

Town of Milton Planning Board November 11, 2009

Attendance: Keith Leal (chairman), Ron Lacey, Jim Staulters, John Frolish, John Whittel, Larry Woolbright, Ben Zlotnick, Martin Pozefsky (attorney), Wayne Howe (zoning official), Garry Robinson (town engineer), Frank Blaisdell (town board liaison), Sue Talmadge (secretary).

The meeting was opened with the Pledge to the Flag followed by a moment of silence to honor our veterans who without there would not be the freedoms that we enjoy.

The approval of minutes for the October 14th meeting was postponed pending an addendum to be written by Jim Staulters in regards to street tree discussion.

Kaydeross Village LLC – Final approval of a four lot major subdivision

Attorney Mike Touhey represented the application indicating that the documents have been corrected to reflect services and cross easements and conditions.

Leal read into the record a letter from Sue Talmadge in regards to the public question about 21 day submission requirement.

Pozefsky indicated that the declaration was submitted 21 days prior to the public hearing meeting. The redlined copy was forwarded for easier reading reference but no changes were made to the original document. Pozefsky advised that he is in approval of the document.

Staulters asked if the applicant was considering having a homeowners association for rental property and how would that come about.

Touhey explained that there would be no homeowners association – a single party is responsible for each property.

Leal indicated the board had waived the public hearing at the last meeting if no material changes were made to the project. SEQR has no material changes.

Leal asked the board if they concurred and there were no objections.

Zlotnick made a negative declaration for a Type I SEQR action and advised the chairman to sign the SEQR form on behalf of the board. Lacey made a second. All members voted in favor.

Whittel made a motion to approve the subdivision of lands of Kaydeross Village, LLC dated 7/23/09 subject to the following conditions:

1. Original conditions per initial site and special use approval.
2. Lot No. 1 owner is responsible for original conditions.
3. Declaration of covenants, conditions, restrictions and easements for Winners Circle Apartments, Geyser Road, Town of Milton, County of Saratoga, State of New York.
4. Final approval by planning board attorney of Declarations & Covenants.

Lacey made a second the motion. All members voted in favor of the motion.

Other business

Leal asked Jim for clarification about the street tree discussion he had with town officials.

Staulters explained that Forbes was not present at the town board meeting, but he had agreed that street trees will be installed on the property line. Staulters estimated that \$11,000 for one mile of trees was saved by the developers by not installing them. Also the town center does not comply with the tree requirement.

Frolish indicated he feels that this matter should be resolved by Forbes and the town board.

Leal indicated he made a stop at the new Saratoga Winery and it is very nice.

Howe indicated he had contact with Cumberland Farms and there is a ponding issue at the south entrance. Robinson indicated that Cumberland Farms will be installing a pipe to the catch basin to remedy the problem.

Public Comment

Bruce Boghosian of Jockey Street in Galway addressed Jim asking where the town center is lacking of trees. Jim indicated that some of the side roads do not have trees. Discussion ensued – some trees have been damaged and will need replacement, but all site plans have addressed the issue of street trees.

Boghosian asked when the application for KVA was received and if it was 21 days prior to the meeting.

The meeting was adjourned.

At that time Bruce Boghosian approached the planning attorney, chairman and secretary asking for an answer to his question about timeline for application submission. He was reminded by the secretary that his own applications for subdivisions as well as other subdivisions, while he was a planning board member, were accepted on 14 day submissions and he never objected.

Submitted by Susan Talmadge