



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, MAY 16, 2019

6:00 P.M.

RECREATION CENTER

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

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chairman; Bob Bristol; Ruth Horton; Janet Casey; Sara Boivin; Shawna Jenks, Alternate

ABSENT: Jamin Totino, Vice Chairman, Todd Fabozzi

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

ANNOUNCEMENT OF RECORDING OF PROCEEDING:

The proceedings of this meeting are being recorded for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript of the recording.

ANNOUNCEMENT:

Mark Torpey, Chairman stated there will be a Unified Development Ordinance Technical Review Report presentation and discussion on Tuesday, May 21, 2019 at 6:00 pm at the Recreation Center; and Wednesday, May 22, 2019 at 12:00 PM at the Saratoga Arts Council and at 6:00 PM at the Recreation Center.

A. APPROVAL OF MEETING MINUTES:

Approval of meeting minutes was deferred to the June 6, 2019 meeting.

B. POSSIBLE CONSENT AGENDA ITEMS:

NOTE: The intent of a consent agenda is to identify any application that appear to be "approvable" without need for further evaluation of discussion. If anyone wished to further discuss any proposed consent agenda item, then that item would be pulled from the "consent agenda" and dealt with individually.

1. **FLAT ROCK CENTRE PARKING STRUCTURE**, High Rock/Lake/Maple Avenues, Advisory Discussion on the proposed parking structure within the Transect-6 Urban Core District.

Mark Torpey, Chairman stated at the last meeting comments and discussion was held concerning the Flat Rock Parking Structure. We have reviewed comments and provided a final copy of our Advisory Opinion to the City Council.

Bob Bristol made a motion in the matter of the Flat Rock Parking Structure Advisory Opinion to approve the comments and suggestions as presented and reviewed by the Board. Janet Casey seconded the motion.

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

VOTE:

Mark Torpey, Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Shawna Jenks, in favor

MOTION PASSES: 6-0

C. APPLICATIONS UNDER CONSIDERATION

1. **20190344 INTRADA MODIFICATION**, 247 Washington Street, site plan modification to an approved multi-family residential project within the Transect-5 District.

Applicant: Vecino Group

Agent: Matt Brobston, LA Group; Molly Cheng, Vecino Group

Mr. Brobston stated they are before the Board this evening for a site plan modification. I will review the concerns the Board has with the modifications. A visual of the project site was provided. One of the issues was a removal of some of the concrete sidewalks adjacent to the parking areas. The majority of these are internal. Some of the green spaces have been removed and replaced by asphalt pavement and striping. The next change is a reduction in pavement of 1745 square feet. Also, some of the concrete pavers in the patio areas have been changed to standard concrete surface for long term maintenance. An island was removed in favor of some additional parking spaces. By the flagpole the seating wall and sidewalk around the flagpole has been removed from the project. The landscaping in that area has been maintained. Also, the plans for screen walls and green screens near the patios have been replaced on the plans fencing to provide privacy. The fencing for privacy and mechanical buffering will be a PVC material. A bike rack was eliminated in this area due to the proximity of one at the adjacent building. A visual of the landscaping plan was reviewed for the Boards information. The number of parking lot light poles was reduced from 21 to 16 while still maintaining a safe lighting levels. Bollard lights were reduced from 31 poles to 11 poles and located mostly along interior walks while maintaining safe lighting levels on the parking areas.

Mark Torpey, Chairman stated due to the number of requested changes he felt the Board should revisit the plan.

Mr. Brobston stated we are also doing some offsite improvements for the City in addition to this. This site was originally proposed along with three other projects and the cumulative impact area was reviewed. The pump station on Station Lane was to be upgraded. This was to be a shared cost. The other projects have fallen off and we are moving forward. We are working with the City and we are being asked to absorb the cost and to provide for this.

Discussion ensued among the Board regarding landscaping and green space areas.

Ms. Cheng spoke regarding the changes in the landscaping plan to attempt to keep costs down, while keeping the elements in the apartments as originally presented.

Mark Torpey, Chairman stated there are some comments from the DPW and would appreciate the applicant reviewing them with the Chair. We can move this forward additionally via Administrative Action.

