



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, FEBRUARY 15, 2018

6:00 P.M.

CITY COUNCIL ROOM

RECEIVED
MAR 30 2018
ACCOUNTS DEPARTMENT

CALL TO ORDER: Mark Torpey, Chairman called the meeting to order at 6:03 P.M.

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chairman, Jamin Totino, Vice Chairman, Janet Casey, Bob Bristol, Todd Fabozzi, Abigail Wolfson, Alternate

LATE ARRIVAL: Clifford Van Wagner arrived at 6:08 P.M.

ABSENT: Ruth Horton

STAFF: Kate Maynard, Principal Planner, City of Saratoga Springs
Justin Grassi, 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.

ANNOUNCEMENT OF ADJOURNED PROJECTS:

ADJOURNED PENDING ADDITIONAL INFORMATION:

17.061 STATION LANE APARTMENTS, (ASKEW), Station Lane, Special Use Permit for 36 multi-family residential units within three proposed structures within the Transect-5 Neighborhood Center (T-5) District.

17.057 CERRONE SUBDIVISION, Old Schuylerville Road, two lot residential conservation subdivision within the RR District.

COMMENTS FROM CHAIR:

Ruth Horton – Has been appointed by Mayor as new Planning Board Member.

Amy Ryan – New alternate appointed by the Mayor.

UPCOMING PLANNING BOARD MEETINGS/AGENDA WORKSHOPS:

Planning Board Caravan, Monday, February 26, 2018 at 4:00 P.M.

Planning Board Workshop, Monday, February 26, 2018 at 5:00 P.M.

Planning Board Meeting, Thursday, March 1, 2018 at 6:00 P.M.

PRIVILEGE OF THE FLOOR:

None heard.

A. POSSIBLE CONSENT AGENDA ITEMS:

Note: The intent of a consent agenda is to identify any applications that appear to be “approvable” without need for further evaluation or discussion. If anyone wishes to further discuss any proposed

consent agenda item, then that item would be pulled from the "consent agenda" and dealt with individually.

1. APPROVAL OF MEETING MINUTES:

Bob Bristol made a motion to approve the January 18, 2018 minutes of the Planning Board Meeting as submitted.

Jamin Totino, Vice Chairman seconded the motion.

VOTE:

Janet Casey, in favor; Jamin Totino, Vice Chairman; in favor; Bob Bristol, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor; Abigail Wolfson, Alternate, abstained

MOTION PASSES: 5-0-1

**2. 17.080 HENRY STREET CONDOS, 120 Henry Street, Site Plan Review for 24 Multi-Family residential units
Within a single building in T-5 Neighborhood Center District.**

Mark Torpey, Chairman stated we spent a fair amount of time on this application at a previous meeting discussing this project. The Board reviewed all the conditions associated with the project and we are comfortable with the language.

Mark Torpey, Chairman stated the following conditions are noted for Site Plan Approval for the Henry Street Condos.

1. Understanding further action with National Grid is required regarding the current power lines along the Property frontage, strong encouragement by the Planning Board offered to bury power lines along Henry Street frontage. The Planning Board strongly discourages any above ground line crossing over, and then being relocated along the west side of Henry Street.
2. Street side art gallery along first floor of structure shall serve as required public civic space on private property. Overall management plan including public or community entity stewardship to be approved by the Planning Board Chair with Planning Board input prior to signature of the final plans. The management plan shall require The HOA to underwrite the full operating cost of this public civic space in perpetuity. These annual operating costs are in addition to the one-time recreational fee noted in Item #6.
3. The portion of Henry Street and site frontage of current Four Seasons Natural Food Store shall consist of one-way access, and angled parking alternative on private property, and sidewalk, street trees, and streetlights per City standards within the public ROW, as reflected in visual provided on February 1, 2018.
4. The existing public loading area on the west side of Henry Street shall serve the delivery needs for the site. The location requires pavement striping as well as a new sign. The applicant shall follow DPS direction as to Whether they shall install both items, or provide any contribution towards their installation.
5. Henry Street crosswalk directly south of proposed site access shall be installed to City/ADA standards.
6. The HOA will provide snow removal services for the adjacent parcel currently leased by the Four Seasons For the remainder of the current lease term.
7. Upon the Board's review of the proposed site plan and proposed residential units, the Board finds that a proper Case exists for requiring a park or other recreational facilities within the City. However, as the applicant cannot offer and incorporate usable land of adequate size to meet this requirement on the site plan proposed, the Board

hereby requires a payment in lieu thereof for each new residential unit created.

