



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, FEBRUARY 17, 2022

6:00 P.M.

ZOOM WEBINAR

**CALL TO ORDER:** Mark Torpey, Chair, called the meeting to order at 6:01 P.M.

**SALUTE TO THE FLAG:**

**PRESENT:** Mark Torpey, Chair; Kerry Mayo; Todd Fabozzi; Justin Doty;  
Chuck Marshall; Mark Pingel; Bill McTygue, Alternate-Observing

**ABSENT:** Ruth Horton

**STAFF:** Susan Barden, Principal Planner, City of Saratoga Springs  
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.

**NONE AT THIS TIME.**

**PRESENTATION – SUSTAINABILITY INITIATIVES – 2022**

Tina Carton, Administrator, Parks, Open Lands, Historic Preservation and Sustainability provided an overview of sustainability initiatives of interest to the Planning Board. This includes the Open Space Advisory Committee, Complete Streets Advisory Board and Climate Smart Task Force.

**C. APPLICATIONS UNDER CONSIDERATION:**

1. **#20220010 143 W. CIRCULAR STREET AREA VARIANCE**, 143 West Circular Street, Coordinated SEQRA Review and Advisory Opinion to the ZBA for area variances associated with a proposed two-lot subdivision in the Urban Residential-2 (UR-2) district.

Mark Torpey, Chair stated the Boards responsibility this evening is to provide an Advisory Opinion to the ZBA.

There are several area variances being sought. The ZBA initiated coordinated SEQRA and proactively deferred Lead Agency to the Planning Board on February 9, 2022. The ZBA at that time also requested an Advisory Opinion.

**DISCLOSURE:**

Chuck Marshall disclosed that he lives at 140 Circular Street. He has spoken to Brandon Ferguson from EDP regarding the driveway location prior to knowledge of Planning Board Review. The driveway location is not under review. He can be objective in voting on this project.

Applicant: Habitat for Humanity

Agent: Brandon Ferguson, Environmental Design Partnership

Mr. Ferguson stated Will Chamberlain currently owns a .32-acre parcel on the northeast quadrant of West Circular Street and Walnut Street which he wishes to subdivide creating two lots. Each lot will be 50 ft. in width with frontage on West Circular. The corner lot would maintain the existing house and garage. The new lot would be donated to Habitat for Humanity who will construct a new home on the site. The requirement in the district is 60 ft. width for frontage which requires an area variance of 10 ft. for each lot. The frontage along Walnut Street creates a rear yard between the two lots. The rear yard setback to the existing home would be 19.4 ft and 25 is required. The last variance is for coverage for the accessory building which is 14% when 10% is required.

Mark Torpey, Chair, questioned the prior use variance on the property allowing 143 Circular as a two family. Procedurally, is there anything we need to be cognizant of with the subdivision regarding that use variance with this subdivision, or would we be creating a precedent.

Susan Barden, Principal Planner, stated they would have the ability to maintain that use variance for that property even following the subdivision.

Mark Torpey, Chair, stated the new parcel then would be for a single-family home only. We have received some public comment regarding this project with concerns regarding site plan issues. If this application returns before this Board for subdivision, we will formally review all the site plans concerns for optimum design layout. This is a great project for infill development. The 50 ft. frontage is consistent with neighborhood homes.

The Board concurred with the statement by the Chair.

**SEQRA REVIEW:**

Mark Torpey, Chair, stated the Board will now review the SEQRA Short Assessment Form – Part 2. No large or important areas of concern were noted.

**SEQRA DECISION:**

Jason Doty stated 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. Chuck Marshall 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; Chuck Marshall, in favor; Mark Pingel

**MOTION PASSES: 6-0**

Mark Torpey, Chair stated in the matter of the Advisory Opinion to the ZBA the Planning Board will offer a Favorable Advisory Opinion for the subdivision proposal.

