



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, MAY 26, 2022

6:00 P.M.

ZOOM WEBINAR

CALL TO ORDER : Mark Torpey, Chair, called the meeting to order at 6:15 P.M.

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chair; Ruth Horton; Kerry Mayo; Todd Fabozzi; Jason Doty; Chuck Marshall;
Mark Pingel; Bill McTygue, Alternate

STAFF: Susan Barden, Principal Planner, City of Saratoga Springs
Debbie Labreche, City Engineer, City of Saratoga Springs
Matthew Zeno, Senior Engineering Technician, City of Saratoga Springs
Tony Stellato, CHA, Consulting Engineers
Leah Everhart, 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.

A. APPROVAL OF MEETING MINUTES:

Approval of meeting minutes was deferred to the end of the 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 or 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. #20220130 52 KIRBY ROAD AREA VARIANCE,** 52 Kirby Road, Advisory Opinion to the ZBA for a proposed two-lot subdivision in the Urban Residential-1 (UR-1) District.

Mark Torpey, Chair, stated the Board had discussed this Advisory Opinion. A Favorable Advisory Opinion was composed with concerns identified. The Board is comfortable with the document to be forwarded to the ZBA.

Mark Torpey, Chair, made a motion in the matter of the 52 Kirby Road Area Variance, 52 Kirby Road, Favorable Advisory Opinion to the ZBA be approved as composed by the Board.

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

VOTE:

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Chuck Marshall, in favor

MOTION PASSES : 7-0

2. **#20220492 61 VAN DORN & 46/46A SEWARD SUBDIVISION,** 61 Van Dorn Street & 46/46A Seward Street, second extension of a previously approved four-lot residential subdivision in the Urban Residential-1 (UR-1) District.

Mark Torpey, Chair, stated this is a 90 extension of a previously approved four lot subdivision which was previously reviewed in the UR-1 District. The extension would be from May 13, 2022, to August 13, 2022.

Mark Torpey, Chair, made a motion in the matter of the 61 Van Dorn & 46/46A Seward Street that the application be approved as submitted.

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

VOTE:

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Chuck Marshall, in favor

MOTION PASSES : 7-0

C. APPLICATIONS UNDER CONSIDERATION:

RECUSAL:

Board Member Chuck Marshall recused from the following application.
Board Alternate Bill McTygue assumed his position on the Board.

3. **#20220235 131 EXCELSIOR NORTH SPRING RUN SPECIAL USE PERMIT,** 131 Excelsior Avenue, Determination of SEQRA classification and acceptance of Lead Agency Status for a proposed 102 unit Multi-family residential project in the Transect-5 (T-5) District.

Mark Torpey, Chair, stated this is a new project and has not appeared before the Board. There is discussion on how to characterize this for SEQRA. This parcel is adjacent to a critical environmental area. Due to the logistics, it would appropriate for this Board to request a Long EAF to be submitted for this project. This will be classified as an Unlisted Action with the applicant to submit a Long EAF.

Susan Barden, Principal Planner, stated the ZBA initiated coordinated review and proactively deferred Lead Agency Status for SEQRA to the Planning Board, as did DRC. There are no other involved agencies for this project, so the Board could consider accepting SEQRA Lead Agency status.

Jason Doty made a motion in the matter of 131 Excelsior North Spring Run Special Use Permit, 131 Excelsior Avenue, that the Planning Board seek Lead Agency Status for SEQRA. Todd Fabozzi seconded the motion.

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

VOTE:

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Bill McTygue, Alternate, in favor

MOTION PASSES : 7-0

NOTE:

Board member Chuck Marshall resumed his position on the Board.
Board Alternate, Bill McTygue exited the meeting.

4. **#20220325 12 BALLSTON SITE PLAN REVIEW,** 12 Ballston Avenue, Sketch Plan review for a proposed 2,350 sq. ft. restaurant with drive-thru and outdoor patio and associated site work in the Transect-5 (T-5) District.

Mark Torpey, Chair, stated this was presented to the Board at the workshop. The Board provided guidance to the applicant at that time. Tonight, the applicant will provide an overview of the project.

Applicant/Developer John Roche; Kevin Solli; Project Engineer

Mr. Roche stated they are in contract to purchase the property. We are proposing a free-standing Chipotle restaurant with a mobile order/pickup window.

Mr. Solli stated he is the project engineer. A visual of the site was provided to the Board located at the corner of Ballston Avenue and Hamilton Street. The 0.32-acre site is constrained. We are proposing to redevelop the site by scrapping the existing building and constructing a new Chipotle concept which contains a drive thru lane to accommodate mobile pickups. Even though the site is constrained we can meet the requirements for parking from a zoning perspective. We are proposing a 2300 sq. ft. restaurant with 18 parking spaces. It would maintain the access and egress from Ballston Avenue and restrict exiting vehicles onto Hamilton Street via right turn only. This will provide 6 cueing spaces for the mobile order pickup. Ordering is done via mobile app or phone ordering ahead. The project will have a total 38 seats inside and the remainder outside. We anticipate 6-8 employees on the busiest shift. We are looking to activate the corner area of Hamilton and Ballston Avenue and create a civic space. This is preliminary. We have a nice sidewalk area which can accommodate benches, other amenities, or elements to highlight the corner and create a nice aesthetic. Landscaping is proposed to create a buffer/separation from the existing roadway, the pickup lane around the building and the outdoor patio. There are zoning elements or current regulations that we are having difficulty complying with and would require relief from the ZBA. If the Planning Board feels this is a viable project, we will then proceed with ZBA approvals. The areas of relief needed would be the build to line, we do not comply with 70% minimum build out frontage. To accommodate the parking, we would require an easement from the Bowling Alley parcel, and we are agreeable to pursue this in perpetuity.

Mark Torpey, Chair, questioned if the applicants looked for other locations for this project.

Mr. Roche stated we have been looking for sites for this project for years now. This general area is where more quick serve restaurants are located.

Todd Fabozzi stated in relation to the relief you request, you are seeking to do a suburban building which is vehicle oriented. The basic relief has to do with the way you are hoping to frame this space

in this area. This is a Complementary Core District and should be slightly less dense than the core downtown but still should act like a pedestrian oriented downtown. You mention nothing about pedestrian. Neighborhood centers must incorporate residential use and create a public realm conducive to pedestrian activity. The Comprehensive Plan states this areas intent is to be pedestrian oriented, with multi modal options for transportation slightly less dense the downtown core. His view is that we are trying to urbanize this area and not keep it the suburban pattern that exists. He suggested that a building appropriate in this location would be to move the building to the street to the sidewalk. You currently have a loop around the building of cars and no way to enter the building without walking through traffic and the traffic on the site. The public space proposed for this project would not be utilized. It needs to be repositioned to be more pedestrian oriented and more urban in its form.

