



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS, CHAIRMAN
50 WEST HIGH ST, BALLSTON SPA, NY 12020

JASON KEMPER, DIRECTOR
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Meeting Minutes November 16, 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: Devin Dal Pos, Donald McPherson, Ian Murray, Ed Vopelak and Cynthia Young.

Members Absent: Tom Lewis, Chairman and Marcia E. Murray.

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

Guests: Gary Meier, Saratoga County DPW

Approval of Minutes:

MOTION: The minutes of the October 19, 2023, meeting were unanimously approved on a motion made by Mr. Murray and seconded by Ms. Young. **CARRIED.**

Recusals: Don McPherson 23-131, 23-168.

Referrals

23-53JK Town of Clifton Park: 21st Century Park Redevelopment - Site Plan Review

Located on 21st Century Drive & NYS Rt 146. Tax Map No(s): 270.-2-2.

Mr. Kemper presented an application for a proposal of four light industrial buildings to be constructed on the existing 22.48-acre site that houses two existing buildings. Building 1 will have an area of 45,000 s.f. and Building 2 will be 25,000 s.f. in the Northeast corner of the site and Buildings 3 & 4 will each be of an area of 20,000 s.f. and will be constructed in the Southwest corner of the site. All existing access roads and utilities to the site will remain the same.

The SCPB's main concern, as has been noted previously, was associated with the traffic issues along this stretch of NYS Rt. 146. The Board's concern focused on the fact that the proposed traffic mitigation for this stretch of NYS Rt. 146 is contingent upon future improvements without any funding being identified. The cumulative impact of these incremental traffic impacts continues to degrade the Level of Service at nearby intersections. The SCPB Planning Board ultimately decided that Phase 1 of this project could

move forward. However, due to the possible county-wide and intercommunity impacts, future approvals for this project will need additional traffic analysis to be submitted for review.

The SCPB agreed that there was no significant county-wide impact for Phase 1 only.

23-131KL City of Saratoga Springs: 78 Church St - Site Plan Review

Located on Church St (NYS 9N). Tax Map No(s): 165.51-1-38 & 165.51-1-37.

Ms. Lambert presented an application for a proposed project involving the demolition of an existing retail building to make room for a 5-story multi-use, commercial/residential building. It will have 23 condominium units, +/- 1,600 sq ft of commercial space on the first floor. It is proposed to have onsite garage and surface parking spaces.

The Saratoga County Planning Board noted the improvements along NYS Route 9N with the 3 parking spots in front of the 78 Church Street location and did not see an indication that these would be designated parking spots for the site.

Ms. Lambert noted that a NYSDOT work permit will be needed regarding the improvements to NYS Route 9N.

Ms. Lambert stated there was No Significant County-Wide Intercommunity Impact.

23-168JW Town of Stillwater: H.O.P.E. Animal Shelter - Special Use Permit & Site Plan Review

Located on Jack Halloran Rd (Ag. Dist #1). Tax Map No(s): 219.-3-6.12.

Mr. Williams presented an application for a proposal to convert an existing house on a 5.01-acre parcel into a not-for-profit animal adoption facility. The existing house will be used for reception and office while housing up to 30 cats for adoption. The garage will be used to house up to 5 dogs looking to be adopted.

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

23-169JW Town of Milton: Town of Milton - Zoning Text Amendment

Located on Town-wide. Tax Map No(s): N/A.

Mr. Williams presented an application for a proposed amendment to the Town of Milton's Town Code to add "cannabis or marijuana dispensary" to the Definitions section and to establish standards within the Specific Standards for Certain Uses section of the Town's zoning ordinance.

Mr. Williams recommended approval.

23-170JK Town of Clifton Park: 3 Synergy Park - Site Plan Review

Located on Synergy Park Drive (Kinns Rd./CR 109, and I-87). Tax Map No(s): 265.-5-4.

Mr. Kemper presented an application for a proposed construction of two office/warehouse buildings on an 8.9-acre parcel within Phase I of the Synergy Technology Park. A 30,000 s.f. building will be located on the westerly part of the site and a 10,000 s.f. building on the easterly end of the site sharing one curb cut onto Synergy Park Drive. This project's build-out will trigger the approved, offsite traffic mitigation improvements to the Kinns Road and US Rt 9 intersection.