2. **20190117 EBERLEIN SUBDIVISION**, 42 Ruggles Road, final subdivision of a 2-lot conservation Subdivision within the Rural Residential District.

Mark Torpey, Chairman stated the applicant is before the Board this evening for a proposed two-lot conversation subdivision with a combined 5 acres to be deed restricted conservation area. What is before the Board this evening is a review of the SEQRA short form and potential action on the subdivision.

SEQRA:

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

Applicant: Geraldine Eberlein

Agent: Ingalls & Associates, LLP

The agent for the applicant provided a visual of the proposed subdivision. He stated they have expanded the open space area to be contiguous lands. The applicant is conserving 50% of the unconstrained lands which is 4.84 acres. We are proposing the driveway on the left hand side of the property, which allows maintenance of the 100 foot buffer and the septic system. Concern was voiced about the slopes and they are localized and are not large or steep slopes. These will be graded with the driveway. The two lots are proposed well below the maximum of 4.89 lots.

Mark Torpey, Chairman questioned how to properly delineate the conservation area.

The agent's applicant stated the deed and Covenant are filed with the County Clerk's office with the plat. We are proposing standard no cut buffer signage and are proposing six signs noting the location for the Board.

Mark Torpey, Chairman spoke regarding the signage and labeling and what is proposed in perpetuity. Approval for this could be a contingency if we move this application forward this evening. Also how the rural integrity of Ruggles Road is being preserved in terms of buffering.

The applicant's agent stated a piece of the deed restricted conservation area does come out to the road. A visual of the proposed plan and buffering area was provided to the Board. A note can be placed on the deed limiting the amount of clearing to establish the driveway.

Discussion ensued regarding the placement for construction, septic system and the steep slopes.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 6:27 P.M.

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

Leeanne Raga, 50 Ruggles Road. The Raga Family Trust at 50 Ruggles Road owns property adjacent to the proposed project, and opposes the subdivision. Written comments have been submitted. First and foremost there was no public notice of this meeting sent to the required people. Construction on this site will destroy a natural watershed area. The proposed subdivision is within the New York State Freshwater Wetlands "check zone". Inaccurate information was provided on the Short Environmental Assessment Form and the Stormwater Pollution Prevention Plan. The runoff goes to a city culvert. 200 feet of frontage is a requirement in the Rural Residential District. Where the driveway is proposed is the area where the stormwater drains. The proposed subdivision will require extensive tree removal and destruction of the natural slope/ridge/watershed of the site and it will impact the current natural drainage area and will permanently negatively impact the natural drainage of the site.

Joy Bull, 47 Ruggles Road. She owns the property most affected by this project. Notice was just received. The driveway proposed is between her driveway and garage which is all wetlands. All the water you are speaking of goes into a deteriorating culvert which runs under Ruggles Road. Water is an issue and she spoke concerning the 2 ½ acres she owns and the water issues which currently exist. She opposes this application.

Mark Torpey, Chairman questioned staff concerning notification.

Susan Barden, Principal Planner provided information concerning the noticing. The letter was mailed to property owners within 250 feet of this property and was mailed on May 8, 2019.

Mark Torpey, Chairman stated when reviewing the information he had some questions. He is suggestion tabling this application due to the amount of area disturbed. He would like verification if a stormwater management plan is required and obtain some additional information.

The applicant's agent stated there is a specific erosion sediment plan. They do have a basic SWWPP plan in place even though this is less than 5 acres disturbed and is a residential project.

Mark Torpey, Chairman stated there is no jurisdiction on the proposed size of the home by this Board. He is looking for more information from the DPW and perhaps Chazen. Also, the Chair stated the SWPPP is under the review of the City Engineer. We will contact him and see if he would like additional information from Chazen. The Chair feels it is important to table this application this evening and continue this at a subsequent evening.

Leeanne Raga, 50 Ruggles Road questioned if there is a 200 foot frontage requirement for the Rural Residential zone. Also, the characterization that this is sandy soils and it is clay and it is not a minor slope. They have provided misinformation on the environmental form and the stormwater form.

3. 17.006.1 SCOTT SUBDIVISION, 227 Kaydeross Avenue East, conservation analysis and sketch plan discussion of a 15-lot conservation subdivision within the Rural Residential District.

