



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

Meeting Minutes **June 16, 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 [arrived at 4:10 pm, after vote on minutes], Ed Vopelak, and Cynthia Young.

Members Absent:

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

Guests: Gary Meier, Saratoga County DPW; Greg Connors, GlobalFoundries; Brendan Chudy, GlobalFoundries; Peter Lilholt, C.T. Male; Matthew Jones, Attorney w/the Jones Steves Law Firm; Steve Bulger, Saratoga County Administrator.

Approval of Minutes:

The minutes of the May 19, 2022 meeting were approved by a 6-0 on a motion made by Mr. Murray and seconded by Mr. McPherson.

Recusals: Donald McPherson 21-82, 22-53, 22-54; Ian Murray 22-88.

Referrals

22-75JK Town of Malta & 22-77JW Town of Stillwater

Mr. Connors, Mr. Lilholt, Mr. Jones and Mr. Chudy presented their application for Site Plan review in the name of GlobalFoundries U.S. Inc. Mr. Connors read a statement to the Planning Board, a copy of which is included at the end of this document.

Proposed is a new semiconductor fabrication facility that is known as Fab 8.2. A proposed total building footprint of 632,721 s.f. of buildings will be constructed with approximately 15% of the development in the Town of Stillwater and the rest in the Town of Malta.

Location: Stonebreak Road Extension (Stonebreak Road/CR-77 & Town of Malta Town Line)

Staff comments focused on the three main areas of potential county-wide inter-community impacts: traffic, water, and wastewater. An overview summary of these issues was presented to the Board in addition to a summary of supporting documents used in the analysis of the project.

The traffic discussion centered around

- 1.) the proposed improvements that need to be completed as part of the project
- 2.) who is responsible for the improvements (both paying for and completing the improvements)
- 3.) timing of improvements.

The applicant's representative provided a brief summary answer to the questions outlined by staff. The response mainly focused around the original SEQR record completed with the initiation chip fabrication plant and the applicant's opinion that the trip thresholds will fall within those outlined in the original traffic study.

The discussion around the water supply for the project focused on the applicant amending their current contract with the SCWA and the need for improvements to the water system to supply the proposed project with the supply of water that is required.

Staff comments surrounding the SCSD concerns for the project were focused on

- 1.) pre treatment at the proposed plant
- 2.) current consent order relating to the existing project
- 3.) improvements required due to the proposed project.

Staff stated that a detailed comment letter will expand on each of the items of concern outlined above. Mr. Kemper recommended the request of additional material be submitted prior to approval. Mr. Kemper stated that the Board would take up the project at the next meeting after a new submission.

MOTION: A motion to reaffirm the Saratoga County Planning Board's concurrence for the Town of Malta's Planning Board to assume Lead Agency status, per NYS SEQRA requirements, for the proposed GlobalFoundries Fab 8.2 site plan review was initiated by Mr. Murray, seconded by Ms. Young and unanimously approved.

21-60JW Town of Northumberland

Mr. Williams presented an application for the Town of Northumberland, a Amendment to PUDD in the name of Stone Bridge Farm PUDD. The original PUDD was created to allow the existing horse farm to operate various special events on the 86.28-acre site. The proposed amendment consist of allowing a single-family home within the PUDD limits. Located on Sherman Rd. & Austin Rd. (Ag. Dist. #1). Mr. Williams recommended approval.

22-54MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs involving an Area Variance, a Special Use Permit and Site Plan Review for a project by Conifer Realty, LLC. on a parcel located on Excelsior Avenue frontage, backing up to NYS Rt 50. Proposed is the demolition of an existing structure (brewery) and the construction of 102 market-rate apartment units in two four-story buildings of 62 units and 40 units.

The development's application requires appearance before the City Planning Board for a Special Use Permit, as are all uses in T-5 Zoning District. Mr. Valentine noted that what is being proposed is in conformity with the City's Comp Plan, the District and with the general uses in this particular neighborhood of Excelsior Avenue. He added that

north of this site and on the other side of Route 50 is Loughberry Lake, the only CEA in the City. The impact to the lake, if any, will most likely be considered in the Board's SEQR review, but an assumption would be that subsurface waters of the project site run downstream from the site and not toward the lake.

