



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, APRIL 19, 2018

6:00 P.M.

CITY COUNCIL ROOM

CALL TO ORDER: Mark Torpey, Chairman called the meeting to order at 6:00 P.M.

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chairman, Janet Casey; Clifford Van Wagner, Amy Ryan, Alternate; Ruth Horton, Todd Fabozzi;

LATE ARRIVAL: Bob Bristol arrived at 6:45 PM; Jamin Totino arrived at 7:15 P.M.

STAFF: Kate Maynard, Principal Planner, City of Saratoga Springs
Mark Schachner, Counsel to the Land Use Board – arrived at 7:30 PM

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:

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

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.

17.074 EXCELSIOR PARK (2017), Excelsior Avenue and Ormandy Lane, Special Use Permit for mixed use development including 163 residential units, 36,200 square feet of commercial space and a 60 room hotel with restaurant within the T-4 & T-5 Districts.

17.075 SPENCER SUBDIVISION, Kaydeross Park Road, and Arrowhead Road, final 22 lot subdivision within The Suburban Residential-2 (SR-2) District.

16.018 REGATTA VIEW PHASE 3, Union Avenue and Dyer Switch Road & Regatta View Drive, Site Plan review for construction of 24 residential units within the Interlaken PUD District.

17.063 WASHINGTON STREET HOTEL & SPA, 19-23 Washington Street, SEQRA consideration of Lead Agency Status and coordinated review for construction of 62,567 square foot Hotel & Spa within the T-6 Urban Core District.

18.006 PEPPERS CORNER, 173 Lake Avenue, Special Use Permit for a convenience sales use in the Urban Residential-3 (UR-3) District.

COMMENTS FROM THE CHAIR:

UPCOMING PLANNING BOARD MEETINGS/AGENDA WORKSHOPS:

Planning Board Caravan, Monday, April 30, 2018 at 4:00 P.M.
Planning Board Workshop, Monday, April 30, 2018 at 5:00 P.M.
Planning Board Meeting, Thursday, May 3, 2018 at 6:00 P.M.

PRIVILEGE OF THE FLOOR:

None heard.

A. APPLICATIONS UNDER CONSIDERATION:

1. **18.008 372 LAKE AVENUE SUBDIVISION**, proposed preliminary residential 3-lot subdivision in an Urban Residential-1 (UR-1) District.

Mark Torpey, Chairman stated what is before the Board is a preliminary subdivision in the UR-1 District. At the workshop we provided some guidance and advice to the applicant. Several issues were raised concerning the sanitary sewer easement, buffering to adjacent properties, as well as a shared driveway easement, which is a critical part of the application. This will also require a new DOT curb cut on Lake Avenue.

BACKGROUND:

This parcel is zoned UR-1 with minimum lot size of 12,500 square feet, average lot width of 100 feet. Parcel is directly adjacent to the Northway, long linear parcel. As per other applications we are seeing, property could be considered more "marginal", but due to development pressures, now proposed for development. Similarly, we will likely see a formal application soon for the property directly to the south. Coordinating open space and development areas can make sense between two projects.

Applicant: Giovanone Real Estate Partners

Agent: Doug Heller, LA Group; Mike Ingersoll, LA Group

Mr. Heller stated what the applicant is hoping for this evening is for the Board to review SEQRA. Following SEQRA approval some of the language can be finalized for return before this Board for final subdivision approval.

Mr. Heller provided a visual presentation to the Board of the location of the proposed subdivision. Survey of the parcel was provided of the property noting the DOT fencing in place along the Northway with 30 feet of buffering required from the rear property line. A conservation easement would provide further protection to incidental clearing as it is filed with the property. Also the adjacent properties driveway and to the east of that the city sanitary pump station is located. Photographs were provided for the Boards review. Mr. Heller explained the pump station facilities on this site noting the the back of the control panel is what is on the right of way. The generator for the pump station is on this property and is what we are proposing is an easement since none exists as this time. Site distance views were provided to the Board.

Mr. Ingersoll, LA Group. What we are doing is requesting a 3 lot subdivision, which does not max out the site with a shared driveway. This allows the buffering along the Northway, along with a no cut buffer as well. We also added and beefed up the road for fire apparatus access and turnaround.

Mr. Heller stated the parcel size is approximately 2.5 acres, .88 acres or 30% of the property will be a no cut buffer zone. Concerning the utilities, Tim Wales, City Engineer had some comments. We will be revising the plans per the recommendations of the City Engineer. We will be connecting into the sanitary manhole which feeds into the pump station so what we will do is connect into that manhole set a new one on the edge of the property, which what all three parcels will connect into. Similarly with the water previously shown was three separate connections into the main. Mr.

Wales requested if we tap in with one connection to the property line and at that point we will have the three individual water lines connect into that stub. Mr. Heller provided information and a sketch which shows a fire access road which meets all the requirements. We needed to widen up the driveway on Lot #2 for backup area for fire apparatus.

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

Todd Fabozzi questioned staff concerning an additional project in the area and what were you thinking in relation to the activities in the neighborhood.

Kate Maynard, Principal Planner stated no formal application has been submitted. There is a possibility of another project in the area.

Discussion ensued among the Board concerning additional projects in this area.

Amy Ryan, questioned water table in this area, which is quite high.

Mr. Heller stated a wetland scientist did review the site and determined there were no wetlands on the site. The groundwater is a little deeper in this location. The houses will be built up a little.

Amy Ryan questioned if a traffic study has been completed for this area since it can get congested at times.

Mr. Heller stated no traffic study has been completed for this 3 lot subdivision. They did review site distances.

Mark Torpey, Chairman questioned the no cut buffer proposed and distances between the neighboring properties.

Mr. Heller stated a 20 foot no cut buffer is proposed in the rear, 30' along the south side and 15 feet along the adjacent properties along the west side.

Amy Ryan questioned the plans for the pump station.

Mr. Heller stated the pump station will not be touched at all. Minimal or no impact at all.

Discussion ensued among the Board concerning the shared driveway, maintenance as well as trash pickup and turn around.

Mr. Heller stated this will be handled through the easement language.

