



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, MAY 2, 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; Jamin Totino, Vice Chairman; Bob Bristol; Todd Fabozzi; Ruth Horton; Janet Casey; Sara Boivin

**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.

**A. APPROVAL OF MEETING MINUTES:**

Approval of meeting minutes was deferred to the May 16, 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. **20190292/17.034 PITNEY MEADOWS COMMUNITY FARM**, 213-235 West Avenue, site plan modification of relocation of the children's greenhouse building and the addition of a restroom facility building in the Pitney PUD.

Mark Torpey, Chairman stated this application is before the Board this evening for relocation of the previously approved children's greenhouse structure and the construction of a new restroom facility building.

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

Bob Bristol made a motion in the matter of the Pitney Meadows Community Farm, 213-235 West Avenue site plan modification that the application be approved as submitted. Ruth Horton seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

**MOTION PASSES:** 7-0

### C. APPLICATIONS UNDER CONSIDERATION

2. 20190299 SARATOGA GOLF AND POLO CLUB EXPANSION, 301 Church Street, site plan for proposed expansion of club facilities; including platform tennis courts, new cabana and pro-shop buildings and associated parking in the Institutional Parkland Recreation District.

Applicant: Saratoga Golf and Polo Club, Ron Ireland, General Manager

Agent: Mike Ingersoll, Matt Brobston, Doug Heller, LA Group

#### SEQRA:

The action appears to be a Type II action and no further SEQRA review is required.

#### NOTIFICATIONS/APPROVALS/CONDITIONS OF APPROVAL:

-Saratoga County Planning Board determination was no significant countywide or intercommunity impact dated April 25, 2019.

-DRC Architectural Review is required.

Mr. Ingersoll provided a visual presentation of the property noting the Saratoga Golf and Polo Club which currently has over 400 members. The site is approximately 5.8 acres located in an Institutional Parkland Recreation District. The applicant is proposing to expand the club facilities, including platform tennis courts, new cabana and pro shop buildings and associated parking to accommodate areas identified for passive and active recreation. Site statistics were provided to the Board along with an updated survey. Other locations were examined for this complex but the use that it complements the pool and cabana existed near this proposed area at the rear setback of the property as well as the occasional overflow parking. As indicated in the application, the proposed parking expansion is located in an area currently used for overflow and event parking and is buffered by way of a landscaped berm from the adjacent property. The proposed platform tennis courts and cabana building would be located at the rear of the property and behind the existing clubhouse and would not be visible from the street. The parcel will have more green space and will be more permeable. Views of the proposed project were provided to the Board. As the site plan indicated we are increasing the parking from 96 to 105. The new drop off area at the front of the property would eliminate the nine parking spaces which will be relocated further back on the property and will not be visible from Church Street. Existing access and egress is to be maintained. Grass pavers are proposed for the expanded seasonal parking areas. These spaces will be used in overflow situations and would not contribute to additional impermeable surface area to the site. Inn buildings are located in an area of steep slopes and archeologically sensitive areas. There will be no undesirable change in the neighborhood or increase in the intensity. The applicant has appeared before the ZBA and the necessary variances have been granted. DRC Architectural Review is required. Views of what currently exists on the site were provided as well as an overview of the stormwater management plan. No city water is being accessed since the club has a well, however they will be accessing the sanitary sewer system. There will be no phasing of the project. Construction is to begin after Labor Day.

Mark Torpey, Chairman stated perhaps some consideration can be given to shared parking during different times of year with adjacent hospital parking areas for special events or overflow.

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

Mark Torpey, Chairman stated this is a great project. He also questioned the easement with Saratoga Hospital.

Mark Torpey reviewed the conditions of the Special Use Permit. Easement with Saratoga Hospital. 24 additional parking spaces to be provided with the use of permeable grass pavers for overflow parking. Delineation for markers. Stone dust path or woodchips for access. Additional hedge buffering along Church Street to address potential visual and noise impacts.

Ruth Horton made a motion in the matter of the Saratoga Golf and Polo Expansion, 301 Church Street, Site Plan application be approved with the conditions as noted by the chair. Jamin Totino, Vice Chairman seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

**MOTION PASSES: 7-0**

3. **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.

Vince DeLeonardis, City Attorney, stated he will review what is being proposed with the Zoning Map Alignment. This is part of the UDO and is in concert with Camiros. There are 18 recommendations. No action will be taken this evening and no public comment at this time. This information is also provided on the web. On March 12<sup>th</sup> a special workshop was held and 18 changes or recommendations were made. The City Attorney provided history and chronology of the project.