Jason Doty made a motion in the matter of the 143 West Circular Street application for area variances associate with a subdivision, the Planning Board offer a Favorable Advisory Opinion to the ZBA for the subdivision proposal. 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; Chuck Marshall, in favor; Mark Pingel, in favor

**MOTION PASSES: 6-0**

2. **#20210755 269 BROADWAY SITE PLAN**, 269 Broadway, Brief overview of a pending project for a proposed multi-tenant commercial building and associated site work in the Transect-6 Urban Core (T-6) district.

**BACKGROUND:**

Negative SEQRA Declaration issued on November 18, 2021. Project site plan review and SEQRA evaluation occurred at the November 18, September 30 and July 15<sup>th</sup>, 2021, meetings. Sketch plan discussion was held at the April 8, 2021, meeting.

**SEQRA:**

Action determined to be a Type I action – the project is located within a Historic District. Coordinated SEQRA review is required. DRC identified as the only other involved agency. DRC deferred Lead Agency to the Planning Board on September 2, 2020. DRC issued an advisory opinion on August 30, 2021

**REQUIRED ACTIONS:**

Site Plan review, DRC historic review required – approval received on January 12, 2022.

**REQUIRED REFERRALS:**

Saratoga County Planning Board review required – referral response received October 8, 2021 – No significant Countywide or Intercommunity Impact with comment.

Mark Torpey, Chair, stated the Planning Board will review this more formally during site plan review at a future date. Tonight, will have an overview of the project to date to acquaint the new Board members and review the project to date. Also, the Open Space Advisory Committee noted an opportunity for a trail connection with this project.

Applicant: 269 Broadway, LLC; Gerard Mosher

Agent: Michael Toohey, Attorney; Michael Roman, Architect; Alison Yovine, MJ Engineering

Mr. Toohey provided a visual of the proposed building, a perfectly legal building as allowed per all the zoning regulations. This T-6 zone is the most densely populated zone in the city. Mr. Toohey provided project information including the size of the parcel, a permanent easement obtained from St. Peter's and zoning information which allows no setbacks from

the street and a height of 70 ft. This property is unique as it has 10,000 sq. ft. to the north of it that will not be constructed upon and will remain as it currently exists. It has 30% of its project site which is not being developed. The Planning Board has reviewed this project several times and performed SEQRA Review, issuing a SEQRA Negative Declaration. We then have appeared before the DRC which approved the project for Mass and Scale. Information concerning six properties within a one-mile radius of the project location that had similar relationships to neighboring buildings were provided. The proposed building is consistent with the neighborhood.

Mr. Roman reviewed the building plans for the project previewing some new design renderings and finishes for the project. The primary entrance for retail is off Broadway and Hamilton Street. There is a two-story open entry off Broadway. A secondary entrance is provided off the south façade for upper floors. Additional land provided the city with a large amphitheater style open area for the public. Built in seating is proposed along with walkway and building with plantings to create privacy from adjacent properties. Mr. Roman provided views of all elevations. Exit from the parking garage will allow a right turn only and pavement marking along with a curbed island will direct exiting vehicles. Mr. Roman reviewed the proposed materials, noting the use of brick, steel, granite, copper, and windows with clear fire resistive glazing. A review was provided of the project design progression from 2020 through today. Mr. Roman also reviewed the mechanicals with their eye toward energy savings with a solar array and heat pump system. Views were provided of the building at night and the change of seasons for the Board review.

Mark Torpey, Chair, asked if there were any questions or comments from the Board. This project will return to the Planning Board for formal Site Plan Review.

Todd Fabozzi stated he saw this project when it was initially presented and spoke regarding the initial design and civic space. He has seen the building evolve and feels the applicants have addressed all the key points regarding civic space and the added balconies, glass and plantings have made the front façade more transparent. This is an excellent addition to Saratoga Springs.

Jason Doty stated we have seen this project many times with many iterations. Kudos to the applicant taking suggestions and tweaking the design this tremendous and he is happy to be a small part of it.

Chuck Marshall questioned the civic space sidewalk going to the building. It would require someone were they to use this as a trail connection to make a U-turn or an s-turn to continue to Hamilton. Would the applicants consider straightening that out and making the space between a planting bed area?

