



PLANNING BOARD

MINUTES (FINAL)

THURSDAY, SEPTEMBER 29, 2022

6:00 P.M.

CITY COUNCIL CHAMBERS

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; Mark Pingel;
Chuck Marshall; Bill McTygue;

ABSENT : Ruth Horton

STAFF : Susan Barden, Principal Planner, City of Saratoga Springs
Leah Everhart, Counsel to the Land Use Boards - arrived at 6:30 P.M.

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

C. APPLICATIONS UNDER CONSIDERATION:

1. **#20220764 143 WEST CIRCULAR FINAL SUBDIVISION**, 143 West Circular, final plat review of a proposed two-lot subdivision in the Urban Residential-2 (UR-2) District.

No representative present currently. The agenda item will be heard later in the agenda pending representation.

2. **#20220066 64 LUDLOW SITE PLAN REVIEW**, 64 Ludlow, Site Plan Review of a detached accessory structure associated with an existing multi-family residence in the Urban Residential-1 (UR-1) District.

Mark Torpey, Chair, stated this application was before the Board on March 24, 2022, and was adjourned awaiting further information on the landscaping plan, storm drain location, dumpster location as well as submittal of a stormwater management plan.

Applicant: 64 Ludlow Street Condo, LLC

Agent: Ann Rogan - Homeowners Association.

Ms. Rogan stated the project is for 10 garages to be built behind our building for the condominium owners. We have received DRB historic review and approval. At the last meeting we had a discussion regarding drainage. Two large storm drains were installed back in the 80's. Two additional drains were installed when the original approval for the garages were granted. One in front of the garages and one closer to Labelle Lane. A small portion of the property was ceded to the city to provide a larger strip of land to Labelle Lane. The last issue was with water runoff from the garage. We submitted information from an engineer which detailed a drainage system comprised of trenches which complied with the Boards request. These trenches will drain into the existing storm drain units.

Mark Torpey, Chair, stated he believes there was discussion regarding buffering of the rear of the garages to the neighboring properties.

Ms. Rogan stated there is significant fencing in place there now. She assumed that would be adequate buffering. There is a 10x5 private hedge on the north side of the garage to screen the alley side.

Susan Barden, Principal Planner, stated DRC did issue an approval. She reached out to the Homeowner's Association with comment the City Engineer's Office had. There is stormwater management which was installed the first time the garages were proposed about 15 years ago. A pipe was installed from Ludlow and extends up the alley to a catch basin which was installed around 2015. The applicant has provided an updated plan showing a trench drain and the detail. The engineering department would like to see a plan that shows how the trench drain will be connected into the catch basin. We can move forward with the application contingent upon satisfaction of DPW on the stormwater management plan.

Chuck Marshall made a motion to approve the Site Plan as presented with the condition that the storm water management plan is approved to the satisfaction of DPW prior to issuance of a building permit.

Ms. Rogan questioned if the conveyance of land to the city has been received and accepted since they have received no communication in this regard.

Susan Barden, Principal Planner, stated she will investigate and advise the Homeowner's Association. This is not an easement but a transference of property.

Bill McTygue 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; Chuck Marshall, in favor; Mark Pingel, in favor; Bill McTygue, in favor

MOTION PASSES : 6-0

3. **#20220180 BEMIS HEIGHTS ROAD SKETCH SUBDIVISION.** Bemis Heights Road, second sketch plan review of a proposed reconfiguration of a subdivision resulting in 16 new residential lots in the Rural Residential (RR) District.

Mark Torpey, Chair, stated this is the second sketch plan for this project. Previously this was before the Board to modify the existing 39 lots to be reconfigured to 29 lots. They are before the Board this evening with a revised plan for 16 lots.

Applicant: Art Curto

Agent: Dominick Rico & Matthew Bond, Barber Engineering

Mr. Rico stated at their last appearance before the Board there was an issue with the density. After meeting with Susan and staff and the Board comments we produced a different approach which works for the owner as well as the city.

