



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, JANUARY 30, 2020

6:00 P.M.

RECREATION CENTER

**CALL TO ORDER:** Mark Torpey, Chairman called the meeting to order at 6:05 P.M.

**SALUTE TO THE FLAG:**

**PRESENT:** Mark Torpey, Chairman; Jamin Totino, Vice Chairman, Ruth Horton, Sara Boivin; Todd Fabozzi; Lexi Bonitatibus; Kerry Mayo

**STAFF:** Susan Barden, Principal Planner, City of Saratoga Springs  
Vince DeLeonardis, City Attorney, City of Saratoga Springs

**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 end of the meeting.

**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.

None at this time.

**C. APPLICATIONS UNDER CONSIDERATION**

1. **20191216 LOUDEN ROAD SUBDIVISION**, 406 Loudon Road, coordinated SEQRA review for a six lot conservation subdivision within the Rural Residential District.

Mark Torpey, Chairman stated the property consists of three lots – within the City and the Town of Wilton with one house off Loudon Road. Mark Torpey, Chairman stated what is before the Board this evening is to seek Lead Agency Status for SEQRA. Since any subdivision requesting more than five lots requires Department of Health involvement, this is a coordinated review. Mark Torpey, Chairman questioned if the Town of Wilton was noticed regarding this proposal.

Vince DeLeonardis, City Attorney stated the Town of Wilton will be noticed.

**SEQRA:**

This is SEQRA Type I action. Coordinated review is required. Department of Health is the only other involved agency.

## **BACKGROUND:**

Property consists of three lots – within the City and the Town of Wilton – with one house off Loudon Road. The Board conducted a site visit on August 1, 2019; and walked a portion of the site. The Board reviewed a sketch plan at the August 8, 2019 meeting.

Applicant: Wade Newman

Mr. Newman stated he appeared before the Board back in August. Since his last appearance he has had the property surveyed locating the hardwoods. Environmental and architectural screening was completed. Soil testing was also completed to assure the land is suitable for onsite sewer systems. There is no public water or sewer in this area. The property consists of three parcels. Two are in the City and one is in the Town of Wilton. The Town of Wilton line goes right through the northern end of the property. The two parcels within the City limits total 11.26 acres and the parcel in the Town of Wilton is 4.6 acres. The parcel has frontage on Loudon Road to the north and also some frontage on Bog Meadow. There is an existing residence on the north end. The zoning is Rural Residential. The lands on the site are highly permeable with no wetlands. There is an easement on the property which allows raw water to run to the water treatment plant. A conservation analysis was performed along with conservation regulations. There are no constrained lands as defined by the city code. There are some significant hardwood trees which the subdivision has been designed around to preserve. Generally speaking; the property is defined north to south by a ridgeline. The conservation analysis yielded four findings; there are no constrained lands as defined by city code, no steep slopes over 25%, no regulated wetlands and no floodplains. The site does contain wooded areas in excess of one acre in size. It has a few trees which are uncommon by size or age. On the southwest corner of the parcel there is a 60" oak tree. The far north end of the site there is a 70" unidentified species tree and some 40" willows in this location. All these trees are outside of the development area and will be preserved.

Todd Fabozzi questioned if the City Arborist could be engaged to define what species these trees are.

Susan Barden, Principal Planner stated the City Arborist defines species of trees in the city right of way but not on private property.

Discussion ensued regarding the possibility of engaging the City Arborist and the Open Space Committee for their assistance.

Mark Torpey, Chairman stated the Board voiced concerns previously regarding the layout of the subdivision and the fact that it had more characteristics of a regular subdivision and not that of a conservation subdivision.

Mr. Newman reviewed the layout and stated he did pull the house back on the lot closest to Loudon Road and sited it further away from the easement area site. The second change is the development envelopes. He decreased those from the sketch plan provided. The total conservation area proposed was 6.16 acres and the preliminary submission is now 7.38 acres. This has been increased by 1.28 acres. Generally, the layout is similar to sketch plan and that is partially because each of these sites will be serviced by individual wells and septic systems. Most conservation subdivisions have either public water or sewer or both. When you have neither, you have DOH horizontal separation regulations to adhere to. That distance is 100 feet and can be 200 feet if the well is downstream from the septic system. Archeological screening was submitted to SHPO and received a no effect letter. Also, information was submitted to DEC and US Fish and Wildlife Service for endangered species. They cited potentially the Karner Blue Butterfly, Frosted Elfin Butterfly and the Long-eared Bat. In October environmental consulting was enlisted to check the site. There is no suitable habitat for the Butterflies but there are some potential roosting sites for the long-eared bat. They have been flagged in the field and development in this area will be done in accordance with DEC mitigation requirements.