Mr. Roman stated it was discussed in their meeting this week. This will be revised and part of the resubmission. That is an area we continue to improve upon, and your comments are right on. We are pulling that area back to keep that in motion so there is no switchback. This will be on the revised plans at the next meeting.

Chuck Marshall also noted the concerns of the DRC regarding the two-story entry off Broadway. Is it possible to address the concern regarding the door opening onto Broadway?

Mr. Roman stated that area is being pulled back so when the door is opened, they do not impede on the sidewalk. This will be seen in the next revision of plans.

Mark Pingel questioned the comments submitted regarding the ground water and the potential impacts on the parking area. It is an engineering question which will be discussed in more detail when the formal site plan application is before the Board.

Mr. Roman stated we have submitted a geotechnical report which has been updated and submitted. We are aware of the water, and we have a shoring item. We will provide additional information in this regard at the next meeting.

Chuck Marshall questioned if CHA has had access to the resubmitted geotechnical report and revised their information regarding it.

Mark Torpey, Chair, stated he believes they had a second review of the geotechnical analysis based on the Planning Boards request. They had no issue regarding flooding or drainage issues following receipt of that report.

Susan Barden, Principal Planner stated the revised geotechnical report was dated February 1, 2022. We have a most recent letter from Clough Harbour dated February 11, 2022. They do have some comment related to that updated report. This information is updated to the file and available.

Mark Pingel also noted the comments regarding traffic which came from traffic maintenance. This will be addressed in further detail at site plan.

Alison Yovine, MJ Engineering stated she believes these issues have been addressed. She will re-check and provide the information requested at the next submission.

Mr. Toohey spoke regarding the traffic and most of it being generated on Hamilton Street. One of the Things addressing the Ballston Avenue section is the fact that traffic coming out of this building will be required to turn right. It is then controlled by two traffic signals to be contained.

Mark Torpey, Chair, stated this would be helpful at the next meeting to discuss traffic. There were some outstanding issues about the baseline's assumption for pre-covid and post-covid. At that time, we can go through the various intersections.

Bill McTygue, Alternate, spoke about providing additional lighting at the intersection and crosswalks. Taking the single headed Sternberg fixture as shown and replace with a triple headed Sternberg light could work.

Mr. Roman stated they will work with the Planning Board in this regard. We can consider adding additional lighting in this area if the Board is not concerned with additional light pollution.

Mark Torpey, Chair, stated a photometric plan would be helpful in further reviewing lighting in this area. This can be reviewed formally at site plan review.

Mark Torpey, Chair, spoke regarding the comments from the Open Space Committee regarding the notion of having a downtown trail connector from Congress Park. Perhaps stitch the connector from this project to Hamilton Street as a backdoor to Railroad Run. Consider the comments and take that into consideration and see if that strategy can be worked into this project. We will assure that these comments are provided and uploaded as well.

Todd Fabozzi stated we must be careful not to cater to pass through traffic on the site, which is great and have a porous diagonal to the front door. One is not sacrificed for the other. There are two functions, pedestrians invited into the park and people who work here or those passing through on bikes.

Mark Torpey, Chair, stated the next time the applicant will appear before the Board it will be for site plan review. We appreciate the applicant's efforts throughout the process.

**3. ~~#20210757 MYRTLE STREET SITE PLAN~~, Corner of Myrtle Street and Morgan Street, 1 Morgan Street and 55 Myrtle Street, brief overview of a pending phased project totaling 105,000 sq. ft. medical office building and associated site work in the Office Medical Business-2 (OMB-2) and Urban Residential-2 (UR-2) district. **\*\*ADJOURNED\*\*****

**4. #20211116 1 VETERAN'S WAY SPECIAL USE PERMIT MODIFICATION**, 1 Veteran's Way, Modification of a condition of approval for a private school in the Urban Residential-2 (UR-2) district.

Mark Torpey, Chair, stated this is a modification of a Special Use Permit. This does require a Public Hearing.