Chuck Marshall stated he agrees with some of Todd comments. He can appreciate the parcel constraints. Moving the pickup window to the rear as Todd suggested or if you took your concrete pad and moved it to the corner, could the handicap spaces be moved over and provide a delivery area closer to the building. That would make the civic space more usable. Where would the dumpster be located and what type of screening you are proposing.

Mr. Solli stated their intent is to utilize the dumpster in the corner of the bowling alley parking lot. We can add screening to it. This would also be a part of the easement. Deliveries are not made by large trucks. They use all fresh ingredients and receive them off hours in box trucks. We will attempt to comply with the build to line but the chipotle lane and mobile pick up is an amenity they will not give up.

Chuck Marshall stated he understands the code calls for a residential component. It does not appear that you have enough space to accommodate the requirements for the residential.

Mr. Solli stated the current regulations require 18 spaces which we comply with. The new UDO regulations which take effect in July change the parking requirements and would require additional parking spaces. Adding a residential component to this does not appear feasible with the new UDO regulations.

Todd Fabozzi stated if the building was positioned differently, up to the sidewalk to make it a corner building and create an outdoor room typical of urbanism.

Chuck Marshall stated the problem isn't getting the building closer to a sidewalk or street. You must be on the driver's side to pick up your food.

Todd Fabozzi provided a photograph of a Chipotle in Boston on a corner lot, completely pedestrian friendly, with apartments above.

Mark Torpey, Chair, stated this Board has approved less parking than would be required based on the regulations.

We have banked parking for use later. There are different options, and this Board has been amenable to providing less parking, less impermeable surface in general to try to encourage the type of development we would like to see in Transect zones.

Mr. Solli stated they can provide sufficient parking within our limits. A small portion of the strip is on the bowling alley parking lot. We are not necessarily using the bowling alley parking as part of our total parking.

Mark Pingel questioned if there is a relationship between the two properties.

Mr. Solli stated currently the same owner owns them.

Mark Pingel stated the easement as shown in the drawing is not a fixed thing. So, there is flexibility in that easement boundary.

Mr. Solli stated it would be established as part of this project and permitting process. There could be flexibility in the easement boundary. Part of this exercise is to receive feedback from this Board to create something everyone can be proud of and be successful.

Mark Pingel questioned if the Chipotle Lane requires the lane to completely encircle the restaurant. Is that a requirement? There is a large amount of mccadam in the drive which circles the building.

Chuck Marshall suggested placing the entrance lane on Hamilton and put the Chipotle Lane on the eastern side of the building, you could build a tunnel type pick up lane where your build to line would meet the Hamilton Street frontage and still circle around the building to exit. You could make an entrance door from Ballston Avenue to the front of the building being further away from the pickup site. The pickup window is in the worst possible spot.

Mr. Solli stated they can incorporate more sidewalks leading to the building. We have had conversations with Chipotle in this regard. We appreciate the feedback from the Board.

Discussion ensued among the Board regarding the placement of the Chipotle Lane, placement of the building, parking, traffic circulation, easement flexibility, and ingress and egress from the site.

Mark Torpey, Chair, suggested a conversation with DPS on the traffic side of things. You may have a greater degree of freedom moving the Hamilton Street exit-entrance driveway area to accommodate an easier maneuver with vehicles and still not get into a traffic safety issue at the intersection being too close.

Mark Pingel stated any type of traffic analysis would show a significant difference between the traffic on Hamilton Street and the traffic on Ballston Avenue.

Mark Torpey, Chair, asked if there were any further thoughts from the Board.

Kerry Mayo stated the further south you move the building onto Ballston Avenue closer to the entrance would provide you with more room to turn vehicles to the right to exit on Hamilton Street. A triangular island could be added to separate the pickup window from the parking making it safer for pedestrians.

Mr. Solli stated that is an interesting thought. We can consider and look at it. We have tried to lay this out different ways. It is great to hear about the flexibility regarding the parking spaces which may help influence the redesign.

Mark Torpey, Chair, stated this is a new construction and is a blank slate or canvas. We spoke about relief from parking. The frontage percentage if the building were shifted, along Ballston Avenue, using the corner civic space preserved this Board would be open to a much smaller frontage buildout. The fact that you have punctuated the corner with the civic build out it is really a worthwhile and beneficial thing for the city and would further engage with pedestrians and customers who come into the store. We have provided the applicant with feedback. We would like to see the applicant return with alternative designs. You are welcome to return for another sketch discussion.

Mr. Solli stated we will go back and review this with the development team and the tenant and see if there is any other way to make this work.

Susan Barden, Principal Planner stated any formal application filed after July 15th will come under the new UDO Guidelines.

Mark Torpey, Chair, suggested the applicant look at a two-story option for this project like the Subway on South Broadway, fulfilling the residential component.

5. **#20210755 269 BROADWAY SITE PLAN,** 269 Broadway, Site Plan of a proposed multi-tenant commercial building and associated site work in the Transect-6 Urban Core (T-6) District. We will also have a SEQRA discussion.

Mark Torpey, Chair, stated we have spent a fair amount of time on this project over months. We discussed at the workshop, about a format that would be appropriate. We have SEQRA questions to address and deal with and the site plan as well. We have received additional information. We will begin with the applicant reviewing the new information specifically the Terracon geotechnical report dated May 18, 2022. CHA has reviewed the report and provided information as well in a letter dated May 24, 2022. We will hear comments from the City Engineer and then open the floor for public comments as well. The Board will then deliberate on the ground water issue and discuss the additional information we have received. Lastly reviewed SEQRA Part II Form on the issue as it relates to ground water. Site Plan will be reviewed and discussed regarding conditions which would become part of the Site Plan approval.

Applicant: Gerard Mosher

Agent: Michael Toohey, Attorney, Michael Roman, C2 Architecture; Walt Lippmann, MJ Engineering; Bob Denton, Hydrologist from Terracon.