Discussion ensued among the Board regarding individual driveways versus shared driveways, configuration in a more conservation subdivision layout and plan.

Mark Torpey, Chairman suggested the applicant take some of the additional feedback provided by the Board and do some additional homework. Provide an alternate plan. With the additional development anticipated in the Loudon Road

area it will become a more heavily traveled area and trying to minimize the curb cuts in this area would be beneficial from a long-term planning standpoint.

Mark Torpey, Chairman stated tonight the Board will seek SEQRA Lead Agency Status.

Ruth Horton made a motion in the matter of the Loudon Road Subdivision, 406 Loudon Road application the Planning Board seeks Lead Agency Status for SEQRA. Jamin Totino, Vice Chairman seconded the motion.

Mark Torpey, Chairman asked if there was any further discussion. None heard.

**VOTE:**

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

**MOTION PASSES: 7-0**

**RECUSALS:**

Todd Fabozzi recused from the following application.  
Jamin Totino, Vice Chairman recused from the following application.

2. **20191171 SKIDMORE COLLEGE FITNESS AND TENNIS CENTER**, 815 North Broadway, site plan review for a new two-story fitness center, relocation of existing tennis courts, and associated site work with 18 multi-family residential units and associated site work within an Institutional-Educational District.

Mark Torpey, Chairman stated the project requires relocating some of the tennis courts, and also constructing a new two-story building about 55,000 square feet. The SWPPP has been completed and provided to the Board. We have received some correspondence from the neighbors relating to stormwater issues on Clement Avenue, as well as buffering and view sheds from Clement Avenue. We also have received an engineering report which was completed by the LA Group and we have received comments and concerns from the City's consulting engineers Barton and Loguidice.

Susan Barden, Principal Planner, City of Saratoga Springs stating the Board has received correspondence from the Saratoga County Planning Board for this project noting no significant county-wide or intercommunity impact which was issued this date.

**SEQRA:**

This action appears to be an Unlisted Action. A Full EAF has been submitted.  
Planning Board appears to be the only involved agency.

Applicant: Skidmore College; Paul Lundberg

Agent: Doug Heller, LA Group; Scott Kraski, Consigli, Project Manager

Mr. Heller provided a visual of the site located on the southern portion of the college site and surrounding area. All stormwater will be managed on site. Mr. Heller reviewed the proposed mitigation for stormwater noting they will be following DEC and the City's guidelines for storm water management. Currently, they are making improvements to the existing basin along with the addition of basins and ponds connecting to the city's system. Most recently the City has inspected and provided access to the stormwater areas to the drainage basins in this location. Maintenance was completed as well as a mitigation measure to prevent future clogging. These areas are susceptible to clogging and we have added some additional stone in this area to help capture water. Skidmore will annually inspect the stormwater systems for assurance they are working to the maximum capacity. Mr. Heller reviewed the plans for the proposed fitness

center reviewing all elevations for the Board. The Proposed plans were reviewed noting the applicant is proposing 8 exterior tennis courts as well as interior tennis courts. A visual of the proposed building was provided noting the setback 20-25 feet from Williamson, the siting of the building on the site and views from the neighborhood. They are proposing relocating some existing tennis courts to allow for more buffering for neighbors. The building is proposed to be three stories in height with a visual of the area noting the pedestrian access points as well as vehicular access. Mr. Heller reviewed the site plan and noted the loss of one parking space. Currently Skidmore has 2,175 parking spaces available on the entire campus. Per City code we are required to provide a total of 955 parking spaces. The site will be graded, and as we discussed stormwater will be managed on site. We will be providing three bio-retention basins. We are expanding the existing basin to a culvert located in this area. Mr. Heller reviewed the landscaping plan noting it will be in line with what currently exists. Additional vegetation along the walks and along the tennis courts is also proposed. Lighting is proposed for the tennis courts with an in-depth review of the decrease in the amount of light spillage. Additional pedestrian lighting is also proposed as well as additional security lighting. Mr. Heller provided a review of the building elevations and floor plans. There will be some site clearing for the project. The project is not proposed to be a LEED project, but we are meeting many of their guidelines. LED lighting and Skidmore will continue to use their existing solar array. Skidmore also participates in offsite hydropower. The roof has been designed to accommodate solar panels in the future. Fire vehicular access was reviewed for the Board.

