



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 May 16, 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 4:00 pm.

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

MEMBERS ABSENT: none

STAFF: Jason Kemper, Director; Kimberly Lambert, Senior Planner; and Jeffrey Williams, Planner

STAFF ABSENT: Nisha Merchant, Secretary

GUESTS: Gary Meier, Saratoga County DPW

APPROVAL OF MINUTES:

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

RECUSALS: Ian Murray 23-45; Tom Lewis 23-173; Connie Wood 24-A-20

REFERRALS

23-45JW Town of Ballston: 1417 Saratoga Rd - Special Use Permit & Site Plan Review (Amendment)

Located on Brookline Rd & NYS Rt 50. Tax Map No(s): 228.-1-48.32, 228.-1-2.1, 228.-1-48.112.

Mr. Williams presented an application for a proposed amendment to the site plan to remove a 3 commercial buildings and replace them with 2 mixed use buildings. The proposed mixed-use buildings will consist of a 15,000 s.f. building with 9,812 s.f. of first floor commercial space and 28 apartments on the second and third floors and a 12,600 s.f. building with 11,400 s.f. of first floor commercial space and 24 apartment units on the second and third floors. Also, 28 townhome units in six buildings will be constructed in the rear of the site. This is on an approximate 34.5-acre parcel.

Mr. Williams stated that the Saratoga County DPW asked for assurance that the tree's canopy and root system for trees planted when matured along Brookline Rd will not affect the County ROW.

Mr. Williams stated No Significant County-wide or Intercommunity 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 commercial building, with drive-thru service, and including a convenience store and a 10-pump gas canopy.

The Saratoga County Planning Board requested modification to the site plan as concerns raised in the SCPB's November 27, 2023 response letter had not been fully addressed. The Board recognized the reduction of curb cuts, both on the State and County roads, as appropriate, but were not convinced that the driveway from Brookline Rd. leading into the site will function safely as there are a number of conflicting internal traffic movements presented once entering the site.

Due to existing traffic as well as the increase of visits generated due to the proposed redevelopment of the site and future traffic generation from future projects in the region, the SCPB requested further studies be performed and/or modifications be made to provide the optimum traffic circulation both internal and external to the site.

Mr. Williams noted that when a patron drives into the site from the Brookline Rd. entrance, the patron will choose to either turn right into the drive-thru service lane, proceed straight to utilize the provided parking spaces, or turn left in order to purchase gas. All three of these choice movements are immediately presented with several conflicting internal traffic patterns from others who have already entered the site. This is coupled with what appears to be only room for possibly two other vehicles entering the site at the same time until back up occurs in Brookline Road's travel lane. These potential conflicts raise the concern that the travel lanes on the area's road network will be negatively impacted from potential stacking occurring at the site's Brookline entrance.

Mr. Williams stated that it also appears that the location of the proposed gas canopy conflicts with traffic entering and exiting the site from the NYS Rt 50 driveway. It appears there is a "pinch point" in order to drive around the canopy especially for the patrons entering the site from NYS Rt 50 with the intent to park in front of the storefronts or utilize the drive-thru service.

Mr. Williams stated that the County DPW has expressed concern about permitting the construction entrance to be used off of CR-60 and suggests the construction entrance gain access from NYS Rt 50.

The SCPB has requested modification to the site plan. The modification(s) may include:

- Provide professional studies on the internal traffic patterns and potential conflicts and how they will either be avoided or mitigated to assure a safe internal traffic pattern that does not cause back up onto the road's travel lanes. This should also include an analysis on the turning movements of vehicles entering or exiting the site's driveways as mentioned in the October 4, 2023 Trip Generation Review by GTI Consulting.
- A reduction in the size and intensity of the proposed development. Look at reducing the building and gas canopy footprint which will decrease the required parking spaces and increase the area needed to travel within the site in a safe, orderly manner.
- Develop a different layout to the site by utilizing more of the available property in order to create less congestion and "pinch points" to the internal traffic pattern.

24-20JW Town of Halfmoon: Frank Warehouse - Area Variance

Located on Hudson River Rd/US Rte 4/NYS 32. Tax Map No(s): 280.-2-16.2.

Mr. Williams presented an application for a proposed 2,200 s.f. addition in the front of the existing 13,200 s.f. warehouse has created the need of a front yard setback area variance where 70 ft is required and 37.5 ft is proposed.

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

24-66JW Town of Ballston: Katz PUDD - Special Use Permit & Site Plan Review

Located on NYS Rt 50 (Ag. Dist. #2). Tax Map No(s): 239.-1-1.