Mr. Kemper noted that Saratoga County DPW should be consulted in regard to the traffic improvements occurring as a result of this project.

Mr. Kemper stated there was No Significant County-Wide Intercommunity Impact.

23-171JK Town of Clifton Park: *Fire Road Gas Station - Site Plan Review*

Located on Fire Rd, NYS Rte 146, (Park and Ride, I-87). Tax Map No(s): 272.9-1-19.

Mr. Kemper presented an application for a proposed redevelopment of a gas station into an 8,000 s.f. mixed use commercial building with a new 1,870 s.f. gas station canopy on a 0.99-acre parcel at the corner of Fire Rd and NYS Rt 146.

The Saratoga County Planning Board looked favorably on the proposed redevelopment of this parcel. The Board suggested that snow removal/storage and some additional landscaping be discussed when this project is reviewed by the Town Planning Board.

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

23-172JK Town of Clifton Park: *JTD Holdings LLC - Site Plan Review*

Located on Old Plank Rd. (I-87 and US Rte 9). Tax Map No(s): 272.9-1-31.1, 32, 33, 34, 43, 44, 45.

Mr. Kemper presented an application for a proposal to construct 5 mixed use commercial buildings on a 3.05-acre parcel. Of the 5 buildings, one will be 3,000 s.f. and the other four will be 5,000 s.f. one story, two-unit flex buildings with each unit having a garage.

The SCPB commented that considering the grading occurring around the site, the Town should recommend that the applicant place additional screening on the I-87 Northway side of the project.

Mr. Kemper stated there was No Significant County Wide Inter Community Impact.

23-173JW Town of Ballston: *1402 Route 50 - Special Use Permit & Site Plan Review*

Located on Brookline Rd./CR 60 and NYS Route 50. Tax Map No(s): 228.-1-41.

Mr. Williams presented an application for a proposed demolition and redevelopment of an existing retail convenience store with gas into a 7,500 multi-tenant building including a convenience store and a 10-pump gas canopy.

Mr. Williams stated the proposed expansion of uses including an expanded convenient store with gas use along with the added retail space and a fast-food restaurant with drive-through service use will increase the number of visits to the proposed redeveloped site. The provided October 4, 2023 Trip Generation Review report concluded that approximately 150 additional trips will be entering and exiting the site during the AM and PM peak hours.

Mr. Williams explained that the site plan shows the proposed closing of the existing Eastern-most curb cut on CR-60, while proposing to improve the access driveway that is approximately 70 ft east of the traffic signaled CR-60 /NYS RT 50 intersection. This raised a concern about the capability of the proposed curb cut on CR-60 to be able to function in a safe manner. It was noted that an east bound vehicle on CR-60 making a left turn into the site may create traffic to backup that could negatively impact the travel lanes at the CR-60/NYS Rt 50 intersection. This turn movement could be further

complicated by the possible internal vehicular movements of customers entering the proposed drive-through lane conflicting with vehicles entering the site from CR-60.

Board members also noted concern regarding the customers' ability to make a left out of the site onto CR-60 in a safe manner and noted that NYS Department of Transportation may have similar concerns regarding the proposed curb cut on NYS Rt 50.

Due to the concerns raised on the access to the site, Mr. Williams stated that additional traffic evaluations should be performed regarding the proposed project's expansion of uses and the layout to the site plan to determine whether the proposed access points are able to function correctly and provide safe traffic circulation to the immediate area.

Mr. Williams stated that with the knowledge of ample area available to the existing 6.04-acre site, there is room to adjust the site plan layout in order to provide the optimum access driveway points to the site and to create a safe internal traffic pattern.

Mr. Meier stated that this area (CR-60/NYS Rt 50 intersection) has a history of drainage issues resulting in standing water during storms and seasonal snow melting.

Mr. Williams stated that further traffic-related studies are needed.

The SCPB requested additional information to be provided before rendering its decision.

23-174JW Town of Ballston: *Wellnow* - Site Plan Review

Located on NYS Rt 67, NYS Rt 50. Tax Map No(s): 216.-1-35.