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

**Katherine Benaquisto**, 10 Clement Avenue. Ms. Benaquisto voiced concern regarding the drainage in this area. They are 40-year residents of this area and only recently with the new construction at Skidmore are they experiencing water issues in their basement.

Mr. Heller stated great efforts will be made in conjunction with DPW and Skidmore to manage stormwater on site and not add to any current issues. This plan was also reviewed by the 3<sup>rd</sup> party engineering firm Barton and Loguidice and they have no issues at this time.

Mark Torpey, Chairman stated he does not believe Skidmore is the entire cause of the issue. There are some long-term broader issues in this area and perhaps this project fully investigating the storm water in this area along with the City there will be a resolution to the additional water issues.

Mark Torpey, Chairman asked if there were any further questions or comments from the Board. None heard.

Mark Torpey, Chairman stated Part I of the Full Environmental Assessment Form was submitted by the applicant and reviewed by the Board and is accurate and complete.

#### **SEQRA REVIEW:**

The Board completed review of the SEQRA Part II Full Environmental Assessment Form. No large or important areas of concern were noted.

#### **SEQR DECISION:**

Sara Boivin 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, I make a motion for a SEQR negative declaration since 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. Ruth Horton seconded the motion.

Mark Torpey, Chairman asked if there was any further discussion. None heard.

#### **VOTE:**

Mark Torpey, Chairman, in favor; Lexie Bonitatibus, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Kerry Mayo, in favor

**MOTION PASSES: 5-0**

Mark Torpey, Chairman stated we will now move onto site plan. The site plan is approved as submitted noting the final plans are to the satisfaction of the City Engineer, City Department of Public Works and the City's Consulting Engineer.

Sara Boivin made a motion in the matter of the Skidmore College Fitness and Tennis Center, 815 North Broadway that the application for site plan be approved with the conditions as noted by the Chair. Kerry Mayo seconded the motion.

Mark Torpey, Chairman asked if there was any further discussion. None heard.

**VOTE:**

Mark Torpey, Chairman, in favor; Lexie Bonitatibus, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Kerry Mayo, in favor

**MOTION PASSES: 5-0**

7:40 P.M. The Board recessed.

7:45 P.M. The Board reconvened.

**NOTE:**

Jamin Totino, Vice Chairman resumed his position on the Board.

Todd Fabozzi, resumed his position on the Board.

Shawna Jenks, Board Alternate joined the Board.

**D. BOARD DISCUSSION: PUBLIC DRAFT UDO**

Vince DeLeonardis, City Attorney stated the City has been undergoing the review of our zoning. We are attempting to update and unify the ordinance into what we have called the UDO – Unified Development Ordinance since 2015 after the Council passed the Comprehensive Plan. Efforts were initially stalled. In August 2018 the City retained Camiros and since that time they have brought this to where we are now providing the draft to the public and going through the review process. The City through the monies received in a grant was able to review our current zoning ordinance and assure it is in alignment with our Comprehensive Plan and other areas of the City Policies in the code. This is intended to be a more simplified document, more user friendly than what we currently have. The City Attorney suggested the Board review the first draft and provide informal comments. These will then be provided to the City Council and the consultant for further review and/or revisions. These will then be provided back to the Board for a formal advisory opinion before the final draft is presented and adopted.

Discussion ensued among the Board regarding the UDO, suggestions and comments were provided to staff. Additional comments will be reviewed and discussed at the next Planning Board Meeting scheduled for February 13, 2020.

**APPROVAL OF MEETING MINUTES:**

Approval of meeting minutes was deferred to the February 13, 2020 Planning Board Meeting.

**UPCOMING MEETINGS:**

Planning Board Caravan, Thursday, February 6, 2020 at 4:00 P.M.

Planning Board Workshop, Thursday, February 6, 2020 at 5:00 P.M.

Planning Board Meeting, Thursday, February 13, 2020 at 6:00 PM.

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 9:15 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

APPROVED 8-13-20