

# Saratoga County

Tom Lewis, Chairman

## Planning Department

Jason Kemper, Director

### Saratoga County Planning Board

#### Meeting Minutes

January 21, 2010

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, Beth Liebich, Stephen Porto, Robert Hall, Ed Vopelak and Paul Loomis.

**Staff:** Michael Valentine, Senior Planner; Jaime O'Neill, Planner; and Cyndi Nick, Secretary

Board introduced and welcomed Paul Loomis, Town of Malta, newly appointed planning board member.

#### **Approval of Minutes:**

The minutes of the December 17, 2009 meeting were unanimously approved on a motion made by Ms. Liebich and seconded by Mr. Hall.

#### **Referrals:**

##### **10-01 Town of Clifton Park Zoning Board**

Ms. O'Neill presented an application for a Use Variance in the name of BHS Clifton Park Inc. The applicant would like to provide vehicle rental at a gas station and convenience store on Crescent Road. Ms. O'Neill stated No Significant County Wide or Inter Community Impact, Local Land Use Decision.

##### **10-02 Town of Clifton Park Planning Board**

Ms. O'Neill presented an application for a Site Plan Review in the name of Nagaraju Namassivaya/Park Dental for the construction of a new dental office of 7,500 square foot and rehab of existing structure on the property located on NYS Route 146 and Bruno Road. Ms. O'Neill stated No Significant County Wide or Inter Community Impact, recommending the driveway be moved to Bruno Road.

##### **10-03 Town of Clifton Park Planning Board**

Ms. O'Neill presented an application for a Site Plan Review in the name of Whitney Lane Holdings/Dunkin Donuts. The applicant proposes to construct a 2,400 square foot Dunkin Donuts on existing PUD on Vischer Ferry Road off Route 146. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

##### **10-04 Town of Clifton Park Planning Board**

Ms. O'Neill presented an application for a Site Plan Review in the name of Provident Development/Greek Revival to replace the former Greek Revival demolished in September 2009 on Fire Road. Ms. O'Neill requested additional information.

**10-05 Town of Saratoga Zoning Board**

Ms. O'Neill presented an application for an Area Variance in the name of LaFrank for a lot area and side yard variance for construction of a garage 24' x 24' on Route 9P. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

**10-06 City of Saratoga Springs Zoning Board**

Mr. Valentine presented an application for an Area Variance in the name of Towne, Ryan and Partners. The applicants would like to replace signage of former Beneficial Finance Office with new sign of 4'-5"x 6'-8" at 10'-6" above Route 50 grade on Maple Avenue, parallel to NYS Route 50. Mr. Valentine stated that the variance posed No Significant County Wide or Inter Community Impact.

**10-07 Town of Ballston Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Curtis Industrial Park for the construction of seven warehouse/distribution buildings of 7,000 square feet each within Curtis Industrial Park on NYS Route 67. Mr. Valentine stated that he has reviewed the project with the town engineer and building inspector. What is proposed meets the criteria of the zoning district but he has requested the applicant's submission of traffic data as new traffic will ingress/egress the site at one of two existing Rt. 67 points of access (Curtis Lumber or Lane Pipe). Additionally, in conversation he suggested to the town that this proposed commercial site plan provide a cross-connection to the abutting southerly property being conveyed by subdivision to Curtis from Mothon. He recommended approval with submission of traffic study and additional materials.

**10-08 Town of Moreau Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of James P. Greenwood. The applicant proposes to demolish a single family dwelling, merge three lots and construct a professional office and an accessory building on Route 9, west side, south of Butler Road. Mr. Valentine stated that the application presented No Significant County Wide or Inter Community Impact but he will note to the town that the site plan did not specify the proposed use and the resultant number of required parking spaces. As an existing commercial driveway will access NY State Route 9 a curb cut permit will not be required.

**10-09 Town of Saratoga Zoning Board**

Ms. O'Neill presented an application for an Area Variance in the name of Levine. The proposal is to rebuild the house, increase footage for living space, along with adding a second story. With the addition of the second story the LR District will require a variance. The applicant proposes to stay within the old foot print. Property located on Route 9P. Ms. O'Neill stated No Significant County Wide or Inter Community Impact with comment that the second story should not impede the view of the lake for neighboring properties. This is a local decision.

