



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

Meeting Minutes **May 19, 2022**

The meeting held in Conference at the Cornell Auditorium located at 50 West High Street in Ballston Spa was called to order at 4:00pm.

Members Present: Tom Lewis, Chairman, Devin Dal Pos, Donald McPherson, Ian Murray, Marcia E. Murray, and Ed Vopelak.

Members Absent: Cynthia Young

Staff: Jason Kemper, Director, Michael Valentine, Senior Planner, Jeffrey Williams, Planner and Nisha Merchant, Secretary.

Guests: Gary Meier, Saratoga County DPW

Approval of Minutes:

The minutes of the March 17, 2022, meeting were unanimously approved on a motion made by Mr. Murray and seconded by Mr. Dal Pos.

Recusals: Donald McPherson 22-58, 22-A-20; Tom Lewis 20-52; Ian Murray 22-56, 22-57, 22-63

Referrals

19-91MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Site Plan Review in the name of GT Toyz. A proposed expansion of the existing parking lot to add 74 additional parking/display spaces. A new storm water mitigation basin will also be constructed. Located on US Rt 9. Discussion: Mr. Valentine stated that the original site plan was reviewed in 2019. He noted that the C2 plan sheet has a Schedule of Site Coverage Statistics (Existing and Proposed) that differ in the total amount of coverage by building, pavement, and green area: Existing @ 131,380 s.f. and proposed adding up to 138,712 s.f. (although listed as 131,380). With an increase in the square footage of pavement there is no way for the amount of green space to increase while the building size remains the same. Mr. Valentine stated that the Schedule should be corrected, particularly if there is an effect on calculations related to percent of impervious coverage, loss of green space and stormwater management. Overall, he noted, the application presents No Significant Countywide or Intercommunity Impact.

20-52MV City of Saratoga Springs

Mr. Valentine presented a referral from the City of Saratoga Springs, a Site Plan Review in the name of Stewart's Shops. Stewart's proposes to re-develop the existing site at NYS Rt 29 (Lake Road) and Gilbert Road by demolishing the existing retail store and gas islands/canopies & construct a new 3,851 sq. ft. store w/new gas pumps and

canopies. Access to the site is proposed to continue from the existing Gilbert Road driveway with a new site driveway from Lake Avenue (NYS Rt 29) extending southward from the signalized intersection of Lake and Weibel avenues. Discussion: Mr. Valentine stated that area variance was reviewed in May, 2020. Mr. Valentine stated that the city planning board and the applicant may want to consider whether it may be beneficial to adjust the Gilbert Rd. entrance southerly to align with cross driveway and move away from Lake Ave. intersection. That can be a review item picked up by the City Planning Board, if thought important. Mr. Valentine stated that the referred action poses No Significant County-wide or Intercommunity Impact.

21-96MV City of Saratoga Springs

Mr. Valentine presented a referred action from the City Council of Saratoga Springs, a Legislative Zoning Text Amendment. This is a second review of proposed zoning text amendment for Zone B of the Weibel Plaza Commercial Planned Unit Development of 1992, first reviewed in August, 2021. The proposed amendments include amending the boundary to reflect the seven tax parcels, to limit the maximum commercial space for office/hotel space to reflect a general maximum square footage on all commercial space, to amend the expiration date/sunset clause to July 21, 2035 and to permit new uses of Warehouse, Distribution and Wholesale along with Marijuana Dispensary and Processing. The PUDD's Zone B (the subject area for amendment) is located in the boundaries of the Weibel Commercial Plaza PUDD behind Zone A current users such as Wendy's, Kohl's, Hannaford, and Tractor Supply).

