



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, MAY 3, 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; Amy Ryan, Alternate; Bob Bristol, Ruth Horton, Todd Fabozzi;

LATE ARRIVAL: Jamin Totino arrived at 7:15 P.M.

ABSENT: Clifford Van Wagner

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:

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

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

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

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.

COMMENTS FROM THE CHAIR:

UPCOMING PLANNING BOARD MEETINGS/AGENDA WORKSHOPS:

Planning Board Caravan, Monday, May 14, 2018 at 4:00 P.M.

Planning Board Workshop, Monday, May 14, 2018 at 5:00 P.M.

Planning Board Meeting, Thursday, May 17, 2018 at 6:00 P.M.

PRIVILEGE OF THE FLOOR:

None heard.

A. 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. **17.0332.1 HENRY STREET CONDOS,** 120 Henry Street, Subdivision Approval Extension in a Transect -5 District.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the original date of approval was back in August. An extension was granted back in March. This will be the second extension requested and it will expire September 16, 2018. Original approval for subdivisions are 180 days followed by additional unlimited 90 days extensions.

Janet Casey made a motion in the matter of the Henry Street Condos, 120 Henry Street subdivision approval extension, be approved.

Ruth Horton seconded the motion.

VOTE:

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

MOTION PASSES: 6-0

B. APPLICATIONS UNDER CONSIDERATION:

1. **17.061 STATION LANE APARTMENTS (ASKEW)** Station Lane, Special Use Permit for 36 multi-family Residential units within the T-5 District.
2. **18.025 STATION LANE APARTMENTS, (ASKEW)** Station Lane, final subdivision review within a Transect T-5 Neighborhood Center District.

Mark Torpey, Chairman provided some background information. The project is on the northern side of Station Lane located between the train station on the west and Faden proposed mixed use project to the east. The site features Army Core of Engineers and Department of Environmental Conservation designated wetland areas. The original proposal featured further disturbance into the wetland and adjacent buffer area. The current proposal is 3 structures along Station Lane frontage with 36 multi-family units. Since the last project the applicant has revised the plans to include a proposed subdivision to eliminate the need for a variance for not meeting the build out frontage requirement of 70%. At this point no variances are required.

Mark Torpey, Chairman stated several key issues which are important from his vantage point would be the encroachment on the 100 ft. wetland buffer. There are some approvals received from the DEC, but there is a fair amount of interest on that topic. Civic Space. Sanitary sewer upgrades, which we discussed collectively, noting the four projects in this area. We spoke about some shared agreement relative to the upgrades. At the workshop we discussed size, and design of the building themselves. Lastly the necessity of the subdivision.

SEQRA:

Action appears to be Unlisted. As discussed with 3 other active applications before board within Station Lane/Washington/West. Board is ensuring stormwater; utilities and traffic are considered comprehensively among four active projects in the area. Planning Board sought lead agency status on October 12, 2018. DRC deferred lead agency status.

Applicant: Richard Askew

Agent: Scott Lansing, Lansing Engineering; Teresa Bakner, Attorney, Whiteman, Osterman and Hanna.

Mr. Lansing stated the project was last seen before the Board in October. We have incorporated some of the Boards comments and recommendations in this revised project. The site is located on the north side of Station Lane. A visual presentation of the site was provided. The site is approximately 8.42 acres. The parcel is currently vacant. Mr. Lansing stated the project is in the T-5 District, noting the train station, light industrial business to the west, and a medical complex, retail and commercial along West Avenue, and residences off to the far east and far west. To the south we have the Station Park Development, Entrada, and the Faden Mixed Use Project to the east. As far as the wetlands are concerned, we have performed a delineation on the parcel. Our wetland scientist recently focused on the southern end of the parcel where we are focusing our development. There was some further delineation on the northern end of the property back in 2010. The map is a hybrid of the southern map recently delineated by the DEC and the northern end shows the 2010 delineation. Relative to the wetland permit we have in place, we have worked with the wetland consultant to obtain a wetland permit for impact to the buffer to the wetlands. Initially it was proposed as .4 acres. DEC approved .3 acres of 100 foot wetland impacts. We do have a permit in place at this time for .3 acres of 100 foot wetland impacts. We have reduced the 100 foot buffer impacts. We were at .3; we have reduced that 33% to .2 on the 100 foot buffer impacts on our latest plan. A visual presentation of the overall parcel was provided to the Board. The applicant is proposing a two lot subdivision. Lot #1 is 2.23 acres and Lot #2 is 6.19 acres. The subdivision achieves several things for the applicant. It eliminates the need for a variance for the apartment complex we are proposing. There is a DEC wetland and 100 foot buffer associated with that and that is part of the overall frontage. We do not meet the 70% frontage requirement. By creating this subdivision, we now have a parcel that is dedicated for the apartment complex, and we meet our 70% requirement. As shown Lot #1 does not require any variances to meet the T-5 requirements. The second thing the subdivision does is it provides some opportunities on that second lot. There is potentially the ability to do some development on the northern end. The delineation was done in 2010 and would need to be updated. Secondly, if the delineation shown is confirmed with an updated delineation study upland areas could be beneficial to adjoining property owners. Lastly by subdividing the parcel the applicant now has a parcel that could be conveyed to Saratoga Plan or some other land trust or retained as an open space parcel for the overall project.

Ruth Horton questioned what the site would look like and the ramifications if there was no subdivision.

Mr. Lansing stated without the subdivision it would be one apartment on the parcel. It would look exactly the same. It does not change the number of apartments or what we are proposing. It would necessitate going to the ZBA for a variance for the 70% frontage requirement. What we are proposing on Lot #1 is in accordance with the T-5 requirements. We are proposing 3 buildings; each building will be 3 stories in height. The overall building will be 14,885 square feet. Within each one of the buildings, we are proposing 12 units – 4 per floor, 36 units are proposed in total for all 3 buildings. We are proposing 2 Bedroom, 2 Bath approximately 1,000 square feet. Entrances are located on the front and back of each building for tenant access. Regarding parking. The City parking requirement is 1.5 spaces per unit. 54 spaces are required in total for the project. These will be located in the rear or the side of the buildings.

On street parking is also available in the front of the buildings. Concerning waste management, dumpsters are proposed in the rear of the site. Vehicle access and circulation is handled via the two curb cuts on Station Lane. We will need to review the plans for the other projects. Currently these curb cuts are appropriate for the site. Concerning the streetscape, we are proposing street trees, street lights and sidewalks along the street frontage. Initially the civic space was discussed in the Right of Way. Currently we have proposed an area between the two of the buildings. This consists of a seating area. The applicable park fees, the thought was a contribution rather than providing park land on the individual parcels. There are plans on the southern area and there will be sidewalks connecting tenants to the park area. Monies would be contributed to the development of that park area.