Mr. Williams presented an application for a proposal to place two, 32 s.f. freestanding signs at each of the two entrances off of NYS Rt 67 and NYS Rt 50.

The Saratoga County Planning Board requested assurance that the proposed sign locations are not within the State ROW and do not impede the sight distances needed to exit the site properly.

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

23-175JW Town of Ballston: *Burnt Hills Animal Hospital* - Area Variance

Located on Goode St./CR-57. Tax Map No(s): 248.17-3-4.

Mr. Williams presented an application for a proposed 5,144 s.f. addition to the pre-existing, nonconforming use of the Burnt Hills Animal Hospital creates the need for relief to allow for the expansion of a non-conforming use.

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

23-176JW Town of Waterford: *Leafy Peaks* - Site Plan Review

Located on Saratoga Avenue/NYS Rt 32. Tax Map No(s): 295.8-4-39, -40.

Mr. Williams presented an application for a proposed cannabis dispensary of 2060 s.f. of store space in the existing Hostig Plaza off of NYS Rt 32.

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

23-177JW Town of Clifton Park: *Chrysler Dodge Ram of Clifton Park - Area Variance*

Located on Us Rt. 9 (I-87). Tax Map No(s): 266.3-3-10.21 & -10.221.

Mr. Williams presented an application for the creation of a survey in order to propose the construction of two additions on the existing auto sales building brought about the need for two area variances caused by prior improvements to the site. The applicant is seeking relief for a parking setback requirement where no parking within 30 ft. is allowed if the adjacent district is different. The current parking area is 14 ft is from the district boundary line. The second variance is relief on required greenspace for the site where 35% is required and 29% is provided.

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

23-178KL City of Saratoga Springs: *Unitarian Universalist Congregation - Special Use Permit*

Located on Loudon Rd. Tax Map No(s): 154.-2-41.4.

Ms. Lambert presented an application for a proposed construction of a two-story, 8,844 s.f. place of worship on a 5-acre parcel in the City's Rural Residential Zone is allowed by special use permit.

The Saratoga County Planning Board recognized that the road access for this project is located in the Town of Wilton (154.-1-47.12), zoned R-1 Residential. The SCPB noted that a review/decision from the Town of Wilton will be required prior to the City taking action on the project.

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

23-179KL Town of Halfmoon: *Country Dollar Plaza - Area Variance*

Located on NYS Rt 236 & Guideboard Rd/CR-94. Tax Map No(s): 278.4-1-86.

Ms. Lambert presented an application for a pending site plan to construct a 6-foot overhang covering a proposed sidewalk and the addition of three tenant spaces on the side of the existing Country Dollar Plaza. An area variance is needed in order to place the sidewalk and overhang. The pre-existing 36.5 ft front yard set back (50 ft conforming) on the side of NYS Rt 236 will be reduced to 30.5 ft. with the area variance request and the placement of the overhang.

Ms. Lambert stated that the Saratoga County Planning Board had previously reviewed a patio/roof addition for a front setback variance. Ms. Lambert stated that variance was for a patio/covering that ran along only half of the length of the building. At that time, it was deemed to have no significant county-wide or intercommunity impact.

Ms. Lambert stated that the current proposed sidewalk and awning placement will be for the full length of the side of the building facing NYS Route 236.

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

23-181KL Town of Wilton: *Wilson's Bread - Special Use Permit*

Located on NYS Rt 50. Tax Map No(s): 141.-2-12.2.

Ms. Lambert presented an application for a proposal to convert a portion of the former 5,000 s.f. retail motorcycle shop into a bakery on the 4.48-acre site off of NYS Rt 50. The X-Files Preservation Collection museum now occupies 2,000 s.f. of space currently with the bakery proposing to use the remaining

3,000 s.f. that was previously the motorcycle retail shop space. All existing site improvements, including parking driveway access and stormwater management area is to remain.

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

23-182KL City of Mechanicville: *Haney's Automotive* - Area Variance & Site Plan Review

Located on South Central Ave. (US Rt 4 & NYS Rt 32). Tax Map No(s): 262.61-3-13 & -11.