Discussion: Mr. Valentine explained that what are newly proposed as textual changes to zoning include amending the description/definition of the overall PUDD boundary so that the boundary reflects the current seven tax parcels within it (in contrast to what was originally comprised of three parcel within the same bounds of the PUDD), removing Zone B's current limit on the maximum commercial space that is noted as office and hotel uses, to reflect a general maximum square footage on all commercial space (as defined by complementing the 41 principal permitted uses of Zone A and up to 3 buildings and comprised of up to 200,000 sq. ft.), to require as part of site plan review the consideration and incorporation of T-4 and T-5 design standards to better conform with the City's Community Mixed Use designation as referenced in the City Planning Board's advisory opinion, to amend the expiration date of the PUDD sunset clause to July 21, 2035 and, finally, to permit Warehouse, Distribution and Wholesale along with Marijuana Dispensary and Processing as uses with the PUDD legislation. In discussion among SCPB members and counsel representing the applicant who is proposing the text amendment, there was reviewed mapping that differentiated the PUDD's Zone A from Zone B. The subject Zone B portion of the overall PUDD was shown along with the surrounding uses that comprise Zone A. Further clarification was provided during discussion as to the distinction between Zones relative to the maximum number of buildings (3) and the maximum square footage (200,000 sq. ft.) to be permitted for construction in Zone B (our subject area). He further explained that the maximum build-out limitations of the proposed PUDD, are noted as:

- Development within Zone B, which is comprised of the approximately 16 acres of vacant land behind Hannaford and along the I-87 off-ramp, which would be for a 3-building maximum with an aggregate total amount of commercial space of up to 200,000 square feet. There is also a right to increase the density of use in either of the two zones by 15% provided the overall density of the planned unit development is not increased thereby.
- Zone A, which is comprised of the remainder of the PUDD area, includes the present uses of Hannaford, Kohls, Tractor Supply, Denny's Restaurant and

the additional vacant parcels along Loudon Road. Remaining untouched by this text amendment would be the Zone A provision for a 9-building maximum with an aggregate total amount of commercial space of up to 300,000 square feet.

Mr. Valentine explained that this legislation will ultimately affect applications for site plan review to come before the city planning board (and to be reviewed by the SCPB), so he recommended noting previous comments associated with what both of those boards would be reviewing: 1) the mix of office uses of various types and footprint size approved for Zone B of the PUDD, 2) the use of existing or new points of site access, and 3) the mix of vehicles using such access points and planning for the ease of internal traffic circulation. The project site is in an area of the City's Greenbelt Trail for which was recently completed the Saratoga Greenbelt-Wilton Connector Trail Plan. The future site plan(s) emanating from a Zone B project should consider aspects of pedestrian connectivity that address the newly endorsed Plan.

Mr. Valentine recommended approval of the zoning amendment from the City Council.

22-38MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Site Plan Review in the name of Hayner PDD. A proposal to enclose an existing pavilion and expand the parking area on the 6.1-acre PDD site. Located on NYS Rt 236. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-42MV City of Mechanicville City of Mechanicville

Mr. Valentine presented an application from the City of Mechanicville referred for a Special Use Permit & Site Plan Review in the name of Gould Brothers. Proposed is to create two additional, 1-bedroom apartments by utilizing the existing storage space of an existing 4-unit apartment building. Located on New York Avenue, the actions are referable because of the site's proximity to NYS Rt. 67 and the municipal boundary with the Town of Stillwater. Comment: While construction of additional dwelling units within the existing structure may not have been foreseen, the SCPB notes that the proposed use conforms to that of the surrounding neighborhood/district and per submitted correspondence from the City's Fire Inspector and Fire Chief such construction and future use does not negatively impact or impede fire department (emergency) access to the building. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-49MV Town of Halfmoon

Mr. Valentine presented a referred action submitted from the Town of Halfmoon Town Board for a proposed Planned Development District located on the east side of US Rt. 9 and NYS Rt. 236 south of Guideboard Road. The PDD is named Crescent Commons PDD. Proposed is a mixed-use development on a 13.3-acre site that currently contains the Crescent Commons Plaza and the Fred the Butcher Market. New construction within the proposed PDD will add a third and fourth floor to the existing plaza building with an addition to the rear which will house 60 apartment units with detached garages. There will be a 5,000 s.f. addition to Fred the Butchers, a 1,200 sf deck addition to the existing restaurant and an interconnection from a new commercial pad with access proposed directly onto NYS Rt 236. The existing mobile home park will remain but is proposed to have no internal street connection from the park to NYS Rt. 9.

Comment: It is the SCPB recommendation that the driveway from the site of the proposed (stand-alone) commercial pad onto NYS Rt. 236 be flipped to the east side of the parcel so that it is located in a straight away with defined sight distance in accord with review by NYS DOT (for review and permitting). Additionally, it may be worth a later site plan discussion as to whether there should be a connection within the site to the state road for the MHP.