Concerning utilities, stormwater and sewers. Stormwater will be managed onsite. We have stormwater management systems in the rear of the parcel. A full SWPPP will be conducted and submitted as part of the project. Water is available from Station Lane and has the capacity for the site. The sanitary sewer was discussed and there is a pump station closer to West Avenue. This pump station does have some issues, and a study was performed on that pump station and it is my understanding that one of these pumps has pretty much failed. There would need to be upgrades to that system to support this project and the other proposed projects in this area. A sanitary sewer study was completed and how this ties in with the other applications, and cost sharing. We will be working with the City Engineer on this. Some of the changes since our last submission. We have reduced the access points to the site from 3 to 2 per the recommendations of this Board, and have made this more efficient in coinciding with the other projects. Impervious areas were reduced from 21,000 square feet down to 17,000 square feet. This was achieved by reducing access points and parking. 54 spaces are currently proposed. Buffer impacts, with the change in the impervious pavement and the access points and reconfiguration on the site we were able to reduce the buffer impacts. We have a permit in place for .3 acres in buffering impacts and that was reduced down 33% to .2 acres. Concerning the architecture we have submitted architectural drawings and proposed some diversity in new designs and possibly different colors. This is a work in progress.

Mark Torpey, Chairman read some comments sent in by Jamin Totino, Vice Chairman. "Not long ago I attended a meeting concerning building heights in Saratoga. A major point, the variety and height and design and structure is what adds character to the City. As there are a number of potential projects in this area that calls for a "Neighborhood Center", the Board should reiterate to the applicant a need for diversity of structure types. The porches should be large enough for activity, therefore not a catwalk or window plant style. Further, I am not in favor of subdividing in a manner that creates a wholly unusable single lot consisting of nothing but wetlands".

Mark Torpey, Chairman questioned if anyone in the audience wished to comment on this application. None heard.

Mark Torpey, Chairman asked if anyone on the Board had any questions or comments.

Janet Casey stated she does not quite agree with Jamin's position about the subdivision. These are awkward shaped lots. It would be different if the applicant's are willing to turn this land over to the city as permanent untouched or to Saratoga Plan. That makes a big difference.

Mr. Lansing stated the applicant cannot speak to that yet. However, as far as development potential, I would agree considering the wetland delineation how much would be left for development; we have not gotten that far yet.

Teresa Bachner, Attorney, Whiteman, Osterman and Hanna, stated based on her experience; it is extremely unlikely that the wetlands have gotten any smaller. The strong likelihood is that we are going to take it to a land trust that is interested in acquiring and maintaining those areas. If for any reason the City would like to have the property we are also totally open to that idea. Some municipalities have done it. Trails can be placed through wetlands. The Core encourages you to have a separate lot to have the wetlands on it so that they can be transferred and kept together.

Todd Fabozzi questioned the applicant concerning the wetland delineation and if in fact it has changed in size.

Ms. Bachner stated nothing gets smaller. The Army Corp issues approvals with what is called Jurisdictional Determination. They issue them only for a 5 year time period. Every time a five year period passes, if you want an

official Jurisdictional Determination, then you must re-delineate and return to them to obtain their approval. That is what has happened in this case. The core requires each time they issue a new Jurisdictional Determination you must reflag it and they return to make their determination. My comment concerning the wetlands only getting bigger is because there is more water in the system as time goes by. There have been properties that have inappropriate attention to stormwater that is the type of things that tends to make wetlands larger.

Todd Fabozzi stated this is his concern when you encroach upon a buffered area that stays static, when in fact, the wetlands start to advance, as you are describing then that means the buffered area advances as well. Larger wetlands means a larger or more spread out buffer area. When we draw fine lines between the buildings and the encroachment area, and by your statement that line is not going to stand still, it is going to actually grow, and be further into the building, maybe up to the street at some point.

Ms. Bachner, actually we do know, in this case once the site has been built, and the stormwater plan has been implemented, that the stormwater water will be addressed on the site appropriately according to DEC current standards. Once the project is built it is going to remain fixed. One of the things we have done different in this case is we obtained the permit from the DEC prior to appearing before the Planning Board because the DEC has jurisdiction over these wetlands. Although we have a DEC permit and there have been several projects where the Planning Board has approved projects which required not only buffers impacts but direct wetland impacts. We wanted to make sure that the Board knew that the State had primary jurisdiction reviewed it and was okay with it.

Todd Fabozzi questioned how this was reviewed via a map, and if they reviewed the proposed buildings as presented here in relation to the mapped wetlands. If so, were they provided to the Board.

Ms. Bachner stated yes that is how the DEC reviewed the plans and the information was provided to the Board. Ms. Bachner stated for clarification there are two authorities who have jurisdiction over the wetlands, The Army Corp of Engineers, who delineates every five years and the other is the DEC. The DEC makes an onsite visit checks the delineation and confirms where the buffer is set and confirms that. Under Article 24 of the Environmental Conservation Law, and the Freshwater Wetlands Act, it is the DEC that has the buffer and the wetlands and they determine where it will be.

Todd Fabozzi stated one of our duties is to evaluate the environmental impacts of this project. One of the things we are going to look at is the impact and the wetlands. I would like to have the appropriate material in front of me to see where that is. I did not see that in the presentation.

Ms. Bachner stated there is a separate map which shows the wetlands and the buffer.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the map she is looking at is under the subdivision application.

Todd Fabozzi stated it does not show the building proposal or where the impact is. It shows the line on the parcel. The line does not tell me the impact of the line and that is what our judgment is supposed to be in terms of environmental impacts. I cannot tell from this if there is any environmental impact. I need to see where the impacts are in relation to what you are proposing which is not on that map.

Mr. Lansing stated it is located on the map. A visual map was provided to the Board. The wetlands are delineated and marked and corresponds with the mapping provided with the survey limits of that. Also, the 100 foot buffer is denoted and labeled.

Todd Fabozzi stated it is an interested shaped wetland at a 90 degree angle.

Ms. Bachner stated all we can confirm is that both agencies that have jurisdiction over the wetlands have verified in writing what the boundaries are. DEC conducted its own SEQRA review on the wetlands permit and determined that it would have a Negative Declaration with no significant adverse environmental effect with respect to the impact. We have also reduced that impact now from .3 to .2 of just buffer impacts. No direct impacts.

Mark Torpey, Chairman stated one of the things we are required to do is perform a coordinated review of the project. DEC obviously conducted theirs and provided some information relative to their position on this. It was not really coordinated with the Planning Board. It was done separately.

Ms. Bachner stated it was an unlisted action and therefore needed no coordinated review.

