

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

Saratoga County Planning Board
Meeting Minutes
November 18, 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, Michael Miller, Ed Vopelak, and Paul Loomis.

Staff: Michael Valentine, Senior Planner; Jaime O'Neill, Planner

Guests: Ted Serbalik, Saratoga County DPW; Chris Boyea, Applicant

Approval of Minutes:

The minutes of the October 21, 2010 meeting were unanimously approved on a motion made by Ms. Liebich and seconded by Mr. Porto.

Referrals:

10-162 Village of Ballston Spa Zoning Board of Appeals

Ms. O'Neill presented an application for an Area Variance in the name of Cole's Spa Body Works to wall signs (2); freestanding sign along NYS Route 50. Ms. O'Neill stated the application represents No Significant County Wide or Inter Community Impact. Recommends the village review the sign.

10-163 Town of Clifton Park Zoning Board of Appeals

Ms. O'Neill presented an application for a Sign Area Variance in the name of Sign works (for Dollar Tree Store). The applicant is requesting a variance from Chapter 171, sign law. Allowable 53.5 square feet, requesting 89.4 which is 35.95 square foot variance on NYS Route 146. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

10-164 Village of Stillwater Planning Board

Ms. O'Neill presented an application for a Special Use Permit in the name of Kruczowy to convert the existing building to mixed-use on North Hudson Avenue (NYS Routes 4 & 32). Ms. O'Neill recommended approval.

10-165 Town of Malta Planning Board

Ms. O'Neill presented a Site Plan Review and Subdivision Review, the town decided to withdraw the Site Plan Review at this time and only submit as a Subdivision Review in the name of Malta Crossings LLC for 32-lot mixed use development with a hotel, apartments, professional offices, retail businesses, daycare center and residential units on NYS Route 9. Ms. O'Neill recommended approval with comment for need for DOT Curb Cut Permit.

10-166 City of Saratoga Springs Zoning Board of Appeals

Mr. Valentine presented an application for a Use Variance (Apartments in SF District) and Area Variances (Setbacks) in the name of Boyea for three buildings with a total of 32 apartment units on NYS Route 50, west side, north of Northline Road. Mr. Valentine noted that the zoning of the land under consideration is R-1 while the applicant is proposing multi-unit housing, which is not a permitted use in this district. He also explained that there were other issues which initially led him to consider suggesting disapproval of the variance request: federal wetlands surround the buildable areas of the three apartment buildings and NY State DOT will have to review and approve three separate driveways proposed for access from Route 50. The wetlands permit originally granted with Mr. Boyea's previous application to the city has now expired. Since his original application for self-storage units several years ago he petitioned the city council for a zone change from R-1 to Highway General Business which was denied. So, in effect this represents the third application for the use of this property. After discussion the majority of the Board determined that as the property is located in a gateway to the city and there was no significant impact of county consideration a determination was made to return the referral for local decision.

10-167 Town of Moreau Zoning Board of Appeals

Mr. Valentine presented an application for an Area Variance in the name of Burt for the construction of a 16 x 42 office addition to the existing garage that will be 36.7 feet from the front property line rather than the required 50 feet on NYS Route 9, east side, north of Toadflax. Mr. Valentine Stated No Significant County Wide or Inter Community Impact.

10-168 Town of Saratoga Planning Board

Ms. O'Neill presented an application for a Special Use Permit in the name of Bakken to erect a wind turbine on his 1.59 lot @ 938 Route 29- Old Saratoga Home and Garden on NYS Route 29. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

10-170 Town of Wilton Planning Board

Mr. Valentine presented an application for a Special Use Permit in the name of Mongillo for a veterinary clinic on NYS Route 50. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

10-171 Town of Wilton Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Thomas J Farone & Sons, Inc. for a 6,000 square foot single story commercial building with 4,000 square foot attached garage on NY State Route 9, west side, south of Northern Pines Road. Mr. Valentine recommended approval with comment for need for curb cut permit from NYSDOT and that the local planning board should review for potential development of remaining lands. Mr. Valentine stated No Significant County Wide subject to curb cut permit.

10-172 Town of Malta Planning Board

Ms. O'Neill presented an application for a Special Use Permit and Site Plan Review in the name of Columbia Development Companies for a bank with drive-thru, business office, restaurant, professional office, retail and personal service shop with site plan approval on NYS Route 9. After discussion with the Board Ms. O'Neill stated a decision of No Significant County Wide or Inter Community Impact was made with comment on cross connections.

10-173 Town of Wilton Planning Board

Mr. Valentine presented an application for a Site Plan Review for a Timber Harvest Permit in the name of John M. Myers for 172 acres of forest on NYS Route 9. Mr. Valentine noted that this is the first time under the town of Wilton's zoning procedures that we will review a parcel large enough to require local planning board approval. Usually Timber Harvesting is on parcels small enough that approval is an administrative task by the Building Inspector. Mr. Valentine noted about the review and need for curb-cut permits for NYSDOT, particularly due to cold weather and freezing condition on a State road recommended approval.

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

Subdivisions

09-A-46 Town of Corinth Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Kyarsgaard for a 6-lot residential subdivision with on-site waste, water disposal systems and individual wells on State Route 9. This has been previously reviewed by the board three times. Mr. Valentine reiterated our previous approval.

10-A-59 Town of Clifton Park Planning Board

Ms O'Neill presented an application for a Subdivision Review in the name of Windhover Farms for a twenty-five lot subdivision of 131.12 acres in CR zone, including permanent Open Space on Grooms Road (County Route #91). Ms. O'Neill recommended approval with comment on DPW permit.

10-A-60 Town of Northumberland Planning Board

Ms. O'Neill presented an application for a Subdivision Review in the name of Cox to subdivide land for one parcel to be deeded to family member, add land to existing farm and divide off "parent" dwelling lot on US Route 4 &/or NYS Route 32. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

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.

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

Other Business

2011 Saratoga County Planning and Zoning Conference

Tom Lewis discussed moderators for the sessions during this year's conference.

Adjournment

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

Respectfully Submitted,
Cynthia T. Nick, Secretary