Mr. Toohey provided a visual of the proposed project at 269 Broadway which has obtained Mass and Scale approval from the DRC. The issue we were asked to discuss based on the last meeting is ground water and whether the ground water which comes through this property is problematic. We believe it is not. How we would dewater the site during construction, during the operation of the building and any effect, our analysis showed that there would be with regard to the springs in the City of Saratoga Springs. Mr. Toohey then reviewed the project information the lot parcel size, the permanent easement with St. Peter's, the square footage of the combined lots and civic space. A review was also provided regarding the program of the building, the materials proposed and green building components of the building, the foundation system, the secant wall system what it means and what effect it will have on the adjacent properties and water coming onto the site which will need to be discharged. It is our opinion that the amount of water to be discharged can be managed easily in the Hamilton Street storm system so as not to present a problem.

Michael Roman, C2 Architecture spoke regarding the foundation and the proposed installation of a secant wall system proposed for the perimeter of the building. It has not changed. Once the secant wall is installed, we will begin with the excavation of the earth inside. During the process of removing the dirt, based on Terracon's report we anticipate 150,000 gallons of water will need to be removed during construction. Based on that information and working with Walt from MJ Engineering, he deemed the storm system along Hamilton Street can manage this proposed discharge.

Ground water post construction and the analysis provided by Terracon the groundwater will infiltrate the secant pile wall at a rate of 14 GPM and require discharge into the existing storm

system. This is considered conservative for the secant pile wall system and actual volumes will be less. Based on the information provided by the City of Saratoga Springs Engineering Department, indicates that 150 GPM is entering the storm system from 268 Broadway building. 268 Broadway's groundwater discharge volumes are 10 times greater than those proposed at 269 Broadway.

Mr. Bob Denton, Hydrogeologist/Terracon. There were two major issues we want to address in the report. The first issue is will the building somehow affect the Historic Springs. Mr. Denton provided a visual of the overall view of the Saratoga Springs and provided a history of how the Springs came into being and how it flows. There is only one Spring in Congress Park west of the fault and it is a freshwater spring, not tapping into the Saratoga mineral waters but receiving its waters from the aquifer. The odds of this building and the excavation interfering or intercepting a spring is out of the question. It will not happen. All the important waters are on the other side of the fault.

Joe from Terracon spoke regarding his involvement and analysis in the 268 Broadway project. When we did that project which also has a system beneath it that cuts off water, not completely but on two sides. We had anticipated the potential for groundwater rise up against the back side of the retaining system on that project. We had a condition in that report which noted if we encountered groundwater rise, we had a way to mitigate that by installing a drain on the outside of that wall elevation. The groundwater conditions did not reach the level to need mitigation. An outside drain was never required. There was no notable rise in groundwater. We look at past projects and how they perform is the basis of our line of work. 268 Broadway is a successful project with no effect on the springs or groundwater table in the immediate vicinity. We are seeing that in our estimates and modeling for this project. We anticipate less of an impact than we did across the street. Bob's historical review and the review of a project in the vicinity we feel we have addressed the comments and concerns regarding the springs and the potential for groundwater influences on the area and neighboring buildings.

Mark Torpey, Chair, stated he was hoping to center the discussion on what relates to the SEQRA discussion. Work through that and then the revisions of the site.

Mark Torpey, Chair, asked if there were any questions or comments from the Board.

Todd Fabozzi stated it is interesting to see what is going on underneath our streets. He is appreciative of the information provided.

Kerry Mayo agreed with Todd that the information was helpful and interesting.

Tony Stellato, CHA, questioned if the applicant's agent could review the visual regarding the flow of the ground water currently.

Joe from Terracon provided information as well as a visual of the topography of the site noting what they found in the construction of 268 Broadway. The fault is to the east of the 268 site. The topography drops from Broadway into Congress Park from the west and east. The hydraulic gradient during that construction flowed from southwest to northeast. Basically, following the topography of the area. What we found in the test borings from the 269 site is if there is a hydraulic gradient it is very minimal and goes from southeast to northwest. There is highpoint on Broadway and the flow goes to the east from Broadway and to the west from Broadway. Our grade from Broadway drops down towards Hamilton to the west. That is the general groundwater flow that we see in this area.

Mr. Stellato stated the groundwater flows patterns do not necessarily mirror the recharge flow. That is helpful.

Mr. Toohey stated the slide presentation has more to do with the site plan than the hydrology of the site. The flow of water can be managed by the city system through Hamilton Street and is 1/10th of what the building across the street is feeding into the system.

Mark Torpey, Chair, stated Tony Stellato will review CHA's thoughts on the report and their questions.

Tony Stellato stated he appreciates the report on the Springs and the park. The explanation, report and presentation tonight were very well done, and we take no exception to that. We agree the applicant has provided the information requested and we are comfortable that their analysis is good and there will not be an impact on the spring. We did question the long-term impacts following the temporary dewatering and when construction has ended. The presentation tonight has addressed that concern and we are comfortable with that. The crux of the matter comes down to what happens during construction. The applicant is proposing to do construction monitoring, produce a plan to deal with unforeseen conditions. They have proposed stop work thresholds if groundwater conditions turn out to be more severe, and we agree with that. They have offered to submit those plans to the City Engineers office and make those plans available throughout construction. That is where the bulk of the remaining work needs to be done. Its during construction type of activity. We feel the proposal submitted to the Board is sound. We want to assure it is followed through on and if it does, we are very comfortable. Related to that they have submitted a revised SWPPP. Revisions to the SWPPP were very minor indicating the long-term permanent dewatering which is a very minor flow compared to the overall stormwater discharge from the site. Even with the flow added it does not raise post construction stormwater discharges above the level of existing. There is no concern there. We did ask that they revise their SWPPP to include when dewatering is occurring what happens to that water from the time it comes out of the ground until it goes to the storm drain is documented to assure that the pumped water is not allowed to flow over disturbed soil to allow erosion. That is the bulk of our comments.

Mark Torpey, Chair, asked if there were any questions from the Board.

Mark Torpey, Chair, asked if there were any questions or comments from Debbie Labreche, City Engineer.

Debbie Labreche, City Engineer agrees with CHA regarding the additional investigations and analysis they have spoken to. She is still curious to see what is determined since Washington Springs and Crystal Springs were on the site historically. They are documented as being lost. Could the hydrologist explain what that means when a spring is lost.

Mr. Denton stated he is not sure. It is possible that these are what they call freshwater springs. The ones that are west of the fault. He investigated the literature and was unable to find any springs west of the fault in Saratoga Springs. He did indicated that when the Springs did get clogged and would abandon them. They are not springs but wells.