Amy Ryan questioned the presence of a concrete type foundation on the lot. Has this been investigated to ensure it is not a historical feature on the site.

Mr. Heller stated an archeologist has reviewed the site and determined there is no historical or archeological significance to the concrete foundation currently existing on the site. This will be within the no cut buffer as well so it will not be touched.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 6:25 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 6:26 P.M.

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

SEQRA:

Mark Torpey, Chairman stated Part I of the SEQRA Short EAF Form was submitted by the application. It appears correct and accurate.

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

SEQRA DECISION:

Clifford Van Wagner 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.

Ruth Horton seconded the motion.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Amy Ryan, Alternate, in favor;
Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 6-0

Mark Torpey, Chairman stated moving on to the preliminary 3 lot subdivision. The following conditions were discussed:

- Finalization of the no cut buffer language.
- Split rail fencing, noting delineation and protection in addition to the easement, applicant needs to return before the Board for final determination.
- No further subdivision of the property.
- Fire ingress and egress, property deed restriction.
- New manhole for sanitary connection in the street.
- DOT curb cut to be determined.

Clifford Van Wagner made a motion in the matter of 372 Lake Avenue Subdivision, that the application for preliminary residential 3 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; Amy Ryan, Alternate, in favor;
Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

NOTE:

The agenda was heard out of order due to lack of representation for Item #2.

2. **18.021 SECURITY SUPPLY**, 5 Finley Street, Special Use Permit for retail and warehouse within a T-5 Neighborhood Center District.
3. **18.020 SECURITY SUPPLY**, 5 Finley Street, Site Plan Review for retail and warehouse uses within a T-5 Neighborhood Center District.

Mark Torpey, Chairman stated the application is before the Board this evening for consideration of a Special Use Permit and Site Plan Review for retail and warehouse functionality in the T-5 District 1.35 acres. What is being proposed here is a combination of 2700 square feet of office space, 4,000 square feet of retail space, and also warehouse space. We had some concerns regarding parking at the workshop. The applicant is willing to work with the Board on the recommendations made. Money was put aside for an engineering review. Cross access easements are required as well as curb cuts.

BACKGROUND:

Project abuts Saratoga County Mental Health Facility. Common ownership with Mental Health Facility and subject site. Proposed lot line adjustment adjusting boundary between two properties has also been submitted. Property currently contains single family home. Sidewalks were extended along the frontage in relation to the County Mental Health Facility approval.

SEQRA:

Action appears to be an Unlisted action with DRC as other Involved Agency. DRC has deferred of Lead Agency Status to the Planning Board at their April 18, 2018 meeting.

Applicant: Wholesaler Properties

Agent: Doug Heller, LA Group

Mr. Heller stated the proposed project is a 1.37 acre lot. A visual of the current parcel was provided for the Board. There is an existing home on the site which is currently rented out. The home has an existing curb cut and driveway. A street light and two existing street trees. To the rear of the parcel is a large lot used as a parking lot from an earlier car dealership at this location. A review of the survey site was provided. There are some steep slopes on the site. A review of the easement area which allows ingress and egress to service this property itself. The front of the building will house the retail portion of this application. In the middle are the offices and in the rear will house the warehouse. We do have 2 recessed loading docks as well as one surface loading area which is more for FedEx/UPS type deliveries. The loading areas are covered. Parking is proposed on the east side in the rear. We are proposing a retaining wall with a fence on the top. Portions of the sidewalks will be disturbed during construction. These will be repaired. We are hoping to maintain the street light and one street tree will need to be replaced following construction. Mr. Heller provided an example of the number of truck deliveries received by the site per week and the different size trucks and their ability to access the site and also turnarounds on the site. Mr. Heller noted there are 24 parking spaces provided on site. The hours of operation are daily from 7AM to 5PM and Saturday 8AM to 12 Noon.

Board member Bob Bristol arrived at 6:45 P.M.

Janet Casey questioned the nature of the business and will the majority of customers be homeowners or contractors with large trucks.

John Dower, President of Security Supply stated it is a pretty good mix. It is roughly 70% contractors and 30% homeowners.

Ruth Horton questioned the number of vehicles entering and exiting the site on a daily basis.

Mr. Dower stated approximately 50.

Todd Fabozzi stated there is a limited site line coming from Union Avenue.

Mr. Heller stated we have spoken to Mr. Benaquista and one of the things we discussed is to potentially make this area a 3 way stop.

Discussion ensued among the Board regarding traffic visibility in this area.

Mark Torpey, Chairman questioned the second story of this building which is required in this zoning district. Will this be over the retail area.

Mr. Heller stated the second floor of the building will be over the office portion to be uses as a conference room. The front of the building will look like a second story.

Mark Torpey, Chairman questioned if a shared parking agreement with the Mental Health Offices was entertained.

Mr. Heller stated they have not considered shared parking.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 6:58 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 6:59 P.M.

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

Mark Torpey, Chairman asked Mr. Heller to elaborate on the hydrant failure noted by the City Engineer in this area.

Mr. Heller stated the hydrant once opened the pressure dropped significantly in that line. There is enough of pressure in that line to service the building domestically. We are investigating this further to assure the line can service the sprinkler system adequately. Our fire experts are further inspecting this older hydrant to determine if the hydrant itself needs replacing, a fire pump or a different connection.

Mark Torpey, Chairman stated the Board is in receipt of the SEQRA Part I which was submitted by the applicant it is completed and accurate. The Board reviewed SEQRA Part II; no large or important areas of concern were noted.

Clifford Van Wagner questioned the possibility of looping the water line in this area.

Mr. Heller stated this is something he will be discussing with the City Engineer.

Janet Casey made a motion in the matter of the Security Supply, 5 Finley Street, the Planning Board accept Lead Agency Status for SEQRA environmental review.

Clifford Van Wagner seconded the motion.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Amy Ryan, Alternate, in favor; Bob Bristol, abstained; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

MOTION PASSES: 6-0-1

SEQR DECISION:

Clifford Van Wagner 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.

