



# SARATOGA COUNTY PLANNING BOARD

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

JASON KEMPER, DIRECTOR  
518.884.4705 (P) 518.884.4780 (F)

## Meeting Minutes October 17, 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:**

**Staff:** Jason Kemper, Director; Kimberly Lambert, Senior Planner; Jeffrey Williams, Planner and Nisha Merchant, Economic Development Specialist/Planner.

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

**Approval of Minutes:**

**MOTION:** The minutes of the September 19, 2024, meeting were unanimously approved on a motion made by Mr. Murray and seconded by Mr. Dal Pos. **CARRIED.**

**Recusals:** 24-151 Donald McPherson

**Referrals**

**23-29KL Town of Moreau: *Pine Mobile Home Park - Site Plan Review***

Located on US Rt 9. Tax Map No(s): 63.3-1-22, -20.1, -21.1.

Ms. Lambert presented an application for a proposal to expand a pre-existing, nonconforming MHP of 7.81 acres by utilizing two neighboring parcels of 4.19 acres.

Ms. Lambert reminded the Saratoga County Planning Board that they had reviewed the site plan for the Pines Mobile Home Park in October 2023 and requested additional information of NYS DOT review of the private road configuration and verification of the number of new mobile homes to be added. The Town of Moreau Building, Planning and Development Coordinator Josh Westfall provided a narrative that verified the one-time 50% expansion of the current non-conforming use as 15 home sites.

The SCPB had also requested a review from NYS DOT about the proposed roadway configuration and its impact on this section of U.S. Route 9. Correspondence provided from the Town of Moreau ZBA

indicated that NYS DOT preferred “a new separate access off of Route 9 for this development area.” The updated private road configuration with direct access to U.S. Route 9 did provide a beneficial change to the site flow as long as NYS DOT is amenable to the new layout.

A NYS DOT work permit will be needed regarding the access improvements to U.S. Route 9.

Ms. Lambert 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 proposed demolition and redevelopment of an existing retail convenience store with gas into a 7,500 multi-tenant building. Mr. Williams explained that the applicant revised plans by removing the restaurant and drive-thru from consideration and exchanging with retail space. The applicant stated that there are no further plans for additional development of the approximately 5-acre parcel. The Saratoga County Planning Board commented on the removal of the once proposed drive through service and asked for assurance that if the drive through service was proposed again, the site would proceed with local and county site plan review.

The applicant has responded to SCDPW by shifting the Brookline Rd entrance approximately 41 feet further to the east of the initial proposed driveway location.

A NYSDOT work and curb cut permit and a SCDPW driveway permit will be required for the proposed improvements to NYS Rt 50 and Cr-60 respectively.

Mr. Williams recommended approval.

**24-88JW Town of Clifton Park: 17 Synergy Drive Warehouse (formerly 28 Synergy Dr. Warehouse) - Site Plan Review**

Located on Synergy Park Dr. (US Rt 9 & Town of Halfmoon). Tax Map No(s): 265.-5-11.

Mr. Williams presented an application for the proposed construction of a 50,000 s.f. warehouse/office building on a 5.67-acre portion of the 5.96-acre parcel in the Synergy Light Industrial Park and shared with the Town of Halfmoon.

It is understood that the off-site improvements related to approval for the Synergy Technology Park is in final stages of permitting with NYSDOT and construction is anticipated to start in the Spring of 2025.

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

**24-160JW Town of Halfmoon: 17 Synergy Drive Warehouse (formerly 28 Synergy Dr. Warehouse) - Site Plan Review**

Located on Synergy Park Drive (US Rt 9 & Town of Clifton Park). Tax Map No(s): 260.-3-53.

Mr. Williams presented an application for a 5.96-acre site that is bisected by the shared municipal line of the Towns of Clifton Park and Halfmoon, the Town of Halfmoon is showing loading dock improvements on their 0.29-acre portion of the site.

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

**24-124JW Town of Clifton Park: Riverview Rd Convenient Store & Liquor - Site Plan Review**

Located on Riverview Rd/CR-91 & NYS Rt 146 (CR-88). Tax Map No(s): 269.19-1-43.1.

Mr. Williams presented an application for a proposal to construct a 5,400 s.f. commercial building with a 2,950 s.f. convenience store and a 2,450 s.f. liquor store. The convenience store will have a four-pump gasoline under canopy and a single access to Riverview Rd. The Board expressed concerns over safety as it pertains to traffic flow at the site, to which Mr. Williams explained that a September 2024 traffic analysis found that there would be no significant impact on traffic operations along the adjacent roadway network and no traffic mitigation outside of the site driveway is required. The site driveway is depicted to have a full entrance lane and designated right and left exit lanes.

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

**24-147KL Town of Moreau: Rogge/ DMMH Corp Storage - Area Variance & Special Use Permit Review**

Located on US Rt 9. Tax Map No(s): 63.3-1-21.21.