Debbie Labreche, City Engineer, stated that information was noted and provided. This information does appear on historical maps for the city which was provided by the library.

Chuck Marshall noted that it stated the Washington Springs was tubed in 1806 and is where St. Peter's currently stands.
So, if it's already gone, how can this project affect it.

Mr. Denton noted in their report from Kemps 1912 study of the Springs of Saratoga. He stated on his survey of Spring Site Distribution nowhere did mineral water springs flow to the surface more than a few 100 feet from the fault. Also noted that no springs were located west of the fault. The

only spring in the Congress Park Area west of the fault is Columbia Springs a drilled well which produced a fresh no mineral containing water. As such this water is due to arise from the aquifer. Based on these studies which were the most thorough studies encompassing the hydrology of the region.

Debbie Labreche, Tony Stellato, Susan Barden, and Matt Zeno discussed what is going to happen during construction if these springs begin to show up and we agreed with the extensive monitoring proposed this will not be an issue and the applicant is ready to deal with this.

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

Mark Torpey, Chair, stated he will now open the floor for public comments.

PUBLIC COMMENTS :

David Biggs, spoke about the hydrology report stated it is unlikely that the secant wall will intercept any springs or affect the nearby springs or wells in Congress Park. He is also in favor of having a backup plan in the event there are issues with these lost springs as stated by the City Engineer. Secondly, the mention of all the water coming from 268 Broadway is coming from under the building. There is a tremendous amount of volume. The cutoff walls and French Drain were design by Terracon and noted the total long-term flow was estimated at 6,000 gallons per day. What was noted by the report was much higher at 220,000 to 260,000 gallons. Would the applicants consider using a French Drain system for the 269 building? No new information has been provided regarding noise and vibrations. More information would be helpful on the lost springs, groundwater effects and drilling before approval is given.

Myles Gombert stated the traffic study is flawed, it was compiled during the Covid and only performed on Hamilton Street, Broadway was not considered. Intersections reviewed regarding level of service 2 out of 3 did not meet minimum requirements and was unsatisfactory. Traffic mitigation remedies did not consider deliveries or school buses. Concern regarding the disrupted aquifer, water flow still not clear, and flow predictions should be measured by the city. Parking is grossly inadequate and will never satisfy the demand. Excavation, noise, and vibration remain an issue, as well as the 50' tree on Broadway is in jeopardy.

Kathleen Sonnabend addressed the issues regarding the two lost Springs shown on a historical map are located under the 269 Broadway site. Impact on surrounding buildings and public infrastructure could be substantial due to drilling and installation of the secant wall.

Mark Torpey, Chair, questioned the notion of a French Drain and would there be a benefit of having that as an option as we go forward with the project construction.

Tony Stellato, CHA stated he is unsure of how they would install a French Drain around the secant wall. What they are creating is an obstruction with the secant pile wall system that will keep the inside of the site dry. The water that makes it way to the wall will flow around it.

Mark Torpey, Chair, asked if there were any questions or comments from the Board prior to performing SEQRA review.

Mark Pingel questioned the comment regarding fracturing the bedrock. Would the hydrologist comment on that?

On one of the slide presentations, we saw there was a statement made that upward pressure could fracture the bedrock.

Is this a reasonable risk to consider.

Chuck Marshall stated he believes they stated they fracked the rock to expose the spring.

Kathleen Sonnabend stated it was her slide with regarding to drilling holes about every 3 feet around the entire perimeter of this building site to construct the secant wall. Her concern is with that many drilling holes at 5-10 ft into the bedrock, we run the risk of having bedrock fractured and disturbing the ground water relationship between that site and the surrounding buildings.

Mr. Denton stated within Saratoga Springs the only springs that produce the Saratoga waters, is all Old Red, peerless and Congress. They had to drill almost 200 ft into the bedrock to reach that water. If you are drilling a few feet into the bedrock, you are never going to reach the water bearing zone. When those fractures hit the fault, that is where the water starts to come to the surface. None of the springs in Saratoga were springs at that time, they were all deep wells and were drilled, they are artisan wells.

SEQRA REVIEW:

Mark Torpey, Chair, stated a while back we had received new information. When we performed SEQRA Review on November 21, 2021, we came to question #4 regarding groundwater and we noted at the time as no. Based on the information we have received since the original analysis; the Chair believes that the box should have been checked yes.

The Board reviewed Part II of the Long EAF - Question #4.

Mark Torpey, Chair, stated this is the only portion of the SEQRA Review which is different from the original review.

RE-AFFIRMATION OF SEQRA DECISION:

Jason Doty made a motion in the matter of the application of 269 Broadway Site Plan, 269 Broadway the Planning Boar reaffirms the SEQRA Negative Declaration for this project. Kerry Mayo seconded the motion.

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

VOTE:

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Chuck Marshall, in favor

MOTION PASSES : 7-0

Mark Torpey, Chair, stated we have received revised plans dated May 18, 2022. The applicant's agent will walk us through these revisions, and we will then discuss outstanding issues which need to be addressed.

Mr. Toohey stated on the south of the building on Hamilton Street to Broadway there was a request that we look at this for the purpose of this being a bike trail. We have widened this sidewalk in this area to an 8 ft. width. Since we do not want bicyclists, scooters, or skateboards in this area due to the pedestrian nature of this pathway we are incorporating signage to that effect. We proposed a

radiant heated sidewalk surrounding the building. There is a tree located on Broadway. If the radiant heat is installed in this area the tree would be removed. We have submitted a plan showing the radiant heat ends at the south side of the entranceway to the building and does not continue to the north side of the structure itself. The tree would be preserved. We defer this determination to the DPS regarding public safety. We will abide by either proposal.

Susan Barden, Principal Planner, stated there were items which she discussed with Walt Lippmann today about adding the standard detail we have for tree protection for that tree to be preserved in the tree belt on Broadway. At the last meeting we noted we would review the lighting on Broadway as well with the introduction of the three headed light fixture at the cross walk. A suggestion that the other two streetlights to be installed in the tree belt be spaced further apart or eliminated. The note on the plan states the final location to be determined by DPW or the City Electrician. It looks like that has been corrected on this plan. A correction on the lighting which was to be moved from the north sidewalk those were city standard light poles and lights which will be relocated to the south side and those heads will be changed out to LED per the city specifications.

Mark Torpey, Chair stated these lights were on private property. There was a need for an easement from a photometric standpoint because of a slight light spillage. Has the photometric easement language been provided and developed?

