PLANNING BOARD
MINUTES (FINAL)
THURSDAY, JANUARY 10, 2019
6:00 P.M.
RECREATION CENTER

CALL TO ORDER: Mark Torpey, Chairman called the meeting to order at 6:06 P.M.

SALUTE TO THE FLAG:

PRESENT: Mark Torpey, Chairman; Jamin Totino, Vice Chairman; Ruth Horton;
Bob Bristol, Janet Casey

LATE ARRIVAL: Todd Fabozzi arrived at 6:05 P.M.

STAFF: Kate Maynard, 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 January 24, 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.

None at this time.

C. APPLICATIONS UNDER CONSIDERATION:

1. 17.061 STATION LANE APARTMENTS (ASKEW). Station Lane, Permanent Special Use Permit for 27 multi-family residential units within the Transect-5 Neighborhood Center District.

BACKGROUND:
The Planning Board issued a SEQRA Negative Declaration on November 1, 2018. The proposed project is located on the northern side of Station Lane, between the train station on the west and the Faden proposed mixed-use project to the east, and consists of two-3 story 12 unit buildings and three 2 story row house structures containing a total of 27 residential units. The ZBA has issued variances for front build out. The site features ACOE and DEC designated wetland areas. Original proposal featured greater disturbance into the wetland and adjacent buffer area. The applicant has since modified the project.
SEQRA:

Action appears to be an unlisted. Within Station Lane/Washington/West, the Board is ensuring stormwater, utilities, and traffic is considered comprehensively among 4 projects in the area. NYS DEC identified original plan as an unlisted action and issued a SEQRA Negative Declaration on 03/06/2017. The Board issued a SEQRA Negative Declaration on November 1, 2018.

Agent: Mike Bianchino, Lansing Engineering

Mr. Bianchino stated we are here this evening for consideration for Special Use Permit for the apartments, so we can then proceed to the DRC for their approval and back to the Planning Board for Site Plan Review. Mr. Bianchino provided a visual of the site noting the parcel is a vacant 8.42 acre site. There are 3.3 acres of DEC wetlands and 3.77 acres of buffering which total over 7 acres.

Mr. Bianchino stated the proposed conditions for the Special Use Permit the applicant is proposing three 3 buildings along Station Lane. 2 -3 story buildings with 12 units in each totaling 24 units. The buildings have entrances in both the front and rear. We are proposing a single curb cut on Station Lane plus parallel parking is provided in the street in the front of the building. Three row houses are proposed on the Eastern portion of the site. These are proposed with garages and driveways which are accessed on Station Lane. Parking on the site is proposed at 44 parking spaces. There is extensive wetland and buffer on the site. We have removed all plans for disturbance to these sites. The plan as shown shows no disturbance to the wetlands or buffers on the site. We show street trees along Station Lane with Street Lights per the City code and to the City's standards. Stormwater management will be handled on the site outside the wetland and buffer site. We are proposing connecting the City water and sanitary sewer. DEC wetlands are to be deed restricted. We are working with the attorney and will submit this in its entirety with detailed Site Plan package. Civic space is also being proposed either concrete or pavers in this area along with benches around a central focal point in the plaza area, some type of rail related art. We are working with the architect on this. We are proposing to extend the curbs and sidewalks further to the East.

Mr. Bianchino stated they have been in contact with Doug Heller of the LA Group concerning the City's Pump Station on Station Lane. He is currently working on the upgrade for this station. They are awaiting cost estimates. The applicant is committed to contributing his fair share to this upgrade. Stormwater management practices are likely influenced by the soil and groundwater conditions. Soils are very permeable. The water department would like an additional hydrant in this area and we can work with them on the details of this. There have been several iterations of architectural design and this will be reviewed by the DRC. We are requesting consideration for a Special Use Permit.

PUBLIC HEARING:

Mark Torpey, Chairman opened the public hearing at 6:32 P.M.

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

Mark Torpey, Chairman closed the public hearing at 6:33 P.M.

Tim Wales, City Engineer spoke regarding awaiting information from the LA Group on the upgrade to the pump station.

Mark Torpey, Chairman spoke regarding the Special Use Permit conditions:

- Civic space shall be provided, proposed public art will be coordinated with the City’s Arts Commission prior to site plan review.
- Sidewalk connectivity to eastern property boundary shall be provided. Specific design considerations will be reviewed at site plan review.
- Concept including apartment building with no additional curb cut, consistent sidewalk and solely utilizing on-street parking shall be provided in general accordance with the attached sketch plan.
- Up to 29 multi-family residential units are approved for the site.

Jamin Totino, Vice Chairman made a motion in the matter of the Station Lane Apartments (Askew), Station Lane, Permanent Special Use Permit for 27 multi-family residential units be approved with the conditions as noted by the Chair.