Ruth Horton 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; Amy Ryan, Alternate, in favor; Bob Bristol, abstained; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

MOTION PASSES: 6-0-1

Mark Torpey, Chairman stated we will move onto Special Use Permit, with the following conditions:

- Onsite parking 24 spaces in conformance with the proposed uses.
- Hours of Operation Monday – Friday 7AM-5PM; Saturdays 8AM-12Noon.

Todd Fabozzi made a motion in the matter of the application of Security Supply, 5 Finley Street that the Special Use Permit be approved with the above noted conditions.

Amy Ryan 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; Amy Ryan, Alternate, in favor; Bob Bristol, abstained; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

MOTION PASSES: 6-0-1

Mark Torpey, Chairman stated we will move onto Site Plan.

- Street trees, curbing and street lights to the City Standards.
- Recommendation to research the possibility of shared parking with the Mental Health Office.
- Recommendation for a 3 way stop or other potential mitigation for a safer intersection to be discussed/reviewed with public safety.
- Recommendation for a looped water line to be discussed with the City Engineer.
- Signage for truck turnaround area.
- Hours of Operation Monday – Friday 7AM-5PM; Saturdays 8AM-12Noon.

Clifford Van Wagner made a motion in the matter of the application of Security Supply, 5 Finley Street that the Site Plan be approved with the above noted conditions.

Amy Ryan 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; Amy Ryan, Alternate, in favor; Bob Bristol, abstained; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

MOTION PASSES: 6-0-1

Amy Ryan, Alternate, exited the meeting at 7:15 P.M.
Jamin Totino, Vice Chairman joined the meeting at 7:15 P.M.

4. **18.018 15 BALLSTON AVENUE**, Consideration of Coordinated SEQRA review and lead agency status for addition of residential and use to an existing multi-use building in a T-5 District.

Mark Torpey, Chairman stated the applicant is before the Board this evening for SEQRA Lead Agency status determination. What is proposed are two separate additions to an existing building. We are speaking of a mixed use facility, commercial first floor and residential apartments on the second floor. 15 parking spaces are also proposed.

SEQRA:

Action appears to be an Unlisted Action. SEQRA Short EAF form Part I and Part II will be required.

BACKGROUND:

Existing building and parking. Proposed building additions to the front and rear of the site and parking. DRC pro-actively deferred SEQRA Lead Agency Status to the Planning Board on March 21, 2018.

Applicant: Jim Dorsey

Agent: Bob Flansburg, Dreamscapes Unlimited

Mr. Flansburg stated we have been before the ZBA for build out variances and the DRC for SEQRA Lead Agency deferral. A visual presentation of the proposed site plan was provided to the Board. There is an existing two story colonial type structure currently in the middle of the site which houses three units. We are proposing the addition of one commercial on the first floor facing Ballston Avenue, and there is a 3 bedroom unit and a 2 bedroom unit. This site has unusual geometry. Parking is to the left and the mission is to maintain the use of the building, so there will be no demolition. The applicant is looking to make better use of the property. We would like to add an additional 1200 square feet of commercial space, bringing the building to the front of Ballston Avenue. This is a T-5 zone and we would like to make use of the existing driveway and parking area. It can be expanded as needed for additional parking. We are proposing to add 2 residential units with garage parking on the north side. Two residential units and a first floor commercial space on the south addition facing Ballston Avenue. The roof and existing windows will be replaced. Over the last year we have explored other alternatives how to make use of the site while still encompassing the existing building. Attaching the structures was an option. There is currently an existing handicap ramp and parking lot at the juncture of the new southern addition and the existing building. Trying to make the best use of the property while architecturally adding the additions to make it look like one structure. This will give the property a more contemporary look. We met with City Staff, Bradley Birge, Planning and Susan Barden and they would like us to have a presence, and entrance off the sidewalk on Ballston Avenue. Currently all entrances to the building are from the side. We have updated the existing building and placed the additions on either side. We are proposing the addition of two new catch basins. This will be added to the one which currently exists on the site. This will handle the onsite drainage both from the site and the roof. 25 parking spaces will be provided.

Discussion ensued concerning the number of proposed parking spaces.

It was suggested that the applicant further research the parking need calculation and provide that information to the Board when the applicant returns.

Mr. Dorsey explained the plan for snow removal as well as areas on the site for snow stacking.

Mr. Flansburg described the drainage system proposed as well as the stormwater management systems.

Mark Schachner, Counsel to the Land Use Board arrived at 7:36 P.M.

Mark Torpey, Chairman stated the Board would like to have some screening provided around the parking area and a little civic element to build up the green space.

Discussion ensued concerning the build out requirements and the need for a variance.

Mark Torpey, Chairman stated additional information would be helpful. An updated site plan would be helpful. Reconcile the parking and better visualization of civic space and buffering of the parking as well. We can accept Lead Agency Status this evening.

Mark Torpey, 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 15 Ballston Avenue that the Planning Board accepts Lead Agency Status for SEQRA environmental review.

Janet Casey seconded the motion.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

MOTION PASSES: 7-0

7:48 P.M. The Board recessed.

7:56 P.M. The Board reconvened.

5. **18.005 SHELTERS OF SARATOGA**, 14 Walworth Street, Special Use Permit for use as a neighborhood rooming house within the Urban Residential-4 (UR-4) District.
6. **18.011 SHELTERS OF SARATOGA**, 14 Walworth Street, Site Plan Review for neighborhood rooming house in the Urban Residential-4 (UR-4) District.

Mark Torpey, Chairman stated this application is before the Board is for SEQRA Review, Special Use Permit and Site Plan Review in a UR-4 District. The Planning Board reviewed this new application at its last meeting on April 5, 2018 and March 15, 2018. We opened the public hearing on April 5, 2018 to gather feedback from everyone here. The public hearing was closed on April 5, 2018. Since the last meeting we have received some additional information.

CORRESPONDENCE RECEIVED BY THE BOARD:

-written correspondence received from Molly Cavanaugh dated April 10, 2018.

-written correspondence received from Sandy Lewis dated April 10, 2018.

This correspondence is posted on the web. We also have received comments from the Police Chief available from the last meeting, we have a draft Neighborhood Advisory Council Policy document, have a draft outline of an annual report, that was proposed, to be a format going forward for discussion of performance for the project, as well as numerous correspondence which has provided input to the project. We have all this information posted on the web.