**10-10 Town of Wilton Zoning Board**

Mr. Valentine presented an application for an Area Variance for Stuart Thomas requesting relief of the installation of sidewalks, street trees and lighting as required in the H-1 zone on Parkhurst and Northern Pines Road (County Route 34). Mr. Valentine recommended that the variance from the Hamlet District requirements be disapproved, but following lengthy discussion on the direct county impact of such a waiver the Board determined that the variance represented No Significant County Wide or Inter Community Impact. It was recommended, however, that the response letter

comment on the town's lengthy public discussion on the creation of the hamlet district and the components of site plans within the district. It was also noted that the extensive retail/commercial/residential development (Gabryshack) to the east of this site and the abutting parcel to the west (WWSA) both met the requirements for street trees, street lights and sidewalks through construction or escrow.

**10-11 Town of Charlton Zoning Board**

Mr. Valentine presented an application for an Area Variance in the name of Palma, for front yard and side yard set-backs, lot frontage and minimum lot size for replacement in place of existing non-conforming residence. The applicant proposes to remove the existing uninhabitable dwelling and build a new two bedroom, one bath home with new well and septic on Route 67. Mr. Valentine recommended approval.

**10-12 Town of Saratoga Zoning Board- Interpretation**

Ms. O'Neill presented an Interpretation in the name of Russo. The applicant would like to subdivide 22' square foot of lake frontage to sell along with a house further down on Palmer Heights to give the buyer lake frontage on Route 9P across from Palmer Heights. Ms. O'Neill presented this application for discussion. After board discussion a unanimous decision to disapprove as a Subdivision. Recommendations were made by the Board for the applicant to provide lake rights through an easement and attach to the parcel.

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

**Subdivisions**

**10-A-01 Town of Clifton Park Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of June LaJeunesse. The applicant would like to subdivide 2.64 + acres into two lots. New lot is proposed to have a single family home with septic. Property is located on Main Street (County Route 82). Ms. O'Neill stated No Significant County Wide or Inter Community Impact with comments on DPW approval.

**10-A-02 Town of Halfmoon Planning Board**

Mr. Valentine presented an application for a Subdivision Review in the name of CW Custom Builders-Shea. The applicant would like to subdivide 32 lots of 48 acres fronting Dunsbach Road and abutting the Northway. Mr. Valentine recognized that the current plan is submitted as a concept plan and recommended that additional information be provided in regard to site ingress/egress, an analysis of traffic impacts, the ownership and maintenance of the stormwater management area, and the provision of a standard building lot for the existing telecommunication tower.

**10-A-03 Town of Ballston Planning Board**

Mr. Valentine presented an application in the name of Mothon Family, LTD for a two-lot subdivision of 65 acres with limited frontage on NYS Rt. 50 that also abuts the lands of the Curtis Industrial Park reviewed earlier. The property lies within the town's industrial zone and it is proposed to convey Lot #1 (53 acres) to Curtis Industrial Park with the remainder to stay with Mothon. Mr. Valentine recommended approval with comments that the town investigate the

possibility of the applicant and/or future owner providing land for or easement across the land for a pedestrian trail between lands of Saratoga PLAN and the railroad.

**10-A-04 Town of Greenfield Planning Board**

Ms. O'Neill presented an application in the name of G Judson Kilmer for a subdivision of one-12+ acre lot on County Route 12. Ms. O'Neill recommended approval subject to DPW Driveway Permit.

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

**Conference Update**

The Planning Board discussed the final formal Schedule of Events, Program Timeline and Moderator instructions for courses as well as the Global Foundries Lunch Presentation for the 2010 Saratoga County Planning and Zoning Conference which will take place on Monday, January 25, 2010.

**Adjournment**

On a motion made by Mr. Porto and seconded by Mr. Hall, the meeting was adjourned with all in favor.

Respectfully submitted,  
Cynthia T. Nick, Secretary