The project site is served by municipal water, sewer, and existing storm collection structures that are part of the City infrastructure. Another component of the City's infrastructure is an existing and nearby trail system. The corridor of Excelsior Avenue from just west of its Lake Avenue intersection to that of this project's site has seen increased development with mixes of retail and residential uses over the last 10 to 12 years. Past City review of projects in the Excelsior Avenue corridor have considered aspects of connectivity to the Spring Run Trail. We note the project's plan sheet indicates a 10-ft. wide multi-use path (now being constructed) which fronts the project and is meant to be a connector to the Saratoga Greenbelt Trail. We would encourage the City to pursue funding for a crosswalk, signage, and safety lighting for tenant (and others) access to the Spring Run Trail on the south side of Excelsior and behind existing structures.

Mr. Valentine recommended that a determination of No Significant County-wide or Intercommunity Impact is warranted.

22-78JW Town of Stillwater

Mr. Williams presented an application for the Town of Stillwater, a PDD Legislation in the name of Scenic View Development, LLC. A proposed residential PDD involving the development of 16 single-family homes and twelve (4-unit) apartment buildings on a 74-acre parcel. There are two proposed curb cuts onto Lake Rd. that will serve the proposed local road for the single-family development and proposed private road for the apartment development. Located on Lake Road/CR-76. Mr. Williams recommended approval.

22-79JW Town of Northumberland

Mr. Williams presented an application for the Town of Northumberland, a Use Variance in the name of Jeffords. A requested use variance to allow two existing 4ft x 6ft ground-mounted solar panels that are not allowed in the Town's R-3 zone. The variance request, if granted, will resolve an ongoing violation. Located on NYS RT 32. Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-80MV Town of Moreau

Mr. Valentine presented an application referred from the Town of Moreau Town Board, a PUD Legislation in the name of US Light & Energy PUD that involves the possible rezoning of three parcels with a total area of 203.05 acres with 4,000 ft. of frontage along Reynolds Road (NYS Rt. 197). The proposed PUD legislation and change in zoning involves 120.38 acres of R-3 property for future development as a solar array and 41.29 acres of resource protection area, 34.35 acres of future development area and 7.03 acres used as a community garden. He pointed out to Members that site plan review by the SCPB will follow the proposed rezoning and adoption of the PUD legislation, if approved by the Town Board. Mr. Valentine explained that at this time the referral is premature for review by the Saratoga County Planning Board as the Moreau Town Board has not yet received an Advisory Report from the town Planning Board, held its own public hearing, nor yet authorized referral of the application to the Saratoga County Planning Board. We will hold the current material for further action upon receipt of complementing information from a Town Board referral.

Mr. Valentine stated that the application is incomplete at this time and additional information is required for further review, presumably at our July or August meeting.

22-81JK Town of Clifton Park

Mr. Kemper presented an application for the Town of Clifton Park, a Site Plan Review in the name of Northstar Church. A proposed construction of 120 additional parking spaces for the existing church on a 6.39-acre parcel. The two-phased parking addition will create 1.25 acres of disturbance and includes a new SWMA. Located on Grooms Road/CR-91. Staff Comments: It was unclear from the materials provided as to whether or not the existing driveway onto Grooms Road was going to be eliminated. In addition, the plans should be updated to clearly depict the features of Grooms Road (edge of pavement, centerline, etc) along the frontage of the property. Additional details for stormwater management on the site should also be provided.

The Saratoga County Planning Board determined that the applicant needs to provide additional information prior to a decision being rendered.

22-82JK Town of Clifton Park

Mr. Kemper presented an application for the Town of Clifton Park, a Site Plan Review in the name of Woodhaven Corporate Commerce Shovel Ready Site. A proposed development of a shovel ready site that involves the construction of seven commercial or office buildings with a range of sizes between 5,000 s.f and 30,000 s.f. The 90-acre site will utilize an existing curb cut onto NYS Rt 146 and a proposed curb cut on Waite Rd. Located on NYS Rt 146 & Waite Rd. Comments: The SCPB is requesting that any documentation relating to a traffic study being performed for the project be submitted for review prior to the Board making a determination. If a traffic study hasn't been completed, the SCPB is recommending that a study be completed and submitted for review by this Board.

22-83MV Town of Moreau

Mr. Valentine presented a referral submitted for Site Plan Review from the Town of Moreau. Stinky's Coffee Company proposes to operate a coffee bean roasting business from an ancillary building on a 0.26-acre residential lot located on Fortsville Rd (CR# 31 south of US Rt 9. The project is a rather small and simple application, but he explained that the site plan should indicate locations of both the existing well and the septic system, noting that the application indicates water will be necessary for the business operation. He added that the applicant should indicate for the town planning board the sufficiency of the existing residential driveway for any commercial vehicles necessary to the business. Any required upgrade of the driveway entrance for commercial use will necessitate the issuance of a curb cut permit from Saratoga County DPW.