This plan revision provides reasonable density with 16 lots. We are proposing single family homes with a minimum lot width of 60 ft. or wider by 120 ft. or 150 ft. approximately 8,000 sq. ft. lots or larger. A visual of the proposed subdivision site plan and concept plan was provided to the Board. The reasoning for the reconfiguration is there are wetlands created over the years in the rear and the accessible land is not as accessible.

Mark Torpey, Chair, questioned if the wetlands which are much more present in this area, then back when the original owners proposed a project. Now, the lands are lower with more constraints. Has the development of Lexington Avenue and all those homes toward Route 29 responsible for moving water down to this area creating this wet low area.

Mr. Rico stated in his professional opinion it is just that. If this area which was Phase III of Lexington Square was built just after Phase II there would not be wetlands here. Drainage would have been carried through the road system and discharged to the south end of the property. These wetlands have been created over time following this development. ACOE notes these wetlands no matter how they were created.

Chuck Marshall questioned the darkened areas on the site plan.

Mr. Rico stated those are wetlands which they propose to fill or disturb. We will get credit from the ACOE for less than an ½ an acre. The layout of the project was created around the wetlands trying to **keep everything under ½ an acre and we have submitted this to the ACOE.** We must cross wetlands to enter this project no matter what. Mr. Rico stated adding the pieces highlighted on the **site plan will remain under ½ an acre**, have been submitted to the ACOE and will not require any mitigation since we are under ½ acre.

Chuck Marshall questioned who will own or to whom will the easement be deeded.

Mr. Rico stated presently Mr. Curto plans to build his home on Lot 15 which is 14 acres and includes the constrained lands. The remaining wetlands and undeveloped areas will be deeded as conservation style areas and protected from future development and remain undisturbed. We will do whatever the ACOE requires.

Chuck Marshall questioned if the city wishes to have all the conservation easements to them.

Susan Barden, Principal Planner stated the city is usually a third party.

Mark Torpey, Chair, stated in the Rural Residential District of the city, we are required to have a Conservation Analysis done now for this project. This requires identifying all the constrained areas, the wetlands, and steep slopes, which you have done. In addition to that there is a father requirement that 50% of the upland area that is technically buildable also be set aside within a conservation easement as well. It is an added measure of protection. What we are looking at now, does it adhere to that or is it non-compliant with that yet.

Mr. Rico stated we did do the conservation calculations as per the city code. Another thing which occurred with this property is the zoning had changed. It is now 2-acre minimum lots based on the zoning. Everything in front of that, all that development was in the same zone. This parcel was changed at some point. Using the upland calculations on a 2-acre parcel, it works out to about 4 lots on this site. We are looking at it as a re-alignment of an existing subdivision, a lot modification. We have taken the 39 lots and creating 16 lots. These are already tax mapped. They are already paid for to the city for 39 lots so it would not hold true because the lots have already been established.

Mark Torpey, Chair, stated in the conservation analysis that you would do, a 2-acre minimum would not be required. You have the flexibility to make smaller lots than what you are doing. If you do that, do you conform to what the requirements are in that zone currently.

Mr. Rico stated yes, that is how we began with the initial calculation. This project will disturb a little over 4 acres of land of the 22 acres. Over 60% of that is uplands and we are disturbing less than 50% of the upland area that is the entire property.

Bill McTygue stated his question is regarding this general area serving as a drainage area for Independence Square. The water has been coming off the streets into this area. Have you done a soil analysis for the site.

Mr. Rico stated very minimal.

Bill McTygue questioned what type of swamp conditions you are building into here and constructing new streets. If the applicant could provide detailed information in this regard, it would be helpful.

Mr. Rico stated this is an extremely high spot by 8-10ft. from other surrounding areas. This was visualized on the site plan currently shown. It is more the area around it receiving the drainage from Independence Square. We have also attempted to align the roadway providing a slight curvature. Each building is about 20-30 ft. apart from each other to provide a good separation. The same builder will build all the homes.

Todd Fabozzi stated this is a previously approved subdivision, but nothing was built. They are before us now for another subdivision. Are we under the new UDO or not. Is this an area that is required for a Conservation Subdivision.