Mark Torpey, Chairman stated there are a few things the Board has been working on informally. We do not have anything codified; there is nothing in the Ordinance. As a Board we have looked at as a matter of policy yet to be codified and documented, a resistance to intruding on the 100 foot DEC buffer. It is something we are looking at, and it has some variability as to how that is defined over time. We have seen a lot of projects developed in the City that have higher density which causes us to be concerned about preserving the integrity of those buffers as we build as a community. From a policy standpoint, as a Board we consider that to be a really important thing to preserve and review. When DEC looked at this project I am not convinced that they have looked at the cumulative impacts associated with all four of these projects. When we have looked at this we have made a very conscious effort as a Board to look at all four projects together and try to understand their cumulative impacts from a transportation impact, flooding, and stormwater. We have had good cooperation from other developers in this area regarding some of our concerns. A number of questions from the audience about this project specifically with regard to flooding, the wetlands and impact and concerns regarding the water table. The general area itself presents a high water table. This is a concern of the Board. I would like to provide a list of holistic comments back to DEC, to be able to share our concerns about all four parcels and what we have tried to do collectively and see if there interpretation on this parcel may indeed be influenced on our input. I understand Coordinated Review is not necessary however I believe it is within our right to request a coordinated review and have them review some of these additional requirements.

Justin Grassi, Attorney for the Land Use Boards as stated by Todd we are as a Board required for our SEQRA review to evaluate the impacts of the wetlands. Although, the primary review of those wetlands has been done by the DEC. We call that the primary review simply because they are required to give a permit for any disturbance there, but that doesn't mean that we don't evaluate the impacts. Since we are required to evaluate the impacts, if we are desirous of additional information during our coordinated review, that is certainly not only appropriate but suggested. Obviously the DEC is very knowledgeable on the impacts of the wetlands. They have found that the mitigating measures of this project are protective of that wetland and they have approved and we would want to have them articulated. We have articulated at least two reasons why potentially you would disagree with the determination of the DEC. One that the delineation of the wetlands tends to increase and two that there is significant cumulative impacts from the projects in this area. So, requesting that information from the DEC would make sense.

Ms. Bachner stated their permit is good until 2020. From what you have described of the cumulative impacts it does not appear that there are any since none of the other projects have any impacts on wetlands. To the policy issue, last time we were before the Board we were told that you have a policy that you have never issued an approval on a project which would allow wetland impacts in the City that demonstratively not the case. In fact, you have. I would draw your attention to the plan we have here and the fact that we have reduced it, and have a permit to effect it and the fact that our client has much less land and property that we are working with and have had no comments from the public with respect to our project.

Mark Torpey, Chairman, stated for this particular area and this set of projects we have requested McFadden and Top Capital to respect a 100 foot wetland buffer here and they have changed their designs accordingly. They are respectful of this area.

Kate Maynard, Principal Planner, City of Saratoga Springs stated she apologized for not having this correspondence from Ms. Bachner upload and will forward it to the Board.

Mark Torpey, Chairman stated it will be good for the Board to review this correspondence noting the projects referenced. As a Board we have been trying to understand the wetland impacts. There is a lot to digest. I think it would be good to share some of the thoughts we have put together with DEC and speak about this particular set of parcels, the wetland profile in the area, and see if we have some way to coordinate in a better way to resolve the issue.

Kate Maynard, Principal Planner, City of Saratoga Springs stated to provide an update to the Board she did place a call into the DEC and spoke with the person who approved the permit. She did review the rationale. I expressed on behalf of the Board to coordinate review in the future. She suggested I speak with Mark Migliori who is directly over this in our area. She also offered an opportunity to come and visit the Board for a direct conversation. That remains to take place.

Mark Torpey, Chairman stated he believe this is the 3rd time the applicant has proactively gone to the DEC prior to the application before the Planning Board. It is proving to be a bit of an issue and trying to resolve that. Part of our request to the DEC would be to have them consider when they receive these requests to immediately consider coordinated assessment. It is a state and local community effort. Perhaps this will streamline the process.

Todd Fabozzi stated he agrees with the Chair and questioned if the visual presented is what the DEC reviewed to compare the impacts.

Mr. Lansing stated no the DEC reviewed the mapping of the .3 acres of 100 foot buffer impacts. The plan we have revised in accordance with the Planning Boards recommendation is .2 acres of 100 foot buffer impacts.

Ruth Horton questioned if we have enough information from the other projects to go before the DEC.

Mark Torpey, Chairman stated we have a great deal of information on the other projects. I think we could share some of that additional information.

Kate Maynard, Principal Planner, City of Saratoga Springs stated she and the chair attended a meeting with the DEC We expressed the City's intent to really look at the area holistically with four projects coming up in quick succession. That was initially the outreach and we will continue to build on that.

Mark Torpey, Chairman stated a few other points on the Special Use Permit. What would be helpful, since we are seeking this information from the DEC, is to provide more information on the civic space and what would be appropriate in this area. We are building a community here and would like to assure that the civic space is meaningful and useful. Also, we have done this before; we appreciate DRC's input on Mass and Scale and the buildings articulation, height and pedestrian connectivity. This should be done prior to returning before the Planning Board. The Chair recommended the applicant speak to the City Engineer regarding the sanitary upgrades in the area to get a sense of what might be required as we add new projects.

Ms. Bachner stated the applicant has no problem with that. Ms. Bachner questioned if there is a mitigation fee, or an allocation cost associated. You are speaking about fair share allocations, has there been a cost projection allocations associated yet?

Mark Torpey, Chairman stated yes there have been some preliminary work yet. Kate is aware of this with the Vecino project.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the Top Capital project has been dormant. The status is unknown. The discussion we had when all four parties were together to look at these items comprehensively. I did express at that time what would be needed cumulatively and be able to lay out a fair share formula. Checking with Tim Wales, the City Engineer is an excellent idea to see his thoughts and costs collectively.

Ms. Bachner stated we have had success working the MOA's if we have our fair share costs. We can move that forward but only if there has been an assessment of costs based on square footage.

Discussion ensued concerning the other proposed projects in the area. Mark Torpey, Chairman stated he hoped we could discuss building in the center of the city what is respectful of the existing wetlands and not encroaching by way of example. We spoke about signage in the wetland area noting the wetlands, its existence and the importance of keeping it free of encroachments.

Ms. Bachner stated the Environmental Conservation Law, Article 24; there is not a prohibition on impacts in the buffer. In fact it is a permissive statute which allows impacts in the buffer. One of the reasons why it does is because the buffer serves different values depending on where it is. This is along a roadway in the City. If we are to give the City or a land trust the remaining property, there is going to be an area that is protected and is not even included in the buffer. That is certainly a value the Board can look at to justify .2 acre of an impact to a buffer along a roadway. There are not things that are valuable in and above themselves; they serve a purpose to buffer the wetlands. If there are benefits that can be given from a different area, then those benefits are worth looking at. That is what DEC does when the issue permits.

Todd Fabozzi stated that just reinforces the value of having a conversation with the DEC, so we can hear that and understand those details. It will be very useful if you could propose an alternative as well that does not encroach on the buffer so we can compare that.

Mark Torpey, Chairman stated as you have pointed out the encroachment is not incredibly large, you do have some flexibility on the parcel to do some modifications to have what you are looking for and at the same time be respectful of the existing buffer. So, you are not pinned in from a design standpoint.

