

**Saratoga County**  
**Tom Lewis, Chairman    Planning Department    Jason Kemper, Director**

**Saratoga County Planning Board**  
**Meeting Minutes**  
**December 18, 2014**

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:** Tom Lewis, Chairman, Ed Vopelak, Paul Loomis, Ian Murray, Don McPherson.

**Staff:** Michael Valentine, Senior Planner, Jaime O'Neill, Planner, Cynthia Nick, Secretary

**Guests:** Leslie Mauro; Walmart Stores, Gina Rossi; Rossi Subdivision, Tom Savino, Rossi Subdivision; Dick Doyle; Town of Ballston Planning Board and James DiPasquale.

**Approval of Minutes:**

The minutes of the November 20, 2014 meeting were unanimously approved on a motion made by Mr. Loomis, seconded by Mr. Murray.

**Referrals:**

**13-123 City of Saratoga Springs Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Verizon Wireless for the installation and operation of a communications facility on NYS Route 50, west side north of Hutchins Road. Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusal by Tom Lewis.

**14-174MV Town of Ballston Planning Board**

Mr. Valentine presented a Site Plan Review in the name of Walmart Stores and Frank Rossi for a combined major subdivision and construction of 136,800 square foot store on NYS Route 50. Mr. Valentine stated that no action will be taken at this time awaiting further review from NYSDOT and closing of SEQR review.

**14-221JK Town of Stillwater Town Board**

Ms. O'Neill presented a PDD Zoning Amendment in the name of Global Foundries for the construction of two 5-million gallon water tanks on Stonebreak Road (Town of Malta). Mr. Kemper recommended approval with the following comment. The interconnection of the two public water supplies and the proposed cross contamination protection system requires the review and approval of the NYSDOH, SCWA and SWS.

This approval should be obtained prior to local planning board approval of the project. Recusal by Don McPherson.

**14-225MV City of Saratoga Springs**

Mr. Valentine presented an application for a Site Plan Review in the name of Stewart's Shops Corp for the construction of a 475 square foot addition to the rear corner of the building on NYS Route 9N (Church Street) between RR Place and Woodlawn. Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusal by Tom Lewis.

**14-227MV Town of Halfmoon Planning Board and Town Board**

Mr. Valentine presented an application for a Site Plan Review and PDD Zoning Amendment in the name of Vending Property LLC/421 Halfmoon Flex Park for the addition of two existing parcels zoned C-1 Commercial added to the Parkford Planned Development District. Mr. Valentine recommended approval, curb cut permit needed.

**14-232JK Town of Malta Town Board**

Mr. Valentine presented an application for a PDD Zoning Amendment in the name of Saratoga Hospital to amend the existing PDD with the following: senior living apartments, combine Area 6A & 6B, modify building height for Area 6; eliminate setback and minimum lot size requirements to accommodate ground leases; create a 0.1 acre parcel; amend rural road requirement for Area 8; and signage modifications on NYS Route 67 and NYS Route I-87. Mr. Valentine recommended approval. Recusal by Don McPherson.

**14-233JO Town of Galway Planning Board**

Ms. O'Neill presented an application for a Site Plan Review in the name of Chad's Automotive for an existing car wash which was being converted to an automobile repair shop on 1.84 acres on Fish House Road (County Route 14). Ms. O'Neill stated No Significant County Wide or Inter Community Impact with the following comment. Even though there are no proposed changes to the current driveway onto the County highway, Saratoga County DPW may wish to review proposed site plan prior to the town issuing site plan approval.

**14-234MV Town of Wilton Planning Board**

Mr. Valentine presented an application for a Special Use Permit in the name of United Methodist Church/Frank Nigro for (1) 110 unit three story senior apartment building and (1) 92 unit assisted living building on Perry Road/Jones Road and NYS Route 50. Mr. Valentine recommended approval with the following comments. The Saratoga County Planning Board recognizes that the senior housing proposal by the Nigro Group for development of 21 acres in the C-1 zoning district (located north of NYS Rt 50 on the east side of Perry Rd. and the south side of Old Gick Rd.) requires the issuance of a special use permit from the town of Wilton town board and a waiver of the requirement that access be from a state, federal or county highway. The project has no access ingress/egress from NYS Rt. 50 and the other perimeter roads are local roads. While NYS DOT has no review/permitting authority associated with the proposed development,

we recommend that the Department be copied traffic and engineering information or reports (stormwater/run-off carried in ROW) as determined necessary.

The SCPB will later be involved in further review and comment as required for subdivision and site plan review. We note a two-phase development requiring a 2-lot subdivision approval through the town planning board and site plan review for 110 units of independent senior living apartments and a 92-unit assisted living facility. While we recognize low trip generation numbers for senior/assisted living housing versus that of an apartment complex, we anticipate that a traffic assessment will be conducted and that shared access and cross easements will be considered in the site design.

#### **14-235 Town of Wilton Town Board**

Mr. Valentine presented an application for a Text Zoning Amendment for the Town of Wilton Code Revision to the Conservation Subdivision Design Section of the Zoning Ordinance (Removed section that offers density bonus without land being accepted). Mr. Valentine recommended approval with the following comments. We recognize the minor textual change in reference to a density bonus as part of a conservation subdivision; noting that the past reference that a subdivider SHALL receive 10% density bonus is being removed and altered to effect that IF lands are offered, and IF accepted by the town board, then the subdivision MAY receive a 10% density bonus.