Mr. Valentine recommended approval.

22-51JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Project Plan Review in the name of 108 Dunning Street. A proposed 13 single-family and 6 town home (12-units) subdivision in the Town's Downtown Form Base Code zones of DX-3 and RD-2. Located on Dunning Street/CR-108 & Kendell Way (US Rt 9). Mr. Kemper presented the history on the project and the prior comments provided by the SCPB. Gary Meier, Saratoga County DPW provided comments relating to the work within the Count ROW and future connections on the parcel. Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-55JW Town of Stillwater

Mr. Williams presented an application for the Town of Stillwater, a Special Use Permit and Site Plan Review in the name of Tanski Concrete Batch Plant. A proposal to construct a 2,760 s.f. concrete batch plant with material storage bins and parking areas on an 11.88-acre parcel. Located on Farley Road (NYS Rt 67). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-56JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Special Use Permit & Site Plan Review in the name of Middleline West and Middleline East Solar Array. A proposed solar array to utilize 53.27-acres of an existing 79.90-acre parcel off of CR-59. The proposed solar array proposed one curb cut onto CR-59. Located on Middleline Rd/CR-59 (Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-57JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Special Use Permit & Site Plan Review in the name of Bloomfield Solar. A proposed solar array installation to utilize 37.7-acres of an existing 85-acre site off of Garrett Rd. A single access is proposed off of the Garrett Rd. Located on Mann and Garrett Rd. (Middleline Rd/CR-59 & Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-58MV Town of Wilton

Mr. Valentine presented an application for the Town of Wilton, an Area Variance (Sign) in the name of Wendy's. An area variance request for the number of attached (building mounted) signs is being sought. The Town allows one attached sign in its C-1 zoning district whereas, the applicant is proposing four attached signs. Located on NYS Rt 50. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-59MV Town of Corinth

Mr. Valentine presented a legislative referral from the Town of Corinth, a proposed Zoning Text & Map Amendment. A proposed Local Law amending the Town of Corinth's Town Code to establish town-wide regulations for Solar Energy Systems. Mr. Valentine commented that the amount of committee and staff review in consideration of moving from a moratorium to a final section of Code is recognized in the legislation. He did cite the need for receiving a large color print of the adopted zoning map as the Overlay District is keyed in 3 colors but was provided in black and white. Mr. Valentine recommended approval.

22-60MV City of Saratoga Springs

Mr. Valentine presented a referral submitted by the City of Saratoga Springs, a Zoning Text Amendment. He explained to the Board that there are proposed four amendments to the City's Unified Development Ordinance (UDO), including 1) removal of uses from the City's Greenbelt which have been identified as inappropriate uses, 2) the establishment of clear criteria by which City land use boards can maintain rural character in the Greenbelt, 3) adopting enhanced means of stream and wetland protection and, 4) amending the land disturbance activity permit.

Discussion: In the course of review and discussion, the SCPB made the point several times of recognizing the City Council's authority and responsibility associated with legislative actions that precipitate land use regulations. Board and staff also noted the legislative body's role to, with regularity, review and update as necessary those various land use regulations and associated guiding documents. A main part of the Board's discussion about the proposed amendments centered around the fact that the City's Comprehensive Plan was approved/adopted in 2015 and the process to create the UDO began in 2016 and ended with its adoption five years later, in December of 2021. During discussion a point of inquiry was made as to why the City (in general) does not let the UDO run its course for some elapsed time and at that point then consider amendments, if needed (and where they might be deemed to be necessary or more helpful).

Mr. Valentine stated to Members that in some manner or another, whether the approved regulations within the UDO are implemented as they are now written or as proposed to be amended, all land use applications in the City will be reviewed with the necessary oversight exercised by that Planning Board and professional staff. Under the adopted (but yet to be utilized) UDO, land use projects will continue to come under City Planning Board review and the standard processes that involve the consideration of design standards, the continued standards and requirements for a special use permit, or the detail that is well-noted for a site plan review by the City Planning Board. Some Members made note that the proposed amendment seeks to extend stream and wetland protections afforded the City Planning Board in a manner that appears to go beyond the review and permitting authorities already in place through state and federal standards and regulations.