Mr. Toohey noted it has not. It has been agreed to by the hospital and the bank. This has not yet been drafted and it will be part of the construction easement. A component of that will allow the lighting on the north side of the wall with the idea that there would be less spillage than the current Sternberg lights which currently exist in this location. These are facing downward to illuminate the sidewalk. This will be supplied to the city along with all the other easements.

Mark Torpey, Chair, stated he would like to walk through the conditions:

The project will require traffic mitigation. We spoke of intersections, Hamilton, and Ballston. A right hand turn on Hamilton only. The plans definitively show this with proposed signage, an arrow as well as a curved exit. Hamilton and West Circular add a striped right turn lane southbound for that intersection. Hamilton and Congress Street require a modification to the signal timing detail.

Mark Torpey, Chair, asked Todd about the proposed 8 ft. wide sidewalk width alongside the building and the outcome of the meeting with the applicant and Complete Streets.

Todd Fabozzi stated the applicant addressed what they were asking for. A representative from the city pointed out that this was not currently a crucial piece of the biking network but could be in the future. Especially if they change Circular Street as one of the key streets. The 10ft. path on the other side of the building to the south they do not want the public to have pass through rights in this location.

Mark Torpey, Chair, stated the 8 ft. wide sidewalk does provide a connection. Whether it formally becomes a connection to the Green Belt trail or not we can appreciate the dismount restrictions there and walking your bike through this location. It is another means of making a connection without impacting the pedestrian engagement or civic space.

Mr. Toohey spoke about the existing street tree. The City Arborist spoke about preserving that tree. The radiant heating would impact the root structures. Is the Planning Board comfortable with forgoing the radiant heat in that area?

Mark Torpey, Chair, feels it is a good thing to do. As part of the approval the Planning Board would require the applicant to clear any snow build up in that area. Maintained in safe manner as any homeowner and as the radiant portion of the sidewalk.

Jason Doty stated he does not feel that this needs to be a condition since the liability will fall on the owner anyway.

Mark Torpey, Chair, stated he was looking for direction from the Board regarding either saving the tree and no radiant heat in the proximity to the tree roots or removal of the tree and installation of radiant heated sidewalks.

It was the consensus of the Board to keep the tree.

Mark Torpey, Chair, stated another condition is the easements. All easements are to be reviewed and approved by the City Attorney. This would include easements with St. Peter's Church, National Grid, Saratoga Hospital, and the bank. These need to be in place, approved by the City Attorney with appropriate language.

Mark Torpey, Chair, stated we spoke about deliveries. We noted it would be helpful to have incorporated in the lease agreements all deliveries should be made on Hamilton Street to reduce the burden on Broadway.

Mark Torpey, Chair stated we propose the following on the groundwater issues:

1. The applicant shall submit a detailed construction implementation plan to monitor ground water levels along with the structure and ground movement during construction with its building permit application.
The plan shall include stop work thresholds, a contingency plan for unexpected conditions. The plan shall be signed off by the City Engineer prior to the issuance of a building permit. Reports summarizing Monitoring programs shall be prepared by the applicant's geotechnical engineer and submitted to the City Engineer during the course of construction.
2. A construction phase dewatering plan shall be submitted and reviewed by the City Engineer. The long-term permanent dewatering plan would also be submitted and reviewed and approved by the City Engineer.
3. The City Engineer shall have access to all groundwater and geotechnical data and analysis.
4. The applicant shall provide a preconstruction photo survey of all adjacent properties.
5. Regarding the relocation of transformers - if the proposed location is not acceptable to National Grid, notification shall be made to the Planning Board. We can be helpful in those discussions. It is important that these pieces of equipment are hidden from view.
6. The applicant shall address the remaining technical comments and issues from CHA.
7. The applicant shall provide final plans to the satisfaction of the City Engineer.

Mark Torpey, Chair, questioned if there are any further issues which need to be added to the list.

Mark Pingel stated in the geotechnical report of May 18th, there are three other recommendations which your conditions did not cover which are worthwhile. They as noted in the hydrogeological report. Additional test borings will be drilled early. There would be testing of groundwater throughout construction. Institute testing of ground water in the wells.

Mark Torpey, Chair, stated the following will be added to the list of conditions:

8. Additional test boring will be drilled prior to submittal of the construction documents to refine the analysis and design for construction of the secant pile wall and dewatering systems.
9. Testing of groundwater in the wells described will be conducted throughout construction.
10. Additional testing and reports will be completed during the construction document phase and will be provided to the City of Saratoga Springs.

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

PUBLIC COMMENT:

Mark Torpey, Chair provided an additional comment.

Kathleen Sonnabend presented information regarding the setbacks to preserve the tree. The secant wall construction equipment needs to clear the tree canopy which overhangs the property. A **3 ft. setback of the building façade to protect the canopy and critical root zone system**. This would bring this building into conformity with the M&T Bank. This project is not ready for site plan vote.

Mark Torpey, Chair, questioned if there were any further comments from the Board.

Ruth Horton stated she found the information presented regarding the tree very compelling.

Mark Torpey, Chair, stated he feels the City Arborist should be included in the conversation regarding the construction of the secant wall and how that may impact the longevity of the tree itself.

Mr. Toohey stated buildings are being built on property lines all the time without trees dying. The city wanted us to preserve the tree. We did not balk and protected the tree by not installing a public safety feature of the radiant heat.

This project has been going on for over two years. We have done everything the city has requested. We request that the Board vote on the site plan.

Mark Torpey, Chair, questioned staff if there were any further items to be added to the conditions on the site plan.

Debbie Labreche, City Engineer stated none from her standpoint.

Susan Barden, Principal Planner stated none.

Tony Stellato, CHA stated nothing else to be added from them.

Matt Zeno stated no there is nothing else. He did speak with the City Arborist this morning about the tree. He did not provide any information regarding the closeness of the tree.

Mark Torpey, Chair, questioned if the Board felt comfortable moving on with an approval of Site Plan.

Jason Doty made a motion in the matter of the application of 269 Broadway Site Plan, 269 Broadway, that the Board approve the Site Plan with the conditions as outlined by the Chair. Todd Fabozzi seconded the motion.

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

Ruth Horton stated that she appreciates the applicants hard work over these months, addressing the comments and concerns of the Board. She also thanked the public who have very diligent and have provided excellent information and given the Board additional points to review and discuss. It is great that people who are concerned, done research, and provided this in very compelling ways.

