

Saratoga County
Planning Department

Tom Lewis, Chairman Jason Kemper, Director

Saratoga County Planning Board
Meeting Minutes
September 19, 2013

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; Beth Liebich; Michael Miller; Paul Loomis; Don McPherson and Ian Murray.

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

Guests: Dan Lewza, Supervisor Town of Milton; Wayne Howe; Town of Milton Chair; Tom Boghosian, Boghosian Brothers Construction and Barbara Kerr, Milton Town Council.

Approval of Minutes:

The minutes of the August 15, 2013 meeting were unanimously approved on a motion made by Ms Liebich, seconded by Mr. Murray.

Referrals:

13-109 City of Saratoga Springs Zoning Board of Appeals

Mr. Valentine presented an application for an area variance in the name of ANW Holdings for the demolition of the existing building to construction a 7-unit condo building, needing variances for setbacks and lot coverage on Jumel Place and Granger Avenue. Mr. Valentine stated No Significant County Wide or Inter Community Impact with the following comments. The Saratoga County Planning Board noted no significant issues relative to county, countywide or intermunicipal impacts. Issues of local concern to be addressed under site plan review are related to the provision of sufficient parking both on-site and on-street, the internal circulation of vehicles (including emergency vehicles), and site maintenance (particularly snow storage and removal). Recusal by Tom Lewis.

13-117 City of Saratoga Springs Planning Board

Mr. Valentine presented an application for a site plan review in the name of Saratoga Hospital for an addition of an operating room and ICU on Church Street (NYS Route 9N) Mr. Valentine recommended approval with comment that the City Council approval of the PUD change is still to be approved; SEQR being undertaken for city council,

Planning Board and DRC. Mr. Valentine provided the following comments: The Saratoga County Planning Board previously approved the City Council's referral relative to an amendment to the Hospital PUD involving the subject addition. We recognize that amendment is still to be approved by the Council while a consolidated review under SEQR (City Council, planning board, DRC) is being undertaken. This Board did discuss traffic circulation and the availability of sufficient off-street parking, but no issues of concern based upon the present referral were raised. Recusal by Tom Lewis.

13-131 Town of Milton Town Board

Mr. Valentine presented an application for a zoning map and text amendment for the Town of Milton-Old Mill Town PDD to extinguish the Old Mill Town PDD and to add parcels to the Town Center District. Explanations were provided by Wayne Howe, Chair and Dan Lewza, Supervisor of the Town of Milton. Tom Boghosian was present and commented on the file as well. After discussion by the Board Mr. Valentine recommended approval. Recusal by Tom Lewis, Mike Miller and Donald McPherson. A motion was made to approve by Ms. Liebich seconded by Mr. Vopelak.

13-132 Town of Malta Town Board

Mr. Kemper presented an application for a project plan review in the name of Hayes for the construction of (4) 50 Unit 3-story buildings with a building footprint of 18,850 square feet each. Each building will have one and two bedroom units with a sub-level parking garage on Saratoga Boulevard (Town of Malta). Mr. Kemper stated No Significant County Wide or Inter Community Impact with comment that the application should be submitted to the Saratoga County Sewer District #1 for review and determination of available capacity.

13-133 Town of Charlton Zoning and Planning Boards

Ms. O'Neill presented an application for an area variance, site plan review and lot-line adjustment in the name of Maloney/Charlton Tavern to amend their 04/27/2009 Exceptional Use Permit which affects the site plan review on Charlton Road (County Route #51). Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

13-134 Town of Ballston Planning Board

Ms. O'Neill presented an application for a site plan review in the name of William H. Buckley Farm to convert an existing garage into a retail store and for signage on NYS Route 50. Ms. O'Neill recommended approval subject to NYSDOT review.

