



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

Meeting Minutes November 17, 2022

The meeting held in Conference 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 pm.

Members Present: Tom Lewis, Chairman, Devin Dal Pos, Donald McPherson, Marcia E. Murray, Ed Vopelak, and Cynthia Young [arrived after the vote on minutes].

Members Absent: Ian Murray

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

Staff Absent: Jason Kemper, Director

Guests: Gary Meier, Saratoga County DPW; Stephanie Ferradino, Ferradino Firm, PLLC.

Approval of Minutes:

The minutes of the October 20, 2022, meeting were approved by a 6-0 vote in favor on a motion made by Mr. McPherson and seconded by Mr. Dal Pos.

Recusals:

Don McPherson 22-147, 22-152

Referrals

21-70MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Site Plan Review (Amendment) in the name of The Summit of Halfmoon. Amendments proposed to the previously reviewed/approved site plan for a 147,200-s.f. senior living facility within the Boyajian PDD. Site layout remains consistent, with proposed additions of a dog park, community gardens, recreation patios and a bocce ball court. Four parking spaces have been added (total of 192 spaces), as have electric charging stations, a generator pad added, site lighting modified, and the maintenance garage is increased to 1,500 s.f. Located on Private internal road off US Rt 9 and Sitterly Road.

Comment: Previous reviews by SCPB on May 10 (rezoning) and October 21 (site plan), 2021.

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

22-144JW Village of Ballston Spa

Mr. Williams presented an application for the Village of Ballston Spa, a Use Variance in the name of O'Connor. A proposed use variance to allow a second residential use on a single parcel by renovating an existing garage in the rear of the parcel as an in-law residential unit. Located on East High Street (Town of Ballston, NYS RT 50 & 67).

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

22-145MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Special Use Permit and Site Plan Review in the name of Bridgewater Solar 1 & 2. Proposal to construct a 24.21-acre solar array on a 28.2-acre parcel and a 21+/- acre solar array on an adjacent 54-acre parcel. Located on LLA to divide and convey acreage of two tax parcels located between the Champlain Canal on the east and D&H Railroad on the west. Access further to the east to Hudson River Road (US Rt 4 & NYS 32) achieved by subdivision and conveyance.

Comment: The Board recommended that the town planning board obtain (and share) written evidence verifying the applicant's access across and use of the 60 ft.-wide access and utility (water) easement fronting the two arrays. Note of the easement's existence is noted on the provided plans, but nothing was received as part of the referred material. Additionally, SCPB requested that the town planning board provide copies of any correspondence relative to any project impact (or none) to the ACOE and NYSDEC wetlands indicated.

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

22-146JW Town of Northumberland

Mr. Williams presented an application for the Town of Northumberland, a Zoning Amendment - Text in the name of Town of Northumberland. The Town wishes to incorporate a statement of Penalties for Violations in their Article XIII, Paragraph (D)(1) of the Zoning Ordinance. Located on Town-wide.

Mr. Williams recommended approval.

22-147MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs, an Area Variances in the name of Cardona's Saratoga LLC. T-4 variances required for frontage build-out (50% req vs 0), min bldg height of 24' vs. existing 1-flr of 18'-8", and max allowed 1-story area of 3,000 s.f. vs 4,350 s.f. proposed for addition to the rear of the existing specialty market and deli (formerly Roma's). Located on Washington Street (NYS Rt 29) & Birch Street.

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

22-148MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs, a Legislative Zoning Amendment -Map in the name of City of Saratoga Springs. Proposed legislative action by the City Council to amend the Comprehensive Plan Map to identify the subject parcel (SBL: 179.-5-8) located at the NE corner of the Crescent Avenue/Jefferson Street intersection as CRN-2, a future land use, in order to effectuate a further rezoning of said property from its present RR-1 designation to UR-4. Location is specific to property at

the NE quad of Jefferson Street and Crescent Avenue (CR# 22). Mr. Valentine recommended approval.

22-150JW Town of Northumberland

Mr. Williams presented an application for the Town of Northumberland, a Special Use Permit & Site Plan Review in the name of GLPJ Real Estate LLC. A proposal to convert an existing bed & breakfast into a boarding house. By the Town's definition, a boarding house allows 3 but no more than 6 rooms offered for rent and by special use permit must be owner-occupied. Located on Wilton-Gansevoort Road/CR-32 (NYS Rt 32 & Rt 50, Ag. Dist. #1).

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

22-151JW Town of Clifton Park

Mr. Williams presented an application for the Town of Clifton Park, a Use Variance in the name of Levy. A 1984 use variance was granted by the Town's ZBA to allow a three-family dwelling at 489 Grooms Road with the stipulation that the property must be owner-occupied. The applicant is now seeking to remove the owner-occupied stipulation for the property. Located on Grooms Road/CR-91.