Ms. Bachner stated we have shown quite a bit of flexibility in what we have shown, but we will certainly take a look at it. My client has very little space here, I think it's apparent. The majority of the property here he is happy to give away. That also bears some consideration in the Boards deliberation.

Kate Maynard, Principal Planner, City of Saratoga Springs spoke recommends the applicant contacts the Open Space Committee for some recommendations and input.

Mark Torpey, Chairman stated concerning the subdivision. I agree with Jamin's comments. It seems awkward to subdivide a property for the express purpose of avoiding a variance, which is how I see this. The subdivision regulations states, which I take seriously, "to ensure that land is subdivided only when subdivision is absolutely necessary to provide for uses of the land and for which market demand exists and which are in the public interest. I think you can accomplish preservation of the wetlands in number of other ways other than subdivision. I cannot support this subdivision request at this time. There are other ways to convey land through a conservation easement and deed restriction, not necessarily a subdivision.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing on the Special Use Permit at 7:00 P.M.

Mark Torpey, Chairman asked if anyone in the audience wish to comment on this Special Use Permit request. None heard.

Mark Torpey, Chairman state the public hearing will remain open.

Todd Fabozzi stated he agrees with the Chair there are other alternatives to preserve this area.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing on the Final Subdivision at 7:02 P.M.

Mark Torpey, Chairman asked if anyone in the audience wished to comment on this subdivision request. None heard.

Mark Torpey, Chairman stated the public hearing will remain open.

Mark Torpey, Chairman stated no action will be taken this evening. SEQRA review would be required. We have requested additional information from the applicant. Both public hearings will remain open.

Amy Ryan, Alternate stated she would like to express gratitude to the applicant for listening to the comments from the work shop and the re-design efforts.

NOTE:

Justin Grassi, Attorney for the Land Use Boards exited the meeting at 7:10 P.M.

3. **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 what is before the Board this evening is consideration of coordinated SEQRA review. Lead Agency Status for SEQRA was deferred by the DRC to the Planning Board. Planning Board accepted Lead Agency Status on April 19, 2018. At the last meeting the Board had some concerns regarding what is proposed versus the existing conditions. Understanding the civic space and how that was delineated. We also discussed screening the parking along the sidewalk and streetscape. Porch details and an improved rendering based on DRC recommendations.

SEQRA:

Action appears to be an Unlisted Action. SEQRA Short EAF form has been submitted by the applicant.

Applicant: Jim Dorsey

Agent: Clark Wilkinson, Paragon Civil Engineering

Mr. Wilkinson provided a visual presentation of the current site plan 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. A view of the proposed plan was provided with the adding of 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. Several window wells will be added as well for additional light to the basement apartments. There is currently an existing handicap ramp and parking lot at the juncture of the new southern addition and the existing building. Visual presentation of all elevations making note of the roofline adjustments. This will give the property a more contemporary look. We are proposing approximately 30% of the site remaining green. The parking calculations were re-calculated based on the site services and what the proposed needs will be.

Discussion ensued regarding the parking, the proposed parking and determination for SEQRA.

Mr. Wilkinson stated regarding the snow. The snow is blown not plowed and a visual presentation was provided as to where the snow will be stacked. Concerning the front we have reconfigured where the bench is placed.

The site is serviced by municipal water and sewer. We are adding a fire protection line which is needed for this project. Information was provided on the civic space which is not required however a bench is being proposed. A water feature has been discussed and the applicant at this time is not installing a water feature due to maintenance issues, electric service required, etc.

Todd Fabozzi recommended an area be provided for the tenants to be able to sit outside and enjoy the weather, etc. While there is somewhat of a pedestrian realm in this area with sidewalks, so a bench is appropriate. It is an entry into the downtown perhaps a sculpture or some type of appeal as a gateway.

Mr. Wilkinson stated the applicant is also proposing a bike rack. Landscaping design was provided for the Boards review. The applicant is retaining as many of the trees on site as possible. In the rear of the property a 6 ft. high stockade fence currently exists.

Janet Casey stated she concurs with Todd in the regard of some type of focal point be placed in the front of the project.

Mr. Wilkinson stated he agrees with the Board and this can be further discussed during site plan. He reiterated that the applicant is here this evening for review of SEQRA. The applicant is anxious to have this determination completed so they can move forward with the project and return before the Board for Site Plan Review and Special Use Permit. He will review the parking calculations prior to the applicant's return before the Board.

Kate Maynard, Principal Planner reiterated what the applicant has stated concerning the parking requirements and calculations.

Amy Ryan, Alternate stated even though this is not within the purview of the review this evening, you made the statement that you do not want one large Colonial. I do think the buildings itself does not look congruent. If there is an opportunity to potentially look at different design aspects for the additions, it would be helpful for the Board to talk a look at from an aesthetic point of view. It would be nice to review some options.

PUBLIC COMMENT:

Mark Torpey, Chairman asked if anyone in the audience wished to comment on this application. None heard.

Kate Maynard, Principal Planner, City of Saratoga Springs stated the Board is in receipt of one letter:

-written correspondence from Mr. Gents, next door neighbor made positive comments about the project.

Jim Dorsey, owner of the property for five years. Over the last five years he has reviewed different renditions of what to construct in this location while keeping in mind this is a T-5 zone. One third of the property will remain green. We are looking to have this be a positive project in the gateway to the City.

NOTE:

Jamin Totino, Vice Chairman assumed his position on the Board at 7:30 P.M.

Mark Torpey, Chairman stated the Board will move forward with SEQRA. The applicant has provided the Short Form Part I of the SEQRA form. The Board has reviewed the documents and they are accurate and correct. The Board reviewed Part II of the SEQRA short 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.

Ruth Horton seconded the motion.

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

VOTE:

Janet Casey, in favor; Amy Ryan, Alternate, 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

4. **18.014 31 NELSON AVENUE**, Site Plan Review for a single family residence in Institutional Horse Related (INST-HR) District.

Mark Torpey, Chairman stated what is before the Board is a site plan review for a single family residence in an Institutional Horse Related District. The Planning Board normally does not review these types of projects however due to the fact that it is located in this particular district and it is a single family residence in association with a Horse Racing Facility we are looking at it this evening. There are two actions, an affirmation of a SEQRA Negative Declaration and Site Plan Approval. The Board had reviewed this project a while back, and approved the two lot subdivision. At that time knowing a single family home would be built on the property. We can reaffirm the SEQRA Negative Declaration and then consider the Site Plan Approval.

Applicant: Tom Roohan

Agent: Kaitlin Corey, Dave Carr, LA Group

Ms. Corey stated we are before the Board this evening for Site Plan Approval for this application. We did appear previously before the Board for the two lot subdivision. A visual presentation of the proposed project. A 3,000 square foot single story family home. Driveway entrance along the southern portion of the lot. No additional trees will need to be removed for this project. Septic will be located in the rear and water will be municipal. An architectural rendering of the proposed home was provided for the Boards review.

