SARATOGA COUNTY PLANNING BOARD
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Saratoga County Planning Board
Meeting Minutes
May 21, 2026

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, Mark Hammond, 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, Tiedre Horan, Confidential Secretary

Guests: Gary Meier, Saratoga County DPW; Steve Wilson, Bohler Engineering; Wendy Holsberger, Lansing Engineering; Andy Brick, Brick Law Firm; Matt Jones, Jones, Steves, & Grassi; Bruce Steves, Jones, Steves &, Grassi; Mark Nadolny, Creighton Manning; Kyle Cherry, Regeneron; Linda Mandel Clemente, Mandel Clemente PC; Jude Clemente, Bonded Concrete; Jason Thomas, Whiteman, Osterman & Hanna; Melanie Snyder

Approval of Minutes:
MOTION: The minutes of the April 16, 2026, meeting were unanimously approved on a motion made by Mark Hammond and seconded by Ian Murray. **CARRIED.**

Recusals: Don McPherson 26-59

Referrals

26-39JK Town of Malta: *Town of Malta* - Moratorium Extension
Located Town-wide. Tax Map No(s): N/A.

Mr. Kemper presented an application for a proposal to extend the town-wide moratorium on certain land use policies to July 6, 2026. The original moratorium was enacted in May of 2025.

The Board recognizes the importance of the moratorium and recommends setting specific benchmarks. The Board also recommends proper budgeting for the moratorium and subsequent code changes if required. This will help ensure that the moratorium is accomplished efficiently within a declared timeframe.

Mr. Kemper recommended approval.

26-59JK City of Saratoga Springs: *Regeneron Master Plan* - Site Plan Review

Located on Duplainville Rd./CR-46 & Adams Rd. Tax Map No(s): 177.-1-66.

Mr. Kemper presented an application for a sketch site plan review for site improvements to redevelop the vacant Quad Graphics facility for use as a Regeneron pharmaceutical manufacturing facility in the Industrial - General district.

The Saratoga County Planning Board reviewed the additional information provided regarding the above-mentioned application. This included but was not limited to correspondence from the City of Saratoga Springs TDE evaluating the applicant's traffic analysis, review of City of Saratoga Springs review meetings, and consultation with NYSDOT. After reviewing these materials, the SCPB voted to approve the project with comment.

The SCPB commented that this approval was for the master plan of the project and that during review for future approvals, traffic and pedestrian impacts will need to be re-evaluated as the site moves towards becoming fully operational. In addition, the Board commented that adequate off-site signage on Cady Hill Blvd (CR 44) must be provided to direct truck traffic to the facility.

MOTION: A motion to approve with comment Referral #26-59 was made by Ms. Wood and seconded by Mr. Murray and approved 6-0. Mr. McPherson recused. **CARRIED.**

26-66JK Town of Clifton Park: *Crescent Rd. QuickChek* - Site Plan Review

Located on Crescent Rd./CR-92. Tax Map No(s): 284.-1-9.1.

Mr. Kemper presented an application for a proposed redevelopment of the site to construct a 5,852 s.f. QuickChek convenient store with 6-canopy gas pumps and a separate 1,850 s.f. Dunkin Donuts shop with drive-through.

Ms. Holsberger, a representative for the applicant, made a brief presentation on traffic flow of the site.

Mr. Kemper stated that Saratoga County DPW was reviewing applicants' traffic comments.

The SCPB rendered no decision pending Saratoga County DPW comments.

26-81JK Town of Clifton Park: *Town of Clifton Park* - Moratorium

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

Mr. Kemper presented an application for a proposed 6-month moratorium on Batch Concrete Mixing Facilities to address concerns not limited to zoning, environmental impacts, public safety and economic implications.