Kate Maynard, Principal Planner stated the Board is also in receipt of the Code Blue Operational Blueprint that was provided as a document on April 2, 2018. At the last meeting the public hearing was closed. For tonight we have three different potential actions to take. The first is SEQRA. We felt it would be helpful for the Board to walk through the short form Part II. Then move onto to the Special Use Permit and lastly Site Plan Review. We also have a draft motion that we can use as talking points to start the conversation regarding Special Use Permit and Site Plan Review. The review in terms of this Board is limited to this specific site. What is before the Board is the project at this location and that is what the focus is and what we are looking at. Also the Board is assuming that the use is permitted and is compliant and that is not a determination for this Board to make. We have to assume that it has been made for us and that is how we placed that for review.

Mark Torpey, Chairman stated the first item for review is SEQRA. Part I was submitted by the applicant and reviewed and is complete and accurate. The Short Form Part II SEQRA is where we begin our conversation. This will be reviewed point by point. We will go through points #4, through #11 and then return back to #1, #2, and #3.

SEQRA REVIEW:

Mark Torpey, Chairman reviewed SEQRA Short Environmental Assessment Form Part II Items 4-11 noting no or small impact.

Mark Torpey, Chairman stated the Board will now review Items #1 - #3 in more detail.

Mark Schachner, Counsel to the Land Use Boards stated there is a possibility that others maybe reviewing the record created. Mr. Schachner suggested the Board as a group somehow discuss items 4-11 in more detail either item by item or note the ones that are worthy of more discussion. Item #4 the answer has to be no – since there is only one area in the City – Loughberry Lake which is not in proximity to this project. I am envisioning the possibility that the record created in this proceeding maybe reviewed elsewhere in which case it would be advisable for other Board members to voice their opinions of the items.

Mark Torpey, Chairman stated he apologizes for going through SEQRA Items 4-11 too quickly. Rather than repeating it all we will allow Board members to share their thoughts.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?

Boards response - as previously mentioned only one area in the City has this designation and it is not in proximity to this project.

5. Will the proposed action result in an adverse change in the existing level of traffic or effect existing infrastructure for mass transit, biking or walkway?

Boards response -No or small impact may occur.

Clifford Van Wagner stated the answer to this is correct it will not have an adverse effect on the existing infrastructure for mass transit, biking or walkway. It doesn't impact that infrastructure at all. I would agree with the initial comment. No or small impact may occur.

The Board agreed with the above determination.

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities.

Boards response – No, or small impact may occur.

Mark Torpey, Chairman stated in reviewing the designs and this is more for Site Plan discussion but the design of the system intends to be energy efficient and satisfies all of the New York State Energy Code Requirements.

Ruth Horton stated it is not a huge amount of additional square footage that would have an energy intensity of other kinds of uses.

Clifford Van Wagner stated the project would not get a building permit if it was an inadequate design with regard to energy.

Jamin Totino, Vice Chairman agreed.

7. Will the proposed action impact existing – public/private water supplies?

Boards response – No or small impact may occur.

Will the proposed action impact existing – public/private wastewater treatment utilities?

Boards response – No or small impact may occur.

Mark Torpey, Chairman stated we have reviewed the proposed design. City Engineer Tim Wales has weighed in on this point. There is adequate supply in the area. He has reviewed the hook ups and connections which are being proposed. From his professional standpoint does not see any issues the Board should be concerned about on those items.

Board members agreed.

Clifford Van Wagner stated there is a new project around the corner Ellsworth project which has more water use and obviously more utilized wastewater treatment at a higher level and that was approved with no adverse impact on the City. I agree this is a nonissue.

Jamin Totino, Vice Chairman stated there are also other projects in that area and combined with potential future build outs the City reviewed with no issues.

8. Will the proposed action impair the character or quality of important historic, archeological, architectural or aesthetic resources?

Boards response – No or small impact may occur.

Jamin Totino, Vice Chairman stated we have reviewed this entire area and neighborhood context and there is no archeological or aesthetic resources directly impacted with this project.

Clifford Van Wagner agreed with Jamin's comments. No or small impact may occur.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

Boards response – No or small impact may occur.

Mark Torpey, Chairman stated this is not really relevant to the site.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Boards response – No or small impact may occur.

Mark Torpey, Chairman stated again getting into some of the Site Plan Conditions but there are sufficient catch basins provided for drainage and stormwater design comports with the city standards as well as the the City Engineer Tim Wales input to the Board. We have full compliance with city standards.

11. Will the proposed action create a hazard to environmental resources or human health?

Boards response – No or small impact may occur.

Mark Torpey, Chairman stated again this is an issue which is not applicable to the project.

Mark Torpey, Chairman, stated we will review #1-#3 of the SEQRA Short Environmental Assessment Form Part II, in more detail.

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Mark Torpey, Chairman stated we obviously have our Comprehensive Plan, and Zoning Ordinance, sort of underlying documents to consider.

Clifford Van Wagner stated this project has gone before the Zoning Board. The Zoning Board has offered a positive vote on that. I would say the Zoning Board has set the table for us to look at this which is why we are back here a second time.

Todd Fabozzi stated there is language in the Comprehensive Plan to assist at risk persons with housing needs. I think that is in line with the statement in the Comprehensive Plan.

Ruth Horton stated she does not see any material conflict there.

Mark Torpey, Chairman stated he would offer some additional comments from the Comprehensive Plan Section 3.2-59 calls out for the City to “Identify emergency shelter locations within the City that provide safe, clean facilities for the public to seek shelter during an emergency, such as long term power outages”. This is a section in the Comp Plan to deal with resiliency within the City and is actually relevant to our review here. In addition to what Todd stated to assist at risk persons with housing needs, Section 3.4-55, the A portion of this is to provide adequate temporary shelters for the homeless and at risk population, and further down on that which is also relevant is to assist homeless and persons at risk from becoming homeless in obtaining affordable housing. We can speak of this later which is perhaps the collocation of these assets to provide a pathway for improving the situation of some of these folks. That note in the Comprehensive Plan is also relevant to the conversation.