Ms. Lambert presented an application for a proposal to construct an 18,000 s.f. mixed use building that includes rental spaces for commercial/retail use in the front and storage with large overhead doors for indoor storage of larger sized vehicles, items. The area variance is to allow self storage within 300 ft of US Rte 9. Next to proposed Pines Mobile Home Park.

Board members expressed concern about how the types of businesses would interact and be allowed to operate in the commercial/ retail rental spaces since none were listed in the plans but agreed that the Town ZBA and Planning Board would review those, and the Saratoga Planning Board will see this again for site plan review when the rental spaces have been filled. The SCPB wanted to ensure that these uses are compatible and there is sufficient parking and emergency access for all uses. The SCPB also raised concerns about the stormwater management at the site.

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

**24-148JW Town of Milton: Milton West Communication Facility - Special Use Permit & Site Plan Review**

Located on Rock City Rd/CR-49 & Geyser Rd/CR-43. Tax Map No(s): 189.-3-1.

Mr. Williams presented an application for a proposed 124 ft (120 ft and 4 ft lightning rod) monopole communication tower with 9 antennae on a fenced in 50 ft x 50 ft compound of a 48.04-acre parcel off of Geyser Rd.

Mr. Williams provided a variety of provided maps to the Board showing anticipated cell coverage of the proposed communication tower along with the proposed site plan as well as generated images of the visibility of the proposed tower from different locations surrounding the site.

Mr. Williams stated that a SCDPW driveway permit will be required in order to provide access via a gravel drive to CR-43.

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

**24-149NM Town of Clifton Park: *Route 9 Telecommunication Tower* - Special Use Permit and Site Plan Review**

Located on US Rt 9 (I-87). Tax Map No(s): 266.3-3-20.

Ms. Merchant presented an application for a proposed 124 ft (120 ft and 4 ft lightning rod) monopole communication tower on a 5.91-acre parcel on Meyer Rd.

Ms. Merchant displayed a variety of provided maps for the Board showing the coverage of the proposed communication tower and the viewshed for the tower as well as generated images of the visibility of the proposed tower from different locations surrounding the site.

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

**24-150NM Town of Corinth: *Hot Diggity Dog Dry Storage 5015 Rt 9N* - Use Variance Review**

Located on NYS Rt 9N. Tax Map No(s): 59.-2-52.

Ms. Merchant presented a proposal for a use variance to permit the existing unfinished metal structure to be used for a self-storage facility and construct an additional 45 ft x 100 ft single story self storage facility in the R-2 (Moderate Density Residential) zone.

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

**24-151KL City of Saratoga Springs: *Wesley Health Care Center/Woodlawn Oval PUD* - PUD Amendment Review**

Located on City-wide. Tax Map No(s): 165.35-2-2.

Ms. Lambert presented an application for a proposed zoning map amendment to remove/rezone a parcel 0.79-acre parcel near the corner of Clement Ave and Clinton Street from the Woodlawn Oval PUD to Urban Residential-1 District.

Ms. Lambert recommended approval.

**24-152KL Town of Wilton: *851 Route 9 (Zappone)* - Zoning Amendment (Map) Review**

Located on Route 9/Town wide. Tax Map No(s): 114.-2-74 & 114.-2-51.122.

Ms. Lambert presented an application for a proposed zoning map amendment to rezone a portion of two rear parcels from R-2 to RB-1 to reflect the zoning along US Rte 9 and to allow for a proposed self storage facility.

Ms. Lambert recommended approval.

**24-153KL Town of Wilton: *Zappone Self Storage* - Area Variance Review**

Located on US Rt 9. Tax Map No(s): 114.-2-74 & -51.122.

Ms. Lambert presented an application for the proposed construction of 134 self storage units which is in need of rear, side, and pavement setback requirements. The proposed rear setback is 35 ft, where 50 feet is required. The south side yard proposed setback is 29 ft, where 50 is required. The north side yard proposed setback is 35 ft, where 50 is required. The rear pavement proposed setback is 10 ft, where 50 ft is required.

The Saratoga County Planning Board did approve the rezoning referral of the two rear parcels at the October 2024 meeting. The rezone of the parcels by the Town Board (R-2 to RB-1) would allow for easier consolidation of these parcels and this project can then be reviewed in totality under the RB-1 zoning. Additional buffering may be needed.

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

**24-154NM Town of Clifton Park: *Spa City Volleyball Club LLC - Site Plan Review***

Located on Pierce Rd (I-87). Tax Map No(s): 259.-2-52.

Ms. Merchant presented an application for a proposed change of tenancy from warehouse to a recreational facility to allow a volleyball club to utilize the space. A parking waiver for 63 spaces is requested where 120 is required.

