

Saratoga County

Tom Lewis, Chairman

Planning Department

Jason Kemper, Director

Saratoga County Planning Board

Meeting Minutes

April 19, 2012

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; Ed Vopelak; Paul Loomis and Ian Murray.

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

Guests: Stephen Williams, Daily Gazette

Approval of Minutes:

The minutes of the March 15, 2012 meeting were unanimously approved on a motion made by Mr. Loomis, seconded by Mr. Vopelak.

Referrals:

11-139 Town of Stillwater Planning Board

Mr. Valentine presented an application for a Site Plan Review and Special Use Permit in the name of D.A. Collins Construction Co. Inc. for a temporary gravel parking lot, landscape berm, site lighting and electrical distribution on NYS Route 67. Mr. Valentine stated No Significant County Wide or Inter Community Impact with the following comments: The Saratoga County Planning Board recognizes the proposed use to be consistent with the historic utilization of the D. A. Collins property. We are also aware of the town's intent to shepherd the proper development character, and appearance of the Route 67 Corridor. We note, however no significant county wide or inter municipal impacts created by the proposed application and use, but anticipate further development within the specific and general area that will afford the opportunity for more meaningful land use discussion along with other involved and interested agencies.

12-26 Town of Wilton Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Farone. The applicant proposes a mixed-use development with 48 residential units (2BR) and 25, 056 square feet of commercial space. Construction of four 3-story buildings each with 6 apartment units on the second and third floors and 6,264 square feet of commercial space on the first floor as well as 168 off-street parking spaces on NYS Route 9. Mr. Valentine recommended approval with the following comments: requirement for a traffic study, concerns of the impact on Green Space being used for parking on the adjacent property and the need for enhanced landscaping on the Route 9 frontage.

12-27JK Town of Saratoga Planning Zone and Zoning Board of Appeals

Mr. Kemper presented an application for a Special Use Permit and Area Variance in the name of Taras-Sand-Mining Operation for a 71-foot variance to use Haul Road for the proposed sand mining operation on County Route #69 in the Agricultural District. Mr. Kemper stated that the only county wide issue identified by the SCPB for this application was the number of curb cuts that exist on the property. Therefore, the SCPB requests that a written signoff be received from the Saratoga County Department of Public Works prior to the Town granting approval. In reviewing the Special Use Permit portion of the application the Town needs to be assured that the granting of this permit will not cause a negative impact to adjoining property owners.

12-29 Town of Stillwater Zoning Board of Appeals

Ms. O'Neill presented an application in the name of Gervais for the construction of a 1,500 square foot house on County Route 75. Ms. O'Neill recommended approval contingent upon the applicant obtaining a Saratoga County DPW work permit for the proposed work within the county ROW.

12-30 Town of Clifton Park Zoning Board of Appeals

Mr. Kemper presented an application in the name of Ellis Medicine Urgent Care Center for three wall signs and a 267 square foot wall signage on Sitterly Road (NYS I-87). Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-31 Town of Clifton Park

Mr. Kemper presented an application for a Sign Variance in the name of Ocean State Job Lot for a single wall sign (28 square foot variance) on NYS Route 146. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-32 Town of Malta Town Board

Mr. Kemper presented an application for a PDD Zoning Amendment in the name of Edward Caro and Thomas Caro for the amendment to the existing PDD, to include uses that are allowed in adjacent C-4 Office Commercial North Zoning on NYS Route 9. Mr. Kemper stated that additional information will be required; the site plan should show parking, ingress and egress to building.

12-33 Town of Malta Planning Board

Mr. Kemper presented an application for a Special Use Permit in the name of Donovan for the construction of a two-family home on East Line Road. Mr. Kemper stated that modification will be needed. An updated Site Plan should be submitted.

12-34 City of Saratoga Springs Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Knights of Columbus. The city zoning board submitted an interpretation and Site Plan Review for site plan modification to clear a 100+/- area of tall coniferous trees from the 200 +/- buffer that shades the adjacent parking lot on Pine Road and Washington Street (NYS Route 29). Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusal by Tom Lewis and Ian Murray.

12-35 Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Special Use Permit in the name of Lombardo for the expansion of (construction of garage/accessory use) a pre-existing residential use in a C-1 zone on NYS Route 146. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-36 Town of Stillwater Town Board

Mr. Kemper presented an application for a PDD Zoning Amendment for the Town of Stillwater to amend the PDD language for the modification of taxing provisions in the PDD. Mr. Kemper recommended approval.

12-37 Town of Wilton Planning Board

Mr. Valentine presented an application for a Special Use Permit in the name of Dulski for a home occupation on Old Gick Road (NYS Route 50). Mr. Valentine stated No Significant County Wide or Inter Community Impact.