Mark Torpey, Chairman stated what is before the Board is a preliminary sketch plan discussion for a 15-lot conservation subdivision within the Rural Residential District. The Planning Board saw the conservation analysis which is the first part of a preliminary subdivision application at the January 24, 2019 meeting. Prior to that, a sketch plan application was submitted for 12 lots within the Rural Residential District in January of 2017. The sketch plan discussion is helpful to the Board to review and provide feedback as is required with the conservation subdivision process. A conservation analysis has been prepared and submitted. The City's Open Space Committee was requested to provide advisory input to the Planning Board to assist in the analysis. Also submitted were a limited tree survey and a digital analysis.

Applicant: Ken Scott

Agent: Libby Coreno, Attorney, Dave Carr, LA Group

Ms. Coreno stated the applicant is before the Board to receive some feedback so the applicant can move forward with an accepted design for this conservation subdivision. Additional information was submitted including the limited tree survey and the impact analysis.

Mr. Carr stated the application was last before the Board in January of 2019 and at that time the original conservation analysis was presented. The Board asked for two additional items which was the limited tree survey and the impact analysis. We will present only the new information. A visual presentation of the proposed site was provided to the Board with a view taken on the side of Kaydeross Avenue East and the middle of Crescent Avenue Bridge. It is a 79 acre parcel located on Kaydeross Avenue East. The Board and the Open Space Committee wanted us to take a look at the woodland on the site. We concentrated on the developable area. We performed the tree survey in sectors – Development area A and Development area B and it is categorized in clusters. This will help develop the project design. Information was provided on how the lots are laid out and the position of the homes. We are proposing to retain the rural character of this area. Water resources are important and the flood plains are important. A trail system is proposed as part of the Open Space Plan to connect to the neighboring property. There is a possibility of a boardwalk along Lonely Lake at some point. We are currently looking for a partner organization to assume responsibility for the conservation area.

Mark Torpey, Chairman questioned the parcel to the left and the potential for a single family home and preserving the rural character of this area. Preserving the existing barn and home which exists on the site is also proposed. Also, how to delineate the conservation area with signage would be helpful for the Board.

Mark Torpey, Chairman stated the consensus of the Board is that they are comfortable and have a good feeling about this project.

PUBLIC HEARING:

Mark Torpey, Chairman stated the public hearing was opened and remains open.

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

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

4. **20190225 BISHOP SUBDIVISION**, 223 Maple Avenue Advisory Opinion to the ZBA and coordinated SEQRA review associated with a 2-lot subdivision within the Urban Residential-2 District.

Mark Torpey, Chairman stated back in April the ZBA passed a motion to coordinate SEQRA Review and proactively deferred SEQRA Lead Agency status to the Planning Board. The ZBA also requested an Advisory Opinion from the Planning Board.

Applicant: Todd Bishop and Linda Martelli-Bishop

Agent: Tonya Yasenchak, Engineering America

Ms. Yasenchak stated the property is located at the corner of Maple Avenue and Green for coordinated review for a two lot subdivision in the UR-2 District. A visual of the site was provided. One of the two lots is zoning compliant. The second lot requires two variances one for lot width and one area variance which is requires lot sizes to be 6600 square feet and this is only 6413 square feet. The request is in keeping with the neighborhood. As part of the materials submitted we have reviewed 47 adjacent lots in this district within 350 feet of this home. This was provided to the Board. Three out of 47 did not meet the required lot width, but did meet the 6600 square foot lot requirement. Ten of 47 did not meet the 6600 square foot requirement but did meet the 60 foot lot width. Twenty seven of the 47 did not meet either the 6600 square foot requirement or the 60 foot lot width requirement. This request does fit in with the character of the neighborhood.

Mark Torpey, Chairman questioned if the applicant will provide connectivity of the sidewalks on Green Street down to Maple along with street trees and lights. Also we are looking to minimize curb cuts. Questioned the elimination of a curb cut.

Ms. Yasenchak stated the applicants will meet all the subdivision requirements. Sidewalks on Green down to Maple with street trees and lights will be installed. The applicant will removed one of the curb cuts.

