

## **Meeting Minutes** **June 18, 2009**

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 pm.

The following members, staff and guests were present:

**Members Present:** Tom Lewis; Chairman, Edwin Vopelak; Stephen Porto, Beth Liebich, Michael Miller, and Robert Hall

**Guests:** Stephen Williams, Daily Gazette and Diane Metz of Saratoga PLAN

**Staff:** Jason Kemper; Director of Planning, Michael Valentine; Senior Planner, Jaime O'Neill; Planner and Cyndi Nick; Secretary

### **Approval of Minutes:**

A motion for approval of the April 16, 2009 meeting minutes was made by Robert Hall and seconded by Michael Miller. The motion was unanimously approved.

A motion for approval of the May 21, 2009 meeting minutes was made by Robert Hall and seconded by Michael Miller. The motion was unanimously approved.

### **Presentation by Guest:**

Diane Metz, community planner for Saratoga PLAN, presented the "Battles of Saratoga Preservation and Viewshed Protection Plan" for review by staff and board members. The purpose of the Plan is to preserve historic sights. She explained that the Plan's artwork was created by 30 local artists and the art will be tagged for sale during an art show scheduled for August 1<sup>st</sup> through the end of September at the Art Center in Saratoga. There will be a free reception from 5:00 – 8:00 on August 1<sup>st</sup>, and then they will be moving on to the Battlefield. Ms. Metz described the map layers of the Plan and advantage to different municipalities (Layer 1-Maps, Layer 2-Viewshed, Layer 3 - Scenic Value, and the 4<sup>th</sup> Layer being today's view) in relation to the entire composite. She also explained the benefits to municipalities and the county planning board of adopting the Plan, particularly as relates to use with GIS and in making grant applications. Mr. Porto posed a question to Ms. Metz in regards to a year-end

report that provides a compilation of the usage of trails. She explained the report is at the printer and will be available at the art show and will be posted on PLAN's website. Ms. Metz will send an email when the results are posted so the County can add this information to reports.

Ms. Metz explained the benefit of having a link on the County website so that municipalities have a "one-stop shopping" that allows easy access to useful information when considering their plans. She provided Mr. Kemper with a disk that includes various Saratoga County maps as well as maps for townships and municipalities to use or reference. In closing her presentation, Ms. Metz asked for comment and feedback in regards to the work completed by PLAN.

### **Referrals:**

#### **07-67 Town of Malta TB**

Recusal - Ed Vopelak

Mr. Valentine presented an application for a PDD site plan submitted by Saratoga Hospital (Exit 12 area) for the construction and operation of a medical campus (500,000 square foot) on a 140-acre parcel on NYS Route 67 across from the State Farm campus. Mr. Valentine explained that as part of the mixed use component of the project there will be small retail uses such as a mailing center, coffee shop, pharmacy and a florist. In addition there will also be independent living and congregate care residential aspects to the planned development. The perimeter of the property will be comprised of open/green areas that can be traversed by pedestrian trails. His recommendation to the Board was to reaffirm the prior approval of May 7, 2007 by the Saratoga County Planning Board. Prior concerns in reference to site access off roundabouts and review and comment by other agencies (SCSD #1, DOT, DEC) have been addressed.

#### **09-22 Town of Ballston PB**

Mr. Valentine presented applications submitted by RJ Taylor for site plan review and a special use permit for construction of 48 condominium units in six buildings located on the east side of NYS Route 50 north of the Rolling Brook subdivision. This application was originally submitted in February for development as 56 dwelling units and the Board viewed the application as incomplete with additional information needed on traffic impacts, the completion of a traffic study, the need for a second access for safety vehicles, and the appropriateness of using an easement over school district property for an entrance road. The project meets all zoning requirements and will be serviced by public water and sewer. Mr. Valentine recommended approval as all necessary information has now been submitted and any review issues are of a local nature.