Members were in accord in stating the Board's recognition of the authority that exists for the legislative body to enact amendments to the governing regulation of land use in the City. Some, however, raised a question as to the short period of use or implementation between the adoption of the UDO as the foundational document for such regulation and the submittal of these requested amendments. With no more than six months on record and with limited implementation, amending may appear contrary to the goal of the many months (and even years) of input, review, comment,

hearing and discussion that could be of naught without ever seeing the true results of implementation.

MOTION: A separate motion was presented to approve the legislative referral with comments on the Zoning Text amendments was made by Mr. Dal Pos and seconded by Mr. Murray.

AYE: Mr. Dal Pos, Mr. McPherson, Mr. Murray, Ms. Murray and Mr. Vopelak

NAY: Mr. Lewis.

Motion carried, 5-1.

22-61JW Town of Waterford

Mr. Williams presented an application for the Town of Waterford, a Site Plan Review in the name of Livackuk Roofing Office. A proposal to convert a single family home into an office and storage for a roofing company. Parking of trucks and trailers will be in the rear of the of the proposed office. The applicant is proposing two curb cuts out to Rt 4 & 32. Located on NYS Rt 32 & US Rt 4 (Town of Halfmoon). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-62MV Town of Moreau

Mr. Valentine presented an application for the Town of Moreau, a Zoning Text Amendment in the name of Town of Moreau. A proposal to amend the Town of Moreau's Zoning Code including Bulk, Area and Use Schedules and to clarify the procedures for site plan and subdivision applications. Located on Town-wide. Mr. Valentine made the following comments: As noted by comments provided in some previous SCPB Referral Response Letters regarding subdivision reviews, the Members had voiced concern about plan design in which private sanitary (septic) was utilized when the extension of existing force main sewer to the site seemed to be a logical provision. It has been the observation of this Board and Department over many years that as development (both residential and commercial/industrial) in any County municipality increases with population growth there results an analysis of the need for public sewer and water to service new development and a review of building lot sizes per schedule. We recognize this proposed Text Amendment to be a reflection of the current status in the town of Moreau. Mr. Valentine recommended approval.

22-63JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Special Use Permit & Site Plan Review in the name of Randall Road Solar I. A proposal to utilize 20.15-acres of a 79.05-acre parcel for a solar array. Located on Randall Road & Finley Road (Town of Charlton, Hop City Road/CR-56 & Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-64JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Project Plan Review in the name of Juncta LLC. A Form Base Code review for a proposed development of a 2.3-acre parcel at the traffic circle involving US Rt 9 and Stone Break Road. The proposed development will be a 4,800 s.f. carwash and a 12,500 s.f. office/retail commercial building with proposed access to Stone Break Road and Northbound US Rt 9. Located on US Rt 9 & Stone Break Rd. The SCPB members commented that a cross access easement should be pursued for the parcel to the north of the project. Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-65JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Special Use Permit in the name of Juncta LLC. A proposed development of a 2.3-acre parcel considering a 4,800 s.f. carwash building and a 12,500 s.f. commercial/retail building with proposed right in right out access to Stone Break Road west bound lane and right in right out Northbound on US Rt 9. The proposed carwash is a permitted use by special use permit. Located on US Rt 9 & Stone Break Rd. Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-66JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Site Plan Review in the name of ES-TD Ventures LLC. A proposed development of two 10,275 s.f., two-story commercial buildings on a 4.62-acre parcel on US Rt 9. A single curb cut is proposed to access US Rt 9. Located on US Rt 9. Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-67JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Site Plan Review in the name of Winners Circle Winery LLC. A proposed vineyard, winery with agrotourism uses on a 127-acre parcel off of Old Post Road. A proposed construction of a 15,200 s.f. event center building along with the renovation of three existing buildings is to occur to support the winery and agrotourism use. Located on Old Post Road (City of Saratoga Springs). Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-69MV Town of Wilton

