



# 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 February 15, 2024

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 4:02 pm.

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

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

**Guests:** Gary Meier, Saratoga County DPW

### **Approval of Minutes:**

**MOTION:** The minutes of the January 18, 2024, meeting were unanimously approved on a motion made by Mr. Murray and seconded by Ms. Murray. **CARRIED.**

### **Recusals:**

Connie Wood 24-14

### **REFERRALS**

#### **22-82JK Town of Clifton Park: *Woodhaven Land Partners* - Site Plan Review**

Located on NYS Rte 146 & Waite Rd. Tax Map No(s): 270.-1-72.1.

Mr. Kemper presented an application for a proposal to construct a shovel-ready office/light industrial park on a 90.4-acre parcel. The project includes one and two-story commercial buildings with a total of 100,000 s.f. and 230 parking spaces with access on Waite Rd. The applicant provided traffic study information as requested by the SCPB June 2022 review.

The Saratoga County Planning Board requested additional information for this project. Mr. Kemper discussed the proposed language to be included in the staff response:

The Saratoga County Planning Board remained concerned about the traffic impacts associated with this project and the cumulative impacts of the developments along this portion of the NYS Rt. 146 corridor.

The SCPB recognized that the build vs no build scenario negatively impacts intersections in vicinity of the project. This proposed project as well as others in the corridor continue to rely on future roundabouts being constructed to mitigate the decrease in levels of service associated with the projects. To date, only

design money has been allocated for these traffic improvements. This design work will not be completed for some time, and construction can only commence when funding is available and committed to the project. Due to the potential County Wide and Inter Community Impacts, the SCPB is requiring that the applicant provide details addressing the proposed impacts rather than relying on a future project that has yet to receive any funding. Additionally, the cumulative traffic impacts should be addressed under SEQR for all applicants in the corridor.

Saratoga County Planning Board members agreed with the proposed language.

**24-11KL Town of Moreau: *Interstate Towing* - Site Plan Review**

Located on US Route 9. Tax Map No(s): 49.75-1-16.

Ms. Lambert presented an application for a proposed vehicle towing business from a 1.16-acre parcel with existing 3 bay garage and secured fencing compound area.

While there was no significant County-wide or Intercommunity impact, the Saratoga County Planning Board expressed concern about the extended length of stay the “police department tows” may have versus “accident vehicles.”

**24-12JW Village of Stillwater: *Stillwater Lofts* - Site Plan Review**

Located on US Route 4, NYS Route 32 (Hudson River). Tax Map No(s): 253.27-3-6.

Mr. Williams presented an application for a proposed conversion of a two-story brick building into 4,500 s.f. of commercial space and 11 apartments with 28 off-street parking spaces provided.

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

**24-13JW Town of Ballston: *1003 Route 50* - Site Plan Review**

Located on NYS Route 50 & Middleline Rd (CR 59, Ag. Dist. #2). Tax Map No(s): 248.-2-7.

Mr. Williams presented an application for a proposed construction of a 24 ft x 28ft building for a landscape supply/nursery business on a combined 1.53-acre parcel.

Mr. Williams noted that the applicant will need to obtain a driveway permit from Saratoga County DPW to construct the proposed driveways within the County ROW.

Mr. Williams stated that the County DPW has asked the applicant to provide traffic controls (signage) for the proposed separate ingress and egress points for the site including a stop sign at its exit. In addition, the County DPW has asked for assurance that the proposed gates at both of the driveways open inward towards the site as opposed outward towards Middleline Road.

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

**24-14JW Town of Charlton: *Repair Resources LLC* - Special Use Permit**

Located on Eastern Ave (NY-147 & Ag. Dist. #2). Tax Map No(s): 235.-1-28.

Mr. Williams presented an application for a proposed agricultural equipment repair business at the applicant's residence.

The SCPB determined that the proposed project poses no significant county-wide or intercommunity impact. However, the SCPB did raise some concerns that the local board may want to consider when reviewing the proposal.

The SCPB is cognizant that the Town of Charlton's vision along with its land use policies serves to protect the rural and agricultural character of the Town. The Town's view is compounded by the Repair Resources LLC heavy equipment repair use as it is seen as an agricultural support type business, but on the other hand, the intensity of this use certainly can be seen as conflicting with character of its surroundings. The balance of the two, if considered, can only be achieved by strong conditions of approval and mitigation measures put in place to offset the possible negative impacts created by this type of use. The SCPB mentioned the possible conditions and mitigation measures could include: constructing stockade fencing around the perimeter of the property, limiting the number of equipment to be stored on-site at any one time, placing strict limitations where those pieces of equipment are allowed to be repaired, placing limits to the hours of operation along with the need to discuss any negative noise impacts and how waste disposal, both solid and liquid, will be handled.

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

**24-16JK Town of Clifton Park: 99 Wood Road Private Warehouse - Site Plan Review**

Located on Wood Rd (I-87). Tax Map No(s): 250.-2-48.

Mr. Kemper presented an application for a proposed construction of a 4,000 s.f. private warehouse building. The building will be used for the storage and maintenance/repair of large trucks and paving equipment with a proposed curb cut off of Wood Road.

