



City of Saratoga Springs
Unified Development Ordinance (UDO)
Technical Review Advisory Committee (TRAC)

Meeting Minutes
Tuesday March 21, 2017
4:00 p.m.
Saratoga Springs Music Hall

PRESENT:

Susan Barden, Senior Planner; Tina Carton, Parks, Open Space, Historic Preservation /Sustainability; Vince DeLeonardis, City Attorney; Amy Durland, Planning Board; Meg Kelly, Deputy Mayor; Kate Maynard, Principal Planner; and Susan Steer, Zoning Board of Appeals.

CONSULTANTS: Michael Allen, Behan Planning and Design.

ABSENT: Brad Birge, Admin of Planning & Economic Development; Tamie Ehinger, Design Review Commission

CITY OFFICIALS: Tim Wales, City Engineer; Stephen Shaw, Building Inspector

RECORDING OF PROCEEDING

The proceedings of this meeting were taped 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.

PUBLIC COMMENT:

Tina Carton opened the public comment period at 4:07 p.m.

Cheryl Grey of Saratoga Springs stated that she was concerned and would like to confirm that Complete Streets would be incorporated into the document. Complete Streets is an important issue and the City just adopted a Complete Streets Plan. She also cited the 2015 Comprehensive Plan which included a Complete Streets section.

Michael Allen of Behan Planning addressed the Complete Street concerns and stated that this is something which will be incorporated into the UDO in the future articles.

Approval of 3/7/17 TRAC Meeting Minutes

Tina Carton moved to approve the 3/7/2017 TRAC meeting minutes.

Ayes- All

Discussion on UDO Draft Schematic Materials

Tina Carton opened the discussion introducing Tim Wales, the City Engineer, and started the review with the sections relevant to stormwater management and land disturbance. Both Tim Wales and Al Flick, City's Stormwater Management Program Coordinator, were sent relevant materials to review and they provided notes based on their experience. She then mentioned that the notes were available in paper form for review and had been previously sent to Behan Planning and the committee.

Tim Wales, the City Engineer, asked questions regarding site plan and subdivision material. Michael Allen stated that the most recent version of Article 5 includes material on these topics. Tina Carton stated that she will send Tim Wales the updated Article 5.

The committee then discussed 5.2.9 Performance Guarantees. The City currently requires a letter of credit or cash escrow. In addition, cash escrows require a cash escrow agreement. Michael Allen from Behan will update the draft document to follow these processes.

The committee then discussed EPA guidance on stormwater requirements and the city local law requirements. Tim Wales and Vince DeLeonardis would like Behan to review the NYS local law requirements and confirm that the proposed language is in compliance with these requirements in the final document.

Within 5.2.9.A.1C, Tim Wales and Vince DeLeonardis questioned if the requirement for a bank to be within a 40 mile radius was relevant with electronic banking practices. It was agreed to remove the radius requirement but include the requirement that it be a licensed bank within the State of New York.

Tim Wales then clarified his note on 5.2.9.A.2 adding language: extension and/or reduction application along with supporting documentation is due no less than 30 days prior to the expiration date. Tim stated that the City and the Planning Board need to have adequate time to review the material before taking administrative action, as an example if the city receives material on December 30th at the end of the day the applicant understands that it will be reviewed within 30 days and not by the next Planning Board meeting. The committee then discussed the process of who does the review and agreed to revise the ordinance from "The Planning Board Chairperson, in consultation with the City Engineer" to "The City Engineer, in consultation with the Planning Board Chairperson, may act..."

The committee discussed section 5.2.9.A.3. The committee agreed to strike: "The inspection fees for the site plan shall not exceed 2% of the cost of the installation of the required improvements." Tim Wales then recommended removing the City Engineer from inspection responsibility and place the responsibility and expense to the private party. He requested that the language be amended to: "The applicant(s) or design professional shall inspect the required construction activity." Some members of the committee questioned if the City should retain the right for inspection. Kate Maynard recommended that instead of 5.2.9.A. reading "the applicant shall construct and complete the required improvements; it should read "the applicant shall construct and complete any (or all) required improvements." Within 5.2.9.A.1.a., the committee agreed to remove the second sentence outlining specific site improvements as the language was seen as limiting to possible required improvements.

