



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS, CHAIRMAN
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JASON KEMPER, DIRECTOR
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Meeting Minutes August 17, 2023

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 [arrived after approval of previous minutes], Donald McPherson, Ian Murray, Ed Vopelak and Cynthia Young.

Members Absent: Marcia E. Murray

Staff: Jason Kemper, Director, Jeffrey Williams, Planner, Kim Lambert, Community Development and Planning Specialist and Nisha Merchant, Secretary.

Guests: Gary Meier, Saratoga County DPW; John Scavo, Director of Planning, Town of Clifton Park

Approval of Minutes:

MOTION: The minutes of the July 20, 2023, meeting were unanimously approved with a 5-0 on a motion made by Mr. Murray and seconded by Ms. Young. **CARRIED.**

Recusals: Devin Dal Pos 23-125

REFERRALS

22-66JK Town of Malta: *ES-TD Ventures LLC* - Special Use Permit & Site Plan Review

Located on US Rt 9. Tax Map No(s): 217.-2-32.1.

Mr. Kemper presented an application for a proposed site plan amendment to change the building footprints of the two commercial buildings. The original approval was for two buildings, both 2-story, with 10,275 s.f. footprints. The amendment to the site plan consists of one building being 2-story and having 10,220 s.f. footprint and the other being one-story with a 12,000 s.f. footprint. The amended site plan also shows the buildings being located closer to US RT 9 and with a change to the site's entrance layout.

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

23-118KL City of Saratoga Springs: *City of Saratoga Springs* - Zoning Text Amendment (UDO)

Located on City-wide. Tax Map No(s): n/a.

Ms. Lambert presented the City's Unified Development Ordinance (UDO) amendment for revisions to errors and omissions to its document.

Ms. Lambert stated that a summarized table was provided on August 17, 2023 from the City of Saratoga Springs Planning Department to verify the changes in each article. Within the table, fourteen (14) changes were outlined.

Ms. Lambert noted that upon further review, the Gas Station (8.4.BBB.1) definition changing "dispersed" to "dispensed" was not listed. Also, in section 8.4.KK.2.c., it was indicated in the suggested UDO text to be "or 25 ft whichever is greater". In speaking with the City of Saratoga Springs Planning staff, it was indicated the UDO text should be 24 ft to match the text shown within the image of section 8.4.KK.2.c and not 25 ft.

Ms. Lambert stated that the review of each of these changes within the summary table had No Significant County-wide or Intercommunity Impact.

Ms. Lambert recommended approval.

23-119JW Town of Waterford: *Terpening* - Area Variance

Located on Knox Alley (Village of Waterford, Fonda Rd/CR-97). Tax Map No(s): 291.13-1-49.1; 35.121;35.22 & 40.1.

Mr. Williams presented an application for a proposed subdivision of a 1.07-acre parcel and the proposed location of the residential structure has created the need of an area variance for the front yard setback requirements. The proposed house is to be placed at a 20 ft front yard setback where 40 ft is the minimum in the Town's zoning laws. Mr. Williams noted that the parcel is bisected by the Town and Village of Waterford's shared boundary, which triggered the 239-nn referral.

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

23-121JW Village of Round Lake: *Village of Round Lake* - Amendment of Zoning Ordinance

Located on Village-wide. Tax Map No(s): n/a.

Mr. Williams presented the proposed Village amendments to their zoning ordinance to define short-term rental and update the law to regulate short-term rental and bed and breakfast operations within the Village.

Mr. Williams recommended approval.

23-120JK Town of Clifton Park: Bass Pro Shop - Special Use Permit & Site Plan Review

Located on Clifton Park Center Rd. (Northway/I-87). Tax Map No(s): 272.-1-11; -12 & -13.

Mr. Kemper presented an application for a proposed redevelopment of the former 7.58-acre, car dealership site to construct a 76,976 s.f. Bass Pro retail building with 282 associated on-site parking spaces, outdoor display areas, utilities and storm water management.

Mr. Kemper stated that the main potential county impacts were related to traffic queuing onto Route 146 and stormwater impacts adjacent to the Northway.

Mr. Scavo stated that this was a redevelopment project at the former Mohawk Chevrolet site and meets the Form-based code requirements. Mr. Scavo stated that this Bass Pro Shop location would be a destination as people would travel from outside the county to this location. Mr. Scavo stated that they anticipate 2 – 2.1 million visitors per year.

Mr. Scavo stated that the project is proposed to have one driveway as far away as possible from Sitterly Road. Mr. Scavo stated that the traffic study showed 132 new vehicle trips during the PM peak hour and 285 new vehicle trips during the Saturday peak hour

Mr. Scavo stated that the applicant is working with NYSDOT on relocating the existing stormwater easement.

Mr. Scavo stated that they were exploring a potential roundabout at Sitterly Road and Clifton Park Center Rd. Mr. Scavo stated that DOT will be doing a signal upgrade at Rt 146 with intelligent technology for traffic.

Mr. Scavo stated that the applicant has agreed to install a traffic signal at Clifton Country Rd/Clifton Park Center Rd/Southside Rd intersection.

