

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

Saratoga County Planning Board
Meeting Minutes
August 19, 2021

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 4:00pm.

Members Present: Tom Lewis, Chairman, Ian Murray, Devin Dal Pos, Marsha Murry and Don McPherson

Staff: Jason Kemper, Director, Michael Valentine, Senior Planner, Jeffrey Williams, Planner and Bobbi Wood, Temporary Clerk.

Guests: Representative from Whiteman, Osterman, and Hanna.

Approval of Minutes:

The minutes of the July 15, 2021 meeting were unanimously approved on a motion made by Mr. Murray and seconded by Mr. Dal Pos.

Referrals

21-108 JK Town of Clifton Park Planning Board

Mr. Kemper presented an application for the Town of Clifton Park of a proposed map and text amendment to the town's solar zoning ordinance to produce ground mounted solar arrays into a tiered classification system. The Solar Moratorium reviewed by the SCPB in December 2020. Mr. Kemper stated that there are no significantly county wide or inter community impacts and recommends approval.

21-54MV Town of Corinth Planning Board

Mr. Valentine presented an application for the Town of Corinth, of a Moratorium Extension. The Town proposes a 6-month moratorium extension on the construction, establishment, installation, review or approval of any new Wireless Telecommunications Facilities. The original 6-month moratorium covered the dates of February 1 to September 1, 2021. The Telecommunication Moratorium was reviewed by the SCPB in April 2021. Mr. Valentine stated Approve.

21-55MV Town of Corinth Planning Board

Mr. Valentine presented an application for the Town of Corinth, a Moratorium Extension. The Town proposes a 6-month moratorium extension on the construction, establishment, installation, review or approval of any new or expanded Solar Farm or Ground Mounted Solar Panels. The original 6-month moratorium covered the dates of March 11 to September 11, 2021. The Solar

Moratorium was reviewed by the SCPB in April 2021. Mr. Valentine recommended Approval.

21-96MV City of Saratoga Springs City Council

Mr. Valentine presented an application for Legislative Zoning Text Amendment for the City of Saratoga Springs. A proposed zoning text amendment for Zone B of the Weibel Plaza Commercial Planned Unit Development of 1992. Zone B of the PUD is a vacant 16-acre portion whose zoning sunset/expired on July 1, 2012. The proposed amendment will allow the same uses as in the original PUD with the addition of Warehouses, Distribution Plans and Wholesale Establishments proposed. 1992 PUD legislation expired, was amended in July 1998. Reverts to underlying zoning, RR-1. This zoning District no longer exists. Comment on whether site plan needs to provide for a separate means of or point of access to these non-retail uses. Additionally, legislation should spell out the type and size of warehouse and distribution facilities. Planning Board recommendation Extension o.k. Warehouse use not looked upon favorably. Mr. Valentine stated Approve.

21-97JW Town of Milton Planning Board.

Mr. Williams presented an application for the Town of Milton a Special Use Permit & Site Plan Review in the name Tilson Technology (AT&T Telecommunications Tower). A proposed 150 ft. monopine telecommunications tower to be placed within a 100 ft x 100 ft compound on a 10.58 acre parcel fronting along Middle Grove Road. The access to the proposed cell tower compound is achieved by a 50 ft. easement leading to an existing curb cut onto Middle Grove Road. If improvements are to be made within the Middle Grove Road Right-of-Way, a County DPW work permit will need to be procured. Although the Saratoga County Planning Board (the Board) resolved with a no Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-98JW Town of Stillwater Planning Board.

Mr. Williams presented an application for a Special Use Permit & Site Plan Review in the name of DeCrescente Distributing Company Expansion for the Town of Stillwater. A proposed 66,000 s.f. addition to the existing 45,003 s.f. office/distribution facility located on 4.44 acres. Mr. Williams stated No Significantly County Wide or Inter Community Impact.

21-99JW Town of Waterford Planning Board.

Mr. Williams presented an application for Legislative Zoning Text & Map Amendment for the town of Waterford. A proposal to update the Town of Waterford's zoning laws and amend the zoning map to be consistent with the recommendations from the Town's adopted 2017 Comprehensive Plan. Mr. Williams stated Approve.

21-100JK Town of Clifton Park Planning Board.

Mr. Kemper presented an application for a Site Plan Review in the name of North Country Commons Redevelopment for the town of Clifton Park. A proposed construction of a 4,900 s.f. restaurant/retail building and a 2,600 s.f. bank on a 15.7 acre site of the existing the North Country Commons PDD. Mr.

Kemper stated there needs to be more information regarding traffic impacts and greenspace information to make a determination. Mr. Kemper recommended to Request for Additional Information.

21-93MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Site Plan Review in the name of Country Dollar Plaza for the Town of Halfmoon. A proposal to construct a covered 35'x70' patio on the east side of the existing plaza building along NYS Rt 236. Area Variance referral was reviewed in July, 2021. Mr. Valentine stated No Significantly County Wide or Inter Community Impact.