Jamin Totino, Vice Chairman stated he supports that as well.

Mark Schachner, Counsel to the Land Use Board stated what he is hearing from the Board is for all those reasons the answer to #1 is No to small impact for all those reasons.

The Board responded correct.

2. Will the proposed action result in a change in the use or intensity of use of land?

Ruth Horton questioned how broad is the concept of the use of land. How is the Board to consider this?

Mark Schachner, Counsel to the Land Use Boards stated it is an incredibly vague generic broad question. So most Boards if anything is going to be built at all, most Boards answer the question in the affirmative but that is not the critical piece. The critical piece is the potential environmental impact of the change in use or intensity of land None to Small, or Moderate to Large. It is hard to say no if its vacant land and something is going to be built on it. It is hard to answer that question with a flat out no. But, you can weigh the magnitude and decide whether it is None to Small or Moderate to Large.

Clifford Van Wagner stated this would be the same for a two lot subdivision with nothing on it. Which we have considered hundreds of times in my tenure on the Board. Will it change the intensity in the use of the land, yes, but it is a None to Small Impact because it is one more structure on the land. I would agree with Mark's original answer, None to Small Impact.

Jamin Totino, Vice Chairman agrees with the assessment Cliff stated. Compared to other projects and uses in the area this is No to Small impact.

Todd Fabozzi stated he also agrees with Cliff and Jamin.

Mark Torpey, Chairman stated with regard to the intensity of the use of the land, when you look at this parcel from the Comprehensive Plan standpoint the actual property line is right on the border of CRN-1 and Downtown Core. The highest density in town based on the Comprehensive Plan designation this property falls right at the midpoint between that boundary line and so I think when I look at this parcel it does accommodate with our approval, Site Plan and Special Use Permit some uses that are worth noting. Private schools, religious institutions, private civic clubs, neighborhood bed and breakfast, neighborhood rooming house, which is before us, senior housing, senior assisted living facility and convenience sales. In that context the property is zoned for many different uses. I feel it is appropriate, No to Small Impact.

The Board agrees No to Small Impact.

3. Will the proposed action impair the character or quality of the existing community?

Janet Casey stated the impact is small there, given the proximity of Allerdice. Given that this is confined to an approximately 6 month part of the year.

Clifford Van Wagner stated the quality of the existing community. Code Blue has been in this location for years now. It is in our community and that is what the question is asking. The Mayor from a prior term has made it part of the City's responsibility to house the homeless. That is how this came down about 4 years ago.

Ruth Horton stated it will affect the community, but the question here is how it will impair the community. We can all agree there will be some effect on the community.

Mark Torpey, Chairman stated when he looks at this item he thinks of community in a broad sense not the immediate neighborhood. The entire City is a community. So, in providing this public benefit that is helpful in many ways to the homeless and in addressing a problem that we face as a much broader community. I look at this as a larger definition. It resonates with me as being consistent with a No to Small Impact. There are other points in the Special Use Permit which gets to the immediate neighborhood and perhaps relevant for further discussion. He feels regarding SEQRA he thinks of the community in much broader terms.

Jamin Totino stated he agrees with that it is much broader community. The intent here is the inverse, we are not looking to impair the neighborhood we are looking to help the neighborhood.

Clifford Van Wagner stated that is the question we are being asked.

Todd Fabozzi stated he agrees with both Cliff and Jamin.

Janet Casey stated the existing community includes the homeless.

Mark Torpey, Chairman asked if there were any further questions or comments concerning SEQRA. None heard.

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.

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; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

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Mark Torpey, Chairman stated moving on to the Special Use Permit. The Board stated we do have some draft language; we will review the language in the Special Use Permit and provide recommendations and comments.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the draft is a starting point for the Board to discuss, provide comments and revisions as the Board sees fit.

Ruth Horton stated this is presented as a draft motion for Special Use Permit – Shelters of Saratoga and read the following into the record.

WHEREAS Shelters of Saratoga seeks final Special Use Permit approval for the Code Blue Shelter (Neighborhood Rooming House) within the Urban Residential-4 (UR-4) in the City of Saratoga Springs;

WHEREAS, the proposed project has been subject to careful consideration over the course of project review that has included but is not limited to review of:

- A. Area Variance approval from the ZBA for minimum side yard setback and total side yard setback Requirements constituting all variances that are needed to allow operation of the Code Blue Shelter on this site;
- B. Special Use Permit application submissions (last revised April 2, 2018) and discussions at numerous Planning Board meetings;
- C. SEQRA Negative Declaration finding of no significant adverse environmental impacts;
- D. Site visits by Planning Board members to view physical property characteristics;
- E. Correspondence and input from adjacent property owners and the public including at duly noticed Public Hearings on April 5, 2018, April 13, 2017, April 27, 2017 and May 25, 2017.
- F. Correspondence from Police Chief Veitch, April 4, 2018.

Ruth Horton stated for the record I would like to have the motion include the legal history on this matter.

Legal History:

This application was originally reviewed and approved by the Planning Board in 2017, at which time extensive public hearings were held and numerous comments were made and submitted. This approval was nullified by Supreme Court Decision as a result of neighbors' challenge in a related ZBA proceeding, although the Court did not find fault with the Planning Board's review.

In the course of new review of the current application by the Planning Board, the applicant, through its attorney Elizabeth Coreno; a group of neighbors, through their attorney Claudia Braymer and others; have requested that rather than having to resubmit the same written comments and restate the same verbal statements, all of the previous comments, letters and statements be incorporated by reference and included in the record for review and consideration by the Planning Board. The Planning Board agreed to do so and, as a result, the current application also includes all of the previous comments, letters and submission, all of which have been included in the record for the current application and available for review and consideration by the Planning Board and the public.

NOW, THEREFORE BE IT RESOLVED that the Planning Board hereby makes the following six (6) findings, determinations and certifications:

1. The proposal is in harmony with and promotes the general purposes and intents of the Comprehensive Plan and the Zoning Ordinance. The Comprehensive Plan specifically notes: 3.4-50 "Encourage a range of residential opportunities that will be available to all residents to promote the social and economic diversity vital to a balanced community", as well as 3.4-55 "Assist at risk persons with housing needs, and provides adequate temporary shelters for the homeless and at risk population". All variances necessary for the project were secured.