**Zoning Map Phase I: Alignment**

- Comprehensive Plan – Adopted in 2015.
- Initial alignment Zoning Map: Future Land Use Map.
- Implements adopted land use policies
- Current zoning districts from Zoning Ordinance
- 18 proposed changes

**Zoning Map Phase II: Update**

- With the new UDO, additional rezoning may occur.
- New UDO may have new districts based upon Comprehensive Plan land use categories/goals.

Vince DeLeonardis, City Attorney stated New York General City Law provides authority for municipalities to undertake comprehensive planning and regulate land use. The Comprehensive Plan is our City's vision for the future and our Zoning Ordinance is the tool used to implement that vision. Once a Comprehensive Plan is adopted, zoning regulations must be reviewed to ensure they are in accordance with that plan. The City Attorney reviewed the Comprehensive Plan History as well as the Unified Development Ordinance (UDO).

Vince DeLeonardis, City Attorney, reviewed the proposed Zoning Map Amendment:

- March 12, 2019 – Camiros presented 18 proposed changes to the Zoning Map during a Special City Council Workshop.
- April 2, 2019-City Council voted 5-0 to refer the Zoning Map changes to the County and City Planning Boards for Advisory Opinions.
- April 18, 2019 – County Planning Board voted unanimously to issue a favorable Advisory Opinion.

The City Attorney continued the County Planning Board is governed by General Municipal Law § 239-m is to determine whether the proposed amendment presents any “significant county-wide or intercommunity impact.” The City Planning Board is governed by § 10.1.5.1 of the Zoning Ordinance and review is to determine – whether the proposed revision is consistent with the Comprehensive Plan; and whether the proposed revision is not contrary to the general purpose and intent of this Chapter.

The Board then reviewed the 18 proposed changes. Discussion ensued regarding the review of each of the proposed changes. It was the consensus of the Board to have individual members review selected/assigned proposed changes. Board members will return with these recommendations at the next meeting. The Board further discussed requesting an

extension from the City Council in which to provide the Advisory Opinion. It was the consensus of the Board to review this in two weeks.

Susan Barden, Principal Planner stated a public hearing will be held prior to adoption by the City Council.

7:47 P.M. The Board recessed.

7:54 P.M. The Board reconvened.

4. 20190305 73 BEEKMAN STREET STUDIO, 73 Beekman Street, Special Use Permit modification to add Service establishments and retail to the existing Special Use Permit within a Neighborhood Complementary Use-1 District.

Mark Torpey, Chairman stated this application is before the Board for a Special Use Permit modification to permit a service establishment and retail uses at a maximum 300 square feet area . This is a permitted use along with art gallery, artist studios, retail, service establishments, and office.

Applicant: Jordan Heffler

Mr. Heffler stated he has a tenant who rents studio use from him. He is before the Board this evening to increase the usage. The area in question is a 300 square foot studio space. He is proposing the addition of service establishment and retail to the current Special Use Permit to be in compliance.

Discussion ensued among the Board regarding the current Special Use Permit, what it encompasses on the property and if it was a simple modification. Following discussed and further clarification, the Board determined that it was a simple modification of the current Special Use Permit and they could add service establishment and retail to the existing Special Use Permit.

Mark Torpey reviewed with the Board that they would be approving the addition of service establishment and retail as uses to the current Special Use Permit with the limitation to the maximum square footage.

Janet Casey made a motion in the matter of the 73 Beekman Street Studio, 73 Beekman Street, to approve the addition of service establishment and retails as uses to the current Special Use Permit with a limitation to the maximum square footage. Jamin Totino, Vice Chairman seconded the motion.

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

#### **VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

#### **MOTION PASSES: 7-0**

5. 17.051.1 DEVALL SUBDIVISION AND RESIDENCE, 59 Franklin Street, coordinated SEQRA review for a two-lot subdivision within an Urban Residential-4 (UR-4) District.

Mark Torpey, Chairman stated this application was before the Planning Board on a previous occasion. The Planning Board heard a request for an Advisory Opinion on the siting and orientation of 3-car garage with second-story residential unit on January of 2017. Currently the application before the Board is for a two-lot subdivision. The ZBA and DRC as well as this Board have had discussions concerning the creation of substandard lots and the potential impact of the new lot and proposed structures to the Franklin Square Historic District.

## SEQRA:

- Action appears to be a Type I – “An Unlisted Action occurring wholly or partially within, or substantially contiguous to, Any historic district, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places”.
- ZBA and DRC are involved agencies.
- The ZBA initiated coordinated SEQRA Review and deferred Lead Agency status to the Planning Board on May 7, 2018.
- The DRC deferred Lead Agency to the Planning Board on June 20, 2018.
- A SEQRA determination has not yet been made by the Planning Board.
- A long EAF has been submitted.