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Chuck Marshall, in favor

MOTION PASSES : 7-0

The Board recessed at 8:57 P.M.
The Board reconvened at 9:05 P.M.

RECUSAL:

Chuck Marshall recused from the following application and exited the meeting.

NOTE:

Bill McTygue, Alternate, assumed his position on the Board.

- 6. #20210989 STEWART 'S 402 LAKE SITE PLAN,** 402 Lake Avenue, Site Plan of a proposed new 4,000 sq. ft. convenience store, gasoline pumps, and associated site work in the Rural Residential (RR) District.

Mark Torpey, Chair, stated we have seen this project before. The Planning Board issued a SEQRA Negative Declaration back in July of 2021. The major topic of this application has always been traffic due to a difficult entrance and exit. The main change to this has been to consolidate that all to a different entrance to the site. We appreciate those design changes.

Mark Torpey, Chair, questioned staff if the Saratoga County Planning Board has commented on this application.

Susan Barden, Principal Planner stated the County Planning Board has noted no Countywide or Intercommunity Impact.

Mark Torpey, Chair, noted at the workshop we spoke the easement language with the Anderson's, truck maneuverability and access, comments from Complete Streets and benefits associated with biking pathways through here.

Applicant: Stewart's Shops

Agent: Libby Coreno, Attorney, Ryan Rubado, Stewart's Shops; Tony Christian, Creighton Manning

Ms. Coreno provided a history of the project through the City's Land Use Boards. Most recently an appearance before the ZBA for variances. There was additional piece of land purchased on the south end to allow for the building to be setback from the road. Variances were obtained as well for the setback as well the ability to site the building. An easement was obtained along the western edge to allow for the four-way intersection. We have information tonight highlighting traffic patterns and truck maneuverability patterns. Easement language has been forwarded to the City Attorney. The Board had questioned about the Complete Street comments concerning the bike lanes along Lake Avenue.

Mark Torpey, Chair, stated if the applicant could provide a presentation on site plan issues, not specific to complete streets and truck maneuvers.

Ms. Coreno stated there are weight limitations for Gilbert Road so the heavier truck traffic must enter though the new four-way intersection into the Stewart's site via the western new entrance.

Mr. Rubado stated because of the weight restriction on Gilbert Road our tanker trucks will access the site via the new four-way intersection into the site. A visual of the truck routing diagram was provided. Our fuel tankers must drop fuel on the passenger side of the truck, and this provides them a good area to drop fuel without interrupting the mix of traffic on the site. They will exit the site the same way they entered. There is room to accommodate that on this new site. Our delivery box trucks are not weight restricted on Gilbert Road and they could enter off that road. A view of the truck routing for trash removal was also provided entering and exiting off Gilbert Road.

Ms. Coreno stated Gilbert Road truck access will be limited to trash removal and box trucks on a regular schedule.

Bill McTygue provided history on the Gilbert Road, Route 29, and Lake Avenue intersection. He stated it was always the City's desire to bring the intersection right into the new T intersection across from Weibel Avenue as shown on the current plans here tonight. He strongly suggests as we move this project forward, the Planning Board encourage the city to follow through on what it long desired a reconstruction and realignment of that portion of Gilbert Road. That does not have to delay the applicant's site review. The Board can approach and communicate and bring these parties to the table, take advantage of a great opportunity to help alleviate one of the most problematic intersections in the city.

Mark Torpey, Chair, stated this seems like a good idea. It is a challenging intersection.

Jason Doty spoke regarding Bill's suggestion, which he feels has nothing to do with this application but more to do with fixing Gilbert. This is more of an Anderson issue. If the city were force it, it would be eminent domain to take over property.

Bill McTygue, Alternate, stated he is stating that the city should take over this project and make the commitment to undertake that construction project. They could program the design and reconstruction of this roadway, something that has been long desired. It would be a cooperative project.

Jason Doty stated this is not on this applicant including this applicant in the discussion because it is their property about which we are talking.

Bill McTygue, Alternate stated he does not want to hold up this project but would like to see the city commit to its due diligence and rid themselves of the dangerous intersection. He is impressed with the applicant's commitment to the redesign of the new entranceway from Weibel and is something the city has wanted for years.

Mark Torpey, Chair, stated the Board has made initiative-taking recommendations to the City Council. If this would come to fruition is there something that the applicant's current layout now that would need to be considered. Would it be a detriment?

Mr. Rubado stated no it would not, this has been considered this in their layout.

Ms. Coreno stated this has been anticipated. Our view on behalf of Stewart's is that we have tried to get 1/3 of the way there to Mr. McTygue's point. There is still 2/3rd of the way to go. This would require participation by several parties, but this is a good step forward. There is no doubt that Gilbert Road just because of the topography cannot be altered. It needs to loop around the store and Stewart's has taken that into account and would be able to construct a new entrance if the roadway were connected. It also goes into the discussion of why Tony is here and the bike path and the safety of the bike path and the vehicular traffic exiting Gilbert Road turning left onto Rout 29. All the way around you would get head nods from Stewart's if the city were able to create this you could count on 100% cooperation from Stewart's.

Bill McTygue, Alternate stated we can compose communication with city departments regarding this project and will provide information to the Board in this regard.

Ms. Coreno reviewed the site plan noting there is no feasible alternatives in siting the project. She reviewed the DOT easement, placement of the store, trash receptacle, gas canopies, and the new entrance off Weibel. We are before the DRC currently since they are performing an Architectural Review in this gateway to the city. We are having great conversation with them, and their ideas about what the store should look like. We are sure we will arrive at a design compatible with the area and acceptable to them. As far as site plan goes there has been attention regarding access to the site via external traffic conditions as well as internal safety conditions on the site.

Mr. Rubado stated as everyone knows this is a busy site. The Gilbert Road/Route 29 intersection is not good. We have looked at all iterations of the canopy's placement and rotation. What works for one entrance does not work for the other. We keep the diesel to the side so there is more room around the canopy.

Mr. Rubado provided a review of the site and the flow of traffic and pedestrians. Employee parking is proposed on the east side of the building. In the front and west side of the building is customer parking. We have provided a bike lane and bike rack on the west side of the building.

Ms. Coreno stated this is a busy store and there are challenges in configuring the store on the site. Those were addressed during the site plan design process. As Ryan noted the site limitations are what drives the siting of the building and gas canopies with extremely limited alternatives. We eliminated design options through the zoning process. The design before you were chosen from a safety standpoint as well as what would work and achieve the relief necessary to do that.