Mr. Valentine presented an application for the Town of Wilton, a Site Plan Review in the name of Dance Lab. A proposed 4,550 s.f. single-story building to be constructed on a 4.78-acre vacant parcel off of US Rt 9. Located on US Rt 9. Mr. Valentine made the following comments: The proposed use of a nearly 5-acre parcel for a building of 4,550 s.f. leaves a lot of developable land remaining. This Board discussed that the town planning board should address plans for future development of the full parcel as part of its review under SEQR. Additionally, the applicant should make contact with NYS DOT (at the Saratoga Springs West Avenue Residency, 518-584-3790) regarding permitting for a needed curb cut permit. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-70MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Site Plan Review in the name of 4 Enterprise Ave. A proposed 4,200 s.f. loading dock and refrigerated storage space addition on the existing 25,200 s.f. facility. Located on Enterprise Ave. (NYS RT 146). Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-71MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a PDD Amendment in the name of Farm to Market Self Storage. A proposal to replace the approved self-storage units with warehouse space that is similar to the western portion of the allowed uses of the PDD. Located on Farm to Market Road/CR-109 & NYS Rt 146. Mr. Valentine recommended approval.

22-72MV Town of Wilton

Mr. Valentine presented an application for the Town of Wilton, a Zoning Map Amendment in the name of Town of Wilton. The Town is considering to rezone a R-2 parcel to C-3 in order to reflect the adjoining C-3 parcels off of Edie Road. Located on Town-wide. Mr. Valentine made the following comments:

The Saratoga County Planning Board reviewed the application at its May Board meeting and voted to Approve the application. With that being said, the Board had a number of comments that should be considered if the Town Board decides to move forward with the proposed zoning amendment.

The list of permitted uses that are allowed in the R-2 Zoning District are much less intense than those allowed in the proposed C-3 zoning classification. R-2 is generally described as rural and small-scale agricultural uses (without animals). The C-3 District is “is designated for business development and intended to provide for research, computer, telecommunications, warehousing and nonpolluting assembly operations as well as service-oriented commercial operations.”

In its discussion of the proposed zoning amendment, the SCPB recognized that the application before the Town Board should be considered in accord with the Comprehensive Plan while upholding the property owner’s right to bring before it a justified request for a change in zoning. It appears that principal concerns for the proposed zoning map amendment may center on how the town and the landowner can maintain the rural character of Edie Road as well as its mix of residential and low-impact (noise, lighting, traffic) commercial-type uses. The County Planning Board is not partaking in defining a preference for buffering along Edie Road of 150’ or 200’, but believes that the applicant’s provision of an agreed-to no-cut buffer with no cut in access from the entire length of Edie Road to be two means of buffering any future C-3 use from Edie Road and maintaining the rural residential character of the area. While not currently stated, the proposed zoning amendment – if it comes to fruition – may result in future development of both subject parcels under a singular common ownership utilizing the C-3 zoning designation and that District’s list of principal permitted uses. With no cut in access from Edie Road, it is proposed that any development on these two abutting parcels should result in all vehicular traffic of commercial nature to utilize Ballard Road for ingress/egress to maintain the rural residential character of this upper end of Edie Road.

In consideration of the recent (Feb 2022) court ruling in the Appellate Division, Third Department relative to the Saratoga Springs City Council’s SEQOR review (which was found defective as a segmented review), Mr. Valentine recommended approval of the zone change. Because the Wilton Town Board does have a basic understanding of what may result from the proposed rezoning, Mr. Valentine suggested that the Town Board should take a long look at the possible uses that the proposed rezoning would permit and analyze the impacts that such a zoning change may result in.

22-73MV Village of South Glens Falls Village of South Glens Falls

Mr. Valentine presented an application for the Village of South Glens Falls, a Site Plan Review in the name of Common Roots Ph 2. A proposed 17,835 s.f. building on a 0.86-acre lot across West Marion Ave. from the existing brewery. Located on West Marion Ave. & US Rt 9. Mr. Valentine made the following comments: As addressed in the Board’s review of the successful Phase 1 section of the Common Roots development, we encourage the village’s extension of the existing public parking at the north/west end of West Marion Avenue as well as the provision of sidewalks along

street frontages associated with this new application. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

MOTION: A motion to approve the referrals as presented and recommended by the Saratoga County Planning Staff for all referrals (except for 22-60, which was voted on separately) was made by Mr. Murray, seconded by Mr. Vopelak and unanimously approved.