The applicant is required to:

- Deliver a letter of credit or cash escrow in the amount approved by the City Engineer to the City per Article 7.2.15 of the City of Saratoga Springs Zoning Ordinance. This must occur prior to final signature by the Planning Board Chair.
- Provide recreation fees of \$1,500 for each new residential unit per Article 7.2.18 of the City's Zoning Ordinance. This must occur prior to final signature by the Planning Board Chair.
- Submit one (1) mylar and two (2) paper copies of the final approved site plans for signature by the Planning Board Chair within eighteen (18) months of approval as per Article 7.2.12 of the Zoning Ordinance.

Jamin Totino made a motion in the matter of the Henry Street Condos, 120 Henry Street that the application be approved with the conditions as noted.

Janet Casey seconded the motion.

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

None heard.

VOTE:

Janet Casey, in favor; Jamin Totino, Vice Chairman; in favor; Bob Bristol, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor; Abigail Wolfson, Alternate, in favor

MOTION PASSES: 6-0

B. APPLICATIONS UNDER CONSIDERATION:

1. **18.001 BOUCHER (HELIN) SUBDIVISION**, Glenmore Avenue, Advisory Opinion to the ZBA and consideration Of SEQRA Lead Agency and environmental review within the Urban Residential-2 (UR-2) District.

BACKGROUND:

Current parcel consists of 0.9ac within the UR-2 District. Parcel has frontage on Grand, Glenmore, and West Circular Streets. Sketch proposal of 5 residential lot subdivision, potential of 6 reviewed by Planning Board as sketch on October 26, 2017. Applicant has increased lots to 6 and is proposing related variances to ZBA. ZBA has sent required advisory opinion request to the Planning Board per the Zoning Ordinance. If a proposed subdivision plat contains one or more lots that do not comply with this Chapter and therefore require an area variance, the ZBA requested a written recommendation from the Planning Board concerning the proposed variance.

SEQRA:

ZBA proactively deferred SEQRA Lead Agency to the Planning Board should it wish to assume lead agency and complete SEQRA review. Other involved agency of DOH as proposed realty subdivision is 5+ lots, each less than 5 acres in size.

Kate Maynard, Principal Planner stated we have heard back from the DOH and they have proactively deferred Lead Agency status to the Planning Board.

Applicant: Jesse Boucher

Agent: Doug Heller, LA Group

Mr. Heller stated nothing is new really. There have been some minor updates to the SEQRA form as we started to progress the design and engineering. Just some square footage of impervious surface as we began to define the clearance.

Mark Torpey, Chairman stated we have had no comments from the City Engineer or staff. The archeological survey has been completed. We have heard back from the Office of Parks, Recreation and Historic Preservation on the archeological and historic impacts which are none. At this point The Board has reviewed the SEQRA Environmental Form, Part I.

Janet Casey made a motion for the Planning Board to assume SEQRA Lead Agency Status for this project.

Bob Bristol seconded the motion.

VOTE:

Janet Casey, in favor; Jamin Totino, Vice Chairman; in favor; Bob Bristol, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor; Abigail Wolfson, Alternate, in favor

MOTION PASSES: 6-0

NOTE:

Board Member Clifford Van Wagner assumed his position on the Board.

DISCLOSURE:

Clifford Van Wagner disclosed that the applicant Jesse Boucher is on the Board of Wesley where Cliff is employed.

Doug Heller, LA Group stated the SEQRA Long EAF Part II is required due to the fact that the parcel is a DOH subdivision, with more than 5 lots, less than 5 acres.

No large or important areas of concern were noted.

SEQR DECISION:

Jamin Totino, Vice Chairman 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.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Abigail Wolfson, Alternate, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 7-0

Mark Torpey, Chairman stated concerning the Advisory Opinion to the ZBA. All the information has been reviewed by the Board including the arrangement and the layout and everything which has been presented to date.

Janet Casey made a motion in the matter of the Boucher (Helin) Subdivision, Glenmore Avenue, Favorable Advisory Opinion to the Zoning Board of Appeals.

Bob Bristol seconded the motion.

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

None heard.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Abigail Wolfson, Alternate, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 7-0

2. **16.025 MENDENHALL SUBDIVISION**, 101 Old Schuylerville Road proposed 4-lot preliminary conservation subdivision within the Rural Residential (RR) District.

