

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

Saratoga County Planning Board
Meeting Minutes
May 21, 2015

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; Ian Murray, Paul Loomis, Don McPherson and Michael Miller.

Staff: Jason Kemper, Director; Michael Valentine, Senior Planner; Cynthia Nick, Secretary

Guests: Peter Martin, county Supervisor for the city of Saratoga Springs Supervisor

Approval of Minutes:

The minutes of the April 16, 2015 meeting were unanimously approved on a motion made by Mr. Loomis, seconded by Mr. Miller.

REFERRALS:

14-195 Town of Milton Town Board

Mr. Valentine presented an application for an amendment to the Carlton Hollow PUD located on North Line Road (CR# 45) and Greenfield Avenue (CR# 50). The application originally came before this board in 2006 but never moved to development. Another applicant submitted the property for mixed-use development, which was denied by both the SCPB and the Milton town board. The original developer resubmitted to the town board for an extension of his approval in 2014 as the PUD's sunset provision was soon to expire that approval. The applicant has now submitted a proposed change in the residential use permitted, from 68 condo units to 128 senior rental apartments. Mr. Valentine noted that the use change does not impact any issues of site development and does not diminish the level of service of any of the immediate intersections; he therefore recommended approval.

15-72 Town of Wilton Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Aldi/KMDA, LLC/Wilton II, LLC for a proposed shopping center of 113,000

square feet of leasable space on the vacant parcel between Lowe's and Five Below on NYS Route 50. Mr. Valentine stated that the application was discussed in detail by himself and the applicant's engineer at the April meeting of the board when it was under review for various area variances. He noted that in his further discussion with the town's engineer and the applicant it was determined that site plan will be re-submitted with additions/changes for our June or July meeting as the application is not yet complete.

15-81 Town of Stillwater Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Hill for a Timber Harvesting Plan for two tax parcels on 53 acres on County Route 75, west side, south of Jolly Road intersection. Mr. Valentine stated that the application involves a similar review process as undertaken in Wilton and Clifton Park and recommended that the timber harvesting plan poses No Significant County Wide or Inter Community Impact.

15-82 Town of Stillwater Planning Board

Mr. Kemper presented an application for a Site Plan Review in the name of DA Collins Co for the relocation of trailer city office and utility trailers at the LFTC Campus in the Town of Malta. Mr. Kemper recommended approval.

15-84 Town of Greenfield Zoning Board of Appeals

Mr. Valentine presented an application for an Area Variance in the name of Stewart's Shops for the replacement of an existing freestanding sign. The Greenfield Commons sign will be removed and a Stewart's sign will be added along with one attached building sign for the retail plaza located on NYS Route 9N, west side. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

15-87 City of Saratoga Springs Planning Board

Mr. Valentine presented a second application for a Site Plan Review by the Saratoga Independent School, Phase II. Proposed is a two-story addition to the existing private school (20,200 square foot and 16 classrooms) on Lake Avenue (NYS Route 29). Mr. Valentine stated that the phased development of the site presents No Significant County Wide or Inter Community Impact.
Recusal Don McPherson and Tom Lewis.

15-88 Town of Malta Town Board

Mr. Kemper presented an application for a Project Plan Review in the name of Lakeview Outlets, Inc./Malta Commons Business Park/Panera for the construction of a 4,500 square foot Panera Restaurant with a drive-thru on Saratoga Boulevard (NYS Route 67). Mr. Kemper stated No Significant County Wide or Inter Community Impact.

15-89 Town of Wilton Zoning Board of Appeals

Mr. Valentine presented an application for three new, very minor area variances for yard setbacks associated with Nigro Group LLC's proposal for independent living and assisted living facilities on two separate but abutting parcels on Perry Road off NYS Rt. 50. Mr. Valentine recommended a decision of No Significant County Wide or Inter Community Impact.