SUBDIVISIONS

22-A-18JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Subdivision Review in the name of 108 Dunning Street. A proposed subdivision consisting of 13 single-family lots and 6 town home lots (12-units) on a 6.05-acre property. The proposed subdivision will be served by two proposed town roads between Dunning Street and Kendall Way. Located on Dunning Street/CR-108 & Kendell Street (US Rt 9). Mr. Kemper reiterated the comments handled under 22-51, again emphasizing the need for DPW signoff on the project. Mr. Kemper recommended No Significant County – Wide or Intercommunity Impact.

22-A-19MV Town of Saratoga Town of Saratoga

Mr. Valentine presented an application for the Town of Saratoga, a Subdivision Review in the name of Pasos. A proposal to subdivide a 22.78-acre parcel into two parcels of 4.99-acres and 17.79-acres. The proposed 4.99-acre lot will have existing residential improvements and will share access to US Rt 4 with the proposed vacant 17.79-acre parcel. Located on US Rt 4. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-A-20MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga, a Subdivision Review in the name of CRND Properties/JW Hemmingway, LLC. This is a proposed four-lot subdivision of a vacant 2.16-acre parcel. The proposed subdivision will create two 0.15-acre parcels and a 0.16-acre parcel all slated for single-family improvements. The fourth lot will be a vacant 1.70-acre parcel with the potential of 9 additional residential lots. The property is located on the east side of Nelson Avenue between it and Frank Sullivan Place and south of Lincoln Avenue. Mr. Valentine stated that they recognize there to be ongoing discussions between City staff and representatives of the applicant as relates to the aspects of SEQR review, a possible segmented review and that of a realty subdivision. Therefore, SCPB has no need to add to that conversation. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-A-21JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Subdivision Review in the name of Bloomfield Solar LLA. A proposed lot line adjustment involving an existing 1.02 acre parcel and an 83.80- acre parcel to create a 23.79-acre parcel and a 60.0-acre parcel. The proposed 60 acre parcel is slated for a solar array development. Located on Mann and Garrett Rd. (Middleline Rd/CR-59 & Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-A22JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Subdivision Review in the name of Middleline West and Middleline East Lot Line Adjustment. A proposed lot line adjustment involving the conveyance of a 12-acre portion of an existing 47.1-acre parcel to the adjoining 79.9-acre parcel for the purpose of a proposed solar array. Located on Middleline Rd/CR-59 (Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-A-23JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Subdivision Review in the name of 39 Midline Road. A proposal to subdivide a 1.02-acre parcel into a 0.46-acre parcel fronting Midline Rd. and a 0.61-acre parcel fronting on Buell Avenue. Located on Midline Road/NYS 146A. Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-A-24JK Town of Malta

Mr. Kemper presented an application for the Town of Malta, a Subdivision Review in the name of Mohawk-State Farm Shooting Star, Subdivision. As previously reviewed with the zoning text and PDD amendment, a proposed subdivision to subdivide a 6.12-acre parcel from the existing 25.03-acre State Farm Parcel. The proposed 6.12-acre parcel has been rezoned to C-2/Rt 67 West Overlay District. Located on NYS Rt 67. Mr. Kemper stated No Significant County-wide or Intercommunity Impact.

22-A-25MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Subdivision Review in the name of 1613-1615 Route 9 LLC. A proposed three-lot subdivision of an existing 5.25-acre parcel fronting along US Rt 9. Lot 1 will be a 1.97-acre vacant parcel, Lot 2 will be a 1.40-acre parcel containing a local deli shop and Lot 3 will be 1.88-acre parcel with existing warehouse uses. Located on US Rt 9. Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

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

AGRICULTURAL DISTRICT 2

Chairman Lewis asked Mr. Williams to explain the draft report. Mr. Williams stated that this 8-year review is mandated by the State to take a comprehensive look at the County’s Agricultural Districts every 8 years from the formation of the district.