Mr. Valentine recommended a decision of No Significant County-wide or Intercommunity Impact.

22-84JW Town of Milton

Mr. Williams presented an application for the Town of Milton, a Special Use Permit and Site Plan Review in the name of Uline. A proposal to construct an approximate 950 s.f. cottage with attached garage as an in-law apartment on an existing 2.67-acre residential property. The applicant is proposing to extend the existing driveway with

no new curb cut. Located on Greenfield Ave./CR-50. Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-86JW Town of Waterford

Mr. Williams presented an application for the Town of Waterford, a Area Variance in the name of Barre. The proposed construction of detached storage building has caused the need to seek two area variances for the accessory building. The proposed height is 26ft when 15ft is the maximum allowed and the rear yard setback is proposed to be 2 ft when a 5 foot minimum is required. Located on Birch Glen Grive (Middletown Rd/CR-96). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-87MV Town of Wilton

Mr. Valentine presented an application for the Town of Wilton, a Site Plan Review in the name of Brumley Mini Golf. A proposed 288 s.f. addition to an existing cottage at the existing 2.4-acre mini golf site. Addition to be used for more retail space. Located on Maple Avenue/US Rt 9. Comment: Well and septic exist on site as does an existing dry well for stormwater management. There is a stream located 135 ft. away from the proposed addition, presenting no impact.

Mr. Valentine stated No Significant County-wide or Intercommunity Impact.

22-88JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Special Use Permit & Site Plan Review in the name of 60 Middleline CSI. A proposed solar array utilizing ~13-acres of an existing 67.79-acre parcel. There is one proposed access road off of Middleline Rd. Mr. Williams commented that a County DPW curb cut permit will be required to construct the proposed access to the site. Located on Middleline Road & NYS Rt 50 (Ag. Dist. #2). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-89JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Site Plan Review in the name of Core Tech 2B. A proposal to construct two manufacturing/office buildings totalling 39,882 s.f. on a 2.49-acre parcel on the corner of McCrea Hill Rd and NYS Rt 50. Located on McCrea Hill Road (NYS RT 50). Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-90JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Special Use Permit & Site Plan Review in the name of Mangino Buick, GMC. An amendment to the site plan showing a proposed second entrance from NYS Rt 67 with additional signage, display area and SWMA. Mr. Williams commented that a NYSDOT work and curb cut permit will be required to provide access off of NYS Rt 67. Also an ACOE wetland disturbance permit will be required to construct the driveway as presented. Located on NYS Rt 67. Mr. Williams stated No Significant County-wide or Intercommunity Impact.

22-91MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Site Plan Review in the name of Park Place on the Peninsula. As part of the public benefit package for the established PDD (Krause PDD), a 0.75 acre park is proposed to give public access to the Mohawk R. The park will include parking for 6 cars, picnic tables, grills and a

seasonal floating fishing dock. Located on Towpath Rd (Town of Colonie, Mohawk R.). 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 was made by Mr. Vopelak, seconded by Mr. Dal Pos and unanimously approved.

SUBDIVISIONS

21-A-40MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs, a Subdivision Review in the name of Excelsior Avenue Apartments. A proposed subdivision to subdivide a 33.373-acre Lot 5 of the Excelsior Ave. development area to create a 1.490-acre Lot 6 (to be developed for "Workforce" residential units), a 0.342-acre Lot 7 and a 0.521-acre Lot 8. Located on NYS Rt 50. Comment: The review of the applications (subdivision, special use permit, and site plan) were each reviewed in June of 2021 by the Saratoga County Planning Board and through our joint Memorandum of Understanding a determination of No Significant Countywide or Intercommunity Impact was rendered for each. Since that review the applicant has not progressed on the subdivision action and the approval has expired, resulting in the need for the SCPB to act again. There was no such action required with the SUP and SPR; however, from the original submission the applicant has removed the townhomes and the day care component of the site plan. The reduction in the scope of the previously reviewed site plan did not warrant re-review of the SUP and associated site plan.

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 Ms. Young 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.

Adjournment

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

Respectfully Submitted,

Nisha Merchant, Secretary