Mark Torpey, Chairman sated the project was last formally seen by the Planning Board at their January 12, 2017 meeting. At that time there was a discussion relating to the delineation and any determination from DEC, lot layout, access via shared driveway and details, and City Engineer guidance to provide separate lateral extensions into the site. Due to additional mapped DEC wetland area, lots are now proposed further into the site. Project site features existing single family home and related accessory structures. Site's boundary on west is Bog Meadow Creek, large expanse of DEC wetland, a 100 foot buffer area, and ACOE wetlands. Conservation subdivision is required in the RR district. 4 lots and above requires preliminary and final subdivision approval. We are still awaiting information from the DEC on some delineation of the wetlands. We have received Part I of the SEQRA EAF form.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the last appearance of the application before the Board there was some conversation concerning the delineation of the wetlands and what DEC had actually confirmed. There was discussion of the maps being used. DEC did another look at what was revised and provided to them for verification and confirmation. Two things have been submitted. One is the updated revised map which looks at the midsection of the property. It states south of that boundary is an area which has been confirmed by DEC and the north part is not noted to have that same confirmation. Delineation was completed. DEC did issue a permit. I have contacted them to verify that they had looked at the delineation map and confirmed the actual boundaries of the wetland and the 100 foot buffer. The second question is regarding Lot #4 located above the lot line which is somewhat proximate to the 100 foot buffer area. I was questioning if they were comfortable in providing that it was not within the 100 foot buffer. They stated this was the map they looked at and they were comfortable. I did speak with them concerning coordination and they do want to continue to work with the City cooperatively especially through the SEQRA process and coordinated review. We spoke about access which is being provided to the site which is a current gravel driveway which is to be expanded to accommodate 4 lots usage. The fire department wants assurance that it is meeting code for emergency vehicle access.

Applicant: Norman and Kathelyn Mendenhall

Agent: Daniel Wheeler, Land Surveyor

Mr. Wheeler stated he prepared the plans. The application was before the Board approximately a year ago. There were questions. There was ACOE wetlands, and DEC wetlands. We did meet with them and they ultimately said they were

going to take over jurisdiction over the wetland parcels, creating the 100 foot buffer on all three. In the same meeting they were willing to issue a disturbance permit; they stated they had no problem with what we are proposing. That created the new lot configuration. The lots have been moved back into a more clustered configuration in an area that is higher and drier than the old ones. They are further back and more clustered. There is more conservation easement area than before. We have created an easement over the driveway of Lot 1, which Mr. Mendenhall will retain ownership of for the driveway and the turnaround which is subject to review by the fire department for adequacy in size.

Clifford Van Wagner questioned the size of the driveway width noting it should be large enough in size to accommodate two car widths.

Mark Torpey, Chairman stated the Board has been reviewing the City's Open Space Policy which denotes 100 foot buffer as an area that we are trying to stay away from with roadways, driveways and building sites. It looks like in this layout there is a small impingement. Perhaps re-aligning the relocation of the road to provide a width meeting requirements and preserving the 100 foot wetland no cut buffer.

Discussion ensued regarding the re-location of the road to provide width requirement and the no cut buffer.

Mr. Wheeler spoke regarding wetland delineation.

Kate Maynard, Principal Planner, City of Saratoga Springs spoke regarding the updated wetland information received. The DEC has confirmed the southern portion south of the line. The northern portion has not been confirmed yet. They have issued the permit and this has been verified with DEC.

Mark Torpey, Chairman stated he would like to have some additional clarification in this area concerning the wetland buffer as separate and distinct from the development areas.

Todd Fabozzi stated the maps published show the wetland area as being much larger.

Mr. Wheeler stated the DEC wetland delineation was completed and noted.

Kate Maynard, Principal Planner, City of Saratoga Springs stated what we have always gone by is the DEC process and mapping. It is a general reference based on understood data, which DEC puts out in the mapping and the type of criteria which is reviewed. The DEC has confirmed the permit has been issued based on this vantage point. I spoke directly to them and their decision is based on this mapping that is how they chose to issue that permit.

Mark Torpey, Chairman questioned if it would be possible to have a representative from the DEC attend a Planning Board meeting to present and explain their position and decision on the permit being issued. The applicant seems to be moving in the right direction with the clustering of the lots. We have a lot of moving parts with respect to encroachment into the 100 foot buffer. We have not received any language on the conservation easement and who would be responsible for it providing more specificity in this regard. It would be helpful for the Board to see this prior to decision making.