Mr. Williams presented an application for the proposed PUDD consists of to creating 57-single family homes and 161-units of apartments, with supporting road and utility infrastructure and amenities, on a 89.11-acre parcel located off of NYS Rt 50.

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

24-67JK Town of Hadley: Town of Hadley - Zoning Law Text

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

Mr. Kemper presented an application for the purpose of this local law is to encourage sensible siting for solar generation facilities such that scenic viewsheds, overlays, and vistas are preserved and protected. This legislation will balance the potential impact on agriculture and neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar generation facilities without excess regulation.

Board members commented that if there are viewsheds or scenic vistas that warrant additional protection then those areas should be identified.

Mr. Kemper recommended approval.

24-68KL Town of Moreau: Music - Special Use Permit

Located on Mott Road (Ag. Dist #1, Town of Northumberland). Tax Map No(s): 91.-1-29.1.

Ms. Lambert presented an application for a proposal to establish up to 10 recreational vehicle/camping/cabin sites on a 43-acre parcel off of Mott Road. Ms. Lambert stated that the proposed living structures will each include a heating/cooling source, a kitchen, a fully functional bathroom, two main entrance/exits, and egress in the bedroom(s). Ms. Lambert stated that the NYS Department of Health definition of a camping cabin is “a hard sided tent or shelter less than 400 square feet in area which is on skids or otherwise to be readily moveable and which does not have cooking facilities, sinks, showers, laundry or toilet facilities.”

Ms. Lambert noted that this year, the duties originally under the New York State Department of Health are transitioning to the Saratoga County Department of Health. This would include the permitting of campground facilities.

The Saratoga County Planning Board requested additional information ensuring that the proposed potable water source and waste disposal systems will be permitted in regard to the type of structures being proposed for the project by the County Department of Health.

The SCPB requested information regarding whether tent usage and/or camping vehicles were allowed, ATV usage, patron length of stay, and if the camp will be year-round/seasonal.

The SCPB requested additional information as noted above.

24-69KL City of Mechanicville: *Polyset Company Inc.* - Special Use Permit & Site Plan Review

Located on South Central Ave/US Rte 4, South Railroad St & 1st Avenue. Tax Map No(s): 262.69-1-8.1 & 262.69-1-41.

Ms. Lambert presented an application for the company that utilizes 2 existing warehouse buildings within the City's General Commercial Zone. A special use permit is required to allow laboratory and material testing to be performed in one of the buildings. The site plan consists of extending water from 1st Avenue along South Railroad Street to allow the existing warehouse building to have a sprinkler system.

Ms. Lambert stated that traffic impacts for the future retrofitted building should be addressed with respect to South Railroad Street and NYS 32.

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

24-71JK Town of Clifton Park: *32 Wishing Well Apartment* - Special Use Permit & Site Plan Review

Located on Wishing Well Lane (Ag. Dist. #2). Tax Map No(s): 276.16-1-6.

Mr. Kemper presented an application for a proposed 750 s.f. addition on an existing home on a 0.47-acre parcel to be utilized as an in-law apartment.

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

24-72JK Town of Clifton Park: *Delmonico's Building Addition* - Site Plan Review

Located on Northside Dr & NYS 146. Tax Map No(s): 272.9-1-38.2.

Mr. Kemper presented an application for a proposed 925 s.f. restaurant building addition along with 25 new parking spaces and a small patio area on 1.86 acres.

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

24-73JK Town of Malta: *Northwood Water Company* - Special Use Permit & Site Plan Review

Located on Eastline Rd/CR 82 & NYS 67 (Town of Ballston & Zim Smith Trail). Tax Map No(s): 229.-1-35.

Mr. Kemper presented an application for a proposal to install a 15' x 20' pump house on the subject parcel and approximately 1,800 LF of new watermain by horizontal directional drilling along East Line Road from the Zim Smith Trail, north to the intersection with Brownell Road, where the current water distribution piping exists.

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

24-74JK Town of Malta: *KFC of Malta Renovation* - Project Plan Review

Located on Kendall Way (NYS Rte 67, US Rte 9). Tax Map No(s): 229.4-1-22.1.

Mr. Kemper presented an application for a proposal for a Form-Based Code project plan amendment to make exterior cosmetic renovations to their existing Kentucky Fried Chicken restaurant on Kendall Way.

Mr. Kemper stated that the applicant will need to contact Saratoga County Department of Planning and Economic Development to coordinate any Zim Smith Trail closures and restoration work prior to commencing construction.

Board members commented that if the water line extension occurs before the proposed construction on the intersection improvements, then the line should be placed deep enough, or the intersection avoided to prevent additional coordination during construction.