Todd Fabozzi seconded the motion.

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

**VOTE:**

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

**MOTION PASSES: 6-0**

2. **18.055 AIROSMITH MIXED USE DEVELOPMENT,** 318 West Avenue, Final Site Plan Review for 6,675 square feet of office use and 2 multi-family residential units within the Transect-4 Urban Neighborhood and Transect-5 Neighborhood Center Districts.

Mark Torpey, Chairman stated this project is approximately 7,000 square feet of commercial space on the first two floors and 2 residential units on the second floor.

**SEQRA:**

Action appears to be unlisted with involved agencies of Planning Board for Special Use Permit and Site Plan, Design Review Commission for Architectural Review. SEQRA Negative Declaration issued by the Planning Board on October 4, 2018.

**BACKGROUND:**

The Project currently contains a single family residence. Proposed lot line adjustment with the YMCA adjacent property was submitted separately and inferred with the application. Proposed sidewalk for subject project will now be connected to doctors office. Special Use Permit approved by the Planning Board on October 4, 2018.

Applicant: Margaret Smith, owner

Agent: Matt Brobston, LA Group; Brett Balzer, Balzer & Tuck Architecture; Larry Novik, Bonacio Construction

Mr. Brobston stated the project has received SEQRA Negative Declaration and a Special Use Permit by this Board on October 4, 2018. The applicant appeared before the Design Review Commission on December 5, 2018 and received architectural approval. Mr. Brobston provided a brief overview of the project. A visual presentation of the site was provided to the Board. Lot line adjustment will be filed following all approvals. It denotes a sunset clause reverting to Transect zoning. At the agenda meeting a question arose regarding the proximity to the trail. After some research we are 180 feet over two properties to the closest point of the trail. A trailhead connection can be accomplished within a clearing of trees with a sidewalk up to it for further connectivity, if it should be pursued. A sidewalk will be extended the length of the property to the south. Project survey was reviewed with 2 easements. These will remain and we will design around them. Trees and the tree line will need to come down. We will replace trees in the front of the property. Existing conditions were reviewed for the Boards information from all elevations. The site plan was reviewed for the Boards information. One street light will be added. There is an entrance off of West Avenue and another to the rear of
the buildings. Two residences on the third floor with two garages. No dumpster simply roll off receptacles, more residential type appeal. Arbovitae hedge to the property to the north. Permeable pavement will be used for parking and driveway to the garages. We need the number of parking spaces we have proposed. We have tried to decrease the amount of pavement on the site. Parking spaces number 25 and we need 25. Handicap spaces will be provided. Architectural plans were reviewed along with the lighting plan.

Discussion ensued among the Board with regards to the trail, sidewalks, connectivity and parking.

Mr. Brobston reviewed utility connections and placement. Lighting plans were discussed. There is some lighting spillage onto adjacent properties to the north and south. Light shields to be installed on the fixtures to the northern property boundary to prevent spill over. ADA compliant pedestrian connection shall be installed to the West Avenue entrance. One additional street lights shall be added to the site frontage.

Mark Torpey, Chairman stated we will now discuss the conditions for the final Site Plan.

- Lighting shields shall be installed on fixtures on northern property boundary to prevent lighting spillover.
- ADA compliant pedestrian connection shall be constructed to the West Avenue frontage sidewalk.
- One additional streetlight shall be installed along the street frontage.

Jamin Totino made a motion in the matter of the Airosmith Mixed-Use Development, 318 West Avenue, Final Site Plan that the application be approved with the conditions as noted by the Chair. Todd Fabozzi seconded the motion.

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

**VOTE:**

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

**MOTION PASSES:** 6-0

3. 18.059 96-116 BALLSTON AVENUE TOWNHOMES, Permanent Special Use Permit for 16 multi-family residences within the Transect-5 Neighborhood Center Districts.

4. 18.059 96-116 BALLSTON AVENUE TOWNHOMES, Final Site Plan Review for 16 multi-family residences within the Transect-5 Neighborhood Center Districts.

Mark Torpey, Chairman stated the applicant is before the Board this evening for a Permanent Special Use Permit and Final Site Plan Approval. This is in the T-5 District in the City. This is an application for 18 multi-family residences. Across 3 lots. This project has been before the Board several times in 2018. A quick overview of the project would be helpful.

**BACKGROUND:**

Planning Board issued a favorable advisory opinion for zoning amendment for overall area to T-5. Council approved a portion of the original defined area; the proposed project is within the rezoned area. T- Neighborhood Center is a commercial district. Planning Board saw first sketch review in January 2018, and again in May 2018 to request specific guidance on Ballston Avenue access points. The project has evolved largely in complement to guidance from the Board.

