



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, MAY 12, 2016

7:00 P. M.

CITY COUNCIL ROOM

**PRESENT:** Mark Torpey, Chairman; Bob Bristol, Vice Chairman; Clifford Van Wagner; Tom L. Lewis; Janet Casey; Jamin Totino; Howard Pinsley

**STAFF:** Kate Maynard, Principal Planner, City of Saratoga Springs

**CALL TO ORDER:** Mark Torpey, Chairman called the meeting to order at 7:02 P.M.

### **SALUTE TO THE FLAG:**

### **ANNOUNCEMENT OF RECORDING OF PROCEEDING:**

Mark Torpey, Chairman stated 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.

### **ANNOUNCEMENT OF ADJOURNED PROJECTS:**

#### **ADJOURNED PENDING ADDITIONAL INFORMATION:**

**15.049 LANDS OF STONE,** 68 Weibel Avenue, sketch plan review of office, retail, and multi-family residential in the Transect-4 Urban Neighborhood (T-4) District.

**15.041 77 EXCELSIOR MIXED USE DEVELOPMENT,** Excelsior Avenue, site plan review for mixed-use development with 90 multi-family residential units and 1,440 sq ft of commercial space in the Transect-5 Neighborhood Center (T-5) District.

### **COMMENTS FROM THE CHAIR:**

### **UPCOMING PLANNING BOARD MEETINGS/AGENDA WORKSHOPS:**

Planning Board Caravan, Monday, May 23, 2016 at 4:00 P.M.

Planning Board Workshop, Monday, May 23, 2016 at 5:00 P.M.

Planning Board Meeting, Thursday, May 26, 2016 at 7:00 P.M.

### **PRIVILEGE OF THE FLOOR:**

None heard.

### **COMMENTS FROM THE CHAIR:**

Introduction of new alternate to the Planning Board – Ruth Horton.

## **APPLICATIONS UNDER CONSIDERATION:**

1. **16.012 COMMISSARY KITCHEN**, 41 Washington Street, Special Use Permit review for commercial kitchen in the Transect-6 (T-6) Urban Core District.

## **BACKGROUND:**

Property was recently purchased by the Adelphi Hotel Partners from Bethesda Episcopal Church. The Board had seen a previous sketch plan application for an expansion of the Adelphi Hotel that utilized the subject parcel for off-premise satellite parking. This site is within the T-6 Urban Core District whose intent is to accommodate the highest intensity and diversity of retail, business and upper floor residential uses as well as promotes an active pedestrian oriented public realm. The existing building includes 13,400 square feet of space with 4,900 square feet on the first floor and 4,250 square feet on the 2<sup>nd</sup> and 3<sup>rd</sup> floors.

## **SEQRA:**

Project appears to be less than 4,000 square feet of an expansion, therefore is a Type II action, no further review required.

Applicant: Adelphi Hotel Partners

Agent: Tony Stellato, CHA

Mr. Stellato provided a visual rendering of the project to the Board. The applicant is proposing renovating this space to provide for a commercial kitchen expansion of approximately 3,000 square feet. It will be a prep kitchen for the two restaurants serviced by Adelphi Hospitality Group, Salt and Char and the Adelphi Restaurant. Potentially they could serve other restaurants in the area. These prepped items will be delivered by van to the proposed restaurants. Per comments received at the workshop the site plan was revised. We have added a green strip behind the existing sidewalk. We formerly proposed the existing gravel parking lot which runs up to the existing sidewalk would remain unchanged. We are proposing to add a curb cut to allow vehicle access in and out and replace the sidewalk within that section. Information was provided to the Board concerning the new curb cut. We are adding a 6 foot wide green strip and some street trees planted in the strip. This green strip will be placed behind the sidewalk due to existing obstructions along the street. We will keep the 8 foot wide sidewalk. We are adding 2 Sternberg light fixtures spaced 60 feet apart. The existing curb cut will remain. There are some utility replacements a grease trap will be added and a sewer lateral tie in. Water service will be replaced with a 6" water line. Mechanicals will be located behind the building. A refrigerated trash enclosure is located adjacent to the building for recycling bins and regular trash. Organic trash will be composted to the extent possible. Mr. Stellato reviewed the new curb cut for the Board, including parking and information concerning delivery area.

Mr. Michel DuCamp, COO; Adelphi Hospitality. We are the entity which will operate the Adelphi Hotel as well as the Salt and Char Restaurants. What we do will differ from other restaurants. We will completely compost everything we physically can. Food itself will be sourced from local farmers and producers. The Commissary will be very large, but it will be very quiet. A lot of people will be slicing, dicing, cutting and paring. Very little noise or activity seen from the outside. A bakery is proposed for this site as well. Mr. DuCamp assured the Board that this is merely a prep kitchen. Mr. DuCamp stated the plan for this building is to keep it a low density use. The basement will be used for storage of wines and spirits. The second and third floor will become office space. 3,000 square feet of area will be used for the prep kitchen. No restaurant is proposed at this location. Quiet use, low activity, low profile.