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

Mark Torpey, Chairman first we will reaffirm the SEQRA Negative Declaration completed at the time of subdivision, knowing full well that a single family home would be built on the second lot.

Janet Casey made a motion to reaffirm the SEQRA Negative Declaration.

Jamin Totino, Vice Chairman seconded the motion.

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

VOTE:

Janet Casey, in favor; Amy Ryan, Alternate, 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

Mark Torpey, Chairman stated in terms of the buffering are there any question regarding the layout of the project. None heard.

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

Jamin Totino, Vice Chairman made a motion in the matter of 31 Nelson Avenue site plan review application that the Site Plan be approved as submitted.

Janet Casey seconded the motion.

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

VOTE:

Janet Casey, in favor; Amy Ryan, Alternate, 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

5. **18.015 269 BROADWAY**, Site Plan Review for building demolition in a Transect (T-6) District.

Mark Torpey stated the applicant is before the Board this evening with a proposal to demolish an existing office building on site. Site plan review is required to construct, modify or demolish any structure larger than a single-family or two-family residence and associated residential accessory structures in any district.

SEQRA:

Action appears to be a Type I unlisted action within a historic district.

Applicant: Tom Roohan

Agent: Kaitlin Corey, Dave Carr, LA Group

Ms. Corey stated the applicant is proposing the demolition of this two story building approximately 2,000 square footprint. The building and associated on site sidewalks. The parking lot will remain and be maintained by the applicant, as well as some grading and seeding of the site to make it more marketable. There is no need to make further improvements to the site.

Tom Roohan, owner stated the parking lot will be shared with Saratoga Hospital and Saratoga Catholic High School. We will allow them to share the parking until the site has been sold.

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

PUBLIC COMMENT:

Mark Torpey, Chairman asked if anyone in the audience wished to comment on this application. None heard.

Kate Maynard, Principal Planner, City of Saratoga Springs stated this is an unlisted action in a historic district. A SEQRA Long Form is required.

Ms. Corey stated because the letter of credit is only \$3,500 we would like to request a waiver on the letter of credit pending City Engineers approval.

Mark Torpey, Chairman stated Part I of the SEQRA Long Form was submitted by the applicant and is accurate And complete. Part II of the SEQRA Long Form was reviewed by the Board. 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.

Bob Bristol seconded the motion.

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

VOTE:

Janet Casey, in favor; Amy Ryan, Alternate, 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

Mark Torpey, Chairman stated we will now move onto Site Plan for the building demolition. We have discussed two items for inclusion, a request for a Waiver of the Letter of Credit, and also maintaining and mowing of the grass the time the site is vacant.

Jamin Totino made a motion in the matter of 269 Broadway, that the application for Site Plan for building demolition be approved.

Bob Bristol seconded the motion.

VOTE:

Janet Casey, in favor; Amy Ryan, Alternate, 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

7:55 P.M. The Board recessed.

8:05 P.M. The Board reconvened.

6. **18.013 SARATOGA PET RESORT**, Kaydeross Avenue West, Special Use Permit for an Animal Kennel in a Rural Residential (RR) District.

SEQRA:

Action appears to be Unlisted, ZBA as other involved agency.

Mark Torpey, Chairman stated this project is before the Board for a Special Use Permit for an Animal Kennel in a Rural Residential (RR) District. This is a permitted use in this District with Special Use Permit and Site Plan Approval.

Subject parcel is located along a rural stretch of Kaydeross Avenue West, wooded, low intensity uses within the vicinity. Proposed 11, 761 square foot facility for dog and cat boarding. Materials which have been provided are a concept plan, Building rendering a Traffic Evaluation, DEC Natural Heritage and DEC Wetland Non-jurisdictional assessment correspondence.

Mark Torpey, Chairman questioned if there was any other involved agency for SEQRA.

Kate Maynard, Principal Planner, City of Saratoga Springs stated we discussed this at the workshop the then concept plan and the less than required parking for this use. I spoke with Susan Barden staff for the ZBA and the code enforcement officer for the City. They both agreed that what we saw is an item to be discussed with the applicant during site plan or an overall site plan for parking, if they fit and meet standards and the question of land banking a portion of that. If the Board considers this zoning compliant the Planning Board will be the sole agency involved for SEQRA.

Mark Torpey, Chairman stated it would be deemed zoning compliant if we were to include the banked parking provision and that were to sum up to the total amount required. This particular parcel borders the Town of Malta. In terms of the noticing if there are some special conditions required.

Kate Maynard, Principal Planner, City of Saratoga Springs stated there is a notification that does go to the Town.

Applicant: Jen and Peter Lopatka

Agent: Scott Learned, Design Learned; Jeff Anthony, Studio A; Sue Davis, SD Atelier Architects;
Trish O'Grady Howard, Studio A

Mr. Learned stated my firm is based in Connecticut but we work all over the country. I am a licensed professional engineer in NY State and we provide interior planning and mechanical, fire protection and noise control engineering, exclusively for kennels, vets and shelters. The applicants came to us looking for a design. Our designs are very low stress. Animals are grouped in small groups including kenneling and day care. We do a lot with our design to eliminate noise both inside and outside. We use state of the art systems for flooring, finishes. The design is intended to have the least amount of impact. Day care is a big component of this. Most of the people are at the facility very briefly. You come in drop off the dog and return later to pick the dog up.

Mark Torpey, Chairman questioned the percentage of day care stays versus kenneling stays.

Mr. Learned stated this is designed 50/50 in terms of the square footage that is allocated to those functions. Jeff Anthony will speak to the site issues and Sue Davis to the architecture. This model is a typical model for us.

Mr. Anthony provided a visual of the proposed project site. 8.77 acre piece of property. Kaydeross Creek bisect this site. South and east corner of the site are inaccessible to us. The site we are working with is about 6 acres of the site for active development use. We are in a RR zone, and parking calculations based on the City's zoning law. We would need 65 spaces. 59 for the patrons and 6 for the employees. Mr. Anthony provided a visual of the original site plan which was proposed along with the application. It shows 27 cars. We are proposing less than 65 cars. Mr. Learned who has constructed these all over the country estimates that we need less than 65 spaces and his determination is 22, we are requesting 27. Mr. Anthony provided a review of the site noting the boulevard entrance off of Kaydeross Avenue to a Porte cochere for drop off and loops around for a parking area for the clients and customers. Employee parking is on the north side of the building. When we presented this at the workshop we discussed the need for a variance and we discussed the land banking issue. We were asked if we would agree to a site plan that showed the required number of cars and we agreed. We were also asked if we could move some of the parking to the rear of the building, and would we consider buffering the building from Kaydeross Avenue west a bit. We went back to drawing board and have come up with this site plan. The applicant provided an updated plan showing the additional parking required to meet the 65 spaces. Concerning the utilities the City Engineer spoke about the water line. Replacement is not scheduled for two or three years. Mr. Learned has alternative plans for dealing with water. There is no sewer service in this area. We are

proposing an onsite septic system to deal with the sewage issues. Mr. Wales spoke regarding an alternative type system. Test pits were done and we hit no ground water or bedrock. No issues with the installation of a septic system. It is within the realm of engineering to come up with an approvable septic system for this site for this facility.