Mr. Rubado stated they have added additional blacktop space between the customer parking and the gas canopies to limit conflict between customers and people getting fuel.

Todd Fabozzi stated it appears where the current bike racks are located seems to be buried on the site. Is it possible to place them in a more prominent location one of the corners of the building?

Mr. Rubado stated they can look at alternative locations for the bike racks. He placed the racks in the location noted to try to get it away from parking.

Ruth Horton questioned if Stewart's had considered any EV charging stations.

Mr. Rubado stated they have interest in this site from Tesla. We are in conversation with them currently.
Nothing has been formalized.

Jason Doty questioned if Ryan could expand on the EV charging stations and where they could be located.

Mr. Rubado stated on the east side of the building near the access to Gilbert Road there is room if this was to be installed in the future.

Jason Doty questioned why not closer to the building with access to the electrical service.

Mr. Rubado stated because they would have their own electrical service.

Kerry Mayo questioned if there are any other companies other than Tesla to provide EV chargers.

Mr. Rubado stated there are only two companies currently involved in the EV charging stations that Stewart's is working with Tesla and NYPA.

Ms. Coreno stated as Ryan described this is an iterative process with those providers. It is not a unilateral decision by Stewart's it must be a good fit. Also, depending upon those spots qualify for an exception under site plan review would be a site plan modification.

Todd Fabozzi stated National Grid has a program for EV Level 2 chargers and they pay 100% for businesses.

Mr. Rubado stated since this is a convenience store and people are not really staying very long. It is the 20-minute charge which is a draw to their locations with Level 3 chargers.

Mark Torpey, Chair, questioned staff regarding the DRC review. Normally in the RR District the DRC does not become involved. However, since this is a signature gateway to the city they are involved. What is it that they would be focusing on in this review? Is it the Architecture, the landscaping and feel of the area surrounding the site?

Susan Barden, Principal Planner stated they are looking at the Architecture, location of the building, orientation of the building, canopies, signage. The DRC reviews all the components of the project.

Mark Torpey, Chair, stated the Planning Board would be looking at landscaping and buffering on the streetscape and the site.

Ms. Coreno stated we have appeared before the DRC on this project. They are looking at the architectural design absolutely, that is an iterative process which is currently underway. Also,

looking at signage, design of the signage. As far as landscaping and buffering. She feels is under the purview of the Planning Boards jurisdiction as always. As far as mass and scale and building orientation, that is a bit locked in due to the ZBA's decisions and variances granted. There are existing site limitations due to safety issues which prevent the building from being moved.

Mr. Pingel stated he reviewed the drainage and the use of the landscaping proposed to manage the drainage. The numbers were impressive in terms of what the landscaping could handle. Could you speak to that?

Mr. Rubado stated the storm water is to be managed with subsurface infiltration. We have greenspace which is accounted for in calculation for ground penetration of water.

Mark Pingel stated the applicant noted four zones for drainage. One had a high CN number, which is handled by landscaping and greenspace. He was interested in the other ones which flow off the impervious surface and where they go.

Mr. Rubado stated there is water runoff on the greenspace to the rear of the site adjacent to Gilbert Road and will continue to be managed in this manner. He did not perform the SWPPP or stormwater management plan, so he is unprepared to provide information in this regard.

Mark Pingel stated in the front the runoff has potential to discharge into the landscaping.

Mr. Rubado stated the greenspace on the front of the site adjacent to Weibel Avenue will runoff the greenspace into the and will be collected to the subsurface infiltration system.

Ms. Coreno stated the issue regarding the bike lane and Complete Street comments along with residual comments from Barton and Loguidice. They will respond to these before the next meeting. The conversation will move to the Complete Street comments and CME. The comment from Complete Streets is where would the bike lane on Lake Avenue be the safest. He will turn this over to CME and what would be the best interest in bike safety.

Mr. Christian, CME stated the project is replacing the existing signal with a new signal. The existing signal was installed in 1978. DOT has requested a new signal which includes video detection and, in the east,

Bound direction still a left turn lane onto Weibel Avenue, a through lane which proceeds through and could make a right hand turn into the site. The shoulder in the eastbound direction is about 6ft. wide which is more than enough to accommodate cyclists in the eastbound direction. In the westbound direction we do need to accommodate a left bound lane to the site. We have stripping modifications, minor widening of the south side of the roadway to accommodate the extra lane needed. Where the bicycles come in between the right turn lane and coming westbound into Weibel or is it better to widen the shoulder. It is better to keep them along the shoulder. This can be accommodate without widening, simply restriping the westbound approach. Through this restriping we would get a 4ft. lane which would accommodate bicyclists. Mr. Christian provided visuals of alternatives considered and why They feel it would not work in this area. On the left side of the intersection, we are leaving the turn lane as it exists and southbound lane on Weibel Avenue will have a right turn signal or straight through.

Mr. Rubado stated with the proximity of the Weibel Avenue, Lake Avenue, Gilbert Road intersections, and the amount of traffic in this area adding a bike lane does not sit well with him in this location.

Mark Pingel stated he rides this intersection all the time. The way it is configured now he always go into the straight through lane. Right turn on red cars do not look out for bicyclists. He respectfully disagrees with the decisions that you are suggesting. The only way to feel safe in that intersection is for the bicyclist to remain in the straight through lane and then proceed.

Jason Doty stated he understands what Mark stated as well as what the applicant is proposing. The obvious thing is to make the bike lane on the other side of the road and keep it away from these intersections. A cross walk in this area might be in order.

Discussion ensued among the Board and applicant regarding the bike lane proposals for this area.

Todd Fabozzi questioned if there were any pedestrian accommodations being made in this location by Stewart's.

Mr. Rubado stated there are no pedestrian accommodations around them.

Todd Fabozzi continued that the city currently has a pedestrian plan taking into consideration now that provides pedestrian connections from this intersection at Lake & Weibel up through the Walmart and across Route 50 and into Wilton. They are trying to find ways of making this section of Weibel Avenue more pedestrian oriented.

Ms. Coreno stated Stewart's does not have an objection to pedestrian accessibility it is just that the closest pedestrian connection is the Grove which is all the way back into the inner district which is a significant distance. The question is where the city does most feel those resources are needed. Is it here right now where there is no connectivity or are those funds needed somewhere else in the city to be able to manifest that kind of plan?