Mr. Scavo stated that the town was in talks with the mall owner to turn over McDonough Rd (private road) to the town.

Mr. Scavo stated that they were also looking to improve pedestrian access and tying into the sidewalk system already on Sitterly Road.

Mr. Kemper asked about directional signage for I-87 and also suggested renaming that part of the road to Bass Pro Shop Rd so GPS systems would be able to direct to the site better as there would be many out-of-towners coming to the site.

Board members commented other potential concerns for the municipality relating to landscaping as well as turning area for vehicles with boat trailers into the service area.

Mr. Vopelak asked about stormwater management and Mr. Scavo stated that an underground detention system under the pavement as well as a storage ditch on the east side of the parcel were proposed.

Mr. Kemper stated that he recommended approval with comment related to the traffic impacts on NYS Rt. 146.

23-122KL Town of Halfmoon: *Paar Estates PDD* - Site Plan Amendment Review

Located on Farm to Market Rd/CR 109 (NYS Rt 146). Tax Map No(s): 267.11-1-31.

Ms. Lambert presented a proposal to amend the required buffering on an existing site plan by replacing the 6 foot vinyl fencing with an extra row of evergreens. The proposed second row of trees will be offset from the first row in order to provide screening. There were three buffer areas identified for changes.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

23-123KL Town of Halfmoon: *Fairways of Halfmoon* - Special Use Permit and Site Plan Amendment Review

Located on Johnson Rd (Zim Smith Trail. Tax Map No(s): 261.-1-91.1.

Ms. Lambert presented a proposal to amend an existing site plan to re-orient and reduce the size of a pavilion structure with addition of a concrete pad to provide golf cart parking and circulation.

Ms. Lambert stated that the Saratoga County Planning Board had previously reviewed a proposal for a special use permit and site plan amendment on March 17, 2022 to construct a 3,200-s.f. pavilion and adding 51 parking spaces to the west side of the clubhouse. Ms. Lambert noted that at that time, there was no significant county-wide or intercommunity impact identified.

Ms. Lambert noted that the Special Use permit for this pavilion/concrete pad should include provisions for music, types of events, and hours of operation. Golf cart flow of travel should be clearly marked to avoid vehicle, cart, pedestrian collisions.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

23-124KL Town of Wilton: *Ciuffetelli* - Area Variance

Located on Wilton Gansevoort Rd/CR-32. Tax Map No(s): 102.-1-75 &-75.2.

Ms. Lambert presented an application for a proposed lot line adjustment that has created the need a variance from the required lot frontage width. The proposed LLA involves of conveyance of 0.85-acres from Lot 2 to Lot 1 to correct several encroachments. The resulting action will create a lot frontage width of 215.86 ft for Lot 2 where 250 ft is the minimum allowed per Town's zoning laws. The amount of relief requested is 30.82 ft. The total acreage for lot 1 will be 4.50-acres and Lot 2 will be 2.79-acres.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

23-125JW Town of Clifton Park: Prime Storage - Area Variance (Sign)

Located on Crossings Blvd. (Northway/I-87). Tax Map No(s): 272.-1-52.1.

Mr. Williams presented an application for area variances for wall signs at the Prime Storage building.

The Town's TC-5 zoning district allows for the maximum of two wall signs with total maximum sign area of 60 s.f. The site has two existing wall signs that created a total of 199 s.f. of signage for which an area variance had previously been granted for relief of 139 s.f. of signage. The current proposal is to add two additional wall signs with a total area of 112 s.f. creating the need to re-seek relief for 251 s.f. of signage along with the allowance of two additional wall signs.

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

23-126JW Town of Clifton Park: Facial & Nail Spa - Use Variance

Located on US Rt 9. Tax Map No(s): 259.-2-27.

Mr. Williams presented a proposal to operate a facial and nail spa in an existing 2,200 s.f. building within the Town's Light Industrial 2 (LI2) zoning district, which has spurred the need for a use variance as personal service establishments are not listed as a permitted use in the Town's LI2 zone. The 5.34-acre parcel has 12 parking spaces available and currently provides office space for a masonry restoration company and a gutter/roofing contractor.

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

23-127JK Town of Malta: Aschauer-Senior Apartments - Special Use Permit & Site Plan Review

Located on US Rt 9 (NYS Rt 67 & Village of Round Lake). Tax Map No(s): 240.-2-28.1.

Mr. Kemper presented a proposal to construct a 19,000 s.f., 3-story, 48-unit senior apartment building on a 6.31-acre parcel off of US Rt 9. The proposal consists of removing existing houses in order to place associated parking and the single curb cut onto Rt 9.

The SCPB requested a traffic summary or analysis be provided for review before they could render a decision.

23-128JK Town of Malta: Ellsworth Commons - Area Variance (Sign)

Located on US Rt 9. Tax Map No(s): 229.51-1-1.

Mr. Kemper presented an application for sign replacements at Ellsworth Commons that have been proposed due to economic distress. The proposed signage plan created the need to seek relief of nine different area variances between the two proposed signs.