Ms. Lambert presented an application for a proposal to re-construct and expand an automotive repair shop that was lost to fire on a 0.10-acre parcel off South Central Ave (US Rt 4 & NYS Rt 32). The applicant wishes to remove the fire damaged 1,200 s.f. repair shop and replace it with a 2,052 s.f. building. The applicant will be seeking an area variance for the existing lot area, a side yard setback and a rear yard setback. The proposed construction appears to create the proposed parking in front of the building to be within the limits of the South Central Ave. ROW. The applicant also owns a parcel in close proximity of the site for the utilization of overflow parking up to 25 cars.

The Saratoga County Planning Board recognized the fact that the City of Mechanicville has a joint Planning/Zoning Commission and the fact that this is a redevelopment project after the business was destroyed by fire.

The SCPB thoroughly discussed the point that the business and the pre-existing non-conforming setbacks are being expanded with the reconstruction plan. They noted that one of the core functions of a Zoning Board of Appeals is to grant the minimum area variance necessary. The SCPB noted that the proposed expansion of the site seemed contradictory to those rules.

Ms. Lambert presented the aerial photo of the original footprint of the building and parking that showed parking within the NYSDOT ROW. The Board was also concerned about the encroachment of vehicles into the NYSDOT Right of Way. They noted that the current proposal showed an expansion of the building from 1,200 sq. ft. to 2,052 sq. ft. pushing the proposed parking further into the ROW, potentially creating multiple roadway and pedestrian conflicts.

The SCPB requested additional information confirming that NYSDOT had been consulted in regard to the expansion and proposed layout.

At the conclusion of the discussion, the SCPB was uncomfortable moving ahead on the area variance which would then lead to site plan discussion without additional information and clarification being provided on the area variance application.

23-183KL City of Saratoga Springs: *Tree House Brewing Company* - Special Use Permit

Located on US Rt 9. Tax Map No(s): 178.-2-15.

Ms. Lambert presented an application for the proposed construction of a 22,860 s.f. micro-brewery/restaurant, which is in need of a special use permit review for the outdoor dining component of the facility's operation.

Ms. Lambert noted that a NYS DOT work permit will be needed regarding the access improvements to NYS Route 9. Should the access point be shifted further south on the site along NYS Route 9, a NYS DOT curb cut permit will be needed.

Ms. Lambert 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, seconded by Mr. Murray and unanimously approved. **CARRIED.**

Mr. Dal Pos left the meeting at 5:05 pm.

SUBDIVISIONS

23-A-59JW Town of Stillwater: *Hatfield* - Subdivision Review

Located on Colonial Rd. (Village of Stillwater, Ag. Dist. #1). Tax Map No(s): 243.-1-43.1.

Mr. Williams presented an application for a proposed three lot subdivision of a 27.31-acre parcel off of Colonial Road. A 14.1-acre parcel will be retained by the owner and a 5.59-acre, and a 6.91-acre parcel will be created for single family uses.

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

23-A-60JW Town of Charlton: *Sargent/Meilunas* - Subdivision Review

Located on Old NYS Route 67, Rocky Ridge Rd, NYS Route 67 (Ag. Dist. #2). Tax Map No(s): 223.-1-44.

Mr. Williams presented an application for a proposed three lot subdivision of a 25.35-acre parcel. Lot A will be a 16.26-acre parcel with existing residential improvements. Lot B is proposed as a 3.95-acre parcel. Lot C is a 5.17-acre proposed parcel. Both proposed Lots B and C are for residential uses for family members.

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

23-A-61JW Town of Northumberland: *Macica* - Subdivision Review

Located on Grange Hall Rd & Goff Rd. (Ag. Dist. #1). Tax Map No(s): 156.-1-5.21.

Mr. Williams presented an application for a proposed subdivision of a 17.48-acre parcel to create a 7.48-acre parcel and a 10-acre parcel. The proposed 10-acre parcel will be used for a single-family use.

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

23-A-62JW Town of Northumberland: *Wells* - Subdivision Review

Located on West River Rd./CR 29, (Hudson River, Ag. Dist. #1). Tax Map No(s): 91.-1-19.11 & 92.-1-6.1.

