



# PLANNING BOARD

## MINUTES (FINAL)

THURSDAY, FEBRUARY 27, 2020

6:00 P.M.

RECREATION CENTER

**CALL TO ORDER:** Mark Torpey, Chairman called the meeting to order at 6:05 P.M.

**SALUTE TO THE FLAG:**

**PRESENT:** Mark Torpey, Chairman; Jamin Totino, Vice Chairman, Ruth Horton, Sara Boivin; Todd Fabozzi; Lexi Bonitatibus; Kerry Mayo

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

**ANNOUNCEMENT OF RECORDING OF PROCEEDING:**

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

**A. APPROVAL OF MEETING MINUTES:**

Approval of meeting minutes was deferred to the 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. 20190428/18.034 JEFFERSON STREET SUBDIVISION, 41-45 Jefferson Street, extension of subdivision approval of a four-lot residential subdivision in the Urban Residential-District.**

Mark Torpey, Chairman stated this application is before the Board for a subdivision approval extension. This is the fourth and final request for a 90 day extension.

**BACKGROUND:**

Subdivision approval with conditions on November 15, 2018.

Negative SEQRA Declaration issued November 15, 2018.

First expiration date May 15, 2019.

First request for 90 day extension –approved June 6, 2019-expired August 15, 2019.

Second request for 90 day extension-approved September 5, 2019 –expired November 15, 2019.

Third request for 90 extension-approved January 16, 2020-for expiration February 15, 2020.

Fourth request for 90 day extension- if approved on February 27, 2020-will expire on May 15, 2020.

Applicant identifies reason for extension as owner finalizing land transfer documents with the City Attorney’s Office. City Attorney can provide details on status of land transfer.

Vince DeLeonardis, City Attorney stated he spoke with Tony Izzo, Assistant City Attorney who is working on this project. All requested information has been supplied by the applicant. The Assistant City Attorney is finalizing the paperwork for placement on the City Council agenda within the next two weeks.

Ruth Horton made a motion in the matter of the Jefferson Street Subdivision, 41-45 Jefferson Street that the request for an extension of subdivision approval for a four lot residential subdivision be approved. Jamin Totino, Vice Chairman seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Lexie Bonitatibus, in favor; Kerry Mayo, in favor

**MOTION PASSES: 7-0**

**C. APPLICATIONS UNDER CONSIDERATION**

1. **2019038 118 JEFFERSON STREET SUBDIVISION**, 118 Jefferson Street, final subdivision review for a proposed 6-lot residential subdivision in the Urban Residential-2 District.

Mark Torpey, Chairman stated the Board has seen this project previously. The Planning Board and NYS DOH are involved agencies for SEQRA. The Planning Board coordinated review and sought Lead Agency Status on January 16, 2020.

**SEQRA:**

This is a Type I action. NYS-DOH only other involved agency. The Planning Board coordinated review and sought Lead Agency Status on January 16, 2020. No communication received from the DOH.

Susan Barden, Principal Planner noted no Saratoga County Planning Board Referral is required.

Applicant: Bonacio Construction

Agent: Doug Heller, LA Group

Mr. Heller stated he will provide a brief overview of the project. We have been before the Board regarding this project. The applicant is proposing a 6-lot subdivision. Two lots on Jefferson and four lots on Madison. There have been no changes in the lot layouts since our last appearance before the Board. Along Jefferson Street we are proposing sidewalks, adding street trees and street lights. On Madison Street we are now proposing sidewalks and curbing. In further coordination with DPW we are flipping the location of some street trees and street lights due to overhead power lines. The Board requested we reach out to the homeowner on the corner of Jefferson and Steele Streets regarding the installation of sidewalks and curbing along his street frontage. We have submitted two letters and we have not heard back. We were proposing in lieu of recreation fees to install the sidewalk in this area for continuity.

Mark Torpey, Chairman questioned the City Attorney regarding reaching out to the homeowner concerning the sidewalk. This property also has a fence with encroaches into the City's right of way. What action can the applicant and Board look forward to in pursuing this.

Vince DeLeonardis, City Attorney stated DPW can do this on their own initiative, including removal of the fence if it encroaches into the right of way.

Discussion ensued among the Board regarding sidewalks, curbing, and fencing encroaching into the City's right of way.

Mark Torpey, Chairman stated there appears to be a garage on Steele Street which encroaches into the street. Discussion ensued regarding sidewalks around the perimeter of new subdivisions.

Mark Torpey, Chairman questioned if the applicant received a response from SHPO regarding the archeological study on the site, and if a SWPPP is required.

Mr. Heller stated a response was received from SHPO and that correspondence was provided to city staff. Mr. Heller continued with the presentation noting regarding no need for a SWPPP since the project is less than an acre in disturbance. Mr. Heller reviewed the water table and noted all lots are required to provide a grading plan and floor elevation. All stormwater management will be handled on site.

### **PUBLIC HEARING:**

Mark Torpey, Chairman opened the public hearing at 6:18 P.M.