Susan Barden, Principal Planner, stated we are looking at this as a subdivision modification. There were 39 lots previously approved, the zoning district at that time was UR-1 and predates Conservation Subdivision Regulations. With guidance from legal the Board can review this as a subdivision modification as they are proposing it to you now. Your guidance to the applicant was show us the wetlands and what the overall density was for context. The Conservation Subdivision Regulations would not bind them.

Todd Fabozzi stated he does not understand that determination. He feels you can say that about any property.

Chuck Marshall stated the applicant can act on their 1976 map and then create those lots with variances.

Leah Everhart, Counsel to the Land Use Boards stated we had a discussion months ago regarding this application. What we were looking at was if the applicant had a vested right in the previous approval. Our conclusion based on the facts was that no, the applicant did not have a vested right because before the previously approved subdivision was built out the law was changed. As a result, we take no stance whether you treat this as a new application or amendment. As far as whether the applicant can lawfully construct what was previously approved if it violates the current law, we do not think they have a vested right to do that.

Todd Fabozzi stated in terms of the drainage pattern as it exists, with where the water is being discharged from the exiting development, is that considered to be legal as well. If we go forward and this design is approved is there still discharge coming off and being dumped out into this area. Discharge is to be managed through a storm system and kept on site.

Mark Torpey, Chair, stated this does not need to be answered tonight. It is sketch plan, but we want to provide you with our concerns for when you formally return before the Board. Are we in a static or dynamic state. If the water continues to flow in the same way would these wetlands on their own become bigger and bigger, so that a development like this becomes squeezed and in a bad position.

Todd Fabozzi stated especially the three buildings on the lower portion of the development are right up against the ACOE wetlands that you are not disturbing but at the back of these properties. What happens down the line especially with those three houses and consider if those three houses are appropriate.

Chuck Marshall stated wouldn't the grading for those houses drain into the wetland. The wetland cannot encroach uphill.

Discussion ensued regarding the water drainage and management.

Mr. Rico stated he does not believe it will happen. The city drainage that comes onto the property now his intent is to create easements for those. This will be a city right of way. We are under 5 acres. By DEC and city regulations we do not have to do storm water storage and management simply erosion control to assure everything is collected that way.

Mark Torpey, Chair, questioned staff regarding changes to the regulations down to 1 acre of disturbance requiring a SWPPP.

Mr. Rico stated that is for commercial development not residential.

Susan Barden, Principal Planner, concurred with Mr. Rico's comments.

Bill McTygue stated the City Engineer will review the final plans. He questioned where the current drainage from the neighborhood and the wetlands that exists outlet.

Mr. Rico stated it flows south. A visual of the area and where the wetlands currently drain was provided to the Board.

Mr. Rico stated their intent this evening was to present the project, obtain suggestions, feedback, and direction from the Board.

Mark Torpey, Chair, questioned if there were any NYSDEC wetlands on the property.

Mr. Rico stated it is only ACOE.

Kerry Mayo questioned the lot size and if it is conforming to the RR District.

Mark Torpey, Chair, stated the notion of a smaller lot size is consistent with the Conservation Analysis. We try to cluster the homes in a given area. You are trying to do that, and the smaller lot size works with the constraints of the site. An updated soil analysis would be helpful as well as what happens to the water discharge and flow. It would be helpful for the Board for you to indicate exactly where the constrained lands are, the combination of steep slopes, wetlands, the acreage, how much of the uplands are buildable and what being provided into the conserved area. The back yards are in a steep slope area. A no cut buffer in those areas would avoid water shedding causing erosion.

Mr. Rico stated they will place fencing and signage along the no cut buffer areas to define it as ACOE wetlands.

Todd Fabozzi stated as he suggested earlier, removing the three houses closest to the wetlands, and shifting everything closer to the east would remove everything from the steep slope area. It would accommodate this issue as well.

Mr. Rico stated they would like to maintain the 55ft. ROW for the future city street.

