

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

**Saratoga County Planning Board**  
**Meeting Minutes**  
**March 20, 2014**

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; Ian Murray, Paul Loomis and Don McPherson.

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

**Approval of Minutes:**

The minutes of the February 20, 2014 meeting were unanimously approved on a motion made by Ms. Liebich, seconded by Mr. Murray.

**Referrals:**

**08-121 City of Saratoga Springs Planning Board**

Mr. Valentine presented an application for a Site Plan Review for Mr. Ed's Ice Cream Station for location, setback, use and height of all existing and/or proposed buildings on Lake Avenue (NYS Route 29). Mr. Valentine stated No Significant County Wide or Inter Community Impact with the following comments. As in our prior comments of record, we recommend a discussion with NYS DOT regarding its review and permitting (does a permit for the curb cut exist?) of the present access for a retail/commercial operation. We would defer to DOT on any requirements for establishing a more controlled point of access. Recusal Tom Lewis.

**14-23 Town of Halfmoon Town Board**

Mr. Valentine presented an application for a PDD Amendment in the name of Hoffman/Oak Brook Commons to increase the number of permitted uses from 144-152 on NYS Route 9 on east side south of Farm to Market Road. Mr. Valentine recommended approval.

**14-33 Town of Ballston Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Stewarts Shop Corp for a 17' x 40' building addition on Eastline Road. Mr. Valentine recommended approval. Recusal by Tom Lewis.

**14-36 Town of Milton Zoning Board of Appeals**

Mr. Valentine presented an application for an Area Variance in the name of Quality Sports Inc. for the front setback from 30 feet to 20 feet on Geyser Road and Greenfield Avenue (County Route 50). Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusal by Don McPherson.

**14-39 Town of Malta Town Board**

Mr. Kemper presented an application for a Project Plan Review in the name of Dunkin Donuts to rebuild the building destroyed by fire. The new building will be 12,945 square feet with a traditional shop front. The building will consist of 6,349 square foot bakery, 3,478 square foot retail space and 3,118 square foot corporate office on NYS Route 67. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

**14-40 Town of Clifton Park Zoning Board of Appeals**

Mr. Kemper presented an application for a Use Variance in the name of Cingular Wireless PCS, LLC to allow siting of a telecommunication structure in an R-1 zone which is not allowed on Moe Road (Property of the Vischer Ferry Fire District and next door to 536 Englemore which is the property of the Saratoga County Sewer District. Mr. Kemper stated that additional information will be requested with the following comments: The Saratoga County Planning Board (SCPB) reviewed the above referenced project at their March 20<sup>th</sup>, 2014 meeting. The SCPB has long encouraged municipalities to co-locate these facilities when possible. In 1996, the Saratoga County Planning Department prepared a model ordinance for telecommunication towers promoting and encouraging co-location of these facilities. Therefore, in order for the SCPB to fully evaluate this project the board is requesting any backup documentation that the service gaps being addressed with this tower cannot be accomplished by co-locating on another facility.

**14-41 Village of Corinth Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Gateway Pentecostal Church for the expansion of the existing preschool K-4<sup>th</sup> grade Charter School. No internal or external building improvements are required. The location of the property is Hamilton Avenue (Town and Village boundaries). Mr. Valentine stated No Significant County Wide or Inter Community Impact.

**14-42 Town of Moreau Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Jackoski/Baymax Holdings for the addition of a tenant other than the owner to lease a portion of the building for office, conference room and storage on NYS Route 9. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

**14-43 City of Saratoga Springs Zoning Board of Appeals**

Mr. Valentine presented an application for an Area Variance in the name of The Fresh Market for a signage package of 5 attached building signs and a road Sign on Marion

Avenue. Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusals by Tom Lewis and Don McPherson.

#### **14-44 City of Saratoga Springs Zoning Board of Appeals**

Mr. Valentine presented an application for an Area Variance in the name of Saratoga Pelican Associates LLC/Holiday Inn for a single story extension of the lobby area and modification of site for a new porte cochere and drop off area. Existing structure pre-dates current zoning requirements on Broadway. Mr. Valentine stated No Significant County Wide or Inter Community Impact. Recusals by Tom Lewis and Don McPherson.

#### **14-45 Town of Malta Zoning Board of Appeals**

Mr. Kemper presented an application for an Area Variance in the name of Lorenzo for violation of a code stream buffer, 100 feet required, has 72 feet on Payne Road (NYS Route 67). Mr. Kemper recommended the Request for Additional Information with the following comments: The Saratoga County Planning Board (SCPB) is requesting that additional information be provided by the applicant so that a complete review can be completed on this application. In order to fully evaluate the potential impacts of locating a structure closer to the stream, topography must be added to the plans. There are also two driveways located on proposed Lot #1, one of which crosses a significant portion of Lot#2. The applicant should clarify if either of these driveways is going to be removed. Once that information is submitted the item will be placed back on the agenda for review by the Planning Board.

#### **14-46 Town of Galway Planning Board**

Ms. O'Neill presented an application for a Site Plan Review in the name of Galway Co-op for the display of five propane tanks 100 gallon, 250 gallon, 330 gallon, 500 gallon and 1,000 gallon on Fishhouse Road /NYS Route 29. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

#### **14-47 Town of Wilton Zoning Board of Appeals**

Mr. Valentine presented an application for an Area Variance in the name of Macerich Co/Wilton Mall for the relocation of the Bon-Ton sign to area above Old Navy sign located at the main entrance door to make room for a proposed new merchant on NYS Route 50. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

#### **14-48 Town of Halfmoon Zoning Board of Appeals**

Mr. Valentine presented an application for a Special Use Permit in the name of Oleson for unapproved second residential unit in this existing single family home and related code violations on NYS Route 146. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

#### **14-49 Town of Halfmoon Planning Board**

Mr. Valentine presented an application for a Site Plan Review in the name of Nine Plus Holdings, LLC/Earl for a 2,400 square foot bank with parking and paved access on NYS Route 146 and Old Plant Road. Mr. Valentine requested Modification of Plan with the following comments: It is the recommendation of the Saratoga County Planning Board

that the Rt. 146 driveway be eliminated with a primary access being from Old Plant Road only. We do, however, defer to NYS DOT's review of the proposed driveway to/from the state road. If, as part of DOT's review, a proposed access on NYS Rt. 146 is approved (whether full or right-in/right-out), then that drive should be located at the most eastern position as possible in order to pull turn movements away from the intersection with Old Plant Road. It may also be possible that the primary access to the site be designed for Plant Road with an accentuated right-out only designed for exiting eastbound traffic onto Rt. 146. Again, the latter option is at the sole discretion of a review and determination of DOT.

A motion to approve Planning Department recommendations for the referrals as presented was made by Mr. Loomis. The motion was seconded by Ms. Liebich, 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**

#### **14-A-17 Town of Charlton Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Montemorano for the subdivision of 4.74 acres from the owners 49.22 acre parcel as step one in the process to obtain a special use permit in order to build a restaurant in the Town of Galway and Town of Charlton, Jockey Street (County Route 52) in the Agricultural District.

#### **14-A-19 Town of Malta Planning Board**

Mr. Kemper presented an application for a Subdivision Review in the name of Capital District Properties/Three Silos PDD for a 60-lot single family subdivision on East High Street (Interstate 87). Mr. Kemper stated No Significant County Wide or Inter Community Impact.

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

### **Adjournment**

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

Respectfully Submitted,  
Cynthia T. Nick, Secretary