The proposed monument sign is to be double-sided, aluminum framed, internally lit with dimensions of 15 ft. x 8 ft. with an overall height of 18 ft. The proposed monument sign needs relief for six area variances that include Internal Illumination, Front Yard Setback, Sign Area for size of sign, Sign Structure Height, Sign Area Width, and Sign Type.

The proposed directional sign is double-sided, internally lit, aluminum framed with a dimension of 4 ft x 4 ft with an overall height of 7 ft. This sign requires relief of three variances including Internal Illumination, Front Yard Setback and Sign Column Width.

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

23-129JW Town of Wilton: *Town of Wilton* - Zoning Amendment-Text

Located on Town-wide. Tax Map No(s): n/a.

Mr. Williams presented a proposal to amend the Town's Chapter 108 - Solar Energy Systems in the Town's Zoning Laws. The previous law was adopted in 2017 and is, currently being amended to advance and protect the public health, safety and welfare of the Town by creating regulations for the installation and use of solar energy generating equipment.

Mr. Williams recommended approval.

MOTION: A motion to approve Planning Department recommendations for planning referrals as presented was made by Mr. Murray, seconded by Mr. McPherson and unanimously approved.
CARRIED.

SUBDIVISIONS

23-A-47JW Town of Waterford: Terpening - Subdivision Review

Located on Knox Alley (Village of Waterford, Fonda Rd/CR-97). Tax Map No(s): 291.13-1-49.1; 35.121;35.22 & 40.1.

Mr. Williams presented a proposal to create a 15,006 s.f. lot from an existing 1.07-acre parcel. The property is bisected by the shared municipal boundary of the Town and Village of Waterford. The proposed 15,006 s.f. lot is earmarked for a single-family use where all of the residential improvements are to occur in the Town's jurisdiction and the proposed driveway will access Knox Alley in the Village of Waterford. The result will leave a 31,554 s.f. lot with an existing home.

Mr. Williams noted that the Planning Board's decision was rendered with the understanding that the Village of Waterford acknowledged the proposed Terpening Subdivision and agreed that the Town of Waterford's planning board would take lead with the local review.

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

23-A-49JW Town of Ballston: Duemler - Subdivision Review (LLA)

Located on Orchard Terrace & Goode St/CR 57. Tax Map No(s): 248.17-3-2, 248.17-3-3, 248.17-3-4, 248.-1-51.1, 248.-1-89.111.

Mr. Williams presented a proposal consisting of five lot line adjustments involving five existing parcels.

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 Mr. McPherson, seconded by Mr. Vopelak and unanimously approved.
CARRIED.

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23-111MOUJW Town of Waterford: Waterford Historical Museum - Site Plan Review

Located on Museum Lane (NYS Rt 32, Mohawk River. Tax Map No(s): 295.12-1-63.

A proposal to construct a 20 ft. X 36 ft. storage building on the Southwest corner of the 0.46-acre Waterford Historical Museum site.

Comment: Town has explained that the proposed storage building meets zoning requirements.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Waterford Planning Board, the referral for Site Plan Review was reviewed on 8/4/2023 by Mr. Williams with concurrence from Ed Vopelak & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

23-114MOUJW Town of Milton: Home Daycare - Special Use Permit and Site Plan Review

Located on Goode Rd. (Ag. Dist. #2). Tax Map No(s): 202.-1-49.

A proposed 750 s.f. addition to an existing day care facility located on a 1-acre parcel off of Goode Road. The addition will create more kitchen and play area for the daycare operation.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Milton Zoning Board of Appeals, the referral for Special Use Permit and Site Plan Review was reviewed on 8/9/2023 by Mr. Williams with concurrence from Devin Dal Pos & Ian Murray & Cynthia Young that the action posed No Significant County-wide or Intercommunity Impact.

23-116MOUJW Town of Stillwater: DeCrescente Distributing Co. - Site Plan Review

Located on NYS RT 4 & 32 (City of Mechanicville). Tax Map No(s): 232.-1-20.

A proposal to place a 1,495 s.f. canopy over the entrance of the existing distribution buildings and to construct a 111 s.f. addition to the building to add to the office use.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Stillwater Planning Board, the referral for Site Plan Review was reviewed on 7/26/2023 by Mr. Williams with concurrence from Devin Dal Pos & Cynthia Young that the action posed No Significant County-wide or Intercommunity Impact.

23-117MOUJW City of Saratoga Springs: Reverie Dispensary - Special Use Permit

Located on Washington St./NYS Rt 29. Tax Map No(s): 165.18-2-5.11.

A proposal to operate a retail cannabis dispensary from a 2,200 s.f. store in an existing ~31,000 s.f. plaza building. There are no external site changes proposed with this proposed use including the two existing access driveways on NYS Rt 29. The plaza site offers 94 parking spaces shared with other tenants. NYS Office of Cannabis Management has approved the location.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the City of Saratoga Springs Planning Board, the referral for Special Use Permit was reviewed on 7/26/2023 by Mr. Williams with concurrence from Devin Dal Pos & Cynthia Young 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.

Adjournment

The meeting was adjourned at 5:10 pm.

Respectfully Submitted,
Nisha Merchant, Secretary

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