Based on discussion at the workshop Code Enforcement has reviewed the project in terms of number of occupants for safety, fire, ingress, and egress. The basic request is to increase the number of students from 180 to 250. Students range in age from 13-16 years of age. No additional parking is required. There were additional public comments from neighbors on Excelsior Avenue, as well as Loughberry Road South.

Applicant: Yeshiva Pardas Yosef

Agent: Tim Wade, Verdant Architecture, LLC

Mr. Wade stated there is a Special Use Permit on the property. We are requesting a modification to the Special Use Permit to allow for an increase in the student population occupancy in the dormitory wing of the building only. Under the current Special Use Permit issued December 6, 2000, the student population is limited to 180.

We are requesting to increase that occupancy to 250 students. We would be allowed to add 80 students to the first floor and 85 students to the second and third floors with a maximum of 6 beds per room. I did discuss this with Patrick Cogan, Zoning Officer, and Building Inspector, and we reviewed the code requirements together to assure egress, fire sprinklers, and occupancy which have been well established and are without question adhering to the current code. In discussion with city staff this will not require any change to the building itself or site plan. It is simply an increase in occupancy and room load. Staff levels currently are at 15 with a maximum allowed of 30. Staff levels will be maintained. Parking will be accommodated on site with a total of 53 spaces available.

Mark Pingel questioned if some of the rooms are already used for 5 or 6 students.

Mr. Wade stated that is correct. He is not aware of any condition in the Special Use Permit which limits the number of students per room. Upon initial request for an updated certificate of occupancy which was approved prior to discovery of a Special Use Permit by the Building Inspector which noted some conditions, one of which was a maximum of four beds per room. Following my code review with Patrick Cogan we agreed that six beds per room would be acceptable based on code.

Mark Pingel questioned if each of the rooms has its own bathroom which services that room.

Mr. Wade stated that is correct.

### **PUBLIC HEARING:**

Mark Torpey, Chair, opened the public hearing at 7:43 P.M.

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

Matthew Miczek, 5 Loughberry Road South, directly across the street from the school campus. He is requesting that the Board does not approve this increase in student population. The present size of the campus cannot accommodate 180 students from what he has seen. The students do not have enough space and there are problems affecting adjacent property owners and the neighborhood. They are using Loughberry Road South as a space to gather and recreate. An increase of students will increase that. They have created an outdoor seating area adjacent to the pavement. Noise is an ongoing problem. We have had numerous sleepless nights from noise. They really need to abide by the city's noise ordinance, and this has become a huge problem. They were required to have a buffer from the residential portion of the neighborhood. Over the years that buffer zone has become more and more eroded. Litter and garbage are an ongoing problem. They have not shown they can keep this campus in a way that is comfortable for the entire neighborhood with the existing population let alone with an additional 70 students.

Dave Massaroni, 173 Excelsior Avenue and own a property at 21 Loughberry Road South. He agrees with all the points that Matthew made. We are not in favor of increasing the capacity from 180-250 students. Especially since there is not an increase in supervision or an increase in staff which is concerning. The students have been destroying the wooded

buffer zone, killing the vegetation and privacy. Trash, mattresses, and sofas have been left; picnic tables destroyed. The parking lot is also left with trash and other items sometimes for weeks on end. The students seem to have very little supervision outside, yelling and running up and down road. Alarms go off all hours of the day and nights. The neighborhood is not in favor of the increase in student population. A fence and additional buffering would be helpful.

Mark Torpey, Chair stated this Planning Board has been focused on preserving no cut buffers throughout the city. We have a no cut buffer policy which has been in effect for several years. The Chair noted that in the Special Use Permit he believes there was language regarding preserving the trees and the buffering. The comments we are hearing from the neighbors, we will keep this public hearing open and obtain more information about the buffering situation.

Mark Torpey, Chair, stated we will leave the public hearing open and allow for additional comments and information from the applicant.

Chuck Marshall questioned if the property is subject to any code violations.

Susan Barden, Principal Planner, stated none that she is aware of.