Applicant: David DeVall

Mr. DeVall provided a visual of the proposed site for the Boards review, noting this is the largest lot on Franklin Street. What we are proposing is a subdivision to allow the construction of a small residence in the rear. We are seeking the minimum relief to accomplish this while attempting to preserve the positioning of the historic building, preserve the green space and preserve the existing parking. . Current proposal is for a two-lot subdivision. The placement of the proposed house and garage has changed a number of times through discussions with the Planning Board. Currently the configuration is with the residence facing Cherry Street and a detached garage accessing from Cherry Street close to the alley. We are maintaining the existing entrance off of Cherry Street for access to 59 Franklin Street along with the parking associated for the existing office and residence. This will be moved closer to the building. We are proposing a sidewalk and street lights along Cherry Street and the alley. Although the property is contiguous to the Historic District they do not feel this subdivision will be in keeping with the character of the neighborhood. Mr. DeVall stated a Long EAF was submitted. They are still awaiting a SEQRA determination.

## DISCLOSURE:

Bob Bristol disclosed that he does own property in this area.

Mark Torpey, Chairman and the Board discussed requesting and Advisory Opinion from the DRC. This subdivision will create a substandard lot.

Todd Fabozzi stated on the SEQRA form especially #17 and #18 on the long form which deal with the character of the neighborhood and the subdivision of the property's impact on the historic district.

Mr. DeVall stated the SEQRA Long EAF was submitted in September of 2018. They have been through all the Boards and he is registering an objection to this not being handled and completed in a timely fashion.

Jamin Totino, Vice Chairman made a motion in the matter of the DeVall Subdivision and Residence, 59 Franklin Street the Planning Board requests an Advisory Opinion from the DRC concerning the request for a two-lot subdivision and proposed structures and the proximity to the Historic District. Ruth Horton seconded the motion.

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

## VOTE:

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, abstained; Janet Casey, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

**MOTION PASSES: 6-0-1**

6. **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. Sara put together our comment and proposed feedback for our Advisory Opinion to the City Council.

Sara Boivin read the following into the record.

Dear Mayor and Commissioners:

The Planning Board and the Design Review Commission attended a joint design presentation regarding the proposed High Rock Avenue Parking Structure in the T-6 Zone, illustrating a 30% to completion concept plan by the project's design team on March 21<sup>st</sup>, 2019. At this time, the Planning Board members care to offer the following advisory comments and suggestions:

1. The Planning Board requests to provide additional advisory input at industry benchmark design phases to help the City achieve the optimal design, provide thoughtful and rigorous feedback, and aid in obtaining the best outcome to benefit the community.
2. Conduct a study to inform an overarching parking management plan for the Downtown Core, in order to avoid any adverse unintended consequences that paid parking may create. This study may include but would not be restricted to the following parking considerations; City Center exclusive parking, City employee parking, Farmer's Market parking, civic event parking, paid/unpaid parking areas/off and on-street parking areas, and smart-park technology.
3. Provide a timeline for the design and building phases of Phase II.
4. Create a contest at the highest public space planning levels and establish a set of guidelines, for design submission and sponsorship, to develop the proposed civic spaces and commercial uses adjacent to the parking structure and/or along Lake Avenue during Phase I, creating a positive, visible, and strong commitment to a multi-functional linear park and civic plaza of Phase II. The Planning Board can provide both visual and conceptual examples.
5. Demonstrate further that the proposed skywalk comports with the Comprehensive Plan at both the ground level and skywalk level by being necessary and inclusive to the entire community rather than exclusive to a segment of users. Detail times of use, general accessibility, and potential users and non-users.
6. Include a public accessible safety plan for the structure, including plowing times, towing regulations, evacuation, event entering/exiting, blue light alarm systems, skywalk accessibility times, emergency lighting, etc.
7. Design the structure in such a way, the parking garage can be repurposed in the future to provide maximum flexibility that accommodates diverse and vibrant mixed-use and civic space opportunities.

Discussion ensued among the Board. Any comments or corrections are to be submitted to Sara for final revision. These will be provided to Board members prior to the next meeting.

Ruth Horton made a motion in the matter of the Draft Zoning Map Advisory Opinion to the City Council that the Planning Board request a 30 day extension to completely evaluate the proposed changes to the Zoning Map. Bob Bristol seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Bob Bristol, in favor; Janet Casey, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor

**MOTION PASSES: 7-0**

**D. UPCOMING MEETINGS:**

Planning Board Caravan, Thursday, May 9, 2019 at 4:00 P.M.  
Planning Board Workshop, Thursday, May 9, 2019 at 5:00 P.M.  
Planning Board Meeting, Thursday May 16, 2019 at 6:00 PM.

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 9:13 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

APPROVED 6-20-19