

**Saratoga County Planning Board
Meeting Minutes
August 20, 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.

The following members, staff and guests were present:

Members Present: Tom Lewis; Chairman, Edwin Vopelak, Beth Liebich, Robert Hall, Christopher Barclay, and Stephen Porto

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

Approval of Minutes:

The minutes of the July 16, 2009 meeting were unanimously approved on a motion made by Ms. Liebich and seconded by Mr. Porto.

Referrals:

09-88 Town of Clifton Park TB

Mr. Valentine presented an application from the Town of Clifton Park Town Board proposing a local law to regulate the use of outdoor wood burning boilers. Mr. Valentine explained that several communities within the county have addressed concerns with the use of these boilers primarily because of heavy smoke emissions and odors (most likely from the use of wet wood or material inappropriate for burning). The local law proposes that existing boilers may remain in use if a permit is obtained within one year of the law's adoption. Permits for new wood burning boilers will be issued for properties located in the Conservation-Residential District only and on lots of four acres or more in size. Two hundred foot setbacks will be required for siting of boilers. Stacks are to be a minimum of 20 feet in height and greater than two feet above the roof on the house. The local law proposes boiler operation between September 1 and May 31 only (no use in June, July, or August). A lengthy discussion among members and staff was held. Some members voiced concern in reference to time constraints for use of the boilers because some people use this method to heat hot water year-round. The six members of the Board that were present rendered a 3-3 determination on review of the proposed local law. A no-action vote resulted in returning the referral to the town board for a local decision.

09-92 Town of Galway ZBA

Mr. Valentine presented an application for an Area Variance submitted by Galway Lions Club, Inc. The applicant is requesting a side yard setback to accommodate

a proposed 20' x 51' addition to the east side of the existing structure that is located on the corner lot fronting Galway Road (County Route #45). He noted that the variance application was submitted using a dated (2000) subdivision map prepared for the Galway Athletic Association. He noted that, as now proposed, the addition will require more than a side yard setback because the pencil-drawn structure has been projected beyond the common property line. Mr. Valentine stated that we should request additional information for future review.

09-93 Village of Corinth PB

Mr. Valentine presented a site plan submitted by Jeff Dumont for the mixed-use commercial/residential re-development of his property on Main Street. Mr. Dumont's was one of three properties along Main Street that were destroyed by fire in January or February of 2008 and this is the first proposal for re-development. A three-story modular structure with retail/office on the first floor with apartments on the upper floors is proposed. Mr. Valentine recommended approval with a comment that it the future development of the corner parcel abutting this project (to the north) be considered when building elevations and parking are reviewed .

09-94 Town of Clifton Park PB

Mr. Valentine presented a Site Plan Review in the name of Lucarelli for the construction of a three-story motel building containing 101 units on a 14,000 square foot footprint. The motel will be located on a 3- acre parcel on Old Route 146/Fire Road near the northbound on-ramp (Exit 9) of Interstate 87. Mr. Valentine stated that the development will be serviced by public water and sewer, presents no traffic concerns, and has been designed for on-site stormwater management. In speaking with the town planning department, he noted a common concern for the structure's proximity to the Northway and the steep slope behind it. The town will address softening the visual impact of the motel through proper landscaping. He recommended a decision of No Significant County-Wide or Inter-Community Impact.

09-95 Town of Clifton Park ZBA

Mr. Valentine presented an application for several area variances associated with the Parkway Music site plan. The applicant is requesting six area variances for setbacks related to the proposed building and parking. He stated that the site is located on the east side of NYS Route 9 between it and Biette Road. The applicant proposes to demolish the existing structure to construct the new 12,000 sq. ft. retail building. Mr. Valentine stated that the plan shows employee parking and delivery access from Biette Rd. with customer parking being accessed from Rt. 9 (DOT may require a new curb cut permit for commercial

access to/from the state road). The referral for area variances presents No Significant County Wide or Inter Community Impact, he stated.

09-96 Town of Saratoga PB

Ms. O'Neill presented a Special Use Permit in the name of Pravda. The applicant is requesting to construct eight townhouses on 1.02 +/-acre parcel on Route 9P. Ms. O'Neill stated the applicant would need a special permit from the town as this use does not meet zoning. Ms. O'Neill recommended to disapprove.