Mr. Williams presented an application for a proposed Lot Line Adjustment of an existing 157.64-acre parcel and an 86.47-acre parcel to create Lot 1 as a 59-acre parcel with existing house and

outbuildings and Lot 2 will become a 183.80-acre parcel slated to be used for agricultural purposes.

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

23-A-63JK Town of Clifton Park: *Codie Development LLC* - Subdivision Review

Located on US Rte 9 (Town of Halfmoon). Tax Map No(s): 265.-1-89 (CP), 266.-1-25 (Halfmoon), 266.-1-23.1 (Halfmoon).

Mr. Kemper presented an application for a proposed subdivision of an existing 8.08-acre parcel into 2 commercial lots. Lot A will be a 5.01-acre vacant wooded lands and Lot B will be the residual 2.98-acre of land with an existing warehouse office building.

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

23-A-64JW Town of Ballston: *1402 Route 50* - Subdivision Review

Located on Brookline Rd./CR 60 and NYS Route 50. Tax Map No(s): 228.-1-41.

Mr. Williams presented an application for a proposed two lot subdivision of a 6.04-acre parcel on the corner of Brookline Rd (CR 60) and NYS Route 50. The proposed subdivision will separate an existing retail gas station/convenience store on a 4.58-acre parcel and existing residential dwelling on a 1.65-acre parcel.

The Board asked for additional information due to the concerns raised in the Board's special use permit and site plan review mentioned above. It is the Board's impression that most of these concerns could be addressed if the site plan's layout is modified by re-orienting the proposed building and gas canopy location and constructing a curb cut further East on CR-60 by utilizing some of the available lands within Lot 2 of the proposed subdivision plan. As the concerns related to site plan review may result in the alteration of the proposed subdivision, the Board decided to wait for the additional information prior to rendering a decision.

23-A-65KL Town of Corinth: *Byrnes* - Subdivision Review

Located on NYS Rt 9N (Hudson River, Town of Queensbury, Warren County. Tax Map No(s): 59.-2-81.

Ms. Lambert presented an application for a proposed subdivision of a 311-acre parcel to create a 9.8-acre parcel with existing single-family residence and several manufactured homes and a vacant 301-acre lot.

Ms. Lambert noted that any improvements made to the shared access point (gravel drive) at NYS Route 9N will need a NYSDOT work permit.

Ms. Lambert 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, seconded by Mr. McPherson and unanimously approved on a 4-0 vote. **CARRIED.**

MOUS

23-180MOUJW Town of Wilton: *Dance Lab* - Site Plan Review (Amendment)

Located on US Rt 9. Tax Map No(s): 140.17-1-7.1.

In May 2022 a site plan was performed for the construction of a 4,550 s.f. building on a 4.78-acre parcel that was to extend the municipal force main sewer to serve the site. The applicant now proposes to install a private septic system in lieu of the municipal sewer.

Comment: The Board expressed the desire to have the municipal sewer extended to the site when the next user further develops the parcel and that the Dance Lab abandons their septic system and connects to the sewer when available.

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 11/14/2023 by Mr. Williams with concurrence from Ian Murray & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

23-A-66MOUJW Town of Wilton: *Forest Grove PH 2 A & B* - Subdivision Review (Phasing)

Located on Jones Road (I-87). Tax Map No(s): numerous.

The proposed approval of Phase 2 A&B of the Forest Grove residential development to continue the extension of the supporting infrastructure and the construction of an additional 116 residential units per the development's original master plan.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Wilton Planning Board, the referral for Subdivision Review (Phasing) was reviewed on 11/14/2023 by Mr. Williams with concurrence from Devin Dal Pos & Don McPherson 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

1. MOU Agreement – Town of Edinburg Planning Board

MOTION: A motion to approve entering into an MOU agreement with the Town of Edinburg Planning Board was initiated by Mr. Murray, seconded by Ms. Young and unanimously approved on a 4-0 vote. **CARRIED.**

2. 2024 Meeting Dates

MOTION: A motion to approve the 2024 meeting and submittal dates as presented was initiated by Ms. Young, seconded by Mr. Murray and unanimously approved on a 4-0 vote.
CARRIED.

Adjournment

The meeting was adjourned at 5:13 pm.

Respectfully Submitted,
Nisha Merchant, Secretary