Discussion ensued among the Board concerning the moving or the widening of the current driveway, the opinion of the fire department and the clustering of the building lots, perhaps even smaller size lots.

Kate Maynard, Principal Planner, City of Saratoga Springs stated again this is the comfort level of the Board regarding the information provided and updated wetland information. There were some questions with the utilities and the water infrastructure sizing.

Mr. Wheeler stated at the workshop the Tim Wales, City Engineer spoke regarding his preference for a 6" tap. Where we are proposing the water tap there is a hydrant 40 feet away. I will speak with the City Engineer because we are proposing a 2" tap and stepping it down.

Kate Maynard, Principal Planner, City of Saratoga Springs stated there is a question to the lots being proposed and insuring that you have fire protection available since there is such a long drive into the site with 3 additional proposed lots.

Mark Torpey, Chairman stated we have discussed a few items – further clustering of the lots to provide more flexibility of location and providing buffers. Additional input from the DEC on the northern edge of the property. The Board to walk The property before the final conservation subdivision. Late March would be the perfect time.

Clifford Van Wagner stated perhaps the building lot perimeters could be marked.

Mr. Wheeler stated he will flag the lots for the Boards review and will be happy to meet the Board for the walk about.

Clifford Van Wagner stated if we walk the property, mark and make an educated decision on what will work.

Mark Torpey, Chairman stated what would also be helpful concerning the conservation easement prior to the approval identify the boundaries in perpetuity to maintain the no cut buffers.

Discussion ensued among the Board concerning a date for the Board to walk the property. A date and time will be chosen and the Board and Mr. Wheeler will be notified.

3. **18.002 WISE SUBDIVISION**, 25 Walnut Street, final 2-lot subdivision within the Urban Residential 2 (UR-2) District.

SEQRA:

Action appears to be an Unlisted Action. The Planning Board is the only involved agency.

BACKGROUND:

Currently one lot with one single-family residence and detached garage. Project is a two-lot subdivision creating one new single-family residential lot fronting on Willow Lane. A single family home exists on the other lot.

DISCLOSURE:

Janet Casey disclosed that she does know Andrea Wise. She has no financial interest in this application. No need for recusal, simply a disclosure.

Applicant: Andrea Wise

Agent: J. Cox, Attorney

Mr. Cox stated we have an application before the Board regarding a two-lot subdivision. A new lot will be created on Willow Lane, which is a one way street. The new lot being created is a conforming lot. Both lots meet the minimum lot requirements in the UR-2 zone. We are requesting a waiver of the sidewalk requirement. Both sides of Willow Lane have no sidewalks and there are no intersecting sidewalks on either side of Birch or Walnut.

Mark Torpey, Chairman stated the continuation of sidewalks on Walnut Street seem prudent. On Willow there is a different set of circumstances a smaller street width and no sidewalks currently.

Kate Maynard, Principal Planner, City of Saratoga Springs noted the streetscape requirements will be required on Walnut Street and in conformance with the City's standards.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 7:00 P.M.

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

None heard.

Mark Torpey, Chairman closed the public hearing at 7:01 P.M.

Todd Fabozzi stated he supports the sidewalks on Walnut Street and would like to support them on both sides of the street. We have long term plans in the City to have connecting sidewalks throughout the city. As part of our approval we should require them on Willow Lane as well.

Jamin Totino, Vice Chairman questioned the requirements for a sidewalk waiver. He agrees with Todd concerning the sidewalks.

Kate Maynard, Principal Planner, City of Saratoga Springs provided the Board with the requirements for sidewalk waivers.

Discussion ensued among the Board concerning the waiver of sidewalks. It was the consensus of the Board to move forward with the waiver for sidewalks on Willow Lane.

SEQRA REVIEW:

Mark Torpey, Chairman stated the Board has received and reviewed Part I of the SEQRA EAF. It is appropriate and accepted by the Board.

Mark Torpey, Chairman reviewed Part II of the SEQRA EAF form. No large or important areas of concern were noted.

SEQR DECISION:

Jamin Totino, Vice Chairman 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.