21-101MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Special Use Permit in the name of Case Paving (DBA Richards Paving) for the Town of Halfmoon. An asphalt blacktop business proposes to operate in existing facilities on a 4-acre site in the Town's M-2 zone where the use is allowed by special use permit. Existing facilities on site for new tenant/change in use. Access from state road by shared driveway serving 3 separate parcels/businesses. Mr. Valentine stated No Significantly County Wide or Inter Community Impact.

21-102MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Special Use Permit in the name of Crowther Duplex for the Town of Halfmoon. A proposal to construct a two-family residence on a vacant 0.81-acre parcel (remainder from a 2014 subdivision). Duplexes are permitted by special use permit in the Town's Waterfront Mixed-Use (W-1) zoning district. Will connect to public water and sewer. Connection will be made to public water and sewer. Will not require curb cut permits from NYS DOT as there is currently an existing driveway. Mr. Valentine stated that No Significantly County Wide or Inter Community Impact.

21-103MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Special Use Permit in the name of Rockwood for the Town of Halfmoon. Application for a special use permit for the continuation of one of the two existing residential uses located in the town's C-1 Zoning District. This area of the Crescent Road corridor is a mix of uses (firehouse, apartments, single family homes and the existing uses are compatible. Located within the Town's small business overlay zone. Currently being reviewed under Subdivision Review, 2-lot subdivision by a proposed lot line adjustment. Mr. Valentine stated No Significantly County Wide or Inter Community Impact.

21-104JW Town of Galway Planning Board.

Mr. Williams presented an application for a Special Use & Site Plan Review in the name of Keehan Fuel for the Town of Galway. A proposal to modify an existing, 1.52 acre, commercial site into an office/truck maintenance and storage site for the fuel delivery company. The Town is aware of neighboring encroachments and it to be resolved. The rear area of the site will be fenced in to create a single-access to the gated area which is an improvement. Any work to be done in the Rt 29 ROW will require a NYSDOT work permit.

Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-105JW Town of Northumberland Planning Board.

Mr. Williams presented an application for a Site Plan Review in the name of Verdi Storage for the Town of Northumberland. A proposed 0.88 acre expansion of the truck parking area and storage area for containers and trailers at the existing 10.99 acre site with an existing established storage rental business. Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-106JK Town of Malta Planning Board.

Mr. Kemper presented an application for a use variance for the Town of Malta. A proposed solar array proposed to be constructed on 5.64 acre portion of a 17.45 acre parcel whereas, large-scale solar is not listed as a permitted use in the Town's Residential District. The SCPB determined that the application was incomplete as presented. The criteria used to evaluate the merit of an appeal for a use variance mainly occur at the local Zoning Board. The first level of demonstrating an unnecessary hardship in hearing an appeal is that the applicant cannot realize a reasonable return on their property under the existing zoning classifications. This applicant has not provided any backup to substantiate this test. Once the appropriate required information has been presented and forwarded to the County Planning Board for review the project will be placed on the agenda for review, therefore the application is Incomplete.

21-107MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Site plan Review in the name of Creekview Estates PDD-Phase 1 for the Town of Halfmoon. Approval sought for Phase 1 of previously approved 96-acre Creekview Estates PDD on Upper Newtown Road. Phase I encompasses 33 of the 77 residential lots. Originally reviewed by SCPB in late 2017 as a PDD, going from A-R to PDD. 40 acres were kept by the landowners, 56 acres to PDD zoning 27 acres of the PDD land will be open space going to an HOA (8 of the 27 acres is unconstrained) 70 bldg lots proposed, of 10,800 s.f. min lot size . Public water and sewer brought to site. Status of curb cut permits for Phase 1 intersection with UNRd Internal cross-connection between Phases 1 & 2 to 2nd intersection onto UNRd Both points meet AASHTO sight distance requirements for posted 40 MPH speed two internal connectors from Phase 1 roads to adjoining property to the east 28 bldg lots/res of Phase 1 exceed town sub dregs for # of lots (19) utilizing one road/driveway only Town pl brd to condition approval such that prior to the issuance of a C of O for the 20th res the 2nd connector road onto UNRd must be completed Connection to adjacent Swatling Falls development Also to existing trails along the McDonald Creek corridor. Mr. Valentine stated that No Significantly County Wide or Inter Community Impact.

A motion to approve Planning Department recommendations for planning referrals as presented was made by Mr. Don Mcpherson and a motion was seconded by Mr. Murry 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

19-A-09JW Town of Ballston Planning Board.