13-135 Town of Malta

Mr. Kemper presented an application for a site plan review in the name of McKay for the conversion of an existing unfinished garage into professional office space to be used by Celtic Counseling Center. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-136 Town of Malta

Mr. Kemper presented an application for a site plan review in the name of Barbera for architectural elevations for the Cramer Road North subdivision consisting of 38 twin townhomes, 76 units on NYS Route 9 & Cramer Road. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-137 Town of Malta Planning Board

Mr. Kemper presented an application for a project plan review in the name of Malta Associates LLC for 8 new buildings to include two restaurants, one bank and five retail buildings on NYS Route 67 & 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact with the following comment. The SCPB commented that the town should evaluate whether left turns out of the parking areas on the north and south sides of Kendall Way should be allowed. The Board was uncertain as to how this and other traffic issues would be addressed during the Project Plan Review. The County Director of Planning subsequently had a discussion with the planning staff in the Town of Malta, advising him that this issue will be thoroughly evaluated by the Town Designated Engineer.

13-138 Town of Malta Planning Board

Mr. Kemper presented an application for a Special Use Permit in the name of Malta Associates LLC for three drive-thru bays: 4,100 square foot restaurant with drive-thru; 1,700 square foot restaurant with drive-thru and 2,250 square foot bank with drive-thru on NYS Route 9 & 67. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-139 Town of Wilton Planning Board

Mr. Valentine presented an application for a Special Use Permit in the name of Dobis for a home occupation for aromatherapy and therapeutic massage on Bullard Road (County Forestland) off Edie Road. Mr. Valentine stated No Significant County Wide or Inter Community Impact.

13-140 Town of Wilton Planning Board

Mr. Valentine presented an application for a Special Use Permit in the DeSimone for a private stable for one to three horses on Wilton/Gansevoort Road (County Route 32). Mr. Valentine stated No Significant County Wide or Inter Community Impact.

13-141 Town of Wilton Zoning Board of Appeals

Mr. Valentine presented an application for an Area Variance in the name of Berkshire Bank to add a third attached sign to the building on NYS Route 50 & Weibel Avenue. Mr. Valentine stated No Significant County Wide or Inter Community Impact with the following comment: While the addition of one more attached sign beyond the two that now exist and are permitted presents no county-based impact, there does exist the practical question of whether there is a critical need or necessity for such building coverage (particularly as business has not been hampered by the absence of a third sign since the building conversion).
act with the following comment.

13-142 Town of Wilton Planning Board

Mr. Valentine presented an application for a Special Use Permit in the name of Grecco for a private stable restricted to two horse on Mt. McGregor Road (County Route 101) West of Route 9. Mr. Valentine stated No Significant County Wide or Inter Community Impact with comment. The prior owner had a special use permit for stabling one horse. Two year renewal not in hand. New owner wishes to add one horse to the expired SUP.

13-143 Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Site Plan Review in the name of Trustco Bank for the installation of a drive thru teller window and canopy on the existing building. A curbed island and a second lane for an ATM machine on Guideboard Road (County Route 94). Mr. Valentine recommended disapproval with the following comments: This Board recognizes the site plan submitted for review as an initial attempt to meet a business need while maintaining the safe movement of vehicular traffic between private parking, retail uses and a public street in an already congested area. The Trust Co site plan proposes the addition of lanes for a drive-thru window, an ATM facility, and a pass through lane for traffic to/from Hayner Heights Drive in a way, however, that exacerbates deficient internal circulation and turn conflicts affecting traffic safety. While the addition of a single travel lane for a drive-thru window operation could feasibly work in the already congested area of retail, banking and auto repair, the design proposed by the current site plan is seen as only adding to the confusion and difficulty of traffic movement in and between the area immediate to Trust Co, Gil's Garage and Hayner Heights Drive. This board would entertain consideration of a newly designed plan with a drive-thru window utilizing one lane and with no metal bollards used as directional streetscaping (seen as being visually unappealing and unnecessary with one lane).