Mr. Wade stated he appreciates the additional time provided. He is not aware of the day-to-day operations of the school. He appreciates the comments from the Board and neighbors and will forward those onto the owner. He will do his part to help with neighborhood relations.

Mark Torpey, Chair, stated he also received information that the buses are parking on the street. He would like some input from DPW regarding signage.

William Coleman 19 Loughberry Road South, He is not in favor of the expansion of the school. They cannot handle the students now with the current staff. It appears like a day camp of sorts. People coming and going hours of the day and night. Buses at all times of the day. They get into mischief in the area. It does not appear they have control of the students.

**CORRESPONDENCE RECEIVED BY THE BOARD:**

William Coleman, 19 Loughberry Road South.  
Dave Massaroni, 173 Excelsior Avenue

**RECUSAL:**

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

5. **#20220064 177 S. BROADWAY & 28 LINCOLN**, 177 S. Broadway & 28 Lincoln, Sketch plan review for proposed construction of a new 3,700 sq. ft. convenience store and associated site work in the Transect-5 (T-5) district.

Mark Torpey, Chair, stated this is an informal sketch plan to provide the applicant with opportunity to present the project and receive feedback from the Board.

Applicant: Stewart's Shops

Agent: Libby Coreno, Attorney, Ryan Rubado & Mike Ginley, Attorneys

Ms. Coreno stated the project is located at the corner of Lincoln Avenue and South Broadway which is an irregularly shaped parcel. A history of the site was provided going back to 1986 when a Special Use

Permit was granted for a gas station with a canopy and building area variances granted to Mobil. In 1996 an application was made to raze the existing gas station, modify the canopy, and construct a new building. They obtained area variances at that time which is the currently layout on the site currently. The ZBA granted the variances in 1996 but specifically stated the reasoning was because the configuration of the underground tanks, canopy and structure had site safety limitations. In 2022 Stewart's placed an application to relocate the building and the parking but keep the gas canopy. Ms. Coreno reviewed the proposed site layout in the T-5 zone which is permitted to have a wide mix of uses, building and frontage types and corresponding reliance on consistent streetscapes. The store is setback from South Broadway for safety and impact reasons. Mid-block sidewalk is proposed to connect Lincoln to South Broadway through the site. Civic seating area and greenspace is proposed at angled corner of Lincoln and Broadway. There is frontage on Lincoln with a store entrance in that location. Ms. Coreno reviewed the reasoning for the proposed site layout as opposed to a corner store as well as some limitations of the site. First is the store would have to be oriented with its back towards Lincoln Avenue, so the store clerks must keep a visual on the gas pumps. The location of the gas pumps and canopy adjacent to residences on Lincoln create noise, lighting, and most importantly the store acts as a fire barrier to the gas canopies and lastly the tanker trucks are barred from access to the site from Lincoln Avenue due to weight restrictions and must be accessed from South Broadway. Ms. Coreno provided views of an alternative store location which has been superimposed on this view. This configuration prevents staff the ability to see the gas pumps, locates the gas pumps and canopy adjacent to residences on Lincoln Avenue, along with noise, additional lighting, loss of the fire barrier. Ms. Coreno provided a visual of the existing building façade on the block from the store and the canopy against the other uses which is the bank and Duo, noting how the gas canopy lines up with the canopy of Duo and does not line up with the banks front entrance. The new proposal was superimposed on the site shows the proposed building façade on the block the canopy lines up through the middle of Duo and the bank. Most importantly there will be entrance on Lincoln Avenue which is does not currently do. Another issue which arose, and we did install the dormers to give the appearance of a second story which is something acknowledged in the requirements for the T-5. Building elevations were also supplied to the Board.

Mark Torpey, Chair, stated he believes it was noted there is a two-story Stewart's in Hudson, NY.

Mr. Rubado stated that store in Hudson NY is essentially a second story in height, with a faux wall on the back side which houses mechanicals. This type of roof presents less of a maintenance issue then the old mansard roofs.