Ms. Yasenchak stated she will provide additional details and information to the Board.

Board recessed at 7:19 P.M.

Board reconvened at 7:23 P.M.

5. **DRAFT ZONING MAP**, Advisory Opinion to the City Council for proposed amendments to the zoning map pursuant to the Future Land Use Map in the 2015 Comprehensive Plan.

PUBLIC COMMENT WILL BE TAKEN, DISCUSSION ONLY, NO ACTION TO BE TAKEN

Mark Torpey, Chairman stated what is being asked of the Planning Board is to provide an Advisory Opinion to the City Council concerning the new zoning map amendments. There are 18 proposed recommendations/changes to consider. We have received input from the City Attorney and Planning Staff. This evening we are looking for public input. We are allotting one hour to hear from the public and receive feedback. Individual comments should be limited to two minutes. We would appreciate comments on Zoning Map Changes not a specific project which may or may not come to fruition. We are trying to group the recommendations. Many folks are here to speak regarding Modification #1, which is a change from residential to non-residential.

Mark Torpey, Chairman asked if anyone in the audience wished to comment on any of the other zoning map changes other than Modification #1.

Heather VanAllmen, 8 Persimmon Place. Concern regarding zoning change #17. This would result in a change in the lands from Railroad Run from WD to T4. Future use designated as Complementary Core. In the Comp Plan from 2015 this land was designated CRN-1 from the downtown core to residential. The Comp Plan was to continue the residential feel of this area and the aesthetics of Railroad Run. Opposes the zoning change.

Ann Haller, 90 Elm Street. 47 year resident of Saratoga Springs. Lives adjacent to the Railroad Run. Concern regarding the impact of the zoning change on the Railroad Run. This will allow high density in proximity to the trail. The City should protect the Railroad Run as noted in the Comp Plan. This is inconsistent with City's Comp Plan.

Jared Dinsmore 13 Joseph Street. Concerns were voiced concerning the Comp Plan and the area near Railroad Run. Keep this area single and two family homes. The change to UDO will allow four story buildings. Why deviate from the Comp Plan. Strongly opposed to the Zoning change.

Mike White, 2 Joseph Street. The Comp Plan is very clear as to where CRN-1 ends and CC begins. Have concerns that this zoning change deviating from the Comprehensive Plan. Water issues in this area. Opposed to the zoning change.

Joe Frey, 107 Elm Street. Please keep the public comment period open.

Mark Torpey, Chairman stated we will now hear comments concerning Modification#1. Request to change the zoning map from UR-1 to OMB-2.

Chris Mathiesen, 28 Friar Tuck Way. Father owns a condo in Birch Run. Former Planning Board member. Worked on the Comprehensive Plan in 2015. Later realized this plan should have been reviewed more closely. This is not an appropriate place for large commercial use. Opposed to the zoning change.

Dave Evans, 26 Saratoga Circle. Spoke in opposition of the zoning change along with his neighbors.

Jaime Evans, 26 Saratoga Circle. Spoke in opposition of the zoning change. This is a radical change for the neighborhood. Keep this a residential area.

Libby Homes, 3 Collins Terrace. The proposed change in zoning has been requested by Saratoga Hospital to the benefit of Saratoga Hospital. Opposed to the zoning change.

Tim Reilly, 1 Saratoga Circle. Opposed to the re-zoning of the residential area.

Alice Smith, 8 Wood Land Court. Love the residential area, zoning rules should be respected. Oppose the zoning change.

Tim Holmes, 3 Collins Terrace. Love the hospital. Keep with the Comprehensive Plan. Keep this a residential area. This is contrary to the character of the neighborhoods.

Ina Harney, 40 Seward Street. Purchased a home in 1984, the entire area was a residential area. My street is now shortcut and speedway for traffic. Opposed to the zoning change.

Barry Mazel, 126 State Street. Lived here for over 30 years. The hospital is an important part of the community. Concerns regarding increased traffic in this area.

Milisa Klotz, 21 Collins Terrace. Hospital does great work for the community. They are not entitled to a zoning change to change the zoning in this residential district.

Penny Lockwood, 50 Myrtle Street. Concerned regarding the integrity of the neighborhoods in the City. Opposed to the zoning change.