**09-66 City of Saratoga Springs ZBA**

Recusal - Tom Lewis

The commercial branding associated with the proposed changeover of a service station on Broadway (just north of former Dairy Queen business) from Citgo to Sunoco has generated variance applications for additional signage. Mr. Valentine presented a referral for area and use variances to allow for an increase in density of signage permitted under the current (2003) zoning ordinance. The applications seek approval of the existing nonconforming free-standing sign (with a change in branding), wall mounted signage on the two building sides with road frontage, and signage for the canopy and gas dispensers. The ordinance allows 12 sq. ft. of signage (double sided) in T5 District but the existing signage is now 38 square feet and is proposed to be re-used by Sunoco. Mr. Valentine recommended that while the Board should determine there to be no significant countywide or inter-community impact. He suggested that staff comment on local review board considerations for a 38-square foot sign that may present a concern relative to visibility and appeal in a high traffic area that is designated as a development area/gateway. Uses in this development area are supposed to complement those of the core area of Broadway and meet the intent and purpose of the city's comprehensive plan. The local review boards may determine that the amount and appearance of signage is not appropriate and may require reduction in size.

**09-67 Town of Stillwater ZBA**

Jaime O'Neill presented a Use and Area Variance on Brickyard Rd, Town of Stillwater on the City of Mechanicville line. The owner is seeking to construct a single detached residence. This area is zoned for light Industrial, has minimum lot size. (8000 sq feet) Mrs. O'Neill expressed there would be no other use for the small lot and concluded no countywide issue. Mrs. O'Neill recommended No Significant County Wide or Inter Community Impact.

**09-66 Town of Malta PB**

Jason Kemper presented a Site Plan Review for Saratoga Bridges to install a free-standing sign and flagpole on Saratoga Bridges Boulevard in Ballston Spa, NY. Recommended No Significant County Wide or Inter Community Impact

**09-67 Town of Ballston PB**

Jaime O'Neill presented an application for a Site Plan Review for Ronald J. Fortune requesting a new sign. Requesting to remove the existing Citgo sign and replace with Sunoco sign Route 50 & Curran Drive. (less square footage than existing sign.) Mrs. O'Neill recommended No Significant County Wide or Inter Community Impact.

**09-68 Town of Ballston PB**

Jason Kemper presented an application for a Special Use Permit and Site Plan Review-Applicants name; Katz. Applicant would like to construct one two story structure that will contain 20 units on 7.23 acres with public water, septic system and 50 parking spaces on Route 50 and Connelly Drive. The board expressed concerns with the proposed density of the project in comparison to the constraints on the site. The board also requested that perc test and test pit results be submitted for review. Mr. Kemper recommended that the board request additional information.

**09-69 Town of Clifton Park TB**

Jason Kemper presented an application for zoning amendment on Wood Rd and Pierce Road area in the town of Clifton Park including new items in the Light Industrial-1 and Light Industrial-2 zoning district to include nanotech, research and other technological facilities. Mr. Kemper recommended that the board approve the request for a zoning change.

**09-74 Town of Clifton Park ZBA**

Jason Kemper presented a Use Variance within a Commercial Plaza for a Clifton Park Container Return, for a Planned Development District No. 38, known as North Country Commons, for a bottling can redemption center at 1208 Route 146 in Clifton Park. The board was uncomfortable making a decision on the application without additional information being provided by the applicant. The board would like to know hours of operation, traffic generated, and the activities and procedures that will occur within the facility. When that information is provided the board would consider the use variance request. The board was also concerned with the adjoining uses in the plaza and whether or not this use would be appropriate.

Beth Liebich and Ed Vopelak voiced concerns that this should be a Zoning Change instead of Use Variance. Board was unanimous in the decision to request additional information.

**09-75 Town of Malta ZBA**

Jason Kemper presented an Area Variance for discussion. The applicants name is Matthew McPadden. In this zone the minimum lot size required is 200,000 square feet. The applicant is proposing 2 lots that are approximately 82,000 SF. The applicant states in the application that the required frontage (300') will be provided and there is other open land on the opposite side of the stream located on the property. The board stated that the open land is not under his control or

ownership and could not be considered as part of this application. The Board was unanimous to disapprove.

**09-76 Town of Moreau PB**

Mr. Valentine presented a referral for site plan review submitted to the town planning board by Heather Herrington. The plan involves a change in tenant/use from an existing residential use/structure to a beauty shop as permitted in C-2 District. The structure is located on NYS Route 9, Moreau's primary commercial corridor. Mr. Valentine recommended approval with comments to the local board about the need for landscaping and/or fencing to create a buffer that will soften the visual impact of the loss of green area (due to increased driveway and parking areas that front Route 9).

