

Saratoga County

Tom Lewis, Chairman

Planning Department

Jason Kemper, Director

Saratoga County Planning Board

Meeting Minutes

August 16, 2012

The meeting held at the office of the Saratoga County Planning Department located at 50 West High Street in Ballston Spa was called to order at 4:00 p.m.

The following members, staff and guests were present:

Members Present: Ed Vopelak, Acting as Chairman; Stephen Porto; Michael Miller and Paul Loomis.

Staff: Michael Valentine, Senior Planner; Jaime O'Neill, Planner and Cynthia Nick, Planning Secretary

Guest: Larry Morse, Resident of Ballston Spa

Approval of Minutes:

The minutes of the July 19, 2012 meeting were unanimously approved on a motion made by Mr. Porto, seconded by Mr. Loomis.

Referrals:

12-100 Village of Ballston Spa Zoning Board of Appeals

Ms. O'Neill presented an application for a Use Variance in the name of Couse for the installment of a 30,000 gallon propane filling station within 100 feet of the center of the Kayaderosseras Creek on NYS Route 50. The Saratoga County Planning Board is requesting additional information regarding the above referenced referral prior to issuing a decision. The applicant should provide the village with information that proves the need for the variance with respect to expansion of the current non-conforming use. A use variance has 4 standards that must be proved prior to the village issuing a decision. The standards are no reasonable return, unique circumstances, no self-created hardship and no alteration of the essential character of the neighborhood. At this time, it is our understanding that the applicant has not provided information to this end; therefore the County Planning Board has not received a full statement as required by General Municipal Law.

The County Planning Board understands the Village of Ballston Spa has an ordinance in place that restricts development with 100' of the center of the Kayaderosseras Creek. It is not clearly defined as to the location of the proposed 30,000 gallon propane tank. The applicant should provide the Zoning Board of Appeals with a clearly labeled map of the property showing existing conditions, with the proposed location of the tanks clearly shown including an accurate measurement from the center line of the Kayaderosseras Creek.

12-101 Town of Wilton Planning Board

Mr. Valentine presented an application for a Site Plan Review and Area Variance in the name of Parnham to amend the site plan to convert the existing building and lot to auto sales office and used car lot on Ballard Road (County Route 33). Mr. Valentine stated No Significant County Wide or Inter Community Impact with comment that the applicant should contact Ted Serbalik of Saratoga County DPW (885-2235) to meet on-site for a determination of the access driveway necessary for a curb cut permit.

12-102 Town of Malta Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Kumar for the construction of a new 49 room hotel and parking lot containing 59 spaces. All existing buildings will be removed. The location of the site is NYS Route 9. Mr. Valentine recommended approval.

12-103 Town of Malta Planning Board

Ms. O'Neill presented an application for a Site Plan Review Amendment in the name of Ellsworth Partners, LLC for the approval of three building mounted business identification signs to be installed on the Lincoln Building on NYS Route 9. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

12-104 Town of Malta Planning Board

Ms. O'Neill presented an application for Site Plan Review in the name of Saratoga Hospital for site lighting plan modifications: removing 10 light poles and raising height of 7 of the remaining 27 light poles from 15 to 20 feet and modifications for dumpster enclosure on NYS Route 67. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

12-105 Town of Malta Planning Board

Ms. O'Neill presented an application for a Site Plan Review in the name of Roschinsky to install four additional parking spaces on Round Lake Road (County Route 80). Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

12-106 Town of Malta Planning Board

Ms. O'Neill presented an application for a Site Plan Review in the name of Ellsworth Partners, LLC for the construction of a 1,741 square foot street level patio to be used for an outside eating area and stairway leading to the existing upper level on NYS Route 9. Ms. O'Neill stated No Significant County Wide or Inter Community Impact. Recusal: Ed Vopelak

12-107 Town of Malta Town Board

Mr. Valentine presented an application for a PDD Zoning Amendment in the name of Peter Belmonte, Jr. & Peter Belmonte, Sr. for the addition of 0.466 acres of land to PDD No. 7 to reconfigure six buildings into five buildings and construct a new interior road on Round Lake Road and Raylinsky Road (County Route 80). Mr. Valentine recommended approval.