09-97 Village of Ballston Spa PB

Ms. O'Neill presented a Site Plan Review in the name of Taivg. The applicant would like to add a used car dealership on Route 50 & North High Street. After discussion and concern of the number of principal uses in one area, traffic and lack of information, the Board Members unanimously agreed to disapprove.

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

Subdivisions:

09-A-34 Town of Stillwater PB

Ms. O'Neill presented a Subdivision Review; applicants name; George. The applicant is applying for a two-lot subdivision of 27 +/- acres on County Route 75. Ms. O'Neill suggested approve subject to DPW permit.

09-A-35 Town of Stillwater PB

Ms. O'Neill presented a Subdivision Review in the name of MacMurray for a four lot subdivision of 25+/- acres on County Route 75-NYS Route 423. Ms. O'Neill suggested approval with comment on access to town road only for Lot #3.

09-A-36 Town of Clifton Park PB

Mr. Valentine presented a Subdivision Review and Agriculture District Referral. The applicant's name is Cotton and is proposing a two-lot residential subdivision of 142 acres to create lots of 102 and 40 acres that will be kept in family ownership. Shared access is proposed from the west side of Sugar Hill Road, south of Grooms Road (County Route #91). An easement for access across one lot and an agreement for joint maintenance will be provided. Mr. Valentine stated that he has spoken with the town's planning department concerning the applicant's proposal to utilize the one existing water well as a shared source for both new lots. The town is in agreement that each of the two existing residences shall have separate wells and septic systems. He also advised that

the final subdivision map should reflect the location of the two existing septics. With his comments being incorporated into the referral response, Mr. Valentine suggested approval of the subdivision.

09-A-37 Town of Wilton PB

Mr. Valentine presented an application for a 13-lot residential conservation subdivision that is proposed for 85 acres on the southwest corner of North Road's intersection with County Road #32. He explained that the subdivision of the Trice property has been before the town planning board and planning department for several months prior to being sent to the county planning board. Many of the town's initial concerns regarding designing the roads and lots around environmental constraints such as wetlands, stormwater areas, and steep slopes have been addressed in the plan now under review. Saratoga County DPW will have to review the project regarding safety and sight distance associated with the new subdivision street that will intersect the county road. Mr. Valentine suggested approval with the issuance of a DPW curb cut permit.

09-A-39 Town of Northumberland PB

Ms. O' Neill presented a Subdivision Review in the name of Pleat. A two lot minor subdivision on Route 32N. Ms. O'Neill recommended approval.

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

Conference Update:

Mr. Porto presented a finalized date for the 2010 Planning Board Conference. The date of the Conference will be Monday, January 25, 2010. Mr. Porto expressed that this Conference may be the most challenging due to the economy and cut-backs in municipal spending. He expressed his desire for any suggestions from board members on ways that we can cut costs without jeopardizing the quality of the service provided to local boards. The committee will meet every month to review progress. Mr. Lewis scheduled the next Planning Board Conference Committee meeting for 3:30 on Tuesday September 15, 2009 at the Stewart's corporate office. A chart of definite and possible courses offered at the upcoming Conference was shared by Mr. Lewis.

Snowmobile Grant Application

Mr. Valentine presented the status of the Snowmobile Grant-in-Aid Program. The second phase of an application is now being prepared for this state-funded trail grant. The grant program funds the development and maintenance of nearly 200 miles of trails located on private properties in 17 of Saratoga County's

municipalities. Mr. Valentine stated that based upon the trail rates used in last year's grant he is submitting for \$89,000 in grant funds. To date the Snowmobile Unit of OPRHP has not finalized the rates associated with any trails, so there is not yet an exact dollar amount.

A question was posed in concern to snowmobiles being allowed on the Zim Smith Trail. Mr. Valentine stated that, yes, snowmobiles are permitted on the Zim Smith Trail with use being shared with snow skiers and pedestrians.

Adjournment

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

Respectfully submitted by,

Cynthia T. Nick, Secretary