Comment: The Planning Board determined that there was No Significant County-wide or Intercommunity Impact decision based on the fact that a subdivision plan titled: "Proposed Subdivision Coventry Road, Town of Clifton Park, Saratoga County, NY dated March 28, 1990 and last revised June 1, 1994" has been filed with the County Clerk. The improvements represented on this plan regarding the 489 Grooms Road site (tri-plex) show the existing Eastern Grooms Road driveway to be relocated off Primer Lane, a cul-de-sac in the rears of the site, and the Grooms Road driveway area is to be reseeded (restored). The filed subdivision plan shows a proposed driveway to Primer Court from the eastern asphalt parking area for the tri-plex at 489 Grooms Road. Additionally, the Saratoga County DPW was unable to find the issuance of a driveway permit for the easterly driveway access onto Grooms Road further compounding the issue.

The Board understands the current applicant is seeking relief from the 1984 ZBA's use variance granted to create a three-unit residential use with the stipulation that the building must be owner occupied. The current applicant is looking to remove the "owner occupied" stipulation and with this proposal, the current applicant is proposing to create a driveway access to Primer Court for the third unit while maintaining the existing two curb cuts onto Grooms Road to be used by the other two units individually.

The County Planning Board's position is to create the driveway access to Primer Court to the paved parking area for the two units while maintaining the existing Westerly driveway on Grooms Road for the other unit, thus bringing the site to be compliant with the above mentioned, county-filed subdivision plans. The County DPW should be contacted for any proposed work to be performed in the County ROW (i.e., Grooms Road driveway removal and restoration).

22-152JW Town of Ballston

Mr. Williams presented an application for the Town of Ballston, a Site Plan Review in the name of Foreverly House. A proposed construction of two duplex buildings to be constructed on a 3.86-acre parcel that has an existing building for a Veteran's Boarding House use. The proposed duplex buildings will be exclusively for single-mom veterans.

There are four additional parking spaces being provided with the existing single curb cut to NYS Rt 50 remaining. Located on NYS Rt 50 (Ag. Dist. #2).

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

22-153MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs, a Area Variance in the name of Timberlake. A proposed two-lot subdivision will create the need for an area variance. The proposed subdivision of an existing 0.46-acre parcel (~20,038 s.f.) into two parcels of approximately 10,000 s.f. each where 12,500 s.f. in the minimum lot area allowed per city's zoning. One parcel has existing residential improvement while the other is proposed for a single-family use. Located on Kirby Road and Glenwood Road within referable distance from Washington St. (NYS Rt 29).

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

22-154MV City of Saratoga Springs

Mr. Valentine presented an application for the City of Saratoga Springs, an Area Variance (Sign) in the name of 3257 Route 9. A proposed sign area variance related to the replacement of an existing freestanding tenant sign with an 8 ft high, 28.3 s.f. sign of the same size when the zone allows a maximum area of a sign to be no greater than 12 s.f. 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 referrals as presented was made by Mr. Dal Pos and a motion was seconded by Ms. Young and unanimously approved. **CARRIED.**

SUBDIVISIONS

22-A-54MV Town of Saratoga

Mr. Valentine presented an application for the Town of Saratoga, a Subdivision Review in the name of Cedar Bluff. A proposal to develop a 105+-acre site into a conservation subdivision consisting of 32 single-family lots (31 new lots and an existing farm lot). The site is bisected by CR# 71 with 20 lots on the east side and served by a single town road and 12 lots on the west side (with eight of those lots served by a cul de sac off of Trombley Road with the remaining four lots fronting along CR# 71). Located on Cedar Bluff Road (CR# 71), Wright Road and Trombley Road.

Comment: Proposed is a conservation subdivision of 32 lots including one existing farmhouse lot (#32) with a residence and barn. All of the designated open space is assigned for agricultural operation.

The project's nearly 112 total acres is identified as 19 acres of wetlands (2.3 ac ACOE) and steep slopes (17 ac) with 93 acres as buildable land. Of the buildable land 46.5 acres are required to be open space (50% required by subdivision regulations), but the applicant has proposed open space of 61.5 acres, with 21.9 acres on the west side and 39.6 acres on the east side. The proposed lot coverage is 50.1 acres.

Preliminary approval from the town planning board was received in October of this year, SEQR has been completed, applicant needs to submit the final completed SWPPP (reflective of site clearing, grading & stormwater management). Further submittal of hydrology data is to be forthcoming and final permitting from the Saratoga County Sewer District #1 is needed (for on-site gravity and forcemain). As part of the project's stormwater management, the builder/developer is to provide a house plan for each lot with the limits of lot tree-clearing identified.

The Planning Board has received all that is necessary for a review and finds there to be no significant countywide or intermunicipal impacts requiring comment beyond what has already been addressed through the town planning board review process.

22-A-56MV Town of Halfmoon

Mr. Valentine presented an application for the Town of Halfmoon, a Subdivision Review (Lot Line Adjustment) in the name of Bridgewater Solar LLC. A proposed lot line adjustment to convey 18.67-acres from an adjoining 45.46-acre parcel to an existing 35.13-acre parcel to create a 54.28-acre parcel for one of two proposed solar arrays. A second subdivision and conveyance of 0.46-acres of a 6.63-acre parcel to create a 20-ft. wide parcel that will be conveyed to that 54.28-acre parcel as a flag lot and to provide frontage to Hudson River Road for the proposed solar array project. Located on Hudson River Road (US Rt 4 & NYS 32) and the former Champlain Canal.