Jamin Totino, Vice Chairman stated he does not have anything to add its appropriate and the most important parts of the Comprehensive Plan and Zoning Ordinance were cited and are completely appropriate for this project.

Clifford Van Wagner stated he agrees.

Janet Casey stated she agrees as well.

Mark Torpey, Chairman stated he would add as we discussed during SEQRA 3.2-59 by reference which is part of the Environmental Health and Resiliency section of the Comprehensive Plan which is to "Identify emergency shelter locations within the City that provide safe, clean facilities for the public to seek shelter during an emergency, such as long term power outages". I do feel that is relevant to our discussion as well and would like that added to point #1 as a further reference.

2. The proposal is compatible with the density and intensity of the neighborhood and community character. This portion of the west side neighborhood reflects a mix of uses and types. Currently Allerdice Building Supply, which includes a storefront, several storage barns, a wood shop and a welding shop, Shelters of Saratoga (SOS), Franklin Community Center, and the Masie Center are nearby and the area is clustered with single, duplex, and multi-family housing types. City Square, on the site of the old Ellsworth ice cream property is also under development with a mix of residential and commercial uses, and the Habitat for Humanity home has recently been completed. This area has historically included rooming houses, most notably Tom's Lodge which once sat less than a block away between Washington Street and Grand Avenue.

Janet Casey stated the new projects in this area are demonstrating that this is not turning into a homogeneous neighborhood it is turning into a heterogeneous neighborhood with all types of uses and new uses.

Jamin Totino, Vice Chairman agreed with Janet's comments with more new uses to come.

Clifford Van Wagner also agreed with Janet and Jamin.

Bob Bristol stated we are seeing great growth in that area and we will continue to see more growth I am sure.

3. The proposal provides safe and efficient pedestrian and vehicular access, circulation and parking. The primary public access for vehicular and pedestrian access will be from Walworth Street. Several project modifications have been made to allow very limited access through Marvin Alley including limited delivery access, garbage pickup, and a stockade fence. These steps will help ensure appropriate and safe access to and throughout the site.

Clifford Van Wagner stated that is pretty clear and pretty objective. It provides safe and efficient pedestrian and vehicular access, circulation and parking. The proposal was changed throughout the comments from the neighbors to include these modifications and I think the project needs that.

Jamin Totino, Vice Chairman stated he concurs.

Janet Casey stated she agrees.

Bob Bristol stated he owns a downtown building and he deals with this population every day and so does his staff. I understand what some of the concerns are as well as the fact that the need is a laudable need for us to solve.

Jamin Totino, Vice Chairman stated as Cliff stated the site plan has been massaged based on the feedback we received from the neighbors.

4. The proposal sufficiently controls existing and future demand on infrastructure, public facilities and Services. The Code Blue Shelter will efficiently utilize an existing site already with access to public street frontage, existing water, sanitary, and electricity services. Undue future demands on infrastructure beyond project projections are not anticipated.

Clifford Van Wagner stated this is pretty straightforward stating this structure will be utilized for the months beginning November 1st through the end of April. So this is not a year round facility.

5. The proposal does not create an impact on environmental and natural resources of the site and neighboring lands, including potential for erosion, flooding, excessive light, noise vibration and the like. Proposed SOS and Code Blue programming and security measures will limit on-site outdoor activity, lighting and noise.

Clifford Van Wagner stated it is what it is. Some of these items have been added based on the input from the neighbors. their concerns and the applicant has responded by giving us data that shows there will be people monitoring the site both indoors and outdoors, with security, walking the neighborhood.

Jamin Totino, Vice Chairman stated we just went through this during our SEQRA analysis. I believe we have done our work in this area and managed this well.

6. The proposal will not impact the long term economic viability of the site, neighboring properties, and districts. The neighborhood continues to experience strong redevelopment and new construction activity which is anticipated to continue in light of current market trends? Since the Code Blue shelter was proposed at 14 Walworth Street, a three family residence at 109 Washington Street, directly adjacent to the Shelters of Saratoga site, is undergoing complete renovation and upgrade of the site. A proposed 9 unit residential project is under City review on Cherry Street and Marvin Alley. While some data has been presented that indicates a potential 12% reduction in market value of neighboring properties, this information pertains to permanent homeless shelters. In addition, noted conditions will be required

that include a strictly limited use of the 6,400 square foot space during only Code Blue required operations, and a maximum of 50 guests permitted on any given night.

Jamin Totino, Vice Chairman stated he agrees and also the Neighborhood Advisory Council has been put in place as part of this proposal to help manage some of these potential issues.

Clifford Van Wagner stated it is a great opportunity for those folks who want to be on this neighborhood committee to both get involved with the Code Blue Shelter and have a mutual respect for each other and make this project a success.