Amy Ryan, Alternate questioned the lack of the 100 year flood plain designation on the site map.

Mr. Anthony stated there is none. Surveyor reported no 100 year flood plain. A letter from DEC was provided to the Board noting no wetlands on the site.

Mark Torpey, Chairman questioned the 500 year flood plain as well since it is addressed in the SEQRA analysis.

Mr. Anthony stated he will have the surveyor recheck that.

Amy Ryan, Alternate also stated also perhaps FEMA can provide information so the Board can review it.

Mr. Anthony stated a traffic study was done by VHP. They suggested moving the entrance to the far west of the site. We are in an acceptable zone. The driveway is located appropriately. Removal of some of the trees to the west of the site would be beneficial for distance sitting.

Amy Ryan, Alternate questioned the location of the leach fields and the water flow.

Mr. Anthony provided a visual of the proposed septic system and leach fields. The septic system will be gravity System and is more than 100 feet from the stream. The project meets all required setbacks and required zoning requirements as it engineered and designed.

Todd Fabozzi questioned the number of parking spaces exceeding the need.

Kate Maynard, Principal Planner explained the requirements versus need and location as well as the banking of spaces.

Mr. Anthony stated the additional parking areas are being shown in case the operations of this facility require it.

Jamin Totino, Vice Chairman questioned the boulevard type entrance.

Mr. Anthony stated boulevards are not anything new to Saratoga. There are several boulevards around town. One way in and one way out, however if the Planning Board is adverse to this we will build a single entrance.

Mark Torpey, Chairman questioned if the Board received any feedback from traffic. It would be a good idea to get some feedback from them concerning this type of entrance in this area.

Kate Maynard, Principal Planner, City of Saratoga Springs spoke about the information provided to the Board and noted she will contact Traffic Safety for their input.

Mr. Anthony stated in the redesign of the building the entrance driveway was moved 25 feet to the west and this was a recommendation from the traffic study. Also, employee parking was moved to the rear of the building so it is not visible from the roadway. Parking complies with the spirit of zoning and we are proposing 27 parking spaces.

Mr. Learned stated Sue Davis designed the building and she will speak about the building. There is a method to the layout of the building like this. Most of the outside play areas are segregated, there are several smaller play areas and are situated so the dogs don't see each other and can be grouped together based on size, age, condition etc., for better management of the animals. These play areas are located away from the parking areas. These outside play areas will be supervised. After hours animals will be taken out individually and on a leash.

Mark Torpey, Chairman questioned the number of staff on site.

Mrs. Lopatka stated it depends on how many dogs we have. Boarding is very seasonal. We are busiest during the holidays, spring breaks, etc., and at that point we would scale up to approximately 12 employees. On a regular basis we anticipate 8 employees. Mrs. Lopatka stated during the week the facility will be open from 7AM to 7PM. This is for day care drop off and pick up. Saturday hours are 8AM-4PM and daycare is provided. Sundays we do not have daycare we are open for boarding drop off and pick up from 9AM to 3PM.

Ruth Horton questioned if there would be any employees in the facility overnight.

Mrs. Lopatka stated no unless there was a sick animal. We live 5 minutes away. Our main goal is health and happiness of the pets in our care.

Jamin Totino asked for more information concerning the 8 play areas outside.

Mr. Learned stated the dogs are taken outside in smaller groups with supervision. This concept for smaller groups of animals together at a time leads to less noise, less fighting and calmer animals. During the day 6-12 dogs can be together in one play area and this is a common number. After hours if a dog has to go out it is individually and on a leash.

Jamin Totino, Vice Chairman questioned how the areas are separated.

Mr. Learned stated there are many options and we have not yet gotten to that detail in the design yet. Typically it is an opaque separation. In the final design a staff member can get to any one of the play areas without going through other animal areas.

Jamin Totino, Vice Chairman stated what we need to consider is the noise, neighborhood consistency and the rural character. Also can you provide to the Board the distance between this site and the homes in the area.

Mr. Anthony stated the closest house to this site is to the west and to the west there is a wood lot which is fairly open and very little ground vegetation but the lot has trees on it. There is a house about 200 feet from our property line. There is none across the street and a warehouse type building across the street. To the east up the road a bit there are some homes on Kaydeross Avenue on the east side of the road. The other side of the road is state park land.

Ruth Horton questioned the animal waste.

Mr. Learned stated in the last ten years many products have been developed which help to deal with animal waste very effectively. Protocol inside and outside is to pickup solid waste and we use flush fixtures which is sent directly into the septic system. There are products for the inside runs which disinfect the areas and rinse. There is a protocol for this as well. We design our systems so that all the drains and trenches are automatically flushing inside so the urine is not standing and is rinsed away. Our HVAC systems are designed to move air. Fresh air is presented in the walkways and hallways and then moves down to the floor across the animal cages and exhausted out the back of the cage. Our design is many smaller HVAC zones, so each dog kennel is segregated from the others. No two dog kennels share air. The dogs cannot hear or smell each other. We keep our dog kennels very small no more than 16 dogs or fewer per zone. It is very quiet and subdued lighting is used during quiet time. Our kennels are quiet and odor free.

Todd Fabozzi everything internally is drained to the septic system. What about the outdoor areas.

Mr. Learned stated the solid waste goes to the septic system. All the drain waste gets collected in a separate lateral and goes through a hair trap prior to going into the septic system. There are two options for outside. One is to have flush fixtures accessible outside. The other options is a digester, which is a small device which goes in the ground and has a

plastic lid on it, the solid waste goes in it. Once a week these drains are chemically treated which destroy the solid waste.

Todd Fabozzi stated his concern is the location of the creek and runoff.

Mr. Learned stated solid waste would not be washed into the stream. It is being collected immediately.

Todd Fabozzi questioned the liquid waste.

Mr. Learned stated outdoors they urinate outdoors on the grass. These play areas are rotated. There are products that can be used called Canine grass which is synthetic and made for dogs. Sometimes we use a drain system outside.

Mark Torpey, Chairman stated the dogs stay within the designated play areas or in the around the building.

Mr. Learned stated animal safety is the main concern. These enclosures have a 6ft tall fence around them and a secondary fence outside of that. Our rule in design is to have two levels of control for all animals.

Mark Torpey, Chairman questioned the number of animals the facility can accommodate.

Mr. Learned stated approximately 200 animals can be accommodated on site with 144 enclosures inside. We accommodate 90% or more dogs.

