



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, SEPTEMBER 5, 2019

6:00 P.M.

RECREATION CENTER

**CALL TO ORDER:** Jamin Totino, Vice Chairman called the meeting to order at 6:00 P.M.

**SALUTE TO THE FLAG:**

**PRESENT:** Jamin Totino, Vice Chairman, Todd Fabozzi; Ruth Horton, Sara Boivin, Lexie Bonitatibus

**LATE ARRIVAL:** Amy Ryan, Alternate arrived at 6:05 P.M.

**ABSENT:** Mark Torpey, Chairman; Bob Bristol

**STAFF:** Susan Barden, Principal Planner, City of Saratoga Springs  
Leah Everhart, Counsel to the Land Use Boards

**ANNOUNCEMENT OF RECORDING OF PROCEEDING:**

The proceedings of this meeting are being recorded for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript of the recording.

**A. APPROVAL OF MEETING MINUTES:**

Approval of meeting minutes was deferred to the next Planning Board Meeting scheduled for September 19, 2019.

**B. POSSIBLE CONSENT AGENDA ITEMS:**

**NOTE:** The intent of a consent agenda is to identify any application that appear to be “approvable” without need for further evaluation or discussion. If anyone wished to further discuss any proposed consent agenda item, then that item would be pulled from the “consent agenda” and dealt with individually.

1. **20190428/18.034 JEFFERSON STREET SUBDIVISION.** 41-45 Jefferson Street, extension of subdivision approval of a four-lot residential subdivision in the Urban Residential-2 District.

Jamin Totino, Vice Chairman stated this is a request for a 90 extension of their approval from the current expiration date of August 15, 2019. The new expiration date is November 15, 2019.

Susan Barden, Principal Planner, City of Saratoga Springs stated the request for the extension is to provide the finalization of the land transfer with the City of Saratoga Springs.

Todd Fabozzi made a motion in the matter of the application of the Jefferson Street Subdivision Extension, 41-45 Jefferson Street that the application be approved as submitted. Sara Boivin seconded the motion.

Jamin Totino, Vice Chairman asked if there was any further discussion. None heard.

**VOTE:**

Jamin Totino, Vice Chairman, in favor; Lexie Bonitatibus, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

**MOTION PASSES: 5-0**

**NOTE:**

Amy Ryan, Alternate arrived at 6:05 P.M. and joined the Board.

**C. APPLICATIONS UNDER CONSIDERATION**

- 2. 20190815 THE GROVE AT NEUMANN**, 233 Lake Avenue, Site Plan modification to add nine dwelling units to the existing complex in the Urban Residential-1 District.

Jamin Totino, Vice Chairman stated the applicant is before the Board this evening for a site plan modification to add 9 dwelling units. This has been before the DRC for architectural review on June 19, 2019.

**SEQRA:**

Action appears to be a Type II action.

Applicant: The Grove at Neumann, LLC

Agent: Libby Coreno, Attorney; Jim Chandler, Bonacio Construction

Ms. Coreno provided a summary for the Board regarding their appearance this evening. In 2014 the project was approved for 92 units. At that time a SEQRA Review was fully completed with a Negative Declaration issued based upon the 92 unit site plan and the required parking. In 2018 a use variance was granted by the ZBA involving the age limitation only with respect to the use. One of the things the use variance changed was with respect to parking. The parking requirement for +55 housing is different from standard residential housing. A use variance implementation modification was granted in 2018. The original site plan called for 142 spaces all of which have been constructed. With the parking requirement changed the required parking would be 136. We still have 6 spaces more than required. If your parking demand changes you must appear before the Planning Board for their approval. The environmental review has been completed, the project has been approved and the parking has been constructed. This is a paper modification only.

**PUBLIC COMMENT:**

Jamin Totino, Vice Chairman noted the Board is in receipt of two letters:

- Correspondence from Peter Winkler, received August 29, 2019.
- Email from John Hamilton, dated September 4, 2019.

Jamin Totino, Vice Chairman asked if anyone in the audience wished to comment on this application.

**Peter Winkler**, resident of the Grove. He spoke about the noise, air quality and asbestos. He voiced concern regarding the construction to take place 6 days per week for over 6 months. He noted the proximity of the school and playground.

**Ann Needham**, 233 Lake Avenue. She voiced concerns regarding the addition to the Grove stating it is out of character for the building and will ruin the symmetry of the building.

**Terry DeGrule** lives directly behind the Grove. She voiced concerns regarding this new addition. Originally this project was presented for 55+ and older and that was appealed and changed. Now the addition to the building will add more people and will have more of an impact on the neighbors. More noise, more dogs and this directly impacts our property values. Can more apartments be built at this location. She provided an audio of the noise in her home during the original construction. We are most affected by this construction.

Jamin Totino, Vice Chairman stated they would not be allowed to build more apartments without returning before the Boards.