13-144 Town of Malta Zoning Board of Appeals

Mr. Kemper presented an application for an area variance in the name of Sumner for a two car garage in the place of an in ground swimming pool complex that was just removed on the corner of Malta Avenue and Theresa Terrace (County Route 63). Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-145 Town of Malta Zoning Board of Appeals

Mr. Kemper presented an application for an area variance in the name of Raczkowski for the addition of a sunroom and entrance deck on Maltaville Rd (NYS Route 9). Mr. Kemper requested modification to the encroachment with the following comment: There appears to be an encroachment by the applicant onto the Lands N/F of David Haynes. The SCPB is suggesting that the Town require this encroachment be corrected prior to the granting of any approvals.

13-146 Town of Clifton Park Planning Board

Mr. Kemper presented an application for a Special Use Permit in the name of AJR Development for the reuse of a vacant building within the L-2 zoning district for a dance studio on NYS Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-147 Town of Clifton Park Zoning Board of Appeals

Mr. Kemper presented an application for a Site Plan Review in the name of Siena Fence Co for the construction of at 30' x 50' cold storage steel building with a 12' open air lean to on NYS Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact with comment.

13-148 Town of Ballston Planning Board

Ms. O'Neill presented an application for a Site Plan Review in the name of CMK Associates for the installation of a new sign-old sign to be removed on NYS Route 50. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

13-149 Town of Edinburg Town Board

Mr. Kemper presented an application for a 90-day moratorium for the Town of Edinburg for ground based solar installation in the Lakefront Residential Zone. Mr. Kemper recommended approval.

13-150 Town of Edinburg Town Board

Ms. O'Neill presented an application for a Legislative Action by the Town of Edinburg to adopt the Right to Farm Law. Ms. O'Neill recommended approval.

A motion to approve Planning Department recommendations for the referrals as presented was made by Ms. Leibich. The motion was seconded by Mr. Murray, 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**13-A-42 Town of Galway Planning Board**

Ms. O'Neill presented an application for a Subdivision Review in the name of Sanders for 85.56 acres into three lots on NYS Route 147. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

13-A-43 Town of Moreau Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Congdon/Deerfield Subdivision for the split out of 4- lots from a 8.76 acre lot on Reynolds Road (NYS Route 197). Mr. Valentine recommended approval.

13-A-44 Town of Moreau Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Hooper for the split of four lots off from a 49 acre parcel on Reynolds Road (NYS Route 197). Mr. Valentine recommended approval.

13-A-45 Town of Charlton Planning Board

Ms. O'Neill presented an application for a Subdivision Review in the name of Maher to subdivide 72.75 acre parcel to create one new building lot on Western Avenue in the Ag District. Ms. O'Neill stated No Significant County Wide or Inter Community Impact.

13-A-46 Town of Ballston Planning Board

Ms. O'Neill presented an application for a Subdivision Review in the name of Cunningham to create a new residential lot on Scotchbush Road (County Route 56). Ms. O'Neill recommended approval subject to DPW review.

13-A-47 Town of Northumberland Planning Board

Ms. O'Neill presented an application for a Subdivision Review in the name of Hargett to subdivide three lots on NYS Route 32N in the Ag District. Ms. O'Neill recommended approval subject to NYSDOT review.

13-A-48 Town of Malta Planning Board

Mr. Kemper presented an application for a Subdivision Review in the name of Morin/B-Safe Inc. for a lot-line adjustment to add an additional 1.136 acres to the property located at 2257 Route 9. Mr. Kemper stated No Significant County Wide or Inter Community Impact.

13-A-49 Town of Ballston Planning Board

Ms. O'Neill presented an application for a Subdivision Review in the name of Lowe to subdivide 99 acres into two lots, one at 36 acres and one at 63 acres on Good Street (County Route 57). Ms. O'Neill 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. Vopelak. The motion was seconded by Mr. McPherson and unanimously approved.

Other Business

Mr. Lewis stated that the Saratoga County Annual Planning and Zoning Conference will be held on Wednesday, January 29, 2014. Courses are being selected and a Save the Date mailer will be mailed out soon.

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