While the Saratoga County Planning Board members concurred that there were no county-wide or inter-community impacts, they questioned whether the proposed parking would be adequate for the recreational use, given that the Board was not provided with the proposed number of courts the volleyball club is looking to construct.

**24-155JW Town of Halfmoon: *Devoe Orchard Cell Tower - Site Plan Review***

Located on Plant Rd. (US Rt 9). Tax Map No(s): 278.-2-56.22 & -56.211.

Mr. Williams presented an application for the proposed construction of a 144 ft communication tower on a 0.81-acre parcel to be subdivided from a 38.11-acre parcel.

Mr. Williams displayed a provided map of coverage the proposed cell tower would generate as well as a simulated graphic of the visibility of the proposed tower from Rt 9.

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

**24-156KL Town of Halfmoon: *Dawson Sr. Center Berm - Site Plan Review***

Located on Pruyn Hill Rd/CR-1345, Farm to Market Rd/CR109, NYS Rte 146. Tax Map No(s): 267.-1-64.12.

Ms. Lambert presented an application for the proposed construction of a 6 ft high, 1,652.52ft long earthen berm with plantings to act as a buffer to the currently constructed townhomes on Pruyn Hill Rd.

Ms. Lambert reminded the Board that they had seen this item previously for both PDD and site plan as well as subdivision review in October of 2023 with a decision of no countywide or intercommunity impact and pointed out that any work performed in the County ROW must be permitted by Saratoga County DPW.

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

**24-157JW Town of Halfmoon: *Tabor Road Transfer Station Breakroom - Site Plan Review***

Located on Tabor Rd (Town of Clifton Park). Tax Map No(s): 260.-1-35.21.

Mr. Williams presented an application for the proposed addition of a 44 ft x 12 ft job trailer to be used for a breakroom on the 7.51-acre parcel with existing industrial improvements.

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

**24-158KL Town of Halfmoon: Cannabis Central - Special Use Permit & Site Plan Review**

Located on Crescent Vischer Ferry Rd/NYS Rt 819/ 911P. Tax Map No(s): 284.-4-2.

Ms. Lambert presented an application for a proposed 137 s.f. addition of a drive through window and the addition of a drive through lane on an existing commercial building on a 1.36-acre parcel.

In reviewing the site plan submitted, the Board found it difficult to determine the location indicated for secured waste disposal/dumpster. The Board concluded that Town of Halfmoon Planning Board may want to review the lighting plan to ensure sufficient illumination as there is a change in the intensity of the use.

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

**24-159NM Town of Halfmoon: Chelsea Place - Site Plan Review**

Located on Chelsea Place (Town of Clifton Park). Tax Map No(s): 272.1-1-4.3.

Ms. Merchant presented an application for a proposed 10,000 s.f. flex-building with mixed commercial uses on a 1.4-acre parcel. Twenty-one parking spaces provided with access to the local road to Chelsea Place.

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

**24-161NM Town of Malta: MED Home Services - Area Variance Review**

Located on US Rt 9. Tax Map No(s): 204.4-1-40.

Ms. Merchant presented an application for a proposed deck on the existing commercial building creates a need for a front setback area variance as the proposed deck is 43.5' and 50' is required. 6.5' relief is requested.

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

**MOTION:** A motion to approve Planning Department recommendations for planning referrals as presented was made by Ms. Wood, seconded by Mr. Murray 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 proposed 4.58-acre parcel and existing residential dwelling on a 1.65-acre parcel.

Mr. Williams recommended approval.

**24-A-49KL City of Saratoga Springs: 25 New Street - Subdivision Review**

Located on New Street (NYS Rt 50). Tax Map No(s): 178.-4-25.

Ms. Lambert presented an application for a proposed redevelopment of a 5.18-acre lot into a subdivision with 18 residential lots (36 units), one open space lot and a maintenance garage parcel. Each lot will be serviced by a proposed dedicated city road. A parcel also owned by the applicant will provide an open space buffer.

The Saratoga County Planning Board questioned the proposed city road that provides a single access from New Street to the proposed residential development. The Board's concern was focused on emergency access to the proposed 36 units of housing and whether a secondary means of access will be provided at the terminal end of the proposed city road.

The Board also questioned the adequacy of the proposed road regarding other services to be provided such as household waste removal and/or snow removal with possible conflicts with the provided on-street parking. The Board requests a review and comment to take place with local emergency services regarding the proposed development along with illustration of firetruck access and turning movements within the development to show that accessibility of emergency vehicles will not be an issue. The Subdivision Plan illustrated an existing 20 ft wide ingress egress easement. The Board was unsure if additional access would be allowed for emergencies at the north end of the property through this easement.

The Board also voiced confusion over inconsistencies in the acreage stated in various sections of the application. The preliminary application submitted with the Saratoga County referral form indicated 5.18 acres, while the Environmental Assessment form and the project narrative describes 6.50 acres. The narrative described the 0.77-acre parcel to be used as a buffer.