**09-77 Town of Saratoga ZBA**

Jaime O'Neill presented an application for Area Variance for Saratoga Builders LLC/Burgoyne Estates. In order to subdivide five lots to seven lots, will need several minimum lot size variances, front yard set-backs on Anthony Lane and Burgoyne Road. Presented for discussion. Board was unanimous in a decision to disapprove.

**09-80 Town of Northumberland ZBA**

Recusal - Tom Lewis

Jaime O'Neill presented an application for an Area Variance for lot coverage, Site Plan Review and Special Use Permit for Stewarts Shop Corporation to construct 2,954 square foot store with six gas pumps on New York State Route 32N. Controlling access. Mrs. O'Neill recommended approval.

**09-81 Town of Ballston PB**

Jaime O'Neill presented an application for a Special Use Permit for Louise Bublak to have custody of three dairy goats on Kingsley Road. Mrs. O'Neill recommended approval.

**09-83 City of Saratoga Springs CC**

Mr. Valentine presented a zoning amendment application proposed for property that fronts on both Nelson Avenue and Crescent Avenue. The 160-acre parcel, which abuts the Northway on the east and the Yaddo lands to the north, is owned by the Darley Stud Management, LLC. The applicant proposes a map amendment to change zoning from RR-1 (Rural Residential) to INST-HTR (Institutional Horse Track). Textual changes that enhance the positive features of the District's uses, while restricting the uses that would detract from a world-class horse training facility, are also proposed. Mr. Valentine distributed an application map that positively compares the proposed zoning and uses with

those intended through the Comprehensive Plan and the existing zoning. Mr. Valentine recommended approval due to the compatibilities identified.

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

### **Subdivisions**

#### **09-A-20 Town of Saratoga**

Jaime O'Neill presented a Subdivision Review for Jillmar LLC for a two lot subdivision of 74.72 acres of an existing horse farm on New York State Route 32. Mrs. O'Neill recommended No Significant County Wide or Inter Community Impact.

#### **09-A-21 Town of Malta**

Jason Kemper presented a Subdivision Review for Mink-Sgueglia. The application is a simple lot line adjustment. Project is located on (CR#82)-667/671 East Line, Malta NY. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

#### **09-A-22 Town of Edinburg**

Jason Kemper presented a Subdivision Review for applicants; Kim and Virginia Turner for a three lot subdivision of 19+ acres into three lots (2.24, 8.9 & 8.662) on South Shore Road (CR #7). Mr. Kemper stated No Significant County Wide or Inter Community Impact, Subject to DPW approval.

#### **09-A-23 Town of Ballston**

Jaime O'Neill presented a Subdivision Review for Curtis Lumber; lot line adjustment of 12.4 acres, the site of the current truss shop on Route 67. Mrs. O'Neill recommended approval.

#### **09-A-24 Town of Ballston**

Mrs. O'Neill presented a Subdivision Review for an applicant named Beninati for a three lot residential subdivision of 28 acres on Charlton Road Cr #51. Mrs. O'Neill recommended approval subject to DPW approval.

**09-A-26 Town of Northumberland**

Jaime O'Neill presented a Subdivision Review for applicant; McKnight for a two lot subdivision of approximately 108-14 A for open space conservation on Homestead Road. Mrs. O'Neill recommended approval.

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

**Conference Update:**

Steve Porto presented the plan to meet with the Hilton along with Michael Valentine to meet with the Sales Executive to discuss options for the Planning Conference and the advantage of the Hilton's flexibility. When the expansion is completed the entire conference could be held at the Hilton. He also discussed the advantage of the cost of food if hired out.

**Other Business:**

Jason Kemper provided an article on the Zim Smith Trail. He stated the Zim Smith Trail should be completed in the very near future. The project was selected to receive federal stimulus funds in the amount in the amount of 1.6 million dollars. The trail will be completed from Underpass Rd. to Oak Street..

**Adjournment**

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

Respectfully submitted by,

Cynthia T. Nick, Secretary