot #2. Lot #2 will connect to County Route 45. Each lot now has its own independent access.

7. Rowland St. Major Subdivision 203.-3-11.11

Chairman Bartow: Next let us continue or review of the Rowland Street Major Subdivision Application.

For our continued conceptual review, this evening we all should have:

1. Correspondence from Lansing Engineering dated 12/23/19 submitting the Preliminary Plan Set for a 33-lot subdivision
2. Major subdivision application
3. Agricultural Data Statement
4. NYS DAM map noting Saratoga County Agricultural Districts and noting this project is not within 500' of a District.
5. Deed of the property
6. Full Environmental Assessment Form – Part 1 revised and dated 4/14/20
7. Full Environmental Assessment Form – Part 2 – Identification of Potential Project Impacts.

8. Drawings of the Rowland Street Residential Subdivision dated 12/23/19.
9. Correspondence from our Engineer Joel Bianchi dated January 6, 2020.
10. Correspondence from our engineer dated 1/28/20 to Village of Ballston Spa regarding SEQRA Lead Agency and signed by the Village 2/3/20
11. Correspondence from our engineer dated 1/28/20 to Saratoga County regarding SEQRA Lead Agency and signed by the Village 1/31/20
12. Correspondence from NYS DEC dated 2/3/20 our engineer dated 1/28/20 to Saratoga County regarding SEQRA Lead Agency agreeing to the Town's lead agency status
13. Email from Jeffrey Williams of Saratoga County Planning stating that the County Planning Board was holding off on the 239 referral
14. Correspondence from Lansing Engineering dated 4/15/20 conveying:
 1. Response to our engineer's comments dated 1/6/20.
 2. Revised Long Form EAF
 3. Revised SWPPP
 4. Water Report dated April 2020
 5. Set of revised Subdivision Plans dated 4/13/20
15. Correspondence dated 4/15/20 from Lansing Engineering requesting a waiver from Section 154-19(A)(5)(b) of the Milton Subdivision Regulations regarding separate entrances and connections in subdivisions with 20 or more lots.
16. Correspondence from Lansing Engineering dated 4/15/20 to Supervisor Zlotnick requesting the Town's agreement for an extension of the Village of Ballston Spa water system to serve the subdivision.
17. Comments from our Engineer Joel Bianchi dated 5/15/20

We are granting a waiver under section 154-28, which allows the Planning Board to do that waiver as long as we address a specific hardship, continue to ensure the public interest is protected within the standard of the International Fire Code and keeping in line with the general spirit and intent of Town Regulations.

Chairman Bartow: In January we determined this project was a Type 1 Action under SEQR and we directed our engineer to communicate with involved agencies expressing the Milton Planning Board's interest in being Lead Agency. We have completed our request for coordinated review at this stage and we will proceed as Lead Agency designation for this project.

Mr. Bianchi: I forwarded to the Board, a quick summary of the waiver. We would support the waiver, should the Board entertain it. Based on the fact that we are not relieving them of anything less than what the International Fire Code would require. They are well within the limits of the fire code. Scott has emails out regarding endangered species and archeological resources and is pending a reply from them.

Chairman Bartow: The only other thing would be the water issue?

Mr. Bianchi: They have requested of the Town Board, the ability to do an out of district user agreement with the village. The other option is the Town actually forms a water district. It doesn't change how they get the water. It changes the structure on which the water service is for.

Chairman Bartow: Pursuant to our review and our engineers review we still have outstanding information regarding water supply, endangered species, and archeological resources. In addition, we need to obtain the Saratoga County referral on this project. The County meets tomorrow, so we should have a response from them shortly after.

We need this information to complete our environmental review so we will not make our determination of significance or SEQRA findings this evening. I also want to note that the Town Clerk has asked about the names of the two streets in the subdivision. She needs these for designation of the 911 emergency numbers and records.

To keep this review going, I'd like to consider a Motion to grant the waiver from Section 154-19 B (3) regarding two entrances on a subdivision of 20 or more lots; Second, any discussion; and, pol the Board.

Motion Made by Mr. Marsicano, 2nd by Ms. Stevens. Mr. Marsicano -yes, Ms. Padula-yes, Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens- yes; Mr. Whittel-yes; Chairman Bartow-yes.

Chairman Bartow: I would also consider a motion to schedule a public hearing on the Rowland St. major subdivision, conditioned on receiving the required information by COB July 1, for 7:15 p.m. on July 15, 2020;

Motion Made by Ms. VanDeinse, 2nd by Mr. Whittle. Mr. Marsicano -yes, Ms. Padula-yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens- yes; Mr. Whittel-yes; Chairman Bartow-yes.

Scott Lansing: We do not have anything else to add. We appreciate the Boards consideration and look forward to seeing you all next month for the Public Hearing. Thank you.

8. Other business

No other business

9. Adjourn

Motion to adjourn made by Ms. Stevens, 2nd by Mr. Whittle. Mr. Marsicano –yes; Ms. Padula- yes; Mr. Collins-yes; Ms. VanDeinse-yes; Ms. Stevens- yes; Mr. Whittel-yes; Chairman Bartow-yes.

APPROVED