Todd Fabozzi stated he was not suggesting making the lots smaller he was suggesting moving everything closer to the east.

Chuck Marshall questioned if there was ample room for a turnaround space for emergency vehicles.

Mark Torpey, Chair, questioned if the owner would be amenable to the Board walking the site, to get a better sense of the property.

Mr. Curto, property owner stated that would be fine and he would like to be there with the Board.

Mark Pingel stated the stability of the wetlands deserves attention. If they are becoming wetter and wetter, then that is an issue for the long-term viability of this development. That is another issue for when you return before the Board.

Mr. Rico thanked the Board for their input and time.

THE AGENDA WAS HEARD OUT OF ORDER DUE TO LACK OF REPRESENTATION FOR THE APPLICATION.

1. **#20220764 143 WEST CIRCULAR FINAL SUBDIVISION,** 143 West Circular, final plat review of a proposed two-lot subdivision in the Urban Residential-2 (UR-2) District.

Mark Torpey, Chair, stated this application was granted preliminary plat approval on March 10, 2022. One of the conditions of approval was to require curbing as part of the project. The applicant wished to have a discussion regarding this curbing.

DISCLOSURE:

Chuck Marshall disclosed that he lives across the street from this project. He has no issue with objectivity it is simply a disclosure.

Applicant: Habitat for Humanity

Agent: Adam Feldman, Habitat for Humanity; Brendan Ferguson, Environmental Design Partners

Mr. Feldman stated he has been in contact with staff and prior to submitting for curbing they wanted to bring to the Boards attention the extra costs associated with that but more importantly it does not fit into the culture of the street.

We are concerned about the habitat house standing out as unique because will have a unique curb with an elevation up to the sidewalk. We try to blend in with the community. The cost for this amenity will use 1/3 of our budget for the home.

We are planning to replace the sidewalk on West Circular Street on both lots.

Bill McTygue questioned the total length.

Mr. Ferguson, EDP stated the total width of the entire lot is 100 ft. There is no curbing along West Circular.

Chuck Marshall stated there is no curbing on either side of West Circular Street.

Mr. Ferguson stated he met Al Flick at the site. The issue with the addition of curbing is the existing sidewalk is slightly elevated above the road. Once a 6-inch curb is added you are adding to the existing sidewalk up 7 or 8 inches from where it is now.

Todd Fabozzi stated the applicant is willing to do the sidewalk improvements as proposed just removing the curbing as proposed. He is fine with that.

Susan Barden, Principal Planner, stated DPW has no issue with not installing the curbing. There is no curbing in the neighborhood, and it is positive for drainage.

Mark Torpey, Chair, stated he is comfortable with not requiring the curbing. This is the only outstanding issue.

Chuck Marshall made a motion in the matter of the application of 143 West Circular Street Final Subdivision, 143 West Circular Street, final plat review of a proposed two-lot subdivision be approved with the modification sidewalk replacement along West Circular but no curbing. 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; Chuck Marshall, in favor; Mark Pingel, in favor; Bill McTygue, in favor

MOTION PASSES : 6-0

7:05 P.M. The Board recessed.

7:09 P.M. The Board reconvened.

4. **#20200735 EXCELSIOR AVENUE APARTMENTS,** Excelsior Avenue, Site Plan Review of a proposed workforce housing project and associated site work in the Transect-5 (T-5) District.

Mark Torpey, Chair, stated this application was most recently before the Board on June 23, 2022. Since then, confirmation of City acceptance of these streets - Excelsior Avenue and Ormondy Lane. Applicant submitted updated conformance with SEQRA findings statement of September 2021.

The project was revised:

- a reduction of workforce housing units from 56 to 52 - May 25, 2022 - plan.
- elimination of townhouse units.
- elimination of 5,200 sq. ft., daycare center and associated playground.
- reduction in parking from 95 spaces to 84 spaces - May 25, 2022 - plan.
- removal of the overflow parking area.