**SEQRA:**

Action appears to be an unlisted action with Planning Board and DRC as involved agencies.
Kate Maynard, Principal Planner, City of Saratoga Springs stated just for an update the Board has received some correspondence from the Saratoga Springs Preservation Foundation and there was a question on the SEQRA form submitted by the applicant.

**DISCLOSURE:**

Jamin Totino, Vice Chairman disclosed that he has done business with Ginley and Gottman for a real estate transaction. He has no financial interest in this project and can therefore render an impartial decision.

Mark Torpey, Chairman disclosed that he has done business with Ginley and Gottman for a real estate transaction. He has no financial interest in this project and can therefore render an impartial decision.

**Applicant:** Ginley and Gottman

**Agent:** Brian Osterhout, EDP

Mr. Osterhout provided a brief project history. The property was rezoned to T-5 district. We have been before the Board twice in 2018 in which the project was presented to the Board. There were two iterations and concepts. We returned before the Board with VHB Traffic Consultants in May of 2018. We confirmed limited access to Ballston Avenue with a right turn only. The applicants had architectural floor plans completed along with engineering studies which were completed. We are in an archeologically sensitive area so the applicants engaged an archeologist to do an investigation. Nothing was found and no effect determination was received from SHPO noting no archeological or historic resources. The site is 1.3 acres including 3 parcels. Area photographs were provided. Initially 20 units were proposed and since that time the density was reduced to 18 units. These will be two story units with full basements on the eastern side. Infiltration tests were done. Good soil conditions exist on the site. Forty four parking spaces are proposed including an ADA parking space. Additional visitor parking is provided. Some units have garages. Porous pavement is also proposed. Sidewalks are proposed along Ballston and Finley. We have a paper street alley. We thought to make this a multi-use path – sidewalk possibly. The eastern unit will front here. These townhouses will be offered for sale and will have an HOA which will maintain the property. A detailed planting plan will also be provided. Design concepts and architectural plans will be reviewed and we will provide design renderings at the next meeting. This is more of a brownstone type look. There is a slight encroachment, less than 2 feet and the applicants are addressing that. Mr. Osterhout stated the applicant will also do an enhancement to the current bus stop. Several trees will need to be removed during construction. Street lights and street trees will be added per the City’s standards.

Mark Torpey, Chairman questioned where the additional parking will be provided. The applicant is providing 70% over the parking requirement.

Discussion ensued regarding onsite parking, access and egress from the site.

Mr. Osterhout provided information concerning parking and the proposed mitigations for access and egress on the site.

City Engineer, Tim Wales spoke regarding the ownership of the alley and the potential to take over the street by the City.

**PUBLIC HEARING:**

Mark Torpey, Chairman opened the public hearing at 8:03 P.M.

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

**Kevin Door,** 92 Ballston Avenue. He requested some buffering from the parking area due to the proximity of his home.

Mark Torpey, Chairman stated this will be further discussed at final site plan.
Mark Torpey, Chairman closed the public hearing at 8:07 P.M.

SEQRA REVIEW:

Mark Torpey, Chairman stated the applicant has provided Part I of the SEQRA EAF Long Form which is accurate and complete. This application has had correspondence from SHPO and the Saratoga Springs Preservation Foundation with no archeological or historical resources noted.

The Board reviewed Part II of SEQRA Long EAF. No large or important areas of concern were noted.

SEQR DECISION:

Jamin Totino, Vice Chairman stated that based upon the information provided by the applicant in Part I of the SEQR Short Environmental Assessment Form, and analysis of the information provided and presented in Part II of the SEQR Short Environmental Assessment Form, I make a motion for a SEQR negative declaration since the project will not result in any large and important impacts and, therefore, is one that will not have a significant adverse impact on the environment.

Bob Bristol seconded the motion.

Mark Torpey, Chairman seconded the motion.

VOTE:

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

MOTION PASSES: 6-0

Mark Torpey, Chairman stated we will now move onto the Special Use Permit portion of the application. We have some work to do on the Site Plan. The following conditions and specific requirements for 18 multi-family townhomes are as follows:
- Lot line adjustment application is inferred with current Special Use Permit application, will be completed as a separate action.
- CDTA bus shelter details shall be finalized prior to site plan review.
- Buffer shall be provided along the northern property boundary, to be finalized at site plan review.
- Details related to any proposed use and maintenance of existing alleyway will be finalized at site plan in consideration with the HOA.
- Egress point from site shall be narrowed to discourage entrance at Ballston Avenue.
- Water shall be looped through site to be reviewed in detail at site plan review.
- Porches are noted as a required element, details to be finalized at site plan review.

Todd Fabozzi made a motion in the matter of 96-116 Ballston Avenue Townhomes permanent Special Use Permit application be approved with the conditions as noted by the Chair.

Ruth Horton seconded the motion.

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

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

**MOTION PASSES: 6-0**

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 8:26 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 2-7-19