Tracy Reilly, 1 Saratoga Circle. We invested our money in our home in a residential neighborhood. This rezoning will have a disastrous economic impact on all residential homeowners. Opposed to the zoning change.

Claudia Braymer, Attorney representing Saratoga Concerned Neighbors, about 40 people. Many people are concerned about the zoning in this area. We recommend that you deny rezoning in parcel #1. We hope you separate this parcel out from the rest of the zoning changes to be discussed and reviewed separately. Also, hope all Board members attend the presentations on May 21, 2019. This will have many impacts on the character of the neighborhood and the community in this area. This is not consistent with the Comprehensive Plan. We request you protect this residential area and the privacy of the residents in this area.

Renee Russell, 8 Lexington Road. Stated she works at Saratoga Hospital. She spoke in support of the zoning change.

Kevin Ronayne, 211 Church Street. Stated he works at Saratoga Hospital. He spoke in support of Saratoga Hospital acquiring land for the hospital doctor's office several years ago and still maintains the need for a medical arts building in close proximity to the hospital. I ask for a positive recommendation to the City Council.

Clifford Van Wagner, 18 Rolling Brook Drive. Former ZBA member and Planning Board member. In his tenure overseeing many applications. All zoning changes were reviewed for consistency with Comprehensive Plan and that the revisions were not contrary to general purposes of the zoning ordinance. This Board did review proposed changes to the Saratoga Hospital PUD in 2015. Nothing has changed in the essential character of this neighborhood since 2015.

Matt Jones, 68 West Avenue. Representative for Saratoga Hospital, 2800 staff, employees and physicians. Mr. Jones reviewed the Boards 2015 vote for the changes to the PUD. Four public hearings were held on this proposed amendment in June of 2015 and were adopted by a unanimous vote which entailed changing the zoning in this area is consistent with the Comp Plan and the zoning ordinance. This is the same request being proposed at this time.

Phil Klein, 29 Walter Drive. Previous 2 term member of the Planning Board. This decision has both pros and cons. This is a much needed project and everyone will benefit from its completion.

Kelly Zanella, 27 Collins Terrace. Current realtor in Saratoga. Morgan Street and the area the hospital wants to develop will be a detriment to the area. This building does not belong on this site. This will impact the neighbor and the streets.

James Argus, 54 Myrtle Street. Voiced concern regarding light pollution which currently exists. The proposed project will add even more lighting. There is all bedrock in this area.

Steven Bicklehaupt, 12 Morgan Street. We have experienced blasting for development in this area. Increased traffic in this area on this small road. Property values will be affected.

Dr. Todd Duthaler, 211 Church Street. He spoke on behalf of the Hospital Medical Group. It is critical to accept the change. There is an increased need for medical care and services due to the population growth in the area. This project will allow physicians to collaborate, while providing instant access to the hospital in an emergency. This will allow for consolidation of services to provide better care.

Tom Fedderline, 47 Cardinal Court. He spoke on behalf of the hospital. Has had several strokes and had to be send to Albany Medical Center due to the inability to care for him. In support of the zoning changes.

Mary Rickeman, 16 Collins Terrace. This was a quiet neighborhood at one time but it is no longer. This will change the environment and neighborhood forever. She does not endorse the change.

Mark Torpey, Chairman thanked everyone for the feedback and working with the Board. We are down several board members. We would like the time for them to review the webcast. It is prudent for the Board to request a 30 day extension to provide our Advisory Opinion to the City Council.

Ruth Horton made a motion in the matter of the Advisory Opinion to the City Council for the proposed new zoning map pursuant to the Future Land Use Map in the 2015 Comprehensive Plan that the Planning Board request a 30 days extension in which to provide comments. Bob Bristol seconded the motion.

VOTE:

Mark Torpey, Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Shawna Jenks, in favor

MOTION PASSES: 6-0

UPCOMING MEETINGS:

Planning Board Caravan, Thursday, May 30, 2019 at 4:00 P.M.
Planning Board Workshop, Thursday, May 30, 2019 at 5:00 P.M.
Planning Board Meeting, Thursday June 6, 2019 at 6:00 PM.

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 8:37 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 6-20-19