

Town of Milton Planning Board July 8th 2009

Attendance: Keith Leal (Chair), Ben Zlotnick, Jim Staulters, John Frolish, Larry Woolbright, John Whittel, Ron Lacey, Martin Pozefsky (Attorney), Wayne Howe (Zoning Official), Garry Robinson (Engineer), Frank Blaisdell (Town Board Liaison), Susan Talmadge (Secretary)

The meeting was opened with the Pledge to the Flag.

Woolbright made a motion to approve the June 10, 2009 meeting minutes as written. Lacey made a second. All members voted in favor of the motion.

Public hearing for 86 Greenfield Avenue – name – Fleming – minor subdivision.

Dan Fleming began with a re-introduction of his application;

The 3 lot subdivision map has been revised to show the existing building, building envelopes & driveways.

Water and Sewer has been mapped – letter has been forwarded to the file from Heritage Springs Water and a copy of email from Saratoga County confirming sewer for the site.

County DPW has looked at the site and would be issuing curb cut permits.

Frolish asked that lot one be corrected to show that the rear setback ends at 100 feet mark - would like the buildable area squared off on lot one.

Leal confirmed it would be permissible to include a note on the final plan that an accessory structure could be built outside of the principal building setback area.

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

The Chairman opened the public hearing. There were no public comments. Everyone had an opportunity to speak. The public hearing was closed by the Chairman.

Whittel made a motion to approve the three lot subdivision map dated 6/4/09 with on condition.

- The map is revised to show the build able area for lot No. 1.

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

Review for Kaydeross Village Apartments – subdivision.

Travis Mitchell represented the application on behalf of Tom Samascott and KVA.

Mitchell explained that Phase I of the site plan is under construction.

Phase I needs to be subdivided for financial purposes.

Although it is less than 5 lots the density in units requires a major subdivision.

Cross easements would be provided for utilities.

Leal inquired if the SEQR would be changed for the site plan.

Mitchell indicated there would be no changes in SEQR.

Pozefsky advised the board would not need to address SEQR again and if there are changes then the SEQR could be rescinded if needed.

Frolish inquired if the project would be looked at as a whole – and what would happen to the maintenance, clubhouse, driveways and etc if a different owner were involved in the separate parcels.

Mitchell indicated cross easements would be provided for the amenities and although it is not the intention to sell, all maintenance would go along with it.

Frolish inquired how the maintenance would be handled because the board had approved the project as a “whole”.

Tom Samascott answered – indicating Phase II cannot be financed now with Phase I being included. It is one parcel and if divided the remaining land could get financing.

Pozefsky advised there are deed restrictions that could be included.

Mitchell stated there were no maintenance agreements in the first phase of the project.

Discussion ensued.

Leal inquired about the triggers for the agreed improvements.

Samascott indicated if they do not build it then the improvements would not be required.

Leal, Whittel and Zlotnick expressed concerns about the roadways.

Woolbright indicated that if the deed restrictions were to be worked out he would be OK with it.

Samascott explained that Phasing of the site was foreseen, but not subdividing due to the current economic conditions and financing options. All utilities are intertwined and stand alone parcels would not work. The proper agreements could be put in place.

Zlotnick indicated he would be Ok with the subdivision if the agreements were to be put in place.

After discussion Leal scheduled the public hearing for August 12th 2009 at 7:05 PM.

Other business:

Time limits for public comment period.

Pozefsky advised that the board can adopt rules of procedure with the approval of the Town Board.

After discussion – Pozefsky will re-draft the document and it would be placed first on next month's agenda.

The meeting was adjourned.