Ms. Lambert Requested Additional Information

**24-A-51JW Town of Halfmoon: Devoe Orchard Cell Tower - Subdivision Review**

Located on Plant Rd. (US Rt 9). Tax Map No(s): 278.-2-56.22 & -56.211.

Mr. Williams presented an application for the proposed subdivision of a 38.11-acre parcel to create 2 lots with lot 1 as a 37.3-acre parcel and lot 2 as a 0.81-acre parcel for a proposed cell tower use.

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 Ms. Wood and unanimously approved.  
**CARRIED.**

**MOUS**

**24-133MOUJW Village of Ballston Spa: Boyea Carriage House - Use and Area Variance Review**

Located on East High Street. Tax Map No(s): 216.40-1-17.

The applicant proposes to re-construct a detached carriage house and replace it with a 1-unit dwelling structure using the same footprint as the original on a 0.15-acre lot with an existing 3-unit multifamily

home. The use variance is for the proposed reconstructed 1-unit dwelling to be considered a second residential building on the parcel where only one residential structure is permitted per lot. The area variance is for a sideyard setback of 0.3ft where 15 ft is the minimum allowed and for a rear yard setback of 1.7 ft where 25 ft is the minimum required. The existing parcel is ~6,534 s.f (0.15-ac) with three existing apartment units in the main house and one additional apartment unit being proposed. Village code calls for 2,500 s.f. of lot area for each additional dwelling unit or a total of 7,500 s.f. Per the Village's Code Enforcement Officer, the site is also not compliant with the required maximum of 30% building coverage. The site provides five parking spaces where two spaces per dwelling unit is required or a total of 8 parking spaces.

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 Use and Area Variance Review was reviewed on 9/18/2024 by Mr. Williams with concurrence from Devin Dal Pos & Ian Murray that the action posed No Significant County-wide or Intercommunity Impact.

**24-146MOUJW Town of Moreau: *Daigle* - Special Use Permit Review**

Located on Selfridge Rd (County Forest Land). Tax Map No(s): 77.-1-8.

A proposed in-home-occupation to operate a welding shop from an accessory structure in the rear of a residential home off of Selfridge Rd. The property is within 500 feet of two county owned forested lands as the jurisdictional determinant of the GML-239m county referral review.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Moreau Zoning Board of Appeals, the referral for Special Use Permit Review was reviewed on 9/24/2024 by Mr. Williams with concurrence from Ian Murray & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

**24-A-47MOUJW Town of Galway: *Jabot Subdivision* - Subdivision Review**

Located on Sacandaga Rd./NYS Rt 147. Tax Map No(s): 186.-1-21.12.

A proposed two lot subdivision involving the creation of a 4.00-acre parcel from an existing 96.70-acre parcel fronting on NYS Rt 147.

Comment: A NYSDOT work and curb cut permit will be required in order to provide access off of NYS Rt 147.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Galway Planning Board, the referral for Subdivision Review was reviewed on 9/24/2024 by Mr. Williams with concurrence from Ian Murray & Devin Dal Pos that the action posed No Significant County-wide or Intercommunity Impact.

**24-A-48MOUJW Town of Halfmoon: *Hanks Hollow & Fairway Meadows connection* - Subdivision Review (amendment)**

Located on Timothy's Way and Seashore Way (Zim Smith Trail). Tax Map No(s): multiple.

A proposed new road connection between Fairway Meadows residential subdivision and Hanks Hollow residential subdivision. The road connection will result in several minor lot line adjustments in the Fairway Meadows subdivision and a net loss of two residential lots in the Hanks Hollow subdivision. Additional grading and utility connections and an expanded storm water management area will accommodate the interconnection between the residential developments.

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 (amendment) was



reviewed on 10/2/2024 by Mr. Williams with concurrence from Devin Dal Pos & Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

**24-A-50MOUJW City of Saratoga Springs: 125 High Rock The Mill - Subdivision Review**

Located on High Rock Ave. (NYS Rt 50). Tax Map No(s): 166.37-1-49.

A proposed 3-lot subdivision to separate two existing commercial buildings from a third building with two commercial uses and then further subdividing to separate the two commercial uses by creating a boundary line that traverses along the party wall of that building. The subdivision consists of creating a 1.281-acre parcel with a portion of the building with a church use, a 0.777-acre parcel with a portion of the building with a gym use, and a 1.773-acre parcel with two other commercial buildings. The site will establish appropriate easements for access, parking and utilities and there are no physical changes proposed to the site at this time.

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 Subdivision Review was reviewed on 10/10/2024 by Mr. Williams with concurrence from Devin Del Pos & Connie Wood 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 4:50 pm.

Respectfully Submitted,  
Caroline Acevedo, Confidential Secretary