12-108 Town of Malta Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Parade Ground Village for the construction of a 957 square foot addition to the Bentley's portion of Building #9, including a dumpster enclosure and an easement for additional parking on NYS Route 67 and Hemphill Place. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-109 Town of Moreau Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of KCWR Holdings Inc. for the relocation of a manufacturing facility to this location without outside alterations on NYS Route 9. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-110 Town of Clifton Park Zoning Board of Appeals

Ms. O'Neill presented an application for a Sign Variance in the name of Windsor Companies for the modification of Variance #80441 to add an additional 386 square feet to the original variance on Southside Drive (NYS Route 146). Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

12-111 Town of Greenfield Planning and Zoning Board of Appeals

Mr. Valentine presented an application for a Site Plan Review and Area Variance in the name of Doty for academic and educational use; martial arts academy on Maple Avenue (NYS Route 9). Prior to consideration of the appeal for issuance of an area variance it will be necessary for this Board to review a complete application that includes a site plan utilizing surveyed information to locate all existing structures and features. This site plan should depict a dimensioned parking area, provide for a defined number of parking spaces in accordance with the town zoning ordinance, depict the site building area within measured front, side and rear yard setbacks, and show the means by which traffic will circulate through the site, utilize the parking area or drop off students, and exit the site over the same area used to enter the site.

The area variance is requested because of both a substandard lot size and insufficient lot frontage. The area variance application states that the lot size is 58,370.4 sq. ft. while the site plan application cites the lot size is 0.67 acres (or 29,185.2 sq. ft.). It is unclear what reference is being made to the lot size provided within the area variance application. While requesting a variance for a lot size of less than one acre in a district requiring 2 acres may appear to be substantial, how the proposed use functions on the existing nonconforming lot cannot be determined without a proper site plan.

Absent a complete site plan it is not possible to determine the site's ability to properly function. We recommend that the applicant provide a site plan to meet the standards of the town's zoning ordinance and be resubmitted for review prior to a determination of the area variance appeal.

12-112 Town of Moreau Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Dynamite Real Estate, Inc. for the change in tenant for a vacant deli/grocery store on NYS Route 9, west side adjacent to Lamplighter. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-113 Town of Ballston Planning Board

Ms. O'Neill presented an application for a Site Plan Review in the name of Burnt Hills United Methodist Church for the construction of a 28' x 36' addition to the existing garage on NYS Route 50. Ms. O'Neill recommended approval.

12-114 Town of Ballston Planning Board

Ms. O'Neill presented an application for a Site Plan Review in the name of Burnt Hills United Methodist Church for the construction of a garage and lot-line adjustment on Kingsley Road. Ms. O'Neill recommended approval.

12-116 Town of Ballston Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Ballston Meadows for fifty-eight senior apartments within the Beacon Hill PUDD on NYS Route 50. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-117 Village of Corinth Village Board

Mr. Valentine presented an application for an amendment to Chapter 119-Streets and Sidewalks to allow sidewalk sales and sale signs on sidewalks with permit from Board.
Mr. Valentine recommended approval.

A motion to approve Planning Department recommendations for the referrals as presented was made by Mr. Porto. The motion was seconded by Mr. Miller, and unanimously approved.

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a “full statement of such proposed action” provided directly to SCPB by the municipal referring agency as stated under General Municipal Law Section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

Subdivisions

12-A-43 Town of Stillwater Planning Board

Ms. O’Neill presented an application for a Subdivision Review in the name of Noirot for a three lot subdivision on Pittsburgh and New York Avenues (City of Mechanicville). Ms. O’Neill stated No Significant County Wide or Inter Community Impact.

12-A-44 Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Subdivision Review and Site Plan Review in the name of Robert Marini Builders for a lot-line adjustment Lot 14/18 and revised site plan to reconfigure previously approved driveways on Harris Road (County Highway 95).
Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-A-45 Town of Edinburg Planning Board

Ms. O’Neill presented an application for a Subdivision Review in the name of Winney for a two lot subdivision on South Shore Road (County Route #7). Ms. O’Neill stated No Significant County Wide or Inter Community Impact.

12-A-46 Town of Ballston Planning Board

Ms. O’Neill presented an application for a Subdivision Review in the name of Johnson. The applicant proposes a 24.18 acres into two residential units on Hop City Road (County Route 56). Ms. O’Neill recommended approval subject to DPW permit.

12-A-47 Town of Ballston Planning Board

Ms. O’Neill presented an application for a Site Plan Review in the name of McGuire for the subdivision of 3.75 acres into two residential lots on Scotchbush Road (County Route 56).
Ms. O’Neill recommended approval subject to DPW permit.

A motion to approve Planning Department recommendations for the subdivisions as presented was made by Mr.Porto. The motion was seconded by Mr. Loomis, and unanimously approved.

Other Business

2013 Saratoga County Planning and Zoning Conference

The 2013 Saratoga County Planning and Zoning Conference will be held on January 30, 2013. A “Save the Date” mailing will be going out shortly.

Adjournment

As there was no other business, on a motion made by Mr. Loomis and seconded by Mr. Miler, the meeting was adjourned with all in favor.

Respectfully Submitted,
Cynthia T. Nick, Secretary