

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

**Saratoga County Planning Board**  
**Meeting Minutes**  
**February 18, 2016**

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:** Ed Vopelak, Vice-Chairman, Connie Wood, Devin Dal Pos, Paul Loomis and Ian Murray.

**Guest:** Steve William, The Daily Gazette

**Staff:** Michael Valentine, Senior Planner; Jaime O'Neill, Planner, Cyndi Nick Secretary.

**Recusals:** Ian Murray recused himself from #16-22.

**Approval of Minutes:**

The minutes of the January 21, 2016 meeting were unanimously approved on a motion made by Mrs. Wood and seconded by Mr. Murray.

**REFERRALS:**

16-19 Town of Edinburg Planning Board

Mr. Valentine presented an application for Site Plan Review of the Miller used car dealership along Northville Rd(CR#4). This proposal contains a existing garage that has been dormant for a year on a 2 acres parcel. There is no water or sewer at this site, no access improvements. There are currently two businesses on 1 lot which is not allowed under the zoning. Setbacks in the town code are unable to be met. The code in the town states that all site plans must be drawn by a Landscape Architect, License Engineer, Architect and at a scale of 1"=50' which the site plan that was submitted does not meet any of those standards. Mr. Valentine recommended request additional information with reference to above mentioned items.

16-20 Town of Milton Planning Board

Mr. Valentine presented an application for site plan review and a special use permit as a public utility for ESA Renewables for a solar power generation facility on 95 acres along Middle Grove Road that is zoning R-2. This site was previously a landfill that is closed and is home to a telecommunications tower. Initial concerns are regarding access for maintenance of the facility as well as grading and draining lighting and landscaping. Mr. Vopelak mentioned that New York State DEC will review as it is considered a utility. Mr. Valentine deemed this an incomplete application and recommends that additional

information be submitted to the Planning Department before the Board renders a decision.

#### 16-22 Town of Clifton Park

Ms. O'Neill presented an application for Use and Area Variance for a multi family development in a B-4A district along Plank Road . The applicant has purchased 2 lots and wishes to merge them to form a 1.54 acre parcel along Plank Road. Currently there are 2 homes, one on each lot. This area is zoned B-4A which allows commercial uses but expressly prohibits residential. Discussion was held by the Planning Board with respect to the information provided by the town. The applicant wishes to place 16 2 unit town homes on the property with parking and necessary infrastructure. The applicant was aware of the zoning at time of the land purchase and the fact that residential uses are not allowed. The properties were purchased as a part of a short sale or foreclosure. There does not appear to be a clear indication of financial statements that would indicate that as reasonable return is unable to be realized with the allowed uses under the current zoning. This hardship appears to be self-created as the applicant was aware of the zoning at the time of purchase. The existing character of the neighborhood is residential on a dead end street, this increased density would alter the single family neighborhood. The Town Planning Board looked at the initial plan as requested by the Zoning Board of Appeals and commented in the initial density of the proposal being too high. The County Planning Board members expressed concerns over density and the dead end street with respect to emergency access and maintenance of the road and increased traffic the development would bring. Comment was made that the applicant may wish to explore the option of using a PDD. A motion was made by Mrs. Wood to disapprove the use and area variance application based upon its failure to meet the use variance test requirements, seconded by Mr. Dal Pos, motion carried 4-0.

#### 16-28 Town of Saratoga Planning Board

Ms. O'Neill presented an application for a special use permit for 44 acre sand mine on 220 acres of agricultural land along NYS Rte. 4. This mine is being reviewed and approved through NYS DEC. It is spread across 9 phases in 5 acre parcels. Ms. O'Neill recommended No Significant County Wide or Inter Community Impact.

A motion to approve Planning Department recommendations for the referrals as presented was made by Mr. Murray, the motion was seconded by Mrs. Wood 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**

## 15-A-60 Town of Ballston Planning Board

Ms. O'Neill presented an application for subdivision that the County Planning Board had reviewed in October 2015. This is a 3 lot subdivision along Middleline Rd(CR#59) and Devils Lane. Prior discussion had taken place with the Applicant, County DPW and Town Planning Board Chair with respect to sight distance on the most southern lot. The newly submitted plan indicated a 50' shift in location which is what is needed for required sight distance as per County DPW. Ms. O'Neill recommended approval subject to County DPW permit approval for access to the County highway.

## 16-A-05 Town of Corinth Planning Board

Mr. Valentine presented the application of Fasulo family subdivision of 14 acres from 184 acres along County Rte 10. There is a 12' wide easement to access the County Forest Land that is adjacent to this lot. Mr. Valentine made note that this should be indicated on tax maps and made sure that this easement is included into the deed and on maps. Mr. Valentine recommended approval with the comment on maintaining future access to back parcel.

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

**Adjournment**

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

Respectfully Submitted,  
Jaime L. O'Neill, Planner