12-38 Town of Malta Zoning Board of Appeals

Mr. Kemper presented an application for an Area Variance in the name of Malta Land Co. LLC-Lakeview Landing for the installation of a temporary 4' x 6' wooden sign advertising homes for sale on NYS Route 9P. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-39 Town of Malta Zoning Board of Appeals

Mr. Kemper presented an application for an Area Variance in the name of Minogue for two monument signs on Stonebreak Road and NYS Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-40 Town of Malta Town Board

Mr. Kemper presented an application for an Area Variance in the name of Bruce Tanski for the rear yard set-back on NYS Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-41 Town of Stillwater Town Board

Ms. O'Neill presented an application for a Map and Text Zoning Amendment in the name of Route 67 West Zoning District to rezone the western portions of Route 67 to further the Town's economic development goals by permitting commercial, light industrial/manufacturing and warehouse uses. The proposed rezoning is sensitive to the existing and use conditions and reflects the goals of the Town's Comprehensive Plan. The location is NYS Route 67 (Town of Malta and Town of Halfmoon. Ms. O'Neill recommended approval.

12-42 Town of Moreau Zoning Board of Appeals and Planning Board

Mr. Valentine presented an application for an Area Variance, Special Use Permit and Site Plan Review in the name of Cerrone Builders Office and Storage for the construction of an office building on the front-lot and storage buildings on the back lot on NYS Route 9. Mr. Valentine stated No Significant County Wide or Inter Community Impact with comments on self-storage elevations, materials and design. Mr. Valentine stated while there appears to be no direct county impacts resulting from the three separate referrals submitted for review, we believe the applications and plans to be lacking in material and substance sufficient for complete local consideration, nor representative of what the town of Moreau wants to represent its emergent Exit 17/Rt. 9 Corridor.

In regard to the 9 variances being sought, the material provided by the applicant for referral by municipal staff to the Saratoga County Planning Board provides no substantiation to justify a favorable rendering in appeal. The appellant seeks to construct 9 self-storage buildings comprising 34,200 square feet of which 8,820 square feet (or 26% of construction) necessitates variances. The applicant has indicated that in order to build the project within the criteria of the zoning ordinance he “would have to significantly reduce the size of the project.” Within that lies the answer. Whereas it is a use variance that requires demonstration of an unnecessary hardship, consideration of an area variance by the zoning board of appeals must balance whether the area variances sought are substantial/excessive (+ 26%) and self-created (desired) with the benefits achieved by the applicant through those variances.

12-43 Town of Northumberland Zoning and Planning Boards

Ms. O’Neill presented an application for a Use Variance and Site Plan Review in the name of Wilber for a public garage on NYS Route 50. Ms. O’Neill stated No Significant County Wide or Inter Community Impact with the following comment: Applicant should check with New York State DOT to insure that the proposed parking area designated along the road frontage will not impede safety along the State highway. It is also recommended that the currently uncontrolled access be changed to have specific point of ingress and egress.

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

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.

Subdivisions

12-A-05 Town of Clifton Park Planning Board

Mr. Kemper presented an application for a Subdivision Review in the name of Firehouse Road Associates II, LLC for the subdivision of a 5.14 acre parcel into two commercial lots on Northside Drive (NYS Route 146. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

12-A-12 Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Stephenson Ridge LLC-Upper Newtown Associates for a conventional major subdivision of 156 residential lots on an existing 196-acre parcel on Upper Newtown Road (County Highway #86). Mr. Valentine recommended approval with comments on curb cuts, cross connection and wetland crossing permit.

12-A-13 Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Brisceglia for the subdivision of 3.90 +/- acres into two single family lots (one new residence) on Hudson River Road (NYS Routes 4 & 32). Mr. Valentine recommended approval.

12-A-14 Town of Milton Planning Board

Ms. O'Neill presented a Subdivision Review in the name of Austro to separate the saw mill from the 95-acre parcel on Middlegrove Road (NYS Route 29). Ms. O'Neill recommended approval.

12-A-15 Town of Hadley Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Evarts for a three-lot residential subdivision on South Shore Road (County Route #7). Mr. Valentine recommended approval with comment that the County's approval is contingent upon the applicant obtaining a curb-cut permit for a driveway location from Lot #3 onto County Route 7 prior to final planning board approval.

12-A-16 City of Saratoga Springs Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Bill Moreau. The applicant is proposing a subdivision modification of Meadowbrook Phase I and re-subdivision of Lot #13 on Meadowbrook Road (County Route #65). Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusal by Tom Lewis.

12-A-17 Town of Ballston Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Gaydushek for a four-lot residential subdivision on Round Lake Road (County Route #80). Mr. Valentine recommended approval with comments on the need for the applicant to obtain a curb-cut permit and ACOE Crossing Permit.

12-A-18 Town of Wilton Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Smith Bridge Road, LLC for the 62-lot conservation subdivision on Smith Bridge Road (Northern Pines Road and County Route 34) Mr. Valentine recommended approval contingent upon provision of public water and sanitary sewers.

12-A-19 Town of Providence Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Gerring-the Estate of Mary Parker for a four-lot subdivision of 77 acres on Barkersville Road (County Route #16). Mr. Valentine recommended approval with comment for the need for DPW permits.

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

Adjournment

As there was no other business, on a motion made by Mr. Loomis and seconded by Mr. Vopelak, the meeting was adjourned with all in favor.

Respectfully Submitted,
Cynthia T. Nick, Secretary