The SCPB Board reviewed the materials provided as part of the moratorium and was concerned that the focus and timing of the proposed moratorium could be viewed as targeting a specific applicant. The SCPB requested a summary from staff on the comments and number of times the proposed concrete batch plant was reviewed prior to the proposed moratorium. In addition, Board members commented that based on materials provided during the area variance request and the site plan approval process the proposed use was an allowed use in the zone. SCPB members voiced concern that the proposed moratorium could be construed as an effort to delay or obstruct the project, despite the extensive municipal and county review that has already occurred on the project.

The Saratoga County Planning Board determined there is an inter-community impact as the proposed moratorium covers a pending project that crosses municipal boundaries. In addition, the Board believes that if the proposed moratorium is approved the issues identified place the County and Town in a precarious position as the moratorium may be challenged as unlawful, improper, or unfairly directed at a particular project.

MOTION: A motion to disapprove Referral #26-81 was made by Mr. Murray and seconded by Mr. Dal Pos and unanimously approved. **CARRIED.**

26-86JK Town of Halfmoon: *Town of Halfmoon - Moratorium on Concrete, Cement, Asphalt Plants & Pesticide Manufacturing* - Moratorium

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

Mr. Kemper presented an application for a proposed 6-month moratorium on acceptance of any applications for development of concrete, cement, asphalt and pesticide manufacturing.

The SCPB Board reviewed the materials provided as part of the moratorium. Board members commented that a proposed project located adjacent to the municipal boundary in Clifton Park has appeared before the County Planning Board and Town of Clifton Park Zoning Board of Appeals and Planning Board on numerous occasions.

The Board members further stated that a portion of the proposed project (entrance driveway) may require approval from the Town of Halfmoon Planning Board.

Staff members commented that the proposed moratorium in Halfmoon covered additional uses including asphalt and pesticide manufacturing. Despite the moratorium language including additional uses, the Board remained concerned that the focus and timing of the proposed moratorium could be viewed as targeting a specific applicant.

The Saratoga County Planning Board determined there is an inter-community impact as the proposed moratorium covers a pending project that crosses municipal boundaries. In addition, Board members commented that the proposed moratorium could potentially place the County and Town in a precarious position as the moratorium could be challenged as unlawful, improper, or unfairly directed at a particular project.

MOTION: A motion to disapprove Referral #26-86 was made by Mr. McPherson and seconded by Mr. Dal Pos and unanimously approved. **CARRIED.**

26-82KL Town of Wilton: *Mavis Discount Tire* - Area Variance (Sign)

Located on Lowes Dr. (NYS Rt 50). Tax Map No(s): 153.-3-124.1.

Ms. Lambert presented an application for a proposed second wall sign on the proposed Mavis Tire business where only one wall sign is allowed. All other local sign provisions are met.

While not a significant County-wide or Intercommunity Impact, there have been a consistent number of sign variance requests in the Exit 15 corridor. The Town may want to consider revisiting the sign code.

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

26-83KL City of Saratoga Springs: *UDO Text Amendment* - Zoning Amendment/Text

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

Ms. Lambert presented an application for proposed amendments to Articles 4, 13, 19 and 21 of the City-wide Unified Development Ordinance.

While no significant County-wide or Inter-Community Impact, the Saratoga County Planning Board discussed concerns regarding the appeals process through the Zoning Board of Appeals (ZBA) for decisions issued by the Design Review Board. The Board questioned whether the methodology, scope, and procedural framework of the ZBA's review could constitute an action subject to referral requirements under New York General Municipal Law (GML) §239-m. The Board noted that, depending on how the appeal authority is structured and applied, the process may trigger county-level review, and further evaluation may be warranted to clarify the applicability of those requirements.

SCPB commented that the City Council may consider getting an advisory opinion from the Zoning Board of Appeals on the UDO Amendments, as that Board will be directly impacted by the proposed amendments. As many changes were presented, the SCPB commented that when the UDO final draft is created, the amendments may have to be re-submitted for County referral review to determine if those changes have a significant County-wide or Inter-Community Impact.

Ms. Lambert recommended approval with comments.

