



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, JULY 14, 2016

7:00 P. M.

CITY COUNCIL ROOM

PRESENT: Bob Bristol, Vice Chairman; Clifford Van Wagner; Tom L. Lewis; Howard Pinsley;
Janet Casey; Jamin Totino; Amy Durland, Alternate

ABSENT: Mark Torpey, Chairman

STAFF: Kate Maynard, Principal Planner, City of Saratoga Springs
Justin Grassi, Counsel to the Land Use Board

CALL TO ORDER: Bob Bristol, Vice Chairman called the meeting to order at 7:05 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, July 25, 2016 at 4:00 P.M.

Planning Board Workshop, Monday, July 25, 2016 at 5:00 P.M.

Planning Board Meeting, Thursday, July 28, 2016 at 7:00 P.M.

PRIVILEGE OF THE FLOOR:

None heard.

APPLICATIONS UNDER CONSIDERATION:

1. **16.020 THE MILL**, 125 High Rock Avenue, final 2-lot subdivision review within the Transect-5 District.

DISCLOSURE:

Bob Bristol, Vice Chairman stated that Tom Roohan's real estate agency handles property for him. He has no financial interest in this application so there is no need for recusal, simply disclosure.

Applicant: The Mill, LLC; Sonny Bonacio; Tom Roohan

Agent: Dave Carr, Kristen Corey, LA Group,

BACKGROUND:

The site currently features two separate structures and commonly shared parking and access. Special Use Permit from 2004 provides oversight over uses within parcel in question as well as residential uses within parcel in question as well as residential uses on south side of High Rock Avenue.

SEQRA:

Action appears to be Unlisted.

Mr. Carr stated the project is to subdivide off building 1 which was the first building developed. It is under contract with the Grace Fellowship Church which is currently in the building. The application is to sell off this piece of property and have cross access easements for parking. The Special Use Permit was approved originally in 1999. This site had several environmental issues, which the applicants have cleared. This has been quite a lengthy project. The original Special Use permit granted allowed several uses with maximum square footages assigned to those uses on this site. Currently there is 43,823 square feet of office space, 6,502 square feet of indoor recreation space, and 16,500 square feet for religious use – which is the church. This totals 66,828 square feet. The Special Use Permit allows for 150,000 square feet. No one use can be more than 60,000 square feet. No secondary use could be over 30,000 square feet. The goal is to have a variety of uses. This will not change. There are several easements on this property which were there. There is a 20 foot wide easement across the front of the property which is the city water line. There is another easement on the south side which is granted to the Saratoga County Sewer District for a sewer main. Also, there is an easement in this area for utilities. These were all in existence in 1999 and these will not change with the subdivision. There is a desire for an easement across the front for the bike path/trail which is being developed. An easement will be required for this. The owners do not have an issue with this however; we do need to know the location of the easement so it can be added to the plan.

Kate Maynard, Principal Planner for the City of Saratoga Springs stated this can be a condition of approval. The amount of space was confirmed. In conversations with Jeff Olsen of Alta Planning and Design he stated a 10 foot wide easement will be required across the front of the property for the bike path/trail easement.

PUBLIC HEARING:

Bob Bristol, Vice Chairman opened the public hearing at 7:18 P.M.

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

None heard.

Bob Bristol, Vice Chairman closed the public hearing at 7:19 P.M.

SEQRA:

Unlisted Part I was provided by the applicant and reviewed by the Board.
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.

Tom L. Lewis seconded the motion.

Bob Bristol, Vice Chairman asked if there was any further questions or comments.

None heard.

VOTE:

Clifford Van Wagner, in favor; Jamin Totino, in favor; Amy Durland, alternate, in favor;
Howard Pinsley, in favor; Tom L. Lewis, in favor; Bob Bristol, Vice Chairman, in favor; Janet Casey, in favor

MOTION PASSES: 7-0

Bob Bristol, Vice Chairman stated we will now move onto subdivision approval for this project.

Tom L. Lewis made a motion in the matter of the The Mill, 125 High Rock Avenue that the application for a two-lot subdivision within the Transect-5 District be approved with the following condition: the applicant will either modify the existing easement or convey another easement which will permit the use for bike path/trail.

Clifford Van Wagner seconded the motion.

Bob Bristol, Vice Chairman asked if there was any further discussion.

None heard.