#### **14-236MV Town of Ballston Planning Board**

Mr. Valentine presented an application for a Special Use Permit in the name of Ballston Spa Diner, LLC to reopen an existing restaurant (Ecobellis) on NYS Route 50. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

#### **14-237MV Village of South Glens Falls Zoning Board of Appeals**

Mr. Valentine presented an application for an Area Variance in the name of Cerrone Builders for a ten lot subdivision on William Street and Municipal Boundary with the Town of Moreau. Mr. Valentine recommended approval with the following comment. The file was reviewed previously at prior meeting and noted Area Variances were approved by village. Referral not received by municipality. This is the formal referral.

A motion to approve Planning Department recommendations for the referrals as presented was made by Mr. McPherson. The motion was seconded by Mr. Murray, 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**

### **14-A-84MV Village of South Glens Falls Planning Board**

Mr. Valentine presented an application for a Subdivision Review in the name of Cerrone Construction LLC for a ten lot subdivision of 2.69 acres on William Street, north side, east of NYS Route 32. Mr. Valentine recommended approval.

### **14-A-94MV Town of Hadley Planning Board**

Mr. Valentine presented an application for a Subdivision Review in the name of Whitewater Way for a two-lot subdivision on Rockwell Street (County Route #4)/Town of Hadley. Mr. Valentine recommended approval.

### **14-A-95JK Town of Edinburg Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Foss for the creation of four lots from one parcel on Sinclair Road. The applicant should verify the ability to use Farmers Lane (private drive) as ingress/egress for the lots. If the ingress/egress arrangement is changed a permit will be necessary from Saratoga County DPW for access onto Sinclair Road. A note should be added to the plans indicating that the proposed house locations on the plans are what was approved by Saratoga County and other agencies, any modification of the placement of homes will require review by Saratoga County and any other agency that granted approval.

### **14-A-96MV Town of Halfmoon Planning Board**

Mr. Valentine presented an application for a Subdivision Review and Special Use Permit in the name of MMMH Enterprises LLC for a three lot subdivision for 3 duplex buildings of 5.4 acre parcel on Firehouse Road off Vischer Ferry Road. Mr. Valentine recommended No Significant County Wide or Inter Community Impact.

### **14-A-97JK Town of Edinburg Planning Board**

Mr. Kemper presented an application for a Subdivision Review in the name Finch to divide a parcel into two parcels which will result in an existing single family home on each parcel (Currently has two dwelling on one lot) on Johnson Road (Northampton/Fulton County). Mr. Kemper stated No Significant County Wide or Inter Community Impact.

### **14-A-98JK Town of Edinburg Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Kennedy to subdivide current parcel into three parcels. An existing single family home to remain on one lot, the two additional lots will be used for building lots on Sinclair Road (County Route 5). Mr. Kemper stated No Significant County Wide or Inter Community Impact. The applicant will need to contact Ted Serbalik to obtain a Saratoga County DPW work permit for the proposed work within the county ROW. A note should be added to the plans indicating

that the proposed house locations on the plans are what was approved by Saratoga County and other agencies, any modification of the placement of homes will require review by Saratoga County and any other agency that granted approval.

**14-A-100MV Town of Ballston Planning Board**

Mr. Valentine presented an application for a Subdivision Review in the name of Frank Rossi for a combined major subdivision and construction of a 136,800 square foot store on NYS Route 50. Mr. Valentine stated that no action would be taken at this time. Awaiting further review and comments from NYSDOT and closing of SEQR for further review.

**14-A-101JO Town of Charlton Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Marsh for the subdivision of land to reconfigure building lots for sale and annex some land with Jaffe on NYS Rout 147 and Charlton Road (Glenville, Schenectady County in the Agricultural District.) Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

**14-A-102JO Town of Charlton Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Pashley for a lot-line change to convey a shop building on ¾ acres to the neighbors on Sweetman Road in the Agricultural District. Ms. O'Neill recommended approval.

**14-A-103MV Village of Ballston Spa Planning Board**

Mr. Valentine presented an application for a Subdivision Review in the name of Burlingham for a two lot subdivision on East High Street (Town of Ballston) Mr. Valentine recommended approval with comment for new curb cut permit required. The Approval (conditioned upon further referral to SCPB and subdivider's receipt of any area variances that may be required). Applicant proposes a 2-lot subdivision of a 1.15-acre (50,233 sq. ft.) parcel with an existing residence in the R-1 District. The parcel has 200' of frontage on a public road and is proposed to be divided into a 10,575 s.f. lot (10,000 s.f. min) w/84' of frontage (80' min.) and a new 39,658 s.f. lot w/116' frontage. Subdivider proposes to remove the greenhouse on east side of the existing house and remove the attached 1-car garage at rear of the existing house. No referral has yet been received for SCPB review of any appeal to the village zoning board of appeals (for needed variances); however, we note by application that building coverage and side yard setbacks are not conforming. If the application is correct, a referral from the village zoning board of appeals needs to be submitted to this agency. New home construction is scheduled for spring of 2015 but may need prior legal review between parties associated with any easements and title for rear access across other property to the rear of the subject property.

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

**Other Business**

The Chairman discussed the Saratoga County Annual Planning and Zoning Conference to be held on January 28, 2015 at the Saratoga Springs City Center.

**Adjournment**

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

Respectfully Submitted,  
Cynthia T. Nick, Secretary