Todd Fabozzi voiced concern regarding the creek and runoff and perhaps a vegetative buffer to help with the runoff.

Mr. Anthony stated the area is buffered currently with natural vegetation and it will remain natural vegetation. We cannot go in that area because it is an easement to New York State.

Janet Casey questioned the barn on the site. Are there any plans for it? Are there safety concerns.

Mr. Lopatka stated they do not have any plans for the barn at this time. There was an apartment attached which will be removed.

Amy Ryan, Alternate stated she would like to know more about the water. We spoke at the workshop regarding a backup.

Mr. Learned stated his understanding from the Engineer was that the existing water main is in various conditions being elderly. He was not sure we would be able to tap that main and to bring a new one in within the next 3 years. It is pretty common for us to design for emergency situations. It is not uncommon at all for us to have some tanked water on site. In this case the City Engineer stated we would not be able to determine if we could tap that main until we actually go into it. If we could not tap the main, we would have several thousand gallons of tanked water on site anyway, we could if it looked like years away we would have a well drilled and keep that tank filled. It is a matter of weeks my recommendation would be to have a water service come in and fill the tanks perhaps twice a week.

Amy Ryan, Alternate questioned if this would be sufficient to supply a fire suppression system.

Mr. Learned stated this building is below the threshold which requires a sprinkler system. Our approach is to try to build more with limited or non combustible materials have an early warning fire detection system.

Amy Ryan, Alternate stated perhaps having the fire department weigh in on this aspect of the project.

Mark Torpey, Chairman questioned the possibility of phasing of the project.

Mrs. Lopatka stated our initial plan is to have just less than 10,000 square feet of space. If the demand presented itself at a later date, we would build an addition out the back. 200 animal capacity is for the full build out. With the current proposal we have capability for 80 boarding and 60 day care. 140 at this phase, 200 at full build out.

Mr. Anthony stated the site plan is laid out to accommodate full build out.

Jamin Totino, Vice Chairman questioned the number of animals on a daily basis for day care to try to calculate the traffic impacts.

Mrs. Lopatka stated the boarding of pets is very seasonal. Daycare is much more on a daily basis 70% would be very good.

Ruth Horton questioned the peak of traffic on that road.

Mr. Learned stated between 7AM-9 AM for drop off and again in the evening. The caging systems are flexible in their use. This is very common. During seasonal peak times the facility will be full. During non seasonal times the extra cages could be used to cage daycare dogs for resting or during feeding times. A daycare dog is not out in the play yard all day long. There is some rotation of the use of the kennel rooms.

Mrs. Lopatka pointed out that there are three indoor play parks for the dogs within the structure. The majority of the time these dogs will be inside with a rotation outside.

Jamin Totino, Vice Chairman stated information submitted notes 50 trips – 25 in the AM and 25 in the PM. This is a rural residential district. When I think of neighborhood character, there is a big difference between a Rural Residential housing development and a facility that will generate up to 50 cars conservatively. We have to weigh out what the impact will be on the neighborhood. Traffic is a big part of the question for me.

Mark Torpey, Chairman stated we have a request going to the Traffic Division to weigh in on our concerns in this area, and the review the traffic study. Perhaps the City Engineer could review the study to provide more information as well.

Mr. Anthony provided information regarding stacking space in the Porte cochere area as well as a bypass lane to provide space for vehicles and avoid cars waiting out in the roadway.

Sue Davis, SD Atelier Architecture. We are at the concept stage currently. This is a lodge. We want this to look like a lodge with natural materials in this Rural Residential area. From the aesthetic quality we have done the Porte cochere and provided different studies for the Boards review. Shed dormers and roof lines were provided to help break up the mass of the building. We have wood timbers, stone incorporated into this design. Ms. David reviewed all elevations and noting the height of the building at 32 feet, not much taller than a home. A 3-D model will be prepared with a better level of details as the project proceeds.

Mark Torpey, Chairman stated the Board would appreciate more information on the boulevard entrance, as well as information on the traffic study from both the City Engineer and the Department of Public Safety. We spoke about the sprinkler system and perhaps the Fire Department could provide input and comments. Also input from Tim Wales, City Engineer to weigh in on the septic system design and resolve that. Perhaps timing on the new water line. 500 year flood plain location since that is part of our SEQRA review and determination. Verify the Town of Malta and assure the noticing was properly completed. 3-D visual rendering.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 9:15 P.M.

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

Christine Vanderwaker, 65 Kaydeross Avenue. Directly across from this project. I bought this 1800 restored farmhouse in this rural area fully thinking this is where I will retire. I am totally against this entire project. To have no one there at night and the increased traffic for drop off and pick up but for the industrial deliveries. I find it disheartening to go from a quiet residential rural area to something like this. It is unacceptable. I don't know what recourse we have.

Mark Torpey, Chairman stated written comments are acceptable. They are posted on the web and the Board can review them more easily as well.

Kate Maynard, Principal Planner, City of Saratoga Springs provided information to the neighbor noting the allowable use in this area and referred the neighbor to the Zoning Code.

Pam Stiasmen, 5 Stable Lane. We have a very serious safety concern with both entrances. Coming from Rt. 9, there have been 4 pedestrian fatalities in this area in a very short time. You have a hairpin turn to enter this site. There are school buses and rural residential traffic. This is not a commercial use road. There is not even a yellow line on the road. The white building mentioned is part of NYS Parkland and they own quite a bit of the land across the street from this proposed project. We have had significant water issues in this area and we were without water for several days. On behalf of me and my neighbors on Stable Lane we are against this project.

Mark Breslin, 1 Stable Lane. You have not shown the 14 home which are in direct proximity to this project. One across and one at one end and one at the other end. 144 dogs. I have used a kennel in the past and it was located approximately one mile from the nearest home out in Galway. This will be a mess. None of these maps show the homes in this area. We also have Forest School for kindergarteners which create a lot of traffic twice a day at the same time as the kennel. I think it is a disaster in the making.

Ken Brohn, 11 Stable Lane. I second all of the concerns voiced by my neighbors. A unique feature of this area is the creek is a great magnifier of the sound. Noise is channeled by the creek. The increased traffic does not suit the area. The area is adjacent to park land and is a low salt area and is very poorly plowed. Too large of a project and we are very concerned.

Mrs. Brohn, 11 Stable Lane stated concern for the 100 year flood plain. The containment of the noise. We are in a valley and the creek acts like a sound channel for the noise. Also we are concerned air smell containment and water runoff. We are against the project.

Mark Torpey, Chairman stated we will leave the public hearing open.

7. **18.027 STONQUIST**, 1 Federal Street, Advisory Opinion consideration of 63 multi-family residences in an Urban Residential-5 (UR-5) District.

