

**Town of Waterford  
Planning Board  
65 Broad Street  
Waterford, NY 12188**

Minutes of June 14, 2010

The meeting began at 7:30pm with attendance being taken. Present were members Peter Fletcher, David Wendth, Bob Lefebvre, Harriett Fusco and Chairman David Woodin. Also present was Ray Carmel, Code Enforcement; Rene Lipatas, CHA; and Richard Hurst, Planning Director.

Chairman Woodin made a motion to waive reading the minutes from the May 11, 2010 meeting and it was seconded by Ms. Fusco. The motion passed 5-0 with voting as follows:

Fletcher	yes
Wendth	yes
Lefebvre	yes
Fusco	yes
Chairman Woodin	yes

Eric Westfall, an engineer representing Momentive Performance Materials, spoke to the Board about a proposed project. Momentive is under federal mandate to upgrade and modify two stormwater lagoons. These upgrades will help bypass the flow from the stormwater system to settling and treatment tanks down at the treatment plant on the east side of the street. They will utilize large diameter pipes. They wish to treat the stormwater before discharge, even wet weather stormwater.

The project is an Unlisted Action for SEQR. At this point, the Board is waiting on Saratoga County Approval which was expected to be granted on May 14<sup>th</sup>.

Based on input from the Town Board, it was decided that the project was large enough (\$12M) to require additional inspection services to be performed on the Town's behalf by Clough Harbour Associates. The inspections would include pipe laying, rebars, form work, concrete pours, etc. The Board will defer to CHA as to when inspections will occur as the timing of the inspections will vary depending upon what type of work is being performed at any given time. As part of the inspection process, Momentive would be required to establish an escrow account. It is estimated that the inspections will cost about \$15K.

Leo Bouleris had appeared at the May meeting to inquire about subdividing land at 114 Fonda Road owned by Edward Goodwill of Waterford. A Public Hearing was scheduled for the June meeting, but Mr. Bouleris never submitted the necessary paperwork. He also was not in attendance at the meeting, but it was noted that the property was in the process of being surveyed.

Chris and Jamie Maloney of 22 Weaver Avenue appeared before the Board seeking approval to increase the size of their home by more than 25% (from 1856 s.f. to 2456 s.f). An earlier plan which would have required ZBA approval for side setbacks had been denied in May by the ZBA. The current plan would replace an existing garage with a new structure attached to the home. The lower level would be a two car garage and the upper level would be a 30 ft x 20 ft master bedroom suite.

Mrs. Maloney's father (Bob Zordan) presented the plan to the Board. Chairman Woodin noted that there was a problem with the side setbacks. The closest setbacks were 12 feet on the west side and 10 feet on the east side. There was significant discussion about whether the setbacks used should be those of the original home (12 ft and 15 ft) or those which come closest to the property lines. The Board agreed that it was the latter. Mr. Zordan said this would mean that he would have to move the addition several feet (3 ft) to the west. This would leave setbacks of 12 ft and 13 ft. Although the addition could be left where it was, it would require another trip to the ZBA for a variance. The applicants did not want to do that but the shifting of the addition created another problem; there would be only 17 ft between the property line and garage doors. Mr. Zordan felt this would be tight for making a 90 degree turn into the garage and for backing out of the garage.

Mr. Zordan asked what would happen if he reduced the size of the addition so that it was under the 25% factor. He was told that the Planning Board would have no jurisdiction and that the case would proceed directly to the Building Inspector for a permit. Mr. Zordan then asked if he could come back at a later date and add to the master bedroom suite to get up to the original size. The Board noted that it was possible but is it really worth it to go that way rather than receiving Planning Board approval? That would be something the applicants would have to decide.

A Public Hearing was set for July 12, 2010 at 7:30 PM for the Maloney addition. Chairman Woodin made the motion and it was seconded by Mr. Wendth. The motion passed 5-0 with voting as follows:

Fletcher	yes
Wendth	yes
Lefebvre	yes
Fusco	yes
Chairman Woodin	yes

Several days after the meeting, Mrs. Maloney sent Chairman Woodin an email saying that after further consideration, her family has decided not to go forward with the project as it was presented to the Board.

From an administrative perspective, it was noted that Pete Fletcher has a new email address. Also, Mr. Lefebvre and Ms. Fusco will be away on vacation and unable to attend the July meeting.

The Chairman made a motion to end the meeting at 8:40pm, seconded by Fusco.