15-90 Town of Wilton Town Board

Mr. Valentine presented a referral from the town of Wilton town board for review of the Town of Wilton's Comprehensive Plan Update. He stated that town residents and the town board have voiced support for the work undertaken and completed by the Update Committee. The Town Board appointed a committee of two planning board members, two Town Board members, two members of the zoning board of appeals, four from town staff, counsel, and the Plan's consultant (MJ Engineering). Resulted in a very successful town & committee undertaking that started in September, 2014. The Committee held 11 public working meetings, all open to the public. He noted that there were no major land use modifications proposed and a reaffirmation of the town's emphasis of the Exit 15 corridor utilized for retail and Exit 16 for light industrial/commercial. The Rt. 9 Corridor is home to mixed use development in the Hamlet districts. Mr. Valentine stated that in conversation with town staff the town will be looking to provide some language to help clarify code regarding architectural standards, the pedestrian aspects of developments, and to address the multimodal aspects of future developments (Complete Street components, walkability, bike/ped, safety).

Mr. Valentine recommended approval.

15-93 Village of Corinth Planning Board

Mr. Valentine presented an application for Site Plan Review associated with a home occupation in a residence which used to house the American Legion on Heath Street. The name of the business that proposes the home occupation is Simpson-Rockin Chairs Upholstery, a small-scale upholstery repair business. Mr. Valentine recommended No Significant County Wide or Inter Community Impact.

15-94 Town and Village of Corinth Planning Boards

Mr. Valentine presented an application for an Area Variance and Site Plan Review submitted to both municipalities by Thomas Center/Bovee for construction of a one 4-plex residential dwelling with eight parking spaces and for the construction of three additional 4-plex buildings. Mr. Valentine stated that the project had been reviewed by SCPB at a previous meeting and there have been no changes to warrant further discussion and he recommended a decision of No Significant County Wide or Inter Community Impact.

15-95 City of Saratoga Springs City Council

Prior to recommending approval of the city's Comprehensive Plan Update, Mr. Valentine provided the Board with an overview of the history of actions taken by the city of Saratoga Springs to get to the current update of its Comprehensive Plan. He stated that the current Plan was initiated in 1999, with a 2000 amendment, a 2001 update, and a draft/revisited plan in 2007 that went to the City Council but was never adopted. The present process to update the Plan started with review by a large committee in May 2013. A work product (Draft and 53 amendments) was passed to the City Council; however, no consensus was established on the status of the Plan over the course of workshops and public meetings. The entire product was then moved to the City Council as a means to move the updating process from stalemate. The City Council

proceeded with four workshops, looking at all 53 amendments. Mr. Valentine noted that overall the draft Plan represents very little change in the long-term vision for the city. He explained that there has been a noted increase in the emphasis of sustainability provisions within the draft Plan and the Plan still maintains concepts such as the City in the Country, reaffirms the City Greenbelt (overlays) and its Gateways, and continues efforts for Exit 14 preservation. Development east of Exit 14 has continued to be a major point of public interest and discussion. Some of the biggest points of emphasis of the amendments rested with two of the 53 amendments (the rest may be considered technical, minor changes or wordsmithing):

1. As compromise between applicant and committee a proposal was raised to create a resort overlay district for the area of the Saratoga National Golf Club. The proposal seems at this time to have gone no further and the applicant is now working on a zoning amendment, and
2. Rezoning of Crescent Avenue property owned by the D'Andrea family. This property, like that of the Saratoga National Golf Club, is located in the CDD within the Exit 14/Saratoga Lake area and was subject of a PUD proposal for use of 177 acres on the "plateau" off Crescent Ave overlooking Lake Lonely. We understand that there may be 80 usable acres and the applicant was proposing to take the property out of the CDD and pursue a Comp Plan designation that would allow for a greater density.