VOTE:

Clifford Van Wagner, in favor; Jamin Totino, in favor; Amy Durland, alternate, in favor;
Howard Pinsley, in favor; Tom L. Lewis, in favor; Bob Bristol, Vice Chairman, in favor; Janet Casey, in favor

MOTION PASSES: 7-0

2.16.021 223 LAKE AVENUE, Proposed special use permit for convenience sales in the Urban-Residential-3 UR-3 District.

Applicant: Rod Stewart

Agent: Mike Toohey, Attorney

SEORA:

Action appears to be a Type II action, no further environmental review is required.

BACKGROUND:

Use Variance to continue to operate a kitchen/deli/market on the site – to permit a 8'x12' freestanding walk in cooler which was approved 12/20/00. Amend a 1988 variance relating to hours of operation to allow operation between 6:30AM AND 9:00 PM Sunday through Thursday and until 10:00 PM on Friday and Saturday – approved 12/20/00.

Use variance for a commercial kitchen and deli granted – request for on-premises eating area denied – conditions of approval: 1. No alcoholic beverages shall be consumed on the premises and no application shall be made for a license to sell alcoholic beverages for on premises consumption. 2. The commercial use shall not remain open later than 9:00 PM, Mondays thru Saturdays, and shall not remain open later than 2:00 PM Sundays. Approved 07/20/88.

Area variance for construction of a handicap ramp to the front entrance of the building –minimum front yard and maximum principal building coverage – approved 06/06/16.

Current application is for Convenience Sales defined as: “A small retail establishment providing a limited line of groceries and household items, and catering primarily to nearby residential areas. The use may have up to 20 seats for customers consuming food sold or prepared on premises. Gasoline pumps shall not be permitted unless separately authorized.

NOTIFICATIONS/APPROVALS/CONDITIONS OF APPROVAL:

-Saratoga County Planning Board referral stated “No significant countywide or intercommunity impact”, dated June 22, 2016.

Mr. Toohey reviewed the criteria for Special Use Permit. There will be 14 inside seats and 6 outside seats. No alcohol will be served on the premises. Lighting plan was reviewed. A bike rack will be installed.

Bob Bristol, Vice Chairman asked if there was any further questions or comments from the Board.

Discussion ensued concerning the construction of sidewalks in this area, the addition of a tree and stripping of a handicap parking space.

PUBLIC HEARING:

Bob Bristol, Vice Chairman opened the public hearing at 8:19 P.M.

Bob Bristol asked if anyone in the audience wished to comment on this application.

Jim McNeill, 215Lake Avenue, questioned the foot traffic and the increase in traffic will impact the area.

Bob Bristol, Vice Chairman closed the public hearing at 8:20 P.M.

Clifford Van Wagner made a motion in the matter of 223 Lake Avenue, Special Use Permit application for convenient sales be approved with the following conditions: Striping parking spaces perpendicular to the building; a 20 foot perpendicular delineation parallel to Forest Road; verification from DPW concerning parking 20 feet in the right of way; extension of the tree belt area up to the catch basin with the planting of a large species tree consistent with those on Lake Avenue; bike rack added to the plans.

Janet Casey seconded the motion.

Bob Bristol, Vice Chairman asked if there was any further discussion.
None heard.

VOTE:

Clifford Van Wagner, in favor; Jamin Totino, in favor; Amy Durland, alternate, in favor;
Howard Pinsley, in favor; Tom L. Lewis, in favor; Bob Bristol, Vice Chairman, in favor; Janet Casey, in favor

MOTION PASSES: 7-0

APPROVAL OF MINUTES:

Clifford Van Wagner made a motion to approve the minutes of the May 26, 2016 Joint Board Meeting as submitted.

Tom L. Lewis, seconded the motion.

Bob Bristol, Vice Chairman asked if there was any further discussion.

None heard.

VOTE:

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

MOTION PASSES: 4-2

NOTE: Board member Tom L. Lewis exited the meeting, recusing from the final application.

RECUSAL:

Bob Bristol, Vice Chairman disclosed that he has worked with Sonny Bonacio and his companies since 1995. He has no formal contract with Mr. Bonacio but is simply disclosing an ongoing working relationship.

3. **15.045 UNION AVENUE CONDOS (MOORE HALL)**, 46 Union Avenue, final site plan review for 26 residential units in the Urban Residential-4 (UR-4) District.

SEQRA:

Negative Declaration issued by the Planning Board on May 12, 2016.