Discussion ensued among the Board concerning the site plan usage.

Mark Torpey, Chairman stated the Bethesda Episcopal Church agreed to providing funding support for the new storm sewer. There was some reference that the Adelphi and the Rip Van Dam neighbors would share that cost. Has this been defined and have those details been finalized.

Mr. Stellato stated Bethesda Episcopal Church was before the Planning Board and the first project approved. They agreed to take the lead and having the storm sewer infrastructure completed. They agreed to work with the other owners to share the cost. Everyone was on board with that although no specific formula was discussed at the meeting.

Mark Torpey, Chairman read into the record – the Washington Street storm sewer is scheduled to be replaced as part of the Bethesda Episcopal Church's new parish house project. The cost of the new storm sewer upgrades will be shared by sponsors of projects along the alignment of the new storm sewer. In this project you are part of this alignment. In our motion we would acknowledge this as part of a cost sharable expense.

**Gordon Boyd**, Bethesda Episcopal Church. It is our understanding that the City Engineer will allocate the cost sharing expense of the storm sewer upgrades between the Adelphi, UPH and Bethesda. We agreed that if our project moved ahead first we would step up to the cost of doing so and then collect from the others.

Kate Maynard, Principal Planner discussed the major infrastructure upgrades and there were individual requirements, a need to continue to consider the integration of requirements together, and timeframe. The City Engineer would not likely allocate the cost for each applicant. This would likely be done in concert with the parties involved.

Discussion ensued among the Board concerning the proposed estimate and the equitable way to mete this out.

Kate Maynard, Principal Planner stated perhaps the City Engineer would be willing to discuss the process and determination of the cost per applicant and the re-imbusement monies owed to the Church from the other property owners and he could report back to the Board.

Mark Torpey, Chairman stated on the special use side we do not have a definition for commercial kitchen and we do need to establish that prior to the Special Use Permit.

Kate Maynard, Principal Planner discussed the Commissary Kitchen, and noted there is not a definition in the Zoning Ordinance that speaks to the Commercial Kitchen nature of the use being proposed. In consultation with Steve Shaw, the City's Zoning Officer, and the applicant's agent Tony Stellato we came up with a definition modeled after the wholesale bakery. As a start it is an establishment utilized for food preparation and production for consumption off premises. The Board agreed that the definition was a logical start.

### **PUBLIC HEARING:**

Mark Torpey, Chairman opened the public hearing at 7:50 P.M., concerning the special use permit application.

**Gordon Boyd**, Bethesda Episcopal Church. We are very comfortable with this project. We sold this building to the Adelphi Hotel. We are also currently tenants now until our construction is completed.

Mark Torpey, Chairman stated we will now address the Special Use Permit application. We acknowledge the latest set of drawings submitted by the applicant dated May 12, 2016, accepted as a baseline.

### **Conditions for Special Use Permit:**

- Addition of a curb cut for safer access. Two in total.
- 8 foot wide sidewalk for pedestrian access.
- Acknowledge some limited level of parking between the hours of 6AM – 10AM for delivery vehicles.

- Signage to be provided noting parking restrictions.
- Notation this is a prep kitchen only. Bulk deliveries will be made 1-2 times per day, preserve that this is the intended mode of operation.
- Preliminary food preparation not plated food product.
- Future Development on site the applicant is willing to share resources on site.

Kate Maynard, Principal Planner stated she will provide the Board members with the language of items for Special Use Permit to be approved at the next Planning Board Meeting.

Mr. Stellato stated the applicant is in agreement with the Board. The applicant is hoping for a vote this evening due to the tight schedule the project is on. The applicant is in agreement with the conditions the Board has imposed on this Special Use Permit and requests a vote this evening.

Discussion ensued among the Board concerning the wording of the Special Use Permit and the voting on this application with the final review to be done administratively.

Howard Pinsley made a motion in the matter of the Commissary Kitchen, 41 Washington Street Special Use Permit Application be approved with the conditions noted by the Chair.

Janet Casey seconded the motion.

Mark Torpey, Chairman asked if there was any further discussion.

None heard.

**VOTE:**

Clifford Van Wagner, in favor; Jamin Totino, opposed; Bob Bristol, Vice Chairman, in favor; Howard Pinsley, in favor; Tom L. Lewis, in favor; Mark Torpey, Chairman, in favor; Janet Casey, in favor

**MOTION PASSES: 6-1**

2. **16.011 COMMISSARY KITCHEN**, 41 Washington Street, Site plan review for commercial kitchen expansion in the Transect-6 (T-6) Urban Core District.