The committee moved on to section 5.2.9.A.2. After discussion, they agreed to edit "The Planning Board Chairperson, in consultation with staff" and change it to "The City Engineer, in consultation

with the Planning Board Chairperson, may act upon the request”. Tim Wales also explained why the group should strike “architect” out of 5.2.9.A.1.b. since engineers and/or landscape architects submit site plans and this task is not undertaken by architects.

Kate Maynard asked if there was a possibility to reference section 5.2.9.A.1.c. within 5.8 Subdivision, as both sections have similar requirements around performance standards. Michael Allen responded that he didn’t mind combining them if it makes sense. Tim Wales responded that there’s a difference between a subdivision and a site plan, and that should be made clear. They agreed to make it a separate section.

Vince DeLeonardis noted that general statutory authority has been placed in Article 1 but other sections of the UDO need to specify who has statutory authority such as stormwater management.

In section 5.2.9.B.5., Tim Wales suggested the addition of “The City Engineer may also respectfully request the City Attorney to take possession of financial guarantee funds if necessary.” Tim also confirmed with Behan that “as-built” standards will be put in the appendix.

The committee moved on to section 5.6 Stormwater Management. City engineering staff and the TRAC questioned Behan striking 5.6.1 and the second paragraph of 5.6.2. Michael Allen told the committee that the language was being removed and/or revised so it would be less repetitive. The committee did not agree that the rewriting of section 5.6.2 improved the original language. They moved to keep the original language. Tim Wales was also concerned that this section must be modeled after the state version and did not believe that there was much leeway for removing content. Michael Allen stated that Behan will revisit this section and make sure that it covers all material necessary.

The committee moved on to section 5.6.6.2.a. and discussed the language of non-residential and mixed-use development as opposed to residential and non-residential. In the end, they decided to keep the language the same. As they moved down to 5.6.6.3., Tim Wales noted he had added language saying “Applicable SWPPP review fees must be paid to the city prior to review of any SWPPP.”

In section 5.6.7.B., changes were made to distinguish Full SWPPPs from Partial SWPPPs. In #10 of this section, the group agreed to strike “certified professionals” from the language.

In section 5.6.12.A.2, the language “every seven days and within 24 hours of any storm event producing 0.5 inches of precipitation or more” was struck because it is no longer a requirement. In addition, the committee discussed the first sentence and would like to ensure Behan references the correct section where land disturbance activities are defined and where land disturbance conditions are met - Section 242-7 no longer applies.

For 5.6.12.A.3., the City requires an ES&C training certificate for the site and excavation contractors. This is now in the pre-construction meeting agendas and the city stormwater management plan. Tim Wales would also like to add 5.6.12.C.4: “Yearly inspection reports and post construction stormwater management practices shall be submitted to the City Engineer office on an annual basis.”

Tim Wales noted that he had changed the language in section 5.6.13.A.4 from “may require” to “requires yearly”. The group then discussed 5.6.13.B. and decided to keep the proposed Performance Guarantee language within this section, but check back on the section at a later date to see if it was redundant or if it was consistent with other UDO Performance Guarantee language.

In section 5.6.13.C.2. “Stop Work Orders”, the language was clarified from “The City of Saratoga Springs” to “City Engineer in consultation with the Zoning and Building Inspector”.

The group moved on to section 5.7.2. where they noted that 1.5 acres should be replaced with a 1 acre requirement. Activities described in A and B may require a SWPPP per the City's definition of construction and/or land use activity therefore including these requirements again in this section may be duplicative or should be clarified. The committee decided to make this determination at a later date.

NEXT STEPS

The committee discussed changing future meetings to not coincide with City Council meetings. Behan Planning and Design will work on completing the draft of Article 6 – Variances.

PUBLIC COMMENT:

Tina Carton opened the second public comment period at 5:45 p.m.

Matt Jones, of Saratoga Springs, asked if the use schedule and recommendations were completed, and if so would they be disseminated.

Michael Allen from Behan responded at the end of public comment and stated that they were in the process of being created and was not yet complete.

Tina Carton then clarified and stated that all materials which Behan has completed and submitted to the committee are available for review by the public online.

FUTURE MEETING

Committee meetings will be at 4 p.m. in the Music Hall on the first and third Tuesday of each month.

ADJOURNMENT:

The next TRAC meeting will be held on April 4th at 4 p.m. in the Music Hall.