BACKGROUND:

The site is owned by Saratoga Springs Housing Authority. The site is within the UR-5 District. The intent of the district is "to accommodate multi-family residential development at moderately high densities and to encourage a mixture of housing type. "Zoning officer has determined that the site is exempt from local reviews. Project is before the Planning Board as an advisory review. Discussed with the applicant is appearance at the current conceptual stage for input, and then will return to the Board for review once final detailed plans are prepared.

DISCLOSURE:

Jamin Totino, Vice Chairman stated he owns property at 23-25 Beekman Street.

Agent: Brett Balzer, Balzer Tuck Architecture; Paul Feldman, Executive Director Saratoga Springs Housing Authority; Rick Higgins, Project Sponsor; Mike Ingersoll, Bob Kernan, LA Group; Sonny Bonacio, Contractor.

Mr. Ingersoll introduced the development team.

Paul Feldman, Executive Director of the Saratoga Springs Housing Director. Mr. Feldman stated the housing authority's mission is to meet the need of low income housing needs. In researching this project he noted the lack of affordable housing in the City. He incorporated affordable housing in the five plans he was adopting for the Housing Authority. There are several acres of property behind the Stonequist building. A study was conducted which noted the lack of low income/workforce housing in the City. An RFP was sent out for a development consultant. We partnered with a company called Fresno out of Baltimore. We then issued an RFP for a development partner and after that process we went with Rick Higgins and Norstar Development. That started this whole process.

Rick Higgins, President, Norstar Development. I have lived in Saratoga for 20 years. We have not done any affordable housing in this area. What we do is affordable housing, we have probably done over 2,000 housing units with public housing authorities in several different states. Financing is the key. Essentially we have 63 rental units and they will be targeting incomes of 90% of median income. They will be in different tiers. Some will be at 40% medium income, some at 60% medium income and some at 90% medium income. You will see mixed income development in this area. Average income for a one bedroom will go from \$32,000 to \$60,000; for a two bedroom from \$40,000 to \$75,000; and a three bedroom almost \$49,000 to \$86,000. Projected rents would be from \$800 - \$1200 for a one bedroom; \$950 to \$1400 for a two bedroom and \$1100 to \$1700 for a three bedroom.

Mr. Ingersoll provided a visual presentation of the site. Existing photographs of the site were provided for the Board. Also a view of the neighborhood and neighborhood context. We have performed an archeological study on the site and we have received sign off from SHPO. We have done an environmental study on the site and it is clean. Current infrastructure on the site is falling apart. The storm line and the sewer lines were outlined for the Board. In keeping with the streetscape our feeling was to take all the massing and spread it out to the street. The yield in this area could be more than 63 units.

Amy Ryan, Alternate requested the applicant to provide to the Board the EAS that was performed on the site.

Mr. Balzer provided a visual presentation of the proposed project which was provided to the DRC. We did receive a nod and a non binding Advisory Opinion to the Planning Board. Mr. Balzer noted the location of the 5. acre site in the UR-5 District, with a 185 foot height limitation. This is a fairly unique property. The existing Stonequist building is a 10 story tower, with 176 units currently with 73 parking spaces on the site. We are proposing to add a series of buildings and the addition of 63 new living units to the site. We will be introducing a 41 unit, 4 story building and flanking West Circular with 3 buildings. An 8 unit, a 6 unit and another 8 unit building all two stories. Parking will be provided to the rear of the property. A visual of the proposed project provided to the Board. There will be an addition of 63 new units. One of the challenges is how do we layout the site with the surrounding 10 story tower. Mr. Balzer provided a floor plan of the proposed 4 story building for the Boards review. A brief preview of the colors of the proposed project was provided to the Board. We will be using fiber cement siding, brick, aluminum clad windows all materials which would be used on other buildings in the City. Views of all elevations were provided for the Board. The row houses will help with the pedestrian activity in this area. Stepping the buildings from South Franklin to the ten story building to the four story buildings and the distance between them was shown. Three individual buildings will be along Circular Street. There is some street parking along West Circular. Streetscape views were also provided to the Board.

Mr. Ingersoll reviewed the concerns voiced at the workshop. We are well aware of the concerns of the neighbors regarding the buffering. There is a culvert in the area and does present a challenge. Fencing could be provided with tree planting in front of the fence. Lighting was a concern and the majority of lighting would not be close to the neighbors and no spillover to adjacent properties is anticipated. Currently there are 73 parking spots on the site. 50 residents have cars. If we add in employees we have a small surplus. We will maintain the 73 with the ability for an additional 106. There are 27 spaces on adjacent streets. There is the ability to supply 179 parking spaces on the site. There are energy goals for the project and part of the funding approvals require energy efficiency. We must meet the Energy star ratings.

We will use the Leed Checklist.

Discussion ensued regarding the possibility of solar panels and energy for this project.

Mr. Ingersoll spoke regarding traffic. Due to the proximity to public transportation, and pedestrian connectivity. There is a new formula for urban calculation. The traffic does not trigger an issue or need offsite mitigation. Mr. Ingersoll stated we are in good proximity to the CDTA route. Conversations with CDTA are forthcoming. Concerning the civic improvements the project does offer tying the site further into the community along the frontage with the pedestrian connections, and community gardens. Efforts are being made to preserve the mature trees on the site. There are opportunities for benches and refurbishing the fountain. We have met with DPW concerning water and sewer. This project will be required to meet all MS-4 stormwater requirements. Bioretention areas, dry well and infiltration chambers were noted conceptually.

Discussion ensued regarding the water and sanitary sewer services in this area.

Mr. Ingersoll stated conversations with the fire department to discuss access; standpipe and site plan designs were reviewed. Additional conversations will be scheduled as the design progresses.

Kate Maynard, Principal Planner, City of Saratoga Springs stated there are several new projects under review along West Avenue which are also targeted for some affordable housing units.

Mr. Ingersoll provided information to the Board concerning the neighbors and their concerns regarding the project.

Mr. Bonacio, Contractor stated concern was voiced by the neighbors regarding the project and the hope was voiced that this would spark other projects in this area as well.

Dan lives on West Circular Street and stated he is okay with the project. The more trees in the area the better. He provided some history on this area for the Boards information. Perhaps the Board can urge the City to embrace the street. Perhaps the City could step up and improve the street, remove the high intensity lighting in this corridor to make this project move forward successfully.

Jamin Totino, Vice Chairman stated he agrees with what Dan stated. Also replacement of the Cobra Lights would be a great improvement in this area. This project is great. Also, my concern is always pedestrian activity with the street, so the porches and stoops are a great addition. Great project.

Mark Torpey, Chairman stated if it would be helpful this Board can make a recommendation in writing to help with the funding request, the Board would be agreeable with that.

Dan, West Circular Street spoke regarding the removal of trees for the improvement of the infrastructure in this area. Hopefully, the reforestation of the area is imperative. I would like to advocate for the replacement of the trees removed during this project.

Mark Torpey, Chairman stated this is a great project, look forward to seeing it move forward.

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 10:35 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 7-5-18