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

**24-17JK Town of Clifton Park: Ushers Knob - Site Plan Review**

Located on Ushers via Easement (I-87). Tax Map No(s): 259.-2-70.

Mr. Kemper presented an application for a proposal to construct a business park consisting of (10) 4,800 s.f. buildings for a total of 48,000 s.f. of leasable space. The proposed site will be accessed via utility/access easement from Ushers Rd through the lands of Country Club Acres.

The Saratoga County Planning Board is requesting that assurance should be provided by the applicant stating that stormwater infiltration in these soils will not lead to steep slope failure in close proximity to the I-87 corridor.

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

**24-18JW Town of Ballston: Dominic Dr Cold Storage - Special Use & Site Plan Review**

Located on Dominic Drive (NYS 67). Tax Map No(s): 216.-2-38.1.

Mr. Williams presented an application for a proposal to construct an unheated self-storage facility on a 7-acre portion of the 48.39-acre parcel. Project consists of approximately 278 storage units in 9 buildings with access off of Dominic Drive.

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

## **24-22KL Town of Wilton: *Route 9 Mixed Use (631 Maple Av)* - Site Plan Review**

Located on US Rt 9 (Town of Greenfield). Tax Map No(s): 140.-3-20, 140.-3-21, 140.-3-32.11 & 140.-3-24.1.

Ms. Lambert presented an application for a proposed mixed-use project consisting of one (1) 3-story, 17,800 s.f. mixed-use building with first floor retail space and 32 apartment units on the second and third floors, two (2) 13,253 s.f., two-story apartment buildings (one with 20 units +amenity space & one with 24 units), and five (5) 7,534 s.f. apartment buildings with 12 apartment units each. The project has a proposed total of 136 residential units and 17,800 s.f. of retail space on a combined acreage of 15.78 acres. The project will consist of 419 parking spaces.

Ms. Lambert noted that multiple plans for the same property were received with the original referral on February 1, 2024 and a new set of plans was received on February 6, 2024.

The Saratoga County Planning Board requested a SWPPP. The Board requested clarification on the potential newly formed LLA that is part of this project being a split zoned parcel of Hamlet-1 and Residential-3, as multifamily was not listed as a use in the R-3 zone.

Ms. Lambert noted that staff discussion with Ryan Riper of the Town of Wilton on February 5, 2024 described the connectivity between the project at 612 Maple Avenue and 631 Maple Avenue. The only narrative provided on connectivity was in the traffic study, dated October 30, 2023 on page 13. As part of that traffic study, the description of the two projects has incorrect descriptions of the two sets of plans that were submitted on February 6, 2024. This page also discussed the intention of providing “a housing option for professionals working at the Medical Center resulting in some interaction between the two parcels”. The Board questioned if there would be any “workforce housing” components to the project.

The SCPB requested a “will serve” letter from the Saratoga County Sewer District #1 indicating their ability and willingness to serve this project.

In addition, the SCPB requested the following additional information be provided before rendering a decision:

- EAF description correctly describing 631 Maple Ave Mixed Use project (square footage, number of buildings, matching site plan)
- Project narrative updated to reflect the future spilt zoned parcel.
- SWPPP
- Map indicating connectivity between the two projects with planned improvements (traffic signal, sidewalks, etc.)

## **24-23KL Town of Wilton: *Maple Ave. Medical Building (612 Maple Av)* - Site Plan Review**

Located on US Rt 9. Tax Map No(s): 140.17-1-9 & 140.18-1-13.

Ms. Lambert presented an application for a proposed two-story, 120,000 s.f. medical building on two parcels with a total area of 13.46-acres. The project will create 555 parking spaces.

Ms. Lambert stated that staff discussion with Ryan Riper of the Town of Wilton on February 5, 2024 described the connectivity between the project at 612 Maple Avenue and 631 Maple Avenue. The only narrative provided on connectivity was in the traffic study, dated October 30, 2023 on page 13. As part of that traffic study, the description of the two projects has incorrect descriptions of the two sets of

plans that were submitted on February 6, 2024. This page also discussed the intention of providing “a housing option for professionals working at the Medical Center resulting in some interaction between the two parcels”. There were questions on if there would be any “workforce housing” components to the project.

The SCPB expressed concern with stormwater flow from the front parcel to the back over the National Grid property and requested the SWPPP and landscaping plans be provided.

Additional information requested by the Board before rendering a decision include:

- “will serve” letter from the Saratoga County Sewer District #1 indicating their ability and willingness to serve this project. Updated narrative from Lansing Engineering correctly describing 612 Maple Ave Medical Center project.
- EAF correctly describing 612 Maple Ave Medical Center (square footage matching site plan) with correct address
- Town engineering reviews of the project submitted plans from February 6, 2024
- Variance needed for green space requirement as the project is two separate parcels
- National Grid easement verification
- Map indicating connectivity between the two projects with planned improvements (traffic signal, sidewalks, etc.)
- SWPPP
- Landscaping Plans

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

## **SUBDIVISIONS**

### **24-A-03JK Town of Edinburg: *Austin/Schultz* - Subdivision Review**

Located on Dogwood Lane (North Shore Rd-CR 4). Tax Map No(s): 67.-2-31.2 & 68.17-1-4.

