

MEETING MINUTES
November 20, 2008

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, Robert Hall, Edwin Vopelak, Michael Miller, Christopher Barclay, and Beth Liebich.

Guests: James Miller, Miller Associates and Stephen Williams, The Daily Gazette

Approval of Minutes

A motion for approval of the minutes of the October 16, 2008 meeting was made by Ms. Liebich, seconded by Mr. Hall, and approved unanimously.

Referrals

08-18 – Town of Milton – Route 50 Convenience Center

Mr. Valentine presented the site plan for a convenience store with drive-thru service and gasoline sales on a site located at the southeast corner of the NYS Rt.50/Northline Road intersection. As Northline Road is a county road (CR# 45), site access and the use(s) proposed for the parcel have generated three years of discussion and review by staff. He noted that Route 50 access has been limited to right-in/right-out. Concern has been voiced by NYSDOT for the designed location of the ingress/egress. The point of access may be too close to the signalized intersection, creating the potential for dangerous Route 50 lane crossings from the site (for those desiring to make a left turn at the light and head westbound on Northline).

Mr. Valentine explained that over the past 18 months he has met on several occasions with the applicant and his consultant, local planning officials, county DPW, and the applicant's traffic engineer regarding Northline Road access to and from the site. He proposed, and received general concurrence from all, for an internal egress to be constructed to Saratoga Avenue as a means of minimizing or removing the need for left turns out of the site onto Northline. Accessing Saratoga Avenue and then Rt. 50 will provide for easier southbound (left) turns onto Rt. 50 and minimize conflicting turn movements at the Northline entrance to the site. There has been, however, opposition voiced from some of the residents located near the proposed one-way egress, but he stressed the support garnered for the egress as a proper planning tool.

Mr. Valentine made a recommendation for approval of the site plan as submitted with the one-way egress driveway from the site to access Saratoga Avenue. A motion for such approval was made by Mr. Barclay and seconded by Mr. Miller. (As an employee of the Stewart's Shop Corporation, Mr. Lewis recused himself from discussion and voting on Referral #08-18 which was a site plan for a project

proposing retail sale of gasoline.) Mr. Vopelak cast a nay vote on the motion, resulting in a 4-1-1 decision affirming the motion.

08-178 – Town of Stillwater – VLG Real Estate Development

Mr. Kemper presented an application being made to the Stillwater town board to designate a 39-lot residential cluster development as a planned development district. The SCPB determined that additional information must be provided prior to any further review by the board. The information must include a wetland delineation, clarification on open space and parking area, and the current ownership of the access road.

A motion to approve the staff recommendations for the referrals as presented was made by Ms. Liebich. The motion was seconded by Mr. Barclay and unanimously approved.

Subdivisions

08-A-60 – Town of Corinth – Steven Smead/Robert Miller

Mr. Valentine presented a subdivision plat that proposes the creation of a 2.4-acre landlocked parcel (from a 75-acre parent parcel) as a building lot. It is proposed that the new landlocked lot will be accessed across the lands of Miller by means of a driveway easement; there will be no direct fee-owned frontage on a municipal street. He noted that Town Law Section 280-a states that no permit shall be issued for a building on such a lot unless a street giving access to the proposed structure is an existing state, county or town highway. In this case, an easement is proposed to satisfy access; there is no municipal street providing access for the landlocked parcel.

This department has established a precedent, with concurrence from the county attorney, of denying approval for subdivisions involving lots that do not meet the provisions of Section 280-a. Mr. Valentine, therefore, recommended disapproval of the proposed subdivision.

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

Other Business

There was no other business brought before the Board for discussion.

Adjournment

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

Respectfully submitted by,

Michael Valentine, Sr. Planner