Mr. Williams started by describing the timeline of procedures that have occurred such as, boundary map review, the 30-day notice and the 45-day preparation of the report. Mr. Williams continued that the review of the DRAFT report has been sent out to members of Saratoga County’s Agriculture and Farmland Protection Board and the Planning Board for review to prepare to meet to make recommendation to the Board of Supervisors on the status of Saratoga County Consolidated Agricultural District #2. A

public hearing will likely be set in July and the Final package will be prepared and sent out to NYS Dept. of Ag. and Markets (NYSDAM) before the anniversary date of Ag. Dist. #2's inception on Nov. 17th.

Mr. Williams stated the during the time between the last AML Article 25-AA, Section 303a, 8-year review for Ag. Dist. #2 (2014) and the present time, the County has received four letters from landowners petitioning the county for removal of four parcels from Saratoga County Consolidated Agricultural District #2. Mr. Williams explained that during the 303a 8-year review is the only time to officially remove a parcel from a certified ag. district by request of the landowner.

The first parcel request to be removed was received on April 22, 2016 by letter from the landowner. It is a 54.33-acre parcel off of Eastline Road in the Town of Ballston. Subsequently, this parcel has been subdivided into 56-single family lots.

The second parcel request to be removed was received on January 30, 2020 by letter of the landowner. This is an 84.15-acre parcel off of NYS Route 50 in the Town of Ballston that has local approval for a cluster subdivision.

The third parcel request for removal was received on February 11, 2021 by the landowner. This is a 62.8-acre parcel with frontage on NYS Route 50 and Middleline Road in the Town of Ballston. This parcel is under consideration for a commercial solar array.

The fourth parcel asking to be removed was received on January 27, 2022 by the landowner. This is a 90.85-acre parcel off of NYS Route 50 in the Town of Ballston. This parcel has been approved as a PDD with townhomes.

MOTION: A motion to remove the four parcels as shown on the new Agriculture District 2 Map as presented was made by Mr. Dal Pos and the motion was seconded by Mr. Vopelak and unanimously approved.

Mr. Williams continued that the county planning department and real property office conducted a comprehensive study of the boundary map for Ag. Dist. #2. This involved a look at the historical boundary maps of the past, a review of past AML 303b inclusions that have occurred since 2005, a look into past resolutions regarding AML 303a and if any exclusions that have occurred and a look into the 2021 tax rolls to understand if properties were correctly identified as being in Ag. Dist. #2 where need be. Corrective measures were taken where needed and the result is believed to be a boundary map that reflects the past intentions of the district including the additions and removals that have occurred as Ag. Dist. #2 has evolved. The end result was determined that there are 4,469 individual parcels in Ag. Dist. #2 that totals to 54,564.07-acres of land. The district overlays the Towns of Ballston, Charlton, Clifton Park, Corinth, Edinburg, Galway, Greenfield, Hadley, Malta, Milton, Providence, and the City of Saratoga Springs. Mr. Williams did state that the work on this continues, and the numbers may change but not significantly as they wrap of the reviews.

Mr. Williams explained in order to determine what type of land uses were occurring within the district, a compilation of assessment land classification codes from the County's 2021 tax rolls was performed for all of the 4,469 parcels in the Ag. Dist. #2. This breakdown included the district as a whole as well as for each individual participating towns and city. This compiled information included the land classifications, the number and percentage of parcels for each assessment code classification and the number and percentage of acres for each code classification that was being assessed in the Ag Dist. #2. The compilation then was broken down to

agricultural/farming-related code classifications to show that above 69% of all the parcels in Ag. Dist. #2 was being assessed for on-going or lands with potential of agricultural type activities. This is a healthy percentage and exemplifies the district is operating as intended. Mr. Williams explained that the table discussing this is found in the DRAFT report.

Mr. Williams explained the other three areas for consideration are discussed in depth in the DRAFT report and basically states that Agriculture District 2 is working as originally intended by protecting and promoting agricultural uses and that the county and town's along with State statutes have laws, plans in place to proactively protect their agriculture and farmlands.

Mr. Williams stated the recommendation is to continue Saratoga County Agricultural District #2 with modifications to the boundary map to reflect the parcels identified in the 2022 Tax rolls.

MOTION: A motion to continue the Agriculture District 2 was made by Mr. Vopelak and the motion was seconded by Mr. Dal Pos and unanimously approved.

Adjournment

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

Respectfully Submitted,
Nisha Merchant, Secretary