Applicant: Jessica, Representative -Beacon Communities, LLC

Agent: Doug Heller, LA Group

This project is part of the Excelsior Park development. We are reviewing the subdivision parcel which was approved in June. There were meetings with the Planning Board were held with public comments taken in 2020 and 2021. Studies were undertaken as part of that. A Special Use Permit and SEQRA approval were received in 2021. We began working on this years ago but was put on hold until the Special Use Permit was approved. We submitted in 2021, had a community meeting in 2021 and based on that feedback and conversations with staff we pulled that application and took time to revisit the design. Re-submitted in late 2021 early 2022. Appeared before this Board for Subdivision and Site Plan Approval. Subdivision was approved however the Board did request we revisit the Site Plan and are here to do just that today. Changes have been made to the project based on the community feedback which was a reduction in units based on concerns regarding traffic from 56 to 52. We also eliminated the proposed daycare facilities on site. We initially proposed one main apartment building with additional townhomes. We eliminated the town homes again reducing the unit count and increasing the distance between the proposed apartment building and the buildings behind us to allow for more space and more area for additional landscaping. A visual of what was initially proposed in 2021, as well as what is currently being proposed. The building will have 52 units, 10 of which will be set aside for domestic violence survivors. Beacon is currently working with Wellspring to provide services and refer clients. The remaining 42 units are workforce housing for people earning 50% - 80% of the area median income.

These are for people working in town who are struggling to pay rents. The breakdown of units is 21 one bedroom;

21 two-bedroom units and 10 three-bedroom units. Traffic which was an issue discussed at the June meeting. That was studied extensively between 2018 and 2021 during the overall Special Use Permit. The results required the first project which is our project to undertake two mitigations. One on Route 50 and Veterans Way. We will be extending the left turn lane from Route 50 to Veterans Way. A creating a right turn lane on Veterans Way. Those are the two mitigations we are building per the SEQRA Review and Special Use Permit conditions for the plan for the neighborhood. Regarding green initiatives, this building will be funded through the State of New York we are held

to the highest standards of green building. The building will be all electric. All appliances will be energy star rated, 30% more efficient than code and will have onsite stormwater management, bicycle parking, EV charging stations. Photographs were provided of other Beacon Communities for the Boards information and review.

Todd Fabozzi questioned as far as the Green Initiatives he is interested in the cost comparisons of what you are doing versus what you might have done if you were not required to these standards.

Jessica - Beacon Representative stated yes, we are spending more for the required Green Initiatives. The State just released their funding today and are subsidizing this project so we will receive additional grant funding to offset the cost for green initiatives required.

Mark Torpey, Chair, questioned the timing for the traffic mitigations as to when those improvements would be made. How does that fit in with the construction schedule. We would want those to be completed prior to the issuance of the CO.

Jessica-Beacon Communities stated she believes it is up to the Board to set that timeframe. Prior to the signing of the CO would work fine for them as well due to how the funding is set up for the projects.

Mark Torpey, Chair, questioned if the applicant has submitted for funding.

Jessica-Beacon Communities stated they are not eligible to file for funding until Site Plan Approval has been approved.

Mark Torpey, Chair, stated regarding the layout of the playground proposed for the tenants. Is it easily accessed on the site. Will it be open to the public and is there lighting proposed for this area at this time.

Mr. Heller provided a visual of the elevators which can be used for access to a sidewalk to the playground area. This area will not be locked but fenced for the children's safety. Currently, there is no lighting proposed for this area.

Chuck Marshall feels that the playground seems safer in the middle of the greenspace area versus on one end or the other. A protective detail between the parking lot and the playground fencing might be in order.

Mark Pingel stated speed bumps around the roadway might be helpful.

Mr. Heller stated that is a good suggestion and he will review that to assure that it does not interfere with drainage on the site.

Mark Torpey, Chair, stated the last time we discussed this project there seemed to be a disconnect between the Board and some city departments. We have had discussions with city staff to discuss concerns voiced by the neighbors.