THE PLANNING BOARD HEREBY GRANTS APPROVAL OF THE APPLICANT'S SPECIAL USE PERMIT PER THE REQUIREMENTS SET FORTH IN THE CITY OF SARATOGA SPRINGS ZONING ORDINANCE AND SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Code Blue Shelter will only operate during the times a State-mandated Code Blue alert is in effect. Unless appropriate approvals are obtained from the City by means of a full application to the Planning Board, The facility will not be used for any purpose that is not related to the Code Blue operation and preparation.
2. All outdoor nighttime activity shall cease at 10:00 P.M. nightly.
3. Gate providing access to Marvin Alley shall be closed and locked at all times, opening only for deliveries or specific access needs to the site.
4. A maximum of 50 guests shall not be exceeded on any single night the Code Blue Shelter is in operation.
5. As outlined by the applicant, guests shall be released from site in morning or when temperatures increase above 32 degrees over time, not all at once.
6. During periods of time that a Code Blue alert is in effect, Shelters of Saratoga or its successor will dedicate staffing and finances to monitor the grounds and immediate surrounding neighborhood.
7. The Code Blue facility shall operate in general conformance with the Code Blue Operational Blueprint.
8. As noted in the Code Blue Operational Blueprint, a Code Blue representative shall be available to respond to any neighbor comments, issues at any point, direct contact information to be provided on the Code Blue website.
9. The Code Blue Shelter shall abide by provisions as set forward in Neighborhood Advisory Council Policy – Shelters of Saratoga – Code Blue, last revised on April 5, 2018 or as subsequently revised. In the event of any discrepancy between the submitted policy and any provision of this Decision, the Decision revision shall apply.
10. As outlined by the applicant's description, the Shelter will institute a permanent Neighborhood Advisory Council (NAC) that will include at least 4 neighborhood residents residing within 2,500 feet of the property.
11. The Director of Code Blue Shelter in conjunction with the Neighborhood Advisory Council shall provide the Planning Board an annual report providing overview of Code Blue shelter operations, including programming statistics as well as any issues or neighborhood complaints, provided in April of each year. The report shall be provided to the City Planning Department and will be distributed to the Planning Board and be made publicly Available. Upon basis of police reports, notable neighborhood input or complaints regarding Code Blue shelter activity, the Planning Board may require the applicant to provide additional information or appear before the Planning Board to discuss provisions of the Code Blue shelter's operation.

Jamin Totino, Vice Chairman stated he would like to offer a friendly amendment to #5. It states "As outlined by applicant, guests shall be released from site in morning or when temperatures increase above 32 degrees over time, not all at once. I am not sure that this is clear. Something like sequentially.

Mark Schachner, Counsel to the Land Use Boards suggested the phrase on a staggered basis.

Amended version of #5 shall read "As outlined by applicant, guests shall be released on a staggered basis from site in the morning or when temperatures increase above 32 degrees.

Clifford Van Wagner stated #11 cites a significant statement and ties this whole motion up. "Upon basis of police reports, notable neighborhood input or complaints regarding Code Blue shelter activity, the Planning Board may require the applicant to provide additional information or appear before the Planning Board to discuss provisions of the Code Blue Shelter's operation". This is a significant statement for the Planning Board, the City and the neighbors.

Jamin Totino, Vice Chairman agrees.

Mark Torpey stated he would like to bring up another point for the Board to discuss. In looking through the Neighborhood Advisory Council Policy, an effort has been done to really have that represent a really comprehensive look and we can actually work together to provide guidelines. Whether it is really the perfect document, I think it is a work in progress. It almost feels helpful if a recommendation from this Board, just for consideration, a recommendation that the City Council have an opportunity to look at it. Having some additional input on that would be helpful as well. Additionally the applicant was good enough to put together a format for an annual report as to what that may look like, what different topics would be addressed, how it would be laid out to assess performance, if the co-location of these facilities are actually doing something perhaps additive to help and to help document that and to show that that is productively occurring. So, the format of that is something that I don't feel very comfortable saying this is the exact perfect set of data to be looking at to come up with a determination. Again having the City Council weigh in on that to look and provide guidance would be helpful. This is an issue that is important and more broadly to the entire community. We are doing the very best we can here and this is an important issue for the City to address.

Bob Bristol stated he absolutely agrees. This is a place that in an unfunded mandate which is what we are dealing with the fact is the City Council this is part of their job. I think we should ask them to do that and I would hope that they would do that and I look forward to their leadership.

Janet Casey questioned if the Planning Board is requesting City Council to review the template.

Mark Torpey, Chairman stated there are two things. There is a document which lays out the guidelines and the policy requirements for the Neighborhood Advisory Council it is a fairly lengthy document with a great deal of information. We are reviewing and trying to make sure the language is as good as we can get it. An additional set of eyes could be helpful. It is an important document we are imbedding in our motion. Also, the Annual Report, because if we are to do this as a community, having that feedback signal annually that is meaningful and represents appropriate and comprehensive data to be able to see how we can improve things going forward and perhaps pivot a bit with respect to some of our conditions. It will be a learning experience in general for this community. That feedback is appropriate and important but I am not sure the exact format has been provided.

Janet Casey likes the reference to pivoting because these documents should be considered living documents that can change. Part of what we are trying to do is give the neighbors a voice here. We should have something here that feeds into what you are saying and suggest that these documents are changeable.

Ruth Horton stated perhaps part of the Annual Report is a recommendation from the authors of the Annual Report, on potential changes for the next year in the context and scope of the Annual Report as well as the composition of the Council itself. So, at least on an annual basis there is a review of that and the Planning Board will have a chance to consider that.

Mark Torpey, Chairman stated if we were to do that who would be responsible for making those changes and I think we would leave that up to the Advisory Council to respond to that or any improvements to the program.

Jamin Totino, Vice Chairman asked if there was specific text that you would offer as amendment to the motion.

Mark Schachner, Counsel to the Land Use Board stated if he understands the Board's intention, the following could be added at the end of #11 or adds #12, the Annual Report may also include recommendations for revisions of the Neighborhood Advisory Council Policy which shall be subject to the approval of the Neighborhood Advisory Council.

Mark Torpey, Chairman discussed if the Board was comfortable making a recommendation to the City Council and including this as part of the motion.

Ruth Horton questioned what is the consequence of their review. Does it change what the Board will vote on this evening.

Jamin Totino, Vice Chairman suggested a separate motion to the City Council requesting their input and guidance.

Janet Casey stated it is not a condition so it does not belong here.

Mark Schachner, Counsel to the Land Use Boards stated he agrees with Janet's statement. It would clutter up and potentially confuse the decision document which has conditions and this is not a condition. If the Board is onboard with that suggestion I think that is fine and I would do it as a separate recommendation.

Todd Fabozzi questioned in #11 it states a report shall be provided to the City Planning Department, why not the City Council as well.

It was the consensus of the Board that this was a good addition.

Mark Schachner, Counsel to the Planning Board stated in condition #9 – It reads –

The Code Blue Shelter shall abide by provisions as set forward in Neighborhood Advisory Council Policy – Shelters of Saratoga – Code Blue, last revised on April 5, 2018 or as subsequently revised. In the event of any discrepancy between the submitted policy and any provision of this Decision, the Decision revision shall apply.