Ms. Coreno stated the Hudson store is in more of a slightly urban area versus next to a residential area. Trying to match the roofline of the residences next door is difficult along with the streetscape and surrounding buildings In this block.

Mr. Rubado noted in New Paltz they had the requirement of a second story. We added the dormers, and lighting in dormers on timers at night to give the impression of an occupied second floor.

Mark Torpey, Chair, questioned staff regarding Broadway and Lincoln Avenue which have been identified as key frontages, is there a requirement for first story walk in services. Code Enforcement staff have reviewed it and what is being proposed in this location would qualify for that. Can you describe how these frontages were determined? Is there some type of benefit to punctuate this corner with a T-5 compliant element? Can you provide some history on how they were determined to be key frontages to help the Planning Board understand how to interpret what they are?

Susan Barden, Principal Planner stated she does sure why these locations were called out as key frontages. She can research that for the Board. She believes it was just to provide for those pedestrian oriented uses. Perhaps proximity to residential neighborhoods.

Mark Torpey, Chair, stated perhaps there is a way to have the store wrap around South Broadway and Lincoln. Rather than have it positioned in the orientation shown where the canopies are not visible.

Ms. Coreno stated from a design point perspective that is possible. The challenge is from a safety and functional perspective. Some of the T-5 elements are not possible on this site.

Jason Doty questioned the civic space on the corner does that meet the standard for a key frontage as opposed to the what the Chair suggested with the building wrapping around. Then the civic space could be turned into something which adheres to the T-5 requirements.

Ms. Coreno stated the civic space area is up for discussion. What was shown or proposed can be changed and further discussed to incorporate the T-5 standards for this area to move people/pedestrians through the site. This is an opportunity to provide through block connection.

Todd Fabozzi stated he likes the two-story design; he has seen it. There is a way to hug both streets and this corner and to create more urban frontage and still have an orientation of windows to be able to see the gas station bays. He also noted that pedestrian safety in this location is foremost. Safety regarding the gas pumps, what history exists within the Stewart's Shops regarding issues with gas pumps. Does it happen often?

Mr. Rubado stated no it does not happen often. But there is a potential of cars catching fire which is the most common occurrence. Per NYS Fire Code you must have line of site to your canopy. Three things which are required, an employee that understands and can operate the Estop. Estop within 100 ft. but no closer than 20 ft. from the canopy and you must have fire extinguishers within 75 ft. of the canopy. It is difficult to see a canopy behind the store. Some stores which have multiple gas canopies have multiple windows on each side of the store to provide a line of site to those gas pumps and canopies.

Todd Fabozzi stated then there are two sides of windows to be able to see gas canopies from some stores currently. You can't produce a configuration in this location whereby the canopy wouldn't be visible from inside the store.

Ms. Coreno stated no, of course you could do it, but the store would be facing to the interior of the site. The back of the store elements would be facing Lincoln Avenue and South Broadway and truck deliveries on the key frontages. As I mentioned previously this is where some of the T-5 elements would not be possible.

Todd Fabozzi stated he will do some research to find a corner store gas station that address the street frontage and don't just have it set back in the corner with parking on both sides.

Mark Torpey, Chair, questioned if today it is possible to use security cameras and closed circuit tv's to monitor and satisfy the requirement for visibility without necessarily having a window.

Mr. Rubado stated he will do some additional research on the NYS International Fire Code adopted in 2015, which notes physical line of site to the gas canopies.

Mark Torpey, Chair, stated what is difficult for the Boards is there is currently a gas station on the site, and it is hard to break out of that type of image. If this was a completely vacant site, I don't know if it would be in this location with the key frontages defined. Is it the Board's responsibility to look at these key frontages as T-5? Whether or not the constraints of a gas station layout or is it necessarily the only thing we can look at. This is something to think about. It would be helpful to have some flexibility to work with the frontages to provide a more T-5 compliant layout.

Jason Doty stated he agrees with the Chairs thoughts. There is an opportunity here to use the current layout with the civic space that we can try to massage in some way to meet those key frontages.