BACKGROUND:

Previously, the Planning Board also issued a favorable advisory opinion for the currently tabled proposal that entailed reuse of the existing structure and retrofitting space for a more "micro unit" residential unit type.

Applicant: Sonny Bonacio, Rick Higgins

Agent: Mike Ingersoll, Matt Brobston, LA Group; Brett Balzer, Balzer & Tuck Architecture

Mr. Ingersoll stated the applicant was previously before this Board to obtain SEQRA determination which was granted on May 12, 2016. Since that time Saratoga County Planning Board has approved this application. We have secured all the zoning variances required. We also have DRC Mass and Scale approval. The applicants will be returning before the DRC for final approvals next week. The team has begun the asbestos removal. The site has been secured and if successful this evening for site plan approval the project can then move forward with demolition.

The ZBA did request that the micro apartment project, the adaptive reuse project be withdrawn. If successful this evening, we will withdraw that application.

Mr. Ingersoll stated that the Chazen comments were straightforward and technical and easily rectified. The City Engineer felt that these were not of a substantive nature as did we and we have turned those comments around. Tonight we will focus on the comments from staff. Mr. Ingersoll provided a review of the 1.3 acre site and reviewed the proposed buildings. A review of all elevations as it relates to the other buildings and homes in the area. We have added 1 street light to the Union Avenue streetscape. A bike rack was added to the site. A street tree was added. We have met with the neighbors and added some screening along White Street. All garages are in the rear. The existing trees on the site are unable to be saved. A letter was submitted from Josh Dulmer, City Arborist to that effect. Garbage pickup will be handled internally. Roll off bins to be brought to the curb site on North Lane. Concerning addresses for the units and buildings, we met with the fire department, they noted where the house numbers should be placed as well as the lock boxes and sprinklers. Driveway entrance will be on North Lane. We have added grass block pavers for the extra width and maintenance for pull off and vehicle turning. Subsurface parking access and handicap parking spaces were noted. Bike lanes were added. Snow clearing plan was reviewed as well. All subparcels are to be consolidated in the final plat per the Zoning Board of Appeals. Our survey shows we are 70 feet from curb to curb. Moving curbing effects the drainage. The parallel parking lane can be retained at 9 feet wide enabling 5 foot bike lanes on each side. There is enough room left to maintain an 11 foot lane and a passing lane of 10 feet. If public safety agrees and removes the center lane. Mr. Ingersoll discussed the width of North Alley and the current traffic plan for this area.

Mr. Ingersoll stated if the applicant is successful, once the demolition plan is approved it will take approximately 6 weeks for demolition. Site preparation and foundation is proposed before the winter. Hopefully by this time next year, the project will be completed. The schedule is being prepared at this time noting weekly meetings to update staff and neighbors.

Kate Maynard, Principal Planner stated Public Safety did make an onsite visit. Two main items they were looking at was the overall additional traffic on the alley, and the potential for shared access off of Union Avenue. Also, they recommend the alley be one-way for safety.

Discussion ensued concerning the alley becoming one way. It was the consensus of the Board to send written correspondence to public safety noting their recommendation for North Alley to become one way.

Mr. Ingersoll stated the applicant is not in favor of shared access off of Union Avenue.

Sonny Bonacio stated some traffic mitigation can be done for a one way street as well.

Discussion ensued regarding the complete streets plan for this area, and the proportionment of the recreation fees.

PUBLIC COMMENT:

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

None heard.

Clifford Van Wagner made a motion in the matter of the Union Avenue Condos (Moore Hall), 46 Union Avenue for final Site Plan Approval application be approved as shown on the submitted plans. The Planning Board suggests that the City appropriate a portion of the \$39,000 recreation fees to be put toward the stripping and delineation of the bike lane and passing lanes on Union Avenue in accordance with the City's Complete Streets Plan.

Janet Casey seconded the motion.

Bob Bristol, Vice Chairman asked if there was any further discussion.

None heard.

VOTE:

Clifford Van Wagner, in favor; Jamin Totino, in favor; Amy Durland, alternate, in favor;
Howard Pinsley, in favor; Bob Bristol, Vice Chairman, in favor; Janet Casey, in favor

MOTION PASSES: 6-0

MOTION TO ADJOURN:

There being no further business to discuss Bob Bristol, Vice Chairman adjourned the meeting at 9:30 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 7/28/16