Mr. Kemper presented an application for a proposal to merge a section of a 7.17-acre private drive network parcel with a 22.17-acre parcel in the rears.

The SCPB determined that the proposed project has No County Wide or Inter Community Impacts; however, there are a number of items that would need to be addressed by the Town of Edinburg Planning Board prior to approval.

Mr. Kemper stated that the map provided with the referral package is a survey map for parcels 68.17-1-45 and 68.17-1-44. Mr. Kemper stated that it appeared that the applicant is seeking to take a portion of 68.17-1-4 and combine it with 67.-2-31.2, however this was not illustrated on the map. Mr. Kemper stated that it appears that the strip to be conveyed is the possible future access to 67.-2-31.2, and the access to 67.-2-31.2 crosses over a portion of 68.17-1-45. This should be clarified on the map and any necessary ingress/egress easements should be put in place as part of the lot line adjustment.

### **24-A-04KL Town of Wilton: *Route 9 Mixed Use LLA (631 Maple Av)* - Subdivision Review (LLA)**

Located on US Rt 9 (Town of Greenfield). Tax Map No(s): 140.-3-20, 140.-3-21, 140.-3-32.11 & 140.-3-24.1.

Ms. Lambert presented an application for a proposal to convey 0.874-acres for a 48.94-acre parcel and convey 1.409-acres from a 9.45-acre lot to an existing 12.64-acre lot. The proposal also consists of consolidating a 0.687-acre lot into the 12.64-acre lot to create a 14.924-acre parcel of the proposed site of the mixed-use project.

The Board requested clarification on the potential newly formed LLA that is part of this project being a split zoned parcel of Hamlet-1 and Residential-3, as multifamily was not listed as a use in the R-3 zone. The Saratoga County Planning Board requested a SWPPP.

The SCPB requested additional information before they are able to render a decision.

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

### **MOUS**

#### **24-10MOUJW City of Saratoga Springs: 56 Marion Ave. - Special Use Permit**

Located on Marion Ave. & Excelsior Ave. (NYS Rt 50 & US Rt 9). Tax Map No(s): 166.30-2-13.

A proposal to convert an existing 3rd floor exercise room to a studio apartment in the existing multi-use building consisting of commercial space and 56 apartment units. The addition of the proposed apartment unit creates the need to amend the approved 2017 special use permit in order to increase the residential units. Existing parking will comply with the City's requirements and no changes to the site or increase to the building's footprint is proposed.

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 1/23/2024 by Mr. Williams with concurrence from Devin Dal Pos & Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

#### **24-15MOUJW Town of Clifton Park: 591 Riverview Road, Residential Solar - Special Use Permit**

Located on Riverview Rd. (Ag. Dist. #2). Tax Map No(s): 282.-1-28.7.

A proposal to install (2) ground mounted solar arrays for residential use on a 5-acre parcel in the Town's R-1 Zone.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Clifton Park Planning Board, the referral for Special Use Permit was reviewed on 2/15/2024 by Mr. Williams with concurrence from Devin Dal Pos & Connie Wood that the action posed No Significant County-wide or Intercommunity Impact.

#### **24-19MOUJW Village of Victory: Roberts - Area Variance**

Located on Timothy Dr (Burgoyne St-CR 338 & Town of Saratoga & Village of Schuylerville). Tax Map No(s): 157.70-3-16, -17, -18, & 99.1.

A proposal to consolidate 4 vacant parcels into one has created the need for an area variance for lot width where 100 feet is required, and 50 feet is provided.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Village of Victory Zoning Board of Appeals, the referral for area Variance was reviewed on 2/8/2024 by Mr. Williams with concurrence from Ian Murray & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

**24-20MOUJW Town of Halfmoon: Frank Warehouse - Area Variance**

Located on US Rte 4 & NYS Rte 32. Tax Map No(s): 280.-2-16.2.

A proposal to construct a 1,400 s.f. one story addition to the front of the existing 13,200 s.f. warehouse building that has encroached into the 70 ft minimum front yard setback. The applicant is looking for 17.1 ft of relief with a 52.9 ft setback provided.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Zoning Board of Appeals, the referral for area Variance was reviewed on by Mr. Williams with concurrence from Ian Murray, Devin Dal Pos and Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

**24-21MOUJW Village of Victory: American Battlefield Trust Line Agreement - Site Plan Review**

Located on Evans Street (Town of Saratoga). Tax Map No(s): 170.30-2-29.111 & 170.23-1-1.1.

A proposal to convey approximately 2.98 s.f. of a triangular portion of land from a 19.80-acre parcel to the adjacent 0.98-acre parcel to satisfy an encroachment within the driveway area of the residential parcel.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Village of Victory Planning Board, the referral for Site Plan Review was reviewed on 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:**

**Adjournment**

The meeting was adjourned at 4:45 pm.

Respectfully Submitted,  
Nisha Merchant, Secretary