**BACKGROUND:**

Property was recently purchased by Adelphi Hotel Partners from Bethesda Episcopal Church. The Board had seen a previous sketch plan application for an expansion of Adelphi Hotel that utilized the subject parcel for off-premise satellite parking. Plans are notably being revised and no longer include this site for its parking. This site is within the T-6 Urban Core District whose intent is to accommodate the highest intensity and diversity of retail, business and upper floor residential uses as well as promotes an active pedestrian oriented public realm. The existing building includes 13,400 square feet of space with 4,900 square feet on the first floor and 4,250 square feet on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Use has been deemed "commercial kitchen" a new definition not currently included within the City's Zoning Ordinance, Per T-6, any use not identified as permitted upon site plan upon site plan review requires special use permit and site plan review. DRC review is required, approval issued for proposed exterior changes.

**SEQRA:**

Project appears to be less than 4,000 square feet of an expansion, therefore is a Type II action, no further review is required.

Applicant: Adelphi Hotel Partners

Agent: Tony Stellato, CHA

Mr. Stellato stated in conversation with the City Engineer, Tim Wales this morning he indicated he would like to see a SWWWP for this project because it was just below the threshold of the City's requirement. A SWWWP will be provided to the city. Tim Wales, City Engineer was comfortable with the stormwater management plan and it will be completed to the City Engineer's satisfaction. The parking lot extends right to the sidewalk along the frontage. The front lawn will remain green, with a crabapple tree which will remain. We will create a 6 foot wide strip which will extend down the western part of the site to separate the gravel parking lot from the back of the sidewalk. In that area we will locate 2 patriot elm trees. The trees will frame the curb cut along with the addition of the street lights.

Mark Torpey, Chairman stated he was looking for a landscaping plan. Perhaps a photo perspective of the site from Washington Street, considering its proximity to Preservation Hall and how it fits in with the neighboring buildings. What will the visual impact be from the church across the street see, and the pedestrian connection and feel, as well as the screening of the dumpster and recycling area. There is no indication of a visual break creating screening. This is an important area in its proximity to Broadway. I cannot get the feel from the information you have provided. The T-6 zone does require us to provide screening from parking. Perhaps you can provide this information and return before the Board in two weeks.

Jamin Totino stated what the Board is looking for is elevation drawings which offer context as to what this site is going to look like in relation to the neighboring properties. A frontal view, a view from Washington Street as well as from the east and west.

Kate Maynard, Principal Planner read from the Zoning Ordinance concerning the requirements in the Transect-6 zone regarding the screening of parking and location as well.

Mark Torpey, Chairman asked if there were any other questions or comments from the Board.

None heard.

3. **15.045.1 MOORE HALL DEMO/CONDO CONSTRUCTION**, 28 Union Avenue/35 White Street, Consideration of SEQRA Lead Agency for demolition of Moore Hall and construction of 26 Residential units within the UR -4 District.

#### **RECUSAL:**

Tom L. Lewis recused from this application and exited the meeting at 8:29 P.M.

Mark Torpey, Chairman provided some background information on this project noting the Planning Board issued a Favorable Advisory Opinion for the adaptive reuse of the existing structure on the site on October 28, 2015. The site is located on Union Avenue, which is a prominent gateway corridor into the City and also is in the Union Avenue Historic District. The project consists of 26 residential units housed in 5 buildings on a 1.29 acre site.

#### **SEQRA:**

The ZBA and the DRC are other involved agencies. (Variances and Historic Review both required). Both ZBA and the DRC have pro-actively deferred SEQRA Lead Agency Status to the Planning Board. Lead Agency was accepted by the Planning Board on April 28, 2016.

## **MATERIALS/CORRESPONDENCE RECEIVED BY THE PLANNING BOARD:**

- Correspondence received from the NYS Office of Parks and Recreation, and Historic Preservation dated April 5, 2016, regarding archeological and historic resources – no adverse impacts.
- Correspondence received from the NYS Office of Parks and Recreation and Historic Preservation dated February 26, 2016, regarding the archeological resources – no adverse impacts.
- Correspondence from NYS-DEC, dated February 10, 2016, making a determination on no impact on plants or animals.
- Correspondence/traffic study from Greenman-Peterson dated February 22, 2016, citing no significant impacts.
- Correspondence from SUNY Empire State College, expressing concerns about side yard setbacks as a neighbor to the project dated April 28, 2016, and additionally a secondary correspondence stating they are in conversations with the applicant working through some details, and was quite favorable.
- Correspondence received from the Saratoga Springs Preservation Foundation dated April 23, 2016.
- Correspondence received from Linell Land Inc., Barbara Glaser dated April 23, 2016.
- DRC feedback in terms of acceptance of Mass and Scale.
- Saratoga County Planning Board correspondence in support of this project.
- Demolition narrative provided by applicant which is posted on the website.
- SEQRA Part 1 short EAF submitted by the applicant.