Mark Schachner, Counsel to the Planning Board offered the following revision:

The Code Blue Shelter shall abide by provisions as set **forth** in Neighborhood Advisory Council Policy – Shelters of Saratoga – Code Blue last received on April 5, 2018. I think what you are looking at adding in condition #11 you may wish to add a phrase here something like **“as subsequently revised”**. It should read:

The Code Blue Shelter shall abide by provisions as set forth in Neighborhood Advisory Council Policy – Shelters of Saratoga – Code Blue, last received on April 5, 2018 or as subsequently revised. In the event of any discrepancy between the submitted policy and any provision of this Decision, the Decision revision shall apply.

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

Ruth Horton stated as provider of the motion she accepts the amendments and modifications as discussed.

Jamin Totino, Vice Chairman seconded the motion.

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

Clifford Van Wagner questioned if the Board has Mark's recommendation to add to point #1 about the Comp Plan and section 3.2-59 to be added to this section.

Ruth Horton stated it was discussed and has been added to 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; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor;

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Janet Casey stated for herself, she understands what the neighbors are saying and their concerns about their neighborhood, and that this should be sited elsewhere is not within the Planning Boards purview. The Planning Board can only consider what is front of us. I have been thinking about this a lot and while I do recognize the truth and the statement that now we are co-locating social services on the west side, I don't think it follows that all of the inconveniences are now located in one place. There are other places in the City that also experience lots of inconveniences. The reason I say that is because I live near the track and I am struck by some of the similarities from what I am hearing from the neighbors near Shelters of Saratoga and what I experience during track season in my home. We live in a City and there are inconveniences of living in the City. We all share the positives and the negatives of living in a City. I am happy to deal with the inconveniences and the benefits of City living.

Mark Torpey, Chairman stated on the overconcentration written about by neighbors and voiced concerns as well. I understand and am sympathetic to it.

Mark Schachner, Counsel to the Land Use Boards reminded the Chair if the Board would like to make a recommendation about distributing the Policy to the City Council a motion has not yet been made.

Mark Torpey, Chairman, made a motion that the City Council have an opportunity to review the Neighborhood Advisory Council Policy Document, as well as the Annual Report template received from the applicant to provide their insight and input into this critical issue for the City.

Jamin Totino, Vice Chairman seconded the motion.

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

Ruth Horton questioned the consequences of their review as it relates to what we just reviewed. It may result in a modification to these documents and we included enough language in this document to accommodate that.

Mark Torpey, Chairman stated we did refer to this document as a living document. If there are any changes that made sense or any appropriate recommendations made by the Council that could be incorporated into the document.

Mark Schachner, Counsel to the Land Use Boards stated and those modifications would have to go to the Neighborhood Advisory Council for ultimate approval and adoption.

Bob Bristol stated one of the things we will recognize in time as other Code Blue facilities across the state really operate we will be a wealth of information and the leaders in the State on some of these issues. Hopefully we can manage it well for our neighbors and citizens.

Mark Schachner, Counsel to the Land Use Board stated just for clarification the motion which was adopted was a recommendation and not a condition of approval.

Mark Torpey Chairman stated it is just a recommendation.

VOTE:

Janet Casey, in favor; Clifford Van Wagner, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 7-0

Ruth Horton stated this is presented as a motion Site Plan Approval – Shelters of Saratoga and read the following into the record.

WHEREAS Shelters of Saratoga seeks final Site Plan Approval for the 6,400 square foot Code Blue Shelter (Neighborhood Rooming House) within the Urban Residential-4 (UR-4) District in the City of Saratoga Springs;

WHEREAS the proposed site plan has been subject to careful consideration over the course of project review that has included but not limited to:

- A. Site plan submissions and discussion at numerous Planning Board meetings;
- B. Site visits by Planning Board members to view physical property characteristics;
- C. City departmental comments and revisions made to plans based on applicant response;
- D. SEQRA Negative Declaration finding of no significant adverse environmental impacts;
- E. Review and careful consideration of the 7.2.4 Evaluation Criteria for Site Plan Review of the City of Saratoga Springs Zoning Ordinance including:
 1. Location, arrangement, size, design and general site compatibility of buildings and sign structures.
 2. Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls.
 3. Location, arrangement, appearance and sufficiency of off-street parking and loading.
 4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, Control of intersections with vehicular traffic and overall pedestrian convenience.
 5. Adequacy of stormwater and drainage facilities with attention to impact of structures, Roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
 6. Adequacy of water supply including pressure and quantity.
 7. Adequacy of sanitary sewer including size and inverts.
 8. Adequacy and arrangement of on-site and off-site illumination.
 9. Adequacy, type, size and arrangement of trees, shrubs and other landscaping. Parking service areas and loading and maneuvering areas shall be reasonably landscaped and screened from neighboring areas.
 10. Adequacy of fire lanes and other emergency zones; location and arrangement of fire hydrants stand pipes, and other fire safety facilities.

THE PLANNING BOARD HEREBY GRANTS APPROVAL OF THE APPLICANT'S FINAL SITE PLAN PER THE REQUIREMENTS SET FORTH IN THE CITY OF SARATOGA SPRINGS ZONING ORDINANCE AND SUBJECT TO THE FOLLOWING CONDITION AND CONSIDERATIONS:

1. Lot line adjustment merging existing parcels into a single parcel shall be required.
2. The Planning Board, in accordance with the City's Zoning Ordinance 2.3.A(3), hereby approves two principal structures to be permitted on a single parcel.

Mark Torpey, Chairman asked if there were any further comments or discussion.

Jamin Totino, Vice Chairman stated he does not have any additional comments or additions to the motion, however, he would like to state for the record that this Board has reviewed this site plan extensively. We have had input from City Staff as we always do, we have made adjustments to the site plan based on public input. As we go forward I would like to make it clear that the Board has done their due diligence in their review of the site plan in evaluating all ten of the criteria.

Clifford Van Wagner 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; Ruth Horton, in favor; Todd Fabozzi, in favor; Mark Torpey, Chairman, in favor

MOTION PASSES: 7-0

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 9:05 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 7-5-18