Mr. Williams presented an application for a Subdivision Review in the name of Meader Lane Subdivision for the Town Of Ballston Spa. A proposed 21-lot subdivision of a 62.90 acre parcel by extending an existing residential town road to Round Lake Road. Of the proposed 21 lots being created, 20 lots will be for single-family residential uses and the 21st lot will be a large open space lot controlled by an HOA. A County DPW permit will be needed for improvements to be made within the Round Lake Road ROW. Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-A-45JK Town of Edinburg Planning Board.

Mr. Kemper presented an application for a Subdivision Review in the name of Iwaszczuk for the Town of Edinburg. A proposal to subdivide an existing, vacant, 4.096 acre parcel that is bisected by South Shore Road into two parcels by using the road as the dividing boundary line. Mr. Kemper explained that the supplied map has other parcels identified and is unclear how these lots relate to the proposed action. Mr. Kemper stated that additional information will be requested for further review.

21-A-46JW Town of Stillwater Planning Board.

Mr. Williams presented an application for a Subdivision Review in the name of Capital District Ventures, LLC for the town of Stillwater. A proposed two lot subdivision of an existing 6.419 acre vacant lot off of Meehan Road. Lot 1 will have an area of 2.836 acres and Lot 2 will have an area of 3.581 acres after the subdivision is performed. Both residential lots will share the access to Meehan Road, a local road. Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-A-47-JW Town of Stillwater Planning Board.

Mr. Williams presented an application for a Subdivision Review in the name of Bella Builders for the Town of Stillwater. A proposal to subdivide a 7.67 acre lot on the East side of NYS Rt 9P into 4 residential lots. All proposed lots are to share a common driveway to access NYS Rt 9P. Any proposed improvements to NYS Rt 9P will need to obtain a NYSDOT work permit. Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-A-48JW Town of Galway Planning Board

Mr., Williams presented an application for a Subdivision Review in the name of Wheeler-Arey for the Town of Galway. A proposed lot line adjustment of a 47.04 acre parcel that is bisected by Galway Road. By using the Road as the subdividing line it will create a 23.64 acre parcel on the North side of Galway Road and a 23.40 parcel on the Southside. The 23.40 acre South side parcel

will then be conveyed to an existing, adjacent 21.75 acre parcel to create a 44.97 acre parcel on the Southside of Galway Rd. At the time, if at all, any improvements are considered to be performed in the Galway Road Right-Of-Way, a County DPW permit will need to be procured. Mr. Williams stated that No Significantly County Wide or Inter Community Impact.

21-A-49MV Town of Greenfield Planning Board.

Mr. Valentine presented an application for a Subdivision Review in the name of Boucher/Lands of Straus for the Town of Greenfield. Proposed 3-lot residential subdivision of a 23.65-acre parcel. One house presently exists on the property; two residences to be constructed on two of the to-be created lots. The subdivision is proposed in a rural residential area of the town where the minimum lot size is 1.5 acres, yet three 8-acre lots are being proposed. Lot frontages are appropriate to meet the 150-ft. requirement, with the least of 3 frontages being roughly 380'. All 3 driveways are onto a town road, not the county road (CR# 21). Mr. Valentine stated that No Significantly County Wide or Inter Community Impact.

21-A-50JK Town of Clifton Park Planning Board.

Mr. Kemper presented an application for a Subdivision Review in the name of Le Hockford for the Town of Clifton Park. A proposal to subdivide an existing 7.16 acre parcel into two lots. Lot one will be a 2.115 acre with an existing wood frame house and lot two will be a 5.042 acre lot for a proposed residential use. Mr. Kemper stated that No Significantly County Wide or Inter Community Impact.

21-A-51MV Town of Halfmoon Planning Board.

Mr. Valentine presented an application for a Subdivision Review in the name of Robert for the Town of Halfmoon. A minor subdivision proposed by way of a lot line adjustment with conveyance of a 0.43-acre portion of a 3.93-acre parcel to the adjoining parcel, creating a 4.3-acre parcel. Maintains the existing flag for abutting lot's access from Lower Newtown Road. Mr. Valentine stated that No Significantly County Wide or Inter Community Impact.

21-A-53MV Town of Halfmoon Planning Board

Mr. Valentine presented an application for a Subdivision Review in the name of Rockwood for the town of Halfmoon. A proposed lot line adjustment and conveyance of 0.10 acres of property from Berlin (1460 CVF Rd.) to Rockwood (1460A CVF Rd.) for the purpose of separating and correctly locating two sheds and a barn onto lands of the appropriate owner. An easement for shared ingress/egress and placement of utility is depicted. Mr. Valentine stated that No Significantly County Wide or Inter Community Impact.

A motion to approve Planning Department recommendations for planning subdivision as presented was made by Mr. Murray and a motion was seconded by Mr. Dal Pos.

Adjournment

As there was no other business to come before the board, on a motion made by Mr. Murray and seconded by Mr. Dal Pos, the meeting was adjourned at 4:50 pm with all in favor.

Respectfully Submitted,
Bobbi Wood, Temporary Clerk