Abigail Wolfson, Alternate seconded the motion.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Abigail Wolfson, Alternate, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 7-0

Mark Torpey, Chairman stated moving on to the two-lot subdivision. We spoke about a few items. In terms of the preservation of the large species trees on the property, 48 inch in diameter. We spoke about the waiver of sidewalks on Willow Lane due to the unique aspect of this property. Walnut Street will be required to provide the continuation of sidewalks, curbing, street lights and street trees per the City's standards to make the connectivity happen.

Clifford Van Wagner made a motion in the matter of the application of Wise Subdivision, 25 Walnut Street final 2-lot subdivision be approved with the conditions as noted by the chair.

Janet Casey seconded the motion.

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

None heard.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Abigail Wolfson, Alternate, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

Mark Torpey, Chairman explained the reasoning for the waiver of sidewalks on Willow Lane. In reviewing the alleys and the lanes in terms of the neighborhood character. It seems there is a certain aspect of an alley that does not really lend itself to a sidewalk. From the community compatibility standpoint, it is not the safest way for kids to move around but it seems to me that the character of that is worth preserving in the City. It is unique that it is narrow and a one way alley. Four properties on the other side of the street had sidewalks waived with the last 24 – 36 months. This previous approvals recognizes that this is a unique situation and a land swap was done. Better connectivity for pedestrians was provided on a perpendicular street.

MOTION PASSES: 7-0

The Board Recessed at 7:20 P.M.

The Board Reconvened at 7:27 P.M.

4. **18.003.1 BOLDER VENTURE SUBDIVISION**, 116 High Rock Park, Advisory Opinion to the ZBA in an Urban Residential-4 (UR-4) District.

SEQRA:

Action appears to be Unlisted. Short form Part I provided. ZBA initiated Coordinated Review and proactively deferred Lead Agency to the Planning Board on January 22, 2018.

BACKGROUND:

Project site features existing two-family home (townhouse-style) and associated improvements. The proposed two-lot subdivision would divide the property at the shared party wall.

AREA VARIANCE CONSIDERATIONS:

	REQUIRED	PROPOSED	TOTAL RELIEF REQUESTED
Minimum average lot width: Lot 1	100 ft.	47.97 ft.	50.53 ft (50%)
Minimum front yard setback: Lot 1	25 ft.	4.7 ft.	20.3 ft (81%)
Minimum side yard setback: Lot 1	20 ft.	0 ft.	20 ft. (100%)
Minimum total side yard setback: Lot 1	45 ft.	20.9 ft.	24.1 ft. (54%)
Maximum principal building coverage: Lot 1	25%	29.6%	4.6% (18%)
Minimum average lot width: Lot 2	100 ft.	50.63 ft.	49.37 ft. (49%)
Minimum front yard setback: Lot 2	25 ft.	4.9 ft.	20.1 ft. (80%)
Minimum side yard setback: Lot 2	20 ft.	0 ft.	20 ft. (100%)
Maximum principal building coverage: Lot 2	25%	27.1%	2.1% (8%)

Mark Torpey, Chairman stated the application is requesting taking a two family home and bisecting it through the middle into two separate parcels.

Applicant: Dave Gadomski, DSG Remodeling & Construction, LLC

Agent: Tonya Yasenchak, Engineering America

Ms. Yasenchak stated this project involves an existing duplex which has existed since the 1800's and has been vacant for approximately 10 years. The two units are identical. What the current owners would like to do is subdivide the property right down the median wall. This was a duplex and everything was exactly mirrored everything goes right down the middle. Different options were entertained and the easiest thing is to subdivide the property making the lot line right down the middle. That would also allow each property owner to have their own land omitting the paperwork to the Attorney General and an HOA as well. Infrastructure will be separate to each unit. This will require variances as noted. Part of the application also includes some additions and renovations as well. One of which on each side is the addition of a porch. We spoke to the Building Department and Planning Department since each entry to the duplex was a set of stairs on one side and the other side was a small stoop. According to New York State Building Code Guidelines we do need some type of landing outside the doors. If we continued along in this area we would then infringe on the parking. Tucking a new porch into the corner of each unit creates more interaction between the street and the house. It currently looks like one flat wall and does not have much style. Adding a porch with a covered entryway would again create interaction between the street and the house and would be similar to other homes in the area. The owner would like to create small bump outs in the front which does bring us closer to the property line and also counts into the minimum front setback line. This helps with the aesthetics of the home along the front. The applicant is also proposing a screened porch at the rear of each home adding approximately 5 feet to the rear of the home. The variances although they do seem excessive it is not changing any of the conditions which currently exist. We are not adding to the density.