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

22-A-59JW Town of Clifton Park

Mr. Williams presented an application for the Town of Clifton Park, a Subdivision Review in the name of DCG 5 Maxwell. A proposed two lot subdivision and lot line adjustment involving an existing 13.24-acre parcel. The lot line adjustment involves conveying 24,000 s.f. of land to an existing 1.56 acre commercial parcel and then subdividing off a 1.65-acre parcel from an existing 13.24-acre parcel with an existing office building. The result is an 11.04-acre parcel for the office building site with compliant parking and a 1.65-acre parcel that will be redeveloped in the future.

Located on Maxwell Rd (NYS Rt 146).

Mr. Williams 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. Dal Pos and unanimously approved. **CARRIED.**

MOUS

21-122MOUMV Town of Wilton

Site plan amendment w/change in approved tenant - bank to take place of a tire retail use on the 1.46-acre four-lot commercial site. All proposed access points remain as originally designed with a change to the internal site circulation due to the drive-thru lane for the proposed bank. Located on NYS Rt 50 & Perry Road.

Comment: See September 2021 for Subdivision Review (#21-A-60) and original site plan review.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Wilton Planning Board, the referral for Site Plan Review (Amendment) was reviewed on 11/15/2022 by Mr. Valentine with concurrence from Don McPherson and Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

22-144MOUJW Village of Ballston Spa

The proposal consists of creating an in-law apartment by renovating an existing detached garage structure into a dwelling unit in the rears of the parcel. The Village Code calls for 10,000 s.f. for each dwelling unit where the existing size of the parcel is 10,000 s.f. The applicant is seeking 10,000 s.f. of relief. No other improvements are proposed for the site. Located on East High Street (NYS Rt50, NYS Rt 67) and municipal boundary w/town of Ballston.

Comment: NYS Fire Code and Building separation and fire resistance standards

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Village of Ballston Spa Zoning Board of Appeals, the referral for Area Variance was reviewed on 10/24/2022 by Mr. Williams with concurrence from Ian Murray & Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

22-149MOUMV Town of Halfmoon

A proposal to change out antennae equipment on an existing tower with no proposed changes to the site. Located on Clamsteam Road (I-87).

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Planning Board, the referral for Site Plan Review was reviewed on 11/15/2022 by Mr. Valentine with concurrence from Don McPherson and Ian Murray that the action posed No Significant County-wide or Intercommunity Impact.

22-A-52MOUMV Town of Halfmoon

A proposed two lot subdivision of an existing 2.26-acre parcel on the corner of Upper Newtown Road and Fellows Road. Lot 1 will be a 0.96-acre parcel with frontage along Fellows Road. Lot 2 is proposed as a 1.30-acre parcel with minimum frontage (flaglot) along Upper Newtown Road. Both proposed lots are to use a shared access driveway off of Fellows Road. Located on Fellows Road and Upper Newtown Road/CR-86.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Planning Board, the referral for Subdivision Review was reviewed on 10/24/2022 by Mr. Valentine with concurrence from Devin Dal Pos and Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

22-A-53MOUMV Town of Halfmoon

A proposed lot line adjustment within the Crescent Commons PDD to convey 0.11-acres from an existing 0.40-acre mobile home parcel to the 1.39-acre commercial parcel at the US Rt 9 and NYS Rt 236 intersection. Located on US Rt 9 and Gordon Lane (NYS Rt 236).

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Planning Board, the referral for Subdivision Review was reviewed on 10/24/2022 by Mr. Valentine with concurrence from Cynthia Young & Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

22-A-57MOUJW Village of Round Lake

A proposed two lot subdivision of an existing 1.934-acre parcel into a 1.013-ac parcel with an existing residential structure and a 0.781-acre parcel with existing outbuildings and a 0.137-acre portion of property across from New York Avenue. Located on New York Avenue (State Route 911U and Round Lake Bypass).

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Village of Round Lake Planning Board, the referral for Subdivision Review was reviewed on 11/17/2022 by Mr. Williams with concurrence from Don McPherson & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

22-A-58MOUJW Town of Providence

A proposed transfer of 0.07-acres of land from an existing 3.52 acre parcel to its neighbor's 3.56-acre parcel that fronts Fayville Road. Located on Fayville Road/CR-19.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Providence Planning Board, the referral for Subdivision Review (LLA) was reviewed on 11/9/2022 by Mr. Williams with concurrence from Don McPherson & Tom Lewis that the action posed No Significant County-wide or Intercommunity Impact.

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.

Other Business

Annual Planning and Zoning Conference Discussion – Chairman Lewis stated that the asked the members if they would be interested in moderating any of the sessions at the Conference.

Adjournment

The meeting was adjourned at 4:50 pm.

Respectfully submitted,
Nisha Merchant, Secretary