Susan Barden, Principal Planner, stated after the last meeting the applicant appeared before the Board in June, she re-routed the application to DPW and DPS as we did early on. Also, because the project had changed and because of the comments from the neighbors. We have received responses from all departments in the Department of Public Safety, traffic, police, code, and fire. These are all in the application materials. The fire department has no concerns with the site plan, code has no issues at this time,

traffic comments were regarding the proposed mitigations just discussed. This project would meet that threshold for the two improvements mentioned, no timing for the implementations of these improvements was indicated. There was a comment from police regarding sufficient parking for the project. Susan Barden, Principal Planner stated she spoke with the Fire Chief today, Aaron Dyer, he indicated no immediate concerns regarding emergency access there. She also had a conversation with the DPS Commissioner Golub. He noted he visited the site, met with neighbors and was aware of the issues brought up and his department will review the current configurations of the roadways and determine if they modification for improved accessibility. Excelsior and Ormondy have been confirmed as city streets adopted by the city in 2011. Also, we have a sign off from Chazen, the City's designated engineer's office in their review of the revised project. DPW's comments are forthcoming. Comments listed are from 2021.

Susan Barden, Principal Planner, stated there are three new public comment letters which have been added to application materials as well.

Mark Torpey, Chair opened the floor for public comments. The Board is reviewing Site Plan currently. The Chair also noted that an Article 78 proceeding for subdivision has been filed and we understand that.

PUBLIC COMMENT:

Paul Sheppard 2 Whistler Court. He questioned if Whistler Court was scheduled to be widened.

Mark Torpey, Chair stated he does not know the answer to that.

Chuck Marshall questioned the proposal for overall traffic mitigation. Is there a plan or schedule for those.

Mark Torpey, Chair, stated the mitigation Susan was talking about was related to the improvements on Route 50 and Veterans Way. The conversation Susan had with Commission Golub suggested he would be willing to look at the issues more broadly as well. He felt that it should not jeopardize this project, but he is making a good faith effort to look at this issue as development continues and address the concerns which have been raised that are important.

Paul Sheppard 2 Whistler Court stated the issue with the Condo association is they own half the road. Beacon will own the other half of the road. Right now, there is not enough parking on Whistler. Three vehicles are always parked at the end of Whistler Court due to the lack of parking on Whistler Ct. If there are cars parked on Whistler, there is not enough room for two-way traffic. If the road is not widened there will be a problem. Parking is a big issue.

Kerry Mayo questioned parallel parking on the roadway with this project.

Susan Barden, Principal Planner, stated yes, they are part of the plan.

Mr. Heller, LA Group stated they are planning to widen the road to 9 ft. to accommodate the parallel parking.

Claudia Braymer, Attorney, representing the Whistler Court Homeowners Association and others. Parking is an issue not only on Whistler Court but also on Excelsior that runs north and south. At the intersection between Excelsior and Excelsior at the northwest corner by the hotel is a tight intersection and people coming around the corner with that being so tight people are having a difficult time coming through. The Board should take a close look at this and not leave it to the

future because once something is developed there it will be hard to change the street layout and configuration. She appreciates the comments concerning the traffic mitigation and definitely require it during the construction of the project simultaneously and require it completion prior to issuance of a CO. She requested the Board take into consideration requiring the additional mitigation from earlier that required a traffic signal at the intersection of Excelsior and Marion. One of the issues which has been discussed previously is to widen Excelsior at Veteran's Way.

We have submitted photographs and we can provide additional photographs when that becomes blocked by trees or trucks, nobody can get in or out of the entire area. It is a giant cul-de-sac and needs to be taken into consideration prior to approval of the project. Noise mitigation measures are requested during the construction phase. We have spoken to the different department heads regarding parking. We ask the Board to make a site visit we will be more than happy to meet with anyone to review the concerns and show you what we are talking about.

Mr. Sheppard, 2 Whistler Court stated he was told John Witt was in negotiations with Burns to sell them an additional pad for an apartment building. Everyone has cross easements there. So, everybody can park anywhere because they do not want to pay for parking underground. If this is true, they will be a need for even more parking. Parking is huge.