Susan Barden, Principal Planner, City of Saratoga Springs provided some background concerning the Zoning Amendments which established and approved this project for 91 units. This does leave several more units which could be potentially built out to the maximum of 92 units.

Todd Fabozzi questioned if there are any environmental impacts associated with this project now that it is occupied. Can the environmental review be re-opened.

Leah Everhart, Counsel to the Land Use Boards noted the SEQRA Review was completed and a Negative Declaration was issued. The applicant is looking to modify what was already approved. The Boards first concern with SEQRA is will the additional 9 units be likely to change or create new impacts that were not previously reviewed, considered or analyzed.

Libby Coreno stated she has a determination from Patrick Cogan, Zoning Officer/Building Inspector in writing about what the change is and what the review is. The 92 units were considered both under SEQRA and the Original Site Plan. There is no site modification whatsoever. What was stated was his interpretation that consistent with past precedent we have to be looking at the parking demand and those numbers are 136 for which there are 142 spaces. These impacts were analyzed both under the City Council's density review for the Comprehensive Plan, the Site Plan Review that was done in 2014, the 2018 Use Variance analysis as well as the DRC approval in 2019. Based on the Code Enforcement Officer and our plans that were submitted we are not adding to the site plan or the density. If we were changing the site in any manner, that would be review before the Board. With any further construction on the site the applicant would be required to return before the Board. If there are post approval considerations, such as the way the asbestos remediation works with the Department of Labor, questions or concerns about the roofing, construction noise, etc., those are things that we remain ready, willing and able to address and discuss.

Discussion ensued among the Board regarding the project and the question of the phasing of the project.

Leah Everhart, Counsel to the Land Use Board spoke regarding the SEQRA review and if the entire project was considered under the initial scope of the SEQRA Review than that is done.

Amy Ryan, Alternate stated there are two conditions she would like to propose. The resident's concerns relating to the asbestos removal as well as neighbors, along with the construction noise and monitoring. Amy Ryan spoke regarding rules and regulations for removal of asbestos for the benefit of the neighbors for their information. A liaison that the neighbors can contact with concerns.

**Ellen Schmansker**, one of the first tenants at the Grove and she loves it. She is concerned for changes occurring without notification.

**Marla Molito**, 6 Excelsior Springs. She voiced concern regarding the neighborhood.

Discussion ensued among the Board regarding reduction of the noise impacts and how that can be mitigated.

Leah Everhart, Counsel to the Land Use Boards reiterated that the SEQRA Review included all 92 units. The scope of the action was the entire build out.

Libby Coreno, Attorney stated there is no shovel in the ground. This is an all interior change. The project manager and the applicant can sit with the Building Inspector and work out a construction plan. SEQRA Review is looking at the environmental impacts and these have been addressed for this project for this site. This is simply an interior construction issue, the footprint will not change. Water and sewer information will be provided to the Board. We are committed to working with the construction team, the residents and the city for a successful project.

- 3. 20190770 ALLENDALE SUPPORTIVE HOUSING SPECIAL USE PERMIT**  
**20190771 ALLENDALE SUPPORTIVE HOUSING SITE PLAN**, 40 AND 42 Allen Drive, Coordination of SEQRA Review for a special use permit and site plan review for supportive housing apartments and workforce training center in the Urban Residential-4 and Transect-4 Districts.

Jamin Totino, Vice Chairman stated the applicant is before the Board for site plan review for supportive housing apartments and workforce training center in the Urban Residential-4 and Transect-4 Districts as well as Coordination of SEQRA Review. The applicant will be required to appear before the ZBA for one additional unit since the maximum dwelling units in the UR-4 is 55 units on the 3.79 parcel and the applicant is proposing 56 units.

**SEQRA:**

The action appears to be Unlisted. Involved agencies identified ESSHI and HCR, DRC and ZBA would also be involved agencies. The applicant has submitted a short EAF.

Applicant: KCG Development, LLC

Agent: Bill Teeter, NuVentures, LLC; Brian Sleevehart, Carmina Woods and Morris Architecture

Allendale is a supportive housing solution which fits in with the City and HUD to provide affordable housing. The properties which currently exist on the site are one story dwellings on the east and west side of Allen Drive. The existing structures are beyond rehabilitation, and our plan is to demolish and rebuild. We will use the existing infrastructure which exists on the site. We are sustaining, revitalizing and improving the quality of 38 existing dwelling units and families dwellings and adding approximately 30 additional for a total of 68 units. On the T-4 portion of the site we will be adding a mixed use component which is a complement to one of our partners the Veteran Community Housing Coalition who will be our property managers and help us to plan for the relocation of our existing residents. They will also operate a training center on this site by operating a thrift store. Also we are proposing a park type element in the green space, with more than ample parking in this area. These uses conform to the planning element in these areas. A traffic study was completed by MJ Engineering for this area. We are only adding 30 units to what is currently there.