## **BACKGROUND:**

The Planning Board issued a favorable advisory opinion for the adaptive reuse of the existing structure on current site on October 28, 2015. That application has not been officially withdrawn at this point, however, the current proposal of demolition of existing structure and the construction of 26 units contained within 5 structures is being proposed as an alternative. The site is located on Union Avenue, prominent gateway corridor into the community, also Union Avenue Historic District.

Applicant: Sonny Bonacio, Bonacio Construction; Rick Higgins

Agent: Mike Ingersoll, LA Group; Brett Balzer, Balzer Tuck Architecture;  
Tony Bonacio, Larry Novik, Bonacio Construction;

Mr. Ingersoll provided a brief overview of Moore Hall as it stands on the site, and the project history. An aerial view of the project site and the streetscape elevation was provided. The current project site includes 4 tax parcels, approximately 190 feet high and 300 feet wide. This project is consistent with the UR-4 District. The front unit consists of 18 condos proposed. Two buildings containing duplex structures will be connected by foundation walls. A single family structure is also proposed, as well as a triplex. A total of 26 units on the property and all will have more than adequate parking provided on site. Mr. Ingersoll stated we have been working with Susan Barden in updating the Zoning Board variance request noting the elimination of 3 side yard variances. A view of the site was provided to the Board noting the areas where the variances were removed from the ZBA application request. Mr. Bonacio will speak regarding conversations with the neighbors to the east. We have some alley diagrams and widths including pavement areas and improvements on the condition of the alley for the Boards review. The ramp addition was accomplished on the west side of the property and will now accommodate access at this location.

Sonny Bonacio stated the meetings with Empire State College concerning the demolition. We explained our process and provided them with a demolition plan which they are currently reviewing. Their main concern was that their building did not get damaged. I also met with Michelle Anderson, President of the HOA at 48 Union. I met with their Board and provided the same information to them concerning demolition.

Brett Balzer provided a new visual slide of the main building. The focus is on the main entry, the face of the building along Union Avenue which has been reworked and introduced. We will provide a photorealistic rendering at our next appearance before the Board.

Mr. Sonny Bonacio stated a demolition plan was provided to the Board. Mr. Bonacio stated they have performed demolition work many times in the past. He spoke regarding the demolition teams they are currently working with. They have worked with Jackson Demolition who they have worked with in the past. Tom Reed, abatement specialist, is also present this evening if you have any concerns with the abatement side of the demolition. We are treating this demolition as if it was a blasting job with all the neighboring properties but we are not blasting. All foundations will be engineered prior to, all crack analysis will be performed. Seismographs will be on site while the work is being performed. All information will be posted, all neighbors will be notified.

Mark Torpey, Chairman asked if there were any other hazardous materials other than asbestos.

Mr. Reed, abatement specialist stated there are some PCP's in the ballast light fixtures and fluorescent light tubes. Other than that no other hazardous materials have been identified.

Mark Torpey, Chairman stated all metals will be reclaimed; all the concrete will be recycled and used for other materials.

Mark Torpey, Chairman asked if anyone in the audience wished to comment on this application.

None heard.

**SEQRA:**

Mark Torpey, Chairman stated SEQRA Part I was reviewed by the Board. No large or important areas of concern were noted.

Mark Torpey, Chairman stated SEQRA Part II was reviewed by the Board. No large or important areas of concern were noted.

**SEQR DECISION:**

Howard Pinsley stated that based upon the information provided by the applicant in Part I of the SEQR Full Environmental Assessment Form, and analysis of the information provided and presented in Part II of the SEQR Full Environmental Assessment Form, the project will not result in any large and important impacts and, therefore, is one that will not have a significant adverse impact on the environment. Based on this, I move to make a SEQR negative declaration for this action.

Clifford Van Wagner seconded the motion.

Mark Torpey, Chairman asked if there was any further discussion.

None heard.

**VOTE:**

Clifford Van Wagner, in favor; Jamin Totino, in favor; Bob Bristol, Vice Chairman, in favor; Howard Pinsley, in favor; Mark Torpey, Chairman, in favor; Janet Casey, in favor

**MOTION PASSES: 6-0**

**APPROVAL OF MINUTES:**

Approval of meeting minutes was deferred to the May 26, 2016 meeting.

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 9:13 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

APPROVED 5/26/16