Mark Torpey, Chairman questioned if each unit will have its own separate utilities.

Ms. Yasenchak stated yes, each unit will have separate utilities. This will be part of the project.

Kate Maynard, Principal Planner stated this application will return before this Board for site plan review.

Mark Torpey, Chairman stated the Board did provide a similar approval concerning a home for the Habitat for Humanity.

Ms. Yasenchak stated we can provide to the Board elevations of what is being proposed. We believe this will change the property aesthetically for the better. A visual presentation of the proposed project was provided for the Board. All the cladding will be new with Hardi Board siding, new windows, a new roof and new heating system. The structure itself is in good shape.

Clifford Van Wagner stated the number of variances seems excessive.

Mark Torpey, Chairman questioned the Boards concern regarding if the property were to be demolished in the future, two substandard lots exist on the smaller parcels.

Jamin Totino questioned if there was any historic value of this property. He is not compelled to vote on the creation of two substandard lots. I wonder how that fits in with the character of the neighborhood. There are no other properties in this area that are subdivided in this manner. Further down High Rock toward the Old Mill there are historic homes in that area. Is there historic value in this home? I do not think this is that simple.

Ms. Yasenchak stated just a few blocks down are the new townhomes which have been built and are small in size. I can obtain and provide those dimensions to the Board. Right next door there are apartments that have been built which look like narrow town homes. There are some similar situations which exist in the City.

Todd Fabozzi stated he believes this will improve what is currently on the site. He does not feel this is a major effect on the character of the neighborhood.

Discussion ensued among the Board to place a condition on the approval requiring the owner to appear before the Board prior to any type of demolition and/or change in the property.

Janet Casey stated the only compelling reason to deny this is if the property were to be torn down it would create two non conforming lots. Given the fact that the house is not going to change I am torn. Could we condition the subdivision noting that the house must remain a single structure.

Mark Torpey, Chairman questioned the applicant why he is pursuing a subdivision.

Mr. Gadomski stated he is hoping to sell the property. He is hoping to build to suit on the inside. On the outside they will be the same.

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

Jamin Totino, Vice Chairman stated regarding the apartments down the road is one thing. This home is next door to several historic homes. You cannot parse that out. I'm still curious what the historic value of this home is. Is there room for Saratoga Springs Preservation Foundation to weigh in. I am not currently in favor of this project. I am not compelled to agree with it. It is still about creating two substantially substandard lots which does not make sense. Were the neighbors notified?

Ms. Yasenachak stated the neighbors were all notified.

Justin Grassi, Counsel to the Land Use Boards stated with regard to conditions. It would be appropriate in reviewing considerations for both aspects the ZBA will be required to review this and the Planning Board will be required to review for subdivision. Those approvals will be based on the consideration as to what currently exists and what is planned. If both the ZBA wanted to condition variances on their being one building and not two and subdivision wanted to place a condition that there is one building and not two and that is the reasoning for the approval, you cannot do it. We can make part of the advice to the ZBA if they so desired to include in their approval if they choose to approve.

Janet Casey stated the more we talk about this the more disinclined I am to subdivide a historic structure. That is an issue which has not been raised.

Discussion ensued among the Board concerning the state of the current property and structure.

Bob Bristol stated he has mixed emotions about this. I really want to take a closer look at the project before I vote on it.

Clifford Van Wagner made a motion for a Negative Advisory Opinion to the ZBA.

Jamin Totino seconded the motion.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, abstained; Abigail Wolfson, Alternate, opposed; Todd Fabozzi, opposed; Mark Torpey, Chairman, in favor

MOTION PASSES: 4-2-1

SEQRA REVIEW:

The Board reviewed Part I of the SEQRA EAF submitted by the applicant. The submission is in order and accepted by the Board.

The Board reviewed Part II of the SEQRA EAF.

Discussion ensued among the Board concerning several areas of concern on the amount of relief being in excess as well as impact on what could be a historic house. No large or important areas of concern were noted.

SEQR DECISION:

Jamin Totino, Vice Chairman 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.

Mark Torpey, Chairman spoke regarding the condition of approval when it returns before this Board.

Janet Casey seconded the motion.

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

None heard.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, opposed; Jamin Totino, Vice Chairman, in favor; Bob Bristol, abstained; Abigail Wolfson, Alternate, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 5-1-1

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 8:00 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 3-15-18