26-84NM Village of Ballston Spa: *31-33 Malta Ave.* - Use Variance

Located on Malta Ave. (NYS Rt 50). Tax Map No(s): 216.32-2-7.

Ms. Merchant presented an application for a proposed use variance to allow a pre-existing, non-conforming 4-unit apartment building to continue as such since the use has been reverted to single-family dwelling use per Village Code in the R-1 zoning district due to the building being vacant for more than one year.

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

26-85JW Town of Waterford: *BESS moratorium* - Moratorium

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

Mr. Williams presented an application for a proposed 6-month moratorium on new battery energy storage facilities to allow the Town to study potential safety risks with the possibility of amending the town's zoning codes to address any identified negative impact from these facilities.

Mr. Williams recommended approval.

26-87NM Town of Halfmoon: *Riebel* - Area Variance

Located on US Rt 9 and Lansing Lane. Tax Map No(s): 285.1-1-3.

Ms. Merchant presented an application for a proposed subdivision of a 0.68-acre parcel for an existing and proposed residential use in the Town's C-1 zone has created the need for area variances for minimum lot size for Proposed Lots 1 & 2, Front setbacks for Proposed Lot 1 which are pre-existing non-conforming, minimum lot width for Proposed Lot 1 and Rear and Side Yard setbacks for Proposed Lot 2 (between C-1 and residential zoning districts).
Ms. Merchant stated No Significant County-wide or Intercommunity Impact.

26-88NM Town of Halfmoon: *Precision Valve Campus II* - Site Plan Review

Located on Corporate Drive (US Rt 9). Tax Map No(s): 278.-2-88.

Ms. Merchant presented an application for a proposed 8,750 s.f. addition on the existing 76,200 s.f. building to expand the business' operations of producing automated equipment for various applications for wide range of industries. The proposed project will result in the reduction of 38 parking spaces and relocation of the gas main and meter.

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

26-89NM Town of Halfmoon: *Haney's Garage* - Site Plan Review

Located on NYS Rt 146. Tax Map No(s): 267.16-1-4, 267.16-1-7, 267.16-1-8

Ms. Merchant presented an application for a proposal to amend the site plan for Haney's garage by adding a border fence and a fenced compound to secure vehicles being attended to for insurance claims.

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

26-90NM Town of Halfmoon: *Zeltins* - Special Use Permit

Located on Hudson River Rd/US Rt 4 & NYS Rt 32 (Champlain Canal and Hudson R.). Tax Map No(s): 286.-1-1.22.

Ms. Merchant presented an application for a proposed retrofit of an existing single-family structure into a duplex structure with one residential unit each on the first and second floor is required to undergo a special use permit review. The property was previously used as a single-family with dog grooming and kennel area. The proposed renovations will be interior only and no expansion of the footprint is proposed.

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

26-91NM Town of Halfmoon: *Fay's Bakery* - Site Plan Review

Located on NYS Rt 236 (CR-94 and US Rt. 9). Tax Map No(s): 278.4-2-14.

Ms. Merchant presented an application for a proposed wholesale bakery to be established in the basement of an existing residential structure while maintaining the residence on the first floor.

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

26-92JW Town of Waterford: *NH Kellman Recycling* - Site Plan Review
Located on Hudson River Rd/US Rt 4 & NYS Rt 32. Tax Map No(s): 286.-1-51.

Mr. Williams presented an application for a proposed minor renovation to the south side of the existing warehouse building to place two 9 ft x 9 ft and one 16 ft x 16 ft loading dock doors with ramps and one retaining wall for the recycling business.

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

26-93JW Town of Clifton Park: *Goldfish Swim School* - Area Variance (Sign) Review
Located on NYS Rt 146. Tax Map No(s): 270.-2-55.1.

Mr. Williams presented an application for an area variance for a sign. As per Town Code, the 8,100 s.f. building for the swim school is allowed a total of 40.5 s.f. of wall signage. The swim school has an existing 39.5 s.f. wall sign and is proposing a 14 s.f. second wall sign. The area variance relief will seek 13 s.f. of wall signage.