Mr. Sleevehart stated they are in the process currently of actually designing the building. They are two stories in height and we will be before the DRC with that review.

Discussion ensued among the Board with regard to the look of the project, its connectivity to the neighborhoods and how they all work together along with traffic circulation with other projects in this area. Also, being able to view the project in conjunction with the others projects in the area would be helpful.

Mr. Sleevehart provided information concerning the landscaping plan and green space, as well as the installation of sidewalks. This will all be provided and reviewed during site plan review.

Amy Ryan, Alternate spoke regarding green building practices in the construction of this project.

Mr. Teeter stated all current residents will be relocated during reconstruction. They will also be welcomed back. Construction should be approximately 18 months.

**PUBLIC COMMENT:**

**Carolyn Landsbury**, 31 Jadpur. She voiced concern regarding the traffic. There are no sidewalks in this area and we have a lot of pedestrian traffic.

Ruth Horton made a motion in the matter of the Allendale Supportive Housing Project at 40-42 Allen Drive that the Planning Board Initiate Coordinated SEQRA Review and Request Lead Agency Status. Todd Fabozzi seconded the motion.

**VOTE:**

Jamin Totino, Vice Chairman, in favor; Lexie Bonitatibus, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Amy Ryan, Alternate, in favor

**MOTION PASSES: 6-0**

4. **16.018 REGATTA VIEW AREA B PHASE III SUBDIVISION**, Union Avenue/Dyer Switch Road/Regatta View Drive, Coordination of SEQRA Review for subdivision review for 24 unit residential development within the Regatta View Planned Unit District.

Jamin Totino, Vice Chairman stated we have been through several iterations of this project. Tonight the applicant is before the Board for Coordination of SEQRA Review.

**SEQRA:**

Negative SEQRA Declaration was issued on April 4, 2019. This was identified as an Unlisted Action. Subdivision is a Type I action and requires a long form EAF as well as coordinated SEQRA Review. Determination of Lead Agency Status. Long EAF was submitted from the applicant.

Applicant: Belmonte Builders

Agent: Matthew J. Jones, Attorney, Jones, Stieves; Travis Mitchell, Environmental Design Partners

Mr. Jones stated the applicant is before the Board this evening as the Chair stated for Coordination of SEQRA Review and the applicants are also requesting a public hearing be scheduled for October 17, 2019 as required for subdivision. Mr. Jones noted Site Plan approval was granted by this Board. We filed a subdivision application in January of 2019. We have a couple of modifications to the Site Plan which will be presented in response to several neighbor concerns. Subdivision delineations were provided on the site plan for the Boards review.

Mr. Mitchell, Environmental Design Partners provided a visual of the site plan noting changes to what the Board has seen before. An additional line of trees which was added for increased screening to the Zito property. The location of the existing sidewalk on the east side along Regatta View Drive and then crossed the street was moved so the existing line of trees would not be impacted. A visual was provided to the Board. Also the location of exit point on the neighboring parcel was moved as far to the east as possible. Mr. Belmonte has agreed to additional landscaping to negate the impact on the property owner. The only other change per the recommendation of the City Arborist was a change in some of the plantings on the plan.

Amy Ryan, Alternate made a motion in the matter of the Regatta View Area B Phase III Subdivision, Union Avenue and Dyer Switch/Regatta View Drive that the Planning Board initiate Coordinated SEQRA Review, and accept Lead Agency Status for the project. A public hearing will be scheduled for October 17, 2019. Sara Boivin seconded the motion.

**VOTE:**

Jamin Totino, Vice Chairman, in favor; Lexie Bonitatibus, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Amy Ryan, Alternate, in favor

**MOTION PASSES: 6-0**

5. **20190712 TAIT LAND FILL AND PLANTING**, 14 Tait Lane, Land Disturbance Activity Permit for filling and grading identified isolated wetlands on the property in the Transect-4 District.

Jamin Totino, Vice Chairman stated the project is for the filling and grading of isolated wetlands on the property in association with a pending project for site plan review for a 200 unit affordable housing project.

Discussion ensued among the Board concerning the proposed application. It was the consensus of the Board to table the application this evening and request a representative for the applicant be available to the Board.

**APPROVAL OF MEETING MINUTES:**

Jamin Totino, Vice Chairman deferred the approval of the meeting minutes to the September 19, 2019 meeting.

**UPCOMING MEETINGS:**

Planning Board Caravan, Thursday, September 12, 2019 at 4:00 P.M.  
Planning Board Workshop, Thursday, September 12, 2019 at 5:00 P.M.  
Planning Board Meeting, Thursday September 19, 2019 at 6:00 PM.

**MOTION TO ADJOURN:**

There being no further business to discuss Jamin Totino, Vice Chairman adjourned the meeting at 7:50 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

APPROVED 10-3-19