Todd Fabozzi stated the need is in this corridor to make this more pedestrian friendly. If the thought is to connect north to the commercial areas of Wilton, to the south of the connection right now is this site. He does not expect Stewart's to put sidewalks in this entire area. The idea is everyone puts in their pieces related to their project. He does not see any pieces related to this project.

Ms. Coreno stated it is more of a contribution to the missing link sidewalk program. There are limitations as it relates to getting underneath 87 which has nothing to do with the city but is a federal government planning. Rather than giving a sidewalk to nowhere, is there a mechanism by which the funds contributed for a sidewalk are better used in the city to start to complete their plan. What are the city's needs right now, is it this site or somewhere else?

Todd Fabozzi stated he is suggesting that this area and the connection to Weibel Avenue is currently being evaluated for how to start to connect this up in a pedestrian way. This is one of the places where there are a whole series of missing link sidewalks that are mapped out that the city is evaluating. It would seem to him if this site were to contribute something it would be best used in this area.

Ms. Coreno stated because that process is ongoing that the city is undertaking then the decision to put in sidewalks right here and right now may or may not be consistent with the ultimate arrival of that plan. But there can be funds set aside to be utilized at a future date that are in the best interest of that plan at a final iteration of wherever it arrives at. As the Chair stated earlier not to lock yourself in but be flexible for future plans. The sidewalks may end up on the other side of the street or on this side of the street. There is no objection from Stewart's contributing its portion it is just

when they are laid in the ground that is where they are and is that the best interest for the community.

Todd Fabozzi stated he does not recall that conversation until now about a contribution for sidewalks.

Ms. Coreno apologized stating it was something they were discussing in response through the SEQRA process. That is the intent.

Bill McTygue, Alternate, stated he feels it is a great contribution for projects that need additional funding to help with the pedestrian sidewalk initiative the city is working on. If this project is willing to contribute toward that instead of installing sidewalks in this location that someone may not use for some time makes sense.

Mark Torpey, Chair, questioned staff regarding the Complete Streets and if they had a recommended configuration based on their experience in the area.

Susan Barden, Principal Planner stated Complete Streets stated the shoulder would be continuous through the intersection and past the store in the eastbound direction. In the westbound direction it is unclear if the shoulder is continuous through the intersection. We requested a bike lane be added in the through eastbound travel lane and a right turn lane. If this is unfeasible then they recommend that a westbound shoulder of 4ft. in width should be maintained through the intersection.

Ms. Coreno stated there is an existing DOT easement in the area and the configuration of the lands around Gilbert Road contain a drainage ditch and there are constraints about the ability to widen that.

Mr. Christian stated widening the bike lane and the right turn lane will require additional roadway widening for a significant stretch and it also includes a portion of the roadway to the right of Gilbert Road which currently houses a guard rail and significant drop off in that area as well as utility poles. So, there are impacts to the geography of the area in widening the road to come into that bike lane. There would have to be modifications to the drainage alley, it would become steeper to tie into that area.

Mark Torpey, Chair, questioned staff if there is any feedback from city personnel and their expertise in the widening of this area.

Susan Barden, Principal Planner, stated she will contact Tina Carton who could look at the recommended changes in this location.

Todd Fabozzi stated this would be more of an engineering level question with standards which need to be adhered to

Susan Barden, Principal Planner stated we can have Barton and Loguidice, Consulting Engineers for the city to review this as well.

Ms. Coreno stated they would have CME submit their comments as well. We have not submitted written comments for this due to timing. This is the right step in this review.

Mark Torpey, Chair, thanked the applicant. The Chair stated he would feel more comfortable if there were more information in this regard. CME's comments as well as Barton and Loguidice comments available as well as have Tina Carton available for a subsequent meeting to help us

structure any kind of fund held in abeyance. In terms of other site plan issues such as truck maneuverability and positioning and location of the building and proactively speak about the repositioning of Gilbert Road. It is this last component that the Chair is uncomfortable moving forward with a decision without additional information.

Ms. Coreno stated we do have additional items to respond to with Barton and Loguidice. We will take the comments from the Complete Streets Committee and CME's response and provide a submission to Barton and Loguidice as a final submission and will return before the Board when those responses are answered.

Mark Torpey, Chair, asked if there were any further comments, concerns or questions the Board had for this applicant.
None heard.

Mark Torpey, Chair, stated as a reminder this application will require a parking waiver, based on the calculations for parking needed for a convenience store.

Susan Barden, Principal Planner stated that is correct, it looks like they would be exceeding the maximum 20% over the minimum parking requirement. So, you do have the ability to issue a waiver for 11 spaces beyond the 20%.

Todd Fabozzi questioned the city has agreed to a fee standard for sidewalks.

Susan Barden, Principal Planner stated yes, we have been using the DOT standard of the construction costs by linear footage and that is reviewed by the City Engineers Office as well. We do have a calculation that we use and have used in the past.

Mark Torpey, Chair, stated it would be helpful to have Tina Carton join us in a meeting and provide information to update the Board on this practice.

Bill McTygue, Alternate spoke regarding sidewalks and the addition of sidewalk/path/bike path from St. Clements to Weibel Avenue be constructed on the left side of Route 29 headed easterly. The city owns all that property on the northwest corner of Weibel Avenue.

Jason Doty stated he concurs with Bill.

Mark Torpey, Chair, stated we can incorporate the reconfiguration of Gilbert Road, the sidewalk potential and bike paths up Lake Road to Weibel could be worked into the conversation with the City Council.

Todd Fabozzi questioned when the Weibel Avenue intersection was reconfigured, one of the important pieces would be the pedestrian means of crossing Lake Avenue. Marked crosswalks with signalized crossing signals is another piece of the pedestrian element missing from the plans?

Mark Torpey, Chair, thanked the applicant for their time on this great project.

APPROVAL OF MEETING MINUTES:

Mark Torpey made a motion to approve the minutes of the March 10, 2022, and April 14th, 2022, minutes of the Planning Board Meeting be approved as submitted. Jason Doty seconded the motion.

VOTE:

Mark Torpey, Chair, in favor; Kerry Mayo, in favor; Todd Fabozzi, in favor; Jason Doty, in favor; Ruth Horton, in favor; Mark Pingel, in favor; Bill McTygue, Alternate, in favor

MOTION PASSES : 7-0

UPCOMING MEETINGS:

Planning Board Workshop, Thursday, June 2, 2022, at 5:00 P.M.
Planning Board Meeting, Thursday, June 9, 2022, at 6:00 P.M.

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chair adjourned the meeting at 10:13 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

Minutes approved September 15, 2022