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

24-75KL Town of Halfmoon: King PDD - Site Plan Review

Located on Halfmoon Crossings (US Rte 9). Tax Map No(s): 272.-2-67.221.

Ms. Lambert presented an application for a proposed amendment to construct a second building (10,000 s.f.) for a child care facility and install a playground area in between the existing Town Fair Tire building (9,500 s.f.) and the new second building. The total square footage of both buildings would be 19,500 s.f. Access to the site from Halfmoon Crossing will be a shared two way access in between Trader Joe's specialty grocer to the east and a shared two way access to the west of Berkshire Bank. Halfmoon Crossing does have a middle turn lane.

The Saratoga County Planning Board had concerns about the traffic circulation, specifically the increased volume of vehicles at drop off and pick up times in relation to pedestrian access to the building and parking.

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

24-76KL Town of Halfmoon: Town of Halfmoon - Zoning Text Amendment

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

Ms. Lambert presented an application for To add "Public and private outdoor and indoor recreation, sports, athletic, gym and other similar uses" to the list of permitted uses in the C-1 Commercial, LI-C Light Industrial and W-1 Waterfront Mixed Use zoning districts of the Town.

Ms. Lambert recommended approval.

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

SUBDIVISIONS

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 SCPB tabled the proposed subdivision review as they requested modification to the site plan with regard to the special use permit and site plan review referral as noted above.

24-A-19JW Town of Ballston: *Katz PUDD* - Subdivision Review

Located on NYS Rt 50 (Ag. Dist. #2). Tax Map No(s): 239.-1-1.

Mr. Williams presented an application for a proposed subdivision of the 89.11-acre parcel to phase the apartment component of the development and to separate the single-family development for financing purposes of the project. Parcel 1 will be a 19.43-acre parcel with 10 apartment buildings. Parcel 2 will be a 23.69-acre parcel with six apartment buildings along with the clubhouse and pool. The remaining 45.99-acres will be further subdivided to provide 57 single-family lots with lot size ranges between 8,255 s.f. and 22,814 s.f. with supporting infrastructure and roadway.

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

24-A-20JW Town of Charlton: *Arnold* - Subdivision Review

Located on Sacandaga Rd (NYS 147 & Ag. Dist.#2). Tax Map No(s): 235.-1-11.12, 235.-1-8, 235.-1-11.11.

Mr. Williams presented an application for two lot line adjustments and a subdivision that are proposed for the existing 175.10-acres of land off of NYS Rt 147. The first lot line adjustment will create a 2.83-acre parcel from an existing 0.98-acre parcel with existing residential improvements. The second lot line adjustment will create a 74.29-acre parcel from an existing 2.03-acre parcel with existing residential and farm outbuilding improvements. The remaining 97.98 acres will remain in the family Trust but will be separated into a 32.15-acre parcel and a 65.83-acre parcel, thus creating one additional parcel.

Mr. Williams stated that the subdivision and lot line adjustments were proposed for estate planning purposes.

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

24-A-21JK Town of Clifton Park: *68 Droms Rd: Kohler Homes* - Subdivision Review

Located on Droms Rd (Grooms Rd/CR 91). Tax Map No(s): 276.-1-34.2.

Mr. Kemper presented an application for a proposed 24-lot conservation subdivision on 100.3+/- acres. 23 new building lots will be created on a proposed public road. The existing farm houses and barns will retain the remaining lands to be utilized as private deed restricted open space.

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

24-A-22KL Town of Halfmoon: *Lock One Marina* - Subdivision Review (LLA)

Located on Hudson River Rd/US Rte 4/NYS 32 (Hudson River). Tax Map No(s): 286.-1-4.111, 286.-1-4.112.

Ms. Lambert presented an application for a proposed lot line adjustment to convey 0.21-acres from 425 Hudson River Road to 461 Hudson River Road.

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

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

MOUS

24-70MOUJW City of Saratoga Springs: 137 Maple Ave High Peaks Canna - Site Plan Review

Located on Maple Ave. (NYS Rt 9/50). Tax Map No(s): 165.44-2-34.

A proposed cannabis dispensary to be operated out of an existing 1,980 s.f office building off of Maple Avenue. The proposed site has eight existing on-site parking spaces with an existing curb cut onto Maple Ave. Supplemental off-site employee parking and on-street parking provided. There are no proposed changes to the exterior of the existing site.

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 Site Plan Review was reviewed on 5/16/2024 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.

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

MOTION: A motion to adjourn was initiated by Ms. Murray, seconded by Mr. McPherson and unanimously approved. **CARRIED.**

The meeting was adjourned at 4:52 pm.

Respectfully Submitted,

Kimberly Lambert, Senior Planner