As a result of these two proposed land use plans one of the most discussed proposals coming out of the Update is the proposal to continue the prohibition of using Planned Unit Developments within the Conservation Development District (bulk of the CDD is in the Exit 14 area). The review of the Comp Plan Update by the SCPB, he noted, does not have as its focus a discussion of the merits of either of these two land use plans; however, we have looked at how they have been integral to discussion of Section 5.10 - limiting the use of PUDs. We recognize the city's emphasis on discouraging PUDs in most areas of the city, instead encouraging development in the seven (7) Special Development Areas (downtown business district, Excelsior Ave inner area, Excelsior Ave to Exit 15, Weibel Ave. Northern, West Ave. Northern, West Ave. Southern, Northern So. B'Way). These SDAs formed the basis of the 2001 transects which were codified in 2002 to encourage development there with the use of special use permits, site plan, and architectural review. The Comp Plan Update proposes to remove language on SDAs as they have now been incorporated into zoning with name changes.

It appears that a goal of the Plan is to encourage (if at all) the use of PUDs only in areas other than CDD because it has been premised that the use of PUDs in the Conservation District has been only to increase density, and are designed primarily as single-use projects. Mr. Valentine noted approval of the last Comp Plan by the SCPB with the prohibition of PUDs in the Conservation District, but noted that if there is anything worth reconsideration in the Comp Plan Update it is the intent to remove the use of Planned Use Developments or Planned Development Districts as a land use tool. He stated that removing a land use design tool all together may have the effect of removing a viable option and

effective planning tool, noting that it is not the tool or the mechanism itself that is at fault for some less than desirable plan designs. Following Mr. Valentine's outline of the proposed Plan Update, Supervisor Peter Martin spoke about the process of the comprehensive plan update that started in 2013, noting particularly that he has received calls about the Plan from many City constituents.

Recusals from voting on the action were presented by Don McPherson and Tom Lewis.

15-96 Village of Corinth Village Board

Mr. Valentine presented an application for local law amendment to include train station as both a use and a definition, amending the schedule of uses, area and bulk regulations for the Village Residential zone to assist the current efforts to reconstruct/restore the historic train station in the village. Mr. Valentine recommended approval.

15-97 Town of Ballston Planning Board

Mr. Valentine presented an application for site plan review and special use permit in the name of Stewart's Shop #253 (the Company's initial/original retail store). The applicant proposes to first construct a new retail store of almost 4,000 sq. ft. behind the current store and following completion then demolish existing store and build three new self-service gas pumps along the Church Ave (NYS 67 & 50) frontage. No new curb cuts are proposed. Mr. Valentine proposed a recommendation of No Significant County Wide or Inter Community Impact.

15-98 Town of Malta Town Board

Mr. Kemper presented an application in the name of the Route 9/67 to rezone to designate a portion of the R-1 zone to the east of Round Lake to R-5 with a farther setback from the road. Amend C-2 zone by reducing allowed height (from 5 to 2 stories) and changing allowed uses. Create a C-9 zone at the intersection of Route 9/67 with commercial uses and to update the zoning map. Mr. Kemper recommend approval.

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

15-A -22 Town of Stillwater Planning Board

Mr. Kemper presented an application for construction of a roadway to connect Luther Forest Boulevard Roundabout to the Global Foundries/Stonebreak Road Extension Roundabout.

Mr. Kemper recommended approval.

15-A-23 Town of Stillwater Planning Board

Mr. Kemper presented an application in the name of Barshied for a 2 lot subdivision of 44.58 acres along Flike Road. Mr. Kemper recommended approval.

15-A-28 Town of Wilton Planning Board

Mr. Valentine presented an application by the Spencer family for an 8-lot conservation subdivision of 21 acres located on west side of Edie Road (south of NYS Route 50). He noted that we approved the subdivision in 2008 but it was never developed and is now submitted with a shorter length of road and request of the town board to take possession of lands adjacent to the Bog Meadow.

Mr. Valentine again recommended approval as there had been no critical changes in the subdivision plan from the initial submission.

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

Adjournment

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

Respectfully Submitted,

SCPB Staff