Kerry Mayo questioned if there is way to switch the side with the handicap area to the Lincoln Avenue side. Would that give you the two frontages and visibility out the left side to the pumps. Your parking is not at a front main entrance. If you are more concerned with pedestrians, they can access both the Lincoln Avenue and South Broadway sidewalks. The storage area would be facing the parking.

Ms. Coreno stated that is possible. We do have a proposal that does have a front entrance facing on Lincoln. It is not on Broadway but adjacent to the frontage on Lincoln with the pedestrian entrance. We do feel we comply in that regard. From the aspect of design choices, the store needs to have rear capacity for deliveries and storage and rear store activities. We cannot have a store that is all windows because it is not possible. The question we are confronting is that the design choice the Board would want for the corner is the rear of the store.

Kerry Mayo questioned if the rear of the store could face the parking lot and the front of the store on Lincoln Avenue.

Ms. Coreno stated then you are stating just swing it around, which would mean all deliveries would occur on South Broadway. This is the required entrance for the tanker trucks and will be in the center of the site. We have been trying to harmonize all the elements.

Mark Torpey, Chair, questioned if the second floor of the building could provide housing for storage and rear of store areas even though it might require an elevator to move products and such upstairs.

Ms. Coreno stated they will review this, but it will require ADA compliance and other issues but still does not solve the deliveries which conflict with pedestrian friendly access. We will look at this.

Mark Pingel stated the safety aspects of the presentation caught his attention. Even though the statistics show the explosions do not happen often; one is too much. Safety influences his design. He would like to hear what the plans are for the metal canopy.

Mr. Rubado stated they would be replacing the fascia of the canopy. It has a shingled roof currently and we would be adding our decorative fibon cornice around the outside. An elevation was provided with the site plan. Civic space is an opportunity to interrupt the thinking that this is a gas station. Noise for the neighbors is also a consideration to review as we move through the process.

Mark Torpey, Chair stated we are trying to be as helpful as possible. It is difficult in this location in the T-5.

Ms. Coreno stated we appreciate the comments and feedbacks from the Board. Because the site is bound by an existing Special Permit and variances, our next step is appearing before the ZBA for a modification of those variances or new variances. We would then return for more advisory thoughts.

Susan Barden, Principal Planner, suggested that there were several comments and items to consider. You may wish to return before the Planning Board for another sketch plan review with some alternatives prior to your seeking variances.

Jason Doty agrees with staff a second sketch plan review might be the best to provide an opportunity to massage the plans prior to moving to the ZBA.

Ms. Coreno stated there are a lot of competing comments. We are looking for ways to harmonize the T-5 that does not leave us with the existing site with a set of variances on it. We will return with a series of additional options.

Todd Fabozzi provided information on framing both streets on that corner, but the entrance would not be on the street but facing the parking lot. You have your windows and the ability to see the bays. A two-story style will provide the appearance of an urban building from that side. Perhaps not a main entrance off the key streets but an entrance to meet the requirements of the T-5.

Ms. Coreno stated that is what they very well may have to do, an entrance on one of the two streets. We will return with several options considering the comments while keeping the T-5 requirements in designing.

Mr. Rubado stated the site as you head down towards Lincoln becomes narrower. It is very restrictive for the tanker trucks in this location.

Leah Everhart stated in the absence of the Chair who lost his video connection the Board should suggest a member as Chair to finish out the meeting.

Mark Torpey, Chair re-joined the meeting. This is a challenging project. He feels two-story on both South Broadway and Lincoln might be helpful.

**APPROVAL OF MEETING MINUTES:**

Jason Doty made a motion to approve the minutes of the January 27, 2022. 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; Mark Pingel, in favor

**MOTION PASSES: 5-0**

**UPCOMING MEETINGS:**

Planning Board Workshop, Thursday, March 3, 2022, at 5:00 P.M.

Planning Board Meeting, Thursday, March 10, 2022, at 6:00 PM.

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chair adjourned the meeting at 8:50 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

Approved: March 29, 2022