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

26-95KL City of Saratoga Springs: *69 Outlook Ave.* - Area Variance
Located on Outlook Ave. (NYS Rt 9N). Tax Map No(s): 165.10-1-18.

Ms. Lambert presented an application for an area variance that is requested due to a proposed 3-lot subdivision. The applicant is seeking relief for lot width where 60 ft is required and the minimum provided is 55 ft.

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

26-96JW Town of Northumberland: *Whitbeck Construction* - Special Use Permit and Site Plan Review
Located on NYS Rt 50. Tax Map No(s): 116.-1-45.1.

Mr. Williams presented an application for a proposal to utilize an existing structure on a 1.11-acre site as office space for administrative staff and use a detached garage for storage of tools and dry construction materials.

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

26-97JW Town of Northumberland: *Groundhog Lawn Care* - Special Use Permit and Site Plan Review
Located on NYS Rt 50. Tax Map No(s): 116.-2-82.

Mr. Williams presented an application for a proposed lawn care business wishes to utilize and existing 3.08-acre site with existing buildings for its office and storage of dry materials.

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

26-98KL Town of Wilton: *BESS moratorium* - Moratorium
Located on Town-wide. Tax Map No(s): N/A.

Ms. Lambert presented an application for a proposed twelve-month moratorium on the siting, constructing, and installation of Battery Energy Storage Systems in the Town of Wilton.

SCPB recommended setting specific benchmarks with regard to budgeting and subsequent code changes.

Ms. Lambert recommended approval.

26-99KL Town of Wilton: *Town of Wilton* - Zoning Amendment/Text

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

Ms. Lambert presented an application for a proposed amendment to Section 129-169 of the Town's zoning laws that address Temporary Merchant Certificates.

Ms. Lambert recommended approval.

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

SUBDIVISIONS

26-A-25JW Town of Stillwater: *Herkert* - Subdivision Review

Located on Mechanicville Stillwater Center Rd./CR-75 & McDermott Rd. (Ag. Dist. #1). Tax Map No(s): 242.-1-36.

Mr. Williams presented an application for a proposed two-lot subdivision to create a 3.26-acre parcel for a single-family use from an existing 6.99-acre parcel. The result will leave a 3.73-acre lot with existing residential improvements.

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

26-A-26JK Town of Edinburg: *Sacandaga Pines* - Subdivision Review

Located on North Shore Rd./CR-4. Tax Map No(s): 68.17-2-62.1.

Mr. Kemper presented an application for a proposed 2-lot subdivision to separate a permanent residential use on a 0.797-acre parcel and six seasonal camps on a 2.94-acre parcel. Mr. Kemper stated that no proposed improvements to either lot are proposed at this time. Comments from the SC DOH were also submitted.

The County Planning Board discussed the project and noted that the proposed subdivision contains several residential structures that will be located on one lot. Board members further noted that it appears to be a pre-existing non-conforming condition, but the local Board should clarify this during the review of the project.

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

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

MOUS

26-100MOUJW Town of Saratoga: *Daigle* - Area Variance

Located on Duell Rd. & Wilbur Rd. (Town of Stillwater). Tax Map No(s): 208.-1-45.
A proposed construction of an attached garage with in-law apartment to an existing single-family home has created the need for several area variances. The required lot area for an in-law apartment is required to be 160,000 s.f. where 60,548.4 s.f. is provided. The total of both side yard requirements is to be 150 ft. where 125 ft. is provided and the minimum lot width and frontage is to be 200 ft where 98 ft. is provided.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Saratoga Zoning Board of Appeals, the referral for n Area Variance was reviewed on 5/15/26 by Mr. Williams with concurrence from 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

The meeting was adjourned at 5:25.

Respectfully Submitted,
Tiedre Horan