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

Richard Russo, President, Homeowners Association for 124 Jefferson Street. We are happy to see the old barn come down it has been an eyesore for some time. I am concerned about the fence on the neighbor's property. We are concerned regarding the elevation of these homes and drainage issues and will the fence on the property line remain or be removed.

Discussion ensued regarding the plans for the project and the ability to access information on the city's website.

Tim DiCocco, Bonacio Construction. Mr. DiCocco stated they do not have definite designs at this time. They will be taking cues from the surrounding homes on Taylor and Doten. These homes will have front porches and rear garages. It will look like an in town home similar to those in the smaller subdivisions. These will not be large homes.

Mark Torpey, Chairman stated this is the only review before this Board for the project. Any further questions or comments from the Board.

Discussion ensued regarding the recommendations from the City Arborist concerning tree species and placement.

### **SEQRA REVIEW:**

Mark Torpey, Chairman stated we will now review SEQRA.

Mark Torpey, Chairman stated the Board is in receipt of Part I of the Full Environmental Assessment Form provided by the applicant. It has been reviewed and is accurate and complete.

The Board reviewed Part II of the SEQRA Full Environmental Assessment Form. 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 Full Environmental Assessment Form, and analysis of the information provided and presented in Part II of the SEQR Full 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. Todd Fabozzi seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Lexie Bonitatibus, in favor; Kerry Mayo, in favor

**MOTION PASSES: 7-0**

Mark Torpey, Chairman stated we will now move onto Subdivision Approval. We have discussed several conditions to be noted:

- Recommendation for tree planting that the City Arborist provided for a total of 9 trees  
2 on Steele Street and 7 on Madison and Jefferson Streets with recommendation for specific species.  
This to be approved via Administrative Action.

Todd Fabozzi stated he appreciates the City Arborist providing recommendations for species. The applicant can continue to work with the City Arborist if they would like to add additional trees in this area.

Jamin Totino, Vice Chairman stated the Planning Board often asks for more than is required by the Code. He is hesitant to disregard the City Arborists recommendations.

Mark Torpey, Chairman continued with recommendations for the condition on the motion.

- The Planning Board will continue discussions with the City Arborist to understand the request for additional trees.  
The applicant will work in good faith to address those concerns and will allow for Administrative Action by the Chair to for final approval.

Susan Barden, Principal Planner informed the applicant to provide a revised plan as part of the applicant's paper set. It will be reviewed and approved by the City Arborist and Planning Board Chair it will be reflected in the mylars.

- The Planning Board recommends front porches to be proud, garages recessed, as well as respect to the neighboring homes in trying to minimize the impact of these homes standing out from the proposed.
- Sidewalks on Jefferson Street. The Planning Board recommends the required sidewalk adjacent to Steele Street be re-located to the frontage on Jefferson Street, if the adjacent homeowner is amendable. If not, then the sidewalks adjacent to Steele Street will installed.
- The Board requests that the Rec fees be used to install sidewalk addition on Jefferson Street.
- Grading plan to the satisfaction of the City Engineer and DPW.
- Recreation fees.

Mark Torpey, Chairman closed the public hearing at 6:55 P.M.

Todd Fabozzi made a motion in the matter of the 118 Jefferson Street Subdivision, 118 Jefferson Street final subdivision be approved with the conditions as noted by the Chair. Jamin Totino, Vice Chairman seconded the motion.

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

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Lexie Bonitatibus, in favor; Kerry Mayo, in favor

**MOTION PASSES: 7-0**

**APPROVAL OF MEETING MINUTES:**

Mark Torpey, Chairman made a motion to approve the minutes of the December 12, 2019 Planning Board meeting. Jamin Totino, Vice Chairman seconded the motion.

**VOTE:**

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

**MOTION PASSES: 5-0**

Mark Torpey, Chairman made a motion to approve the minutes of the January 16, 2020 Planning Board Meeting minutes. Jamin Totino, Vice Chairman seconded the motion.

**VOTE:**

Mark Torpey, Chairman, in favor; Jamin Totino, Vice Chairman, in favor; Todd Fabozzi, in favor; Ruth Horton, in favor; Sara Boivin, in favor; Lexie Bonitatibus, in favor; Kerry Mayo, in favor

**MOTION PASSES: 7-0**

**COMMENTS FROM THE CITY ATTORNEY:**

Vince DeLeonardis, County Attorney updated the Board on the draft revisions of the UDO. Draft #1 will be presented to the City Council for their review and input.

**UPCOMING MEETINGS:**

Planning Board Workshop, Thursday, March 5, 2020 at 5:00 P.M.  
Planning Board Meeting, Thursday, March 12, 2020 at 6:00 PM.

**MOTION TO ADJOURN:**

There being no further business to discuss Mark Torpey, Chairman adjourned the meeting at 7:02 P.M.

Respectfully submitted,

Diane M. Buzanowski  
Recording Secretary

APPROVED 4-30-20