Diane Czechowicz 30 Whistler Court. She wants to know why she was never notified this was happening. She never would have moved there. She wanted to live in a safe neighborhood, and it will no longer be safe. You know it, I know, and everybody knows it. She is terribly upset and must move because you do not care about our safety. I worked with a population that needed help and needed housing and she understands that. But I cannot deal with the perpetrators. I did that for seven years. I did not want to live where I had to deal with the perpetrators. You are ruining it for me and other people.

Helene Venezia, 30 Whistler Court. I have live here for the last two years from Long Island, so I am quite used to diversity and congestion. I just have a comment concerning the traffic. That is not taking into consideration the snow. It is impossible to pass. As it stands now, if there is a delivery, FedEx, UPS, Prime, and the mail truck all day long. If two of those deliveries are at the same time, the trucks must be staggered to do their job. The problem is if there are cars parked on both sides of the streets it is a challenge under the best of weather not snow. It is more difficult with snow. The snow must go somewhere. If people have guests, overnight guests, there is no parking for them. She does not see how this is going to be addressed as reality of everyday living. This is how people live every day, it is not a special occasion.

Adam Feldman, Habitat for Humanity. He would like to speak on behalf of potential clients, many of them are on Habitats waiting list. They are single moms hard working individuals who are on our pipeline because finding affordable housing is virtually impossible in the city without Habitat. They are too busy to come here tonight to speak for themselves, they have children, working hard, paying their bills and we are helping them with their budget to get mortgage ready. They need this housing, and I am speaking on their behalf.

Executive Director of Wellspring. I am sorry that our neighbor who feels fear about our population. We are the domestic violence agency that Beacon is working with. I am sorry that our neighbor who has fears was not here to hear me talk. This is not a crisis placement for our folks. We have shelters and other things for that. We collaborate with folks who have experienced domestic violence in the past and when they have left it, they struggle financially for years just as Adam spoke about. They are working parents but there is not affordable housing for them. That is what we help them with.

It is not just a rent subsidy. We have 30 apartments throughout Saratoga County where we are placing these very same people. Other than this they go to Section 8 or something like that for rent

subsidies. What is different about our program is that we are with them every week. We do meetings in their home to make sure things are going ok. In the beginning it is safety and transition and healing an all that. After that it is work on economic self-sufficiency. Helping to get to a place where they are financially self-sufficient. Anyone who is afraid of these survivors of domestic violence that is a risky thing, this is not a crisis placement. This is helping them move on in their life. I am sorry our neighbor was not here so that she could have had her fears allayed.

Ms. Braymer, Attorney for the Whistler Court Homeowners Association questioned if the units for the Wellspring clients will be interspersed throughout or placed in a segregated area. One of the issues is that this was proposed as mixed use and not change the character of the community. That is one of the things the clients are concerned about. It is a real concern; they are scared and if perpetrators were to come especially if they know there is no way out of that dead end roads. These are real concerns of her clients who live there.

Mark Torpey, Chair, asked Ms. Braymer if she was asking if the Wellspring units were interspersed throughout the 52 proposed units.

Ms. Braymer stated yes, that is what she is asking.

Mark Torpey, Chair, questioned Beacon representatives regarding the Wellspring clients and if the units will interspersed among the 52 units.

Jessica from Beacon Communities stated they will be interspersed throughout the project.

Mark Richardson 30 Whistler Court stated this has nothing to do with the project, but all reverts to the Site Plan. The Special Use Permit which the Board wants to compartmentalize well that is said and done. This is the foundation of our protest. It is not a good spot for this type of density. It does not go unnoticed that there are more ways to get out of this cul-de-sac for a pedestrian, someone on a bike or a scooter or someone walking than there is for owners in their vehicles. With the advent of your new connectors. We have that way to get out, we have sidewalks along Excelsior but not in front of the commercial spots . We have the walk around to Ormondy and they also can get on the spring run trail. If we are walking and need to get out, we are fine. Again, this has nothing to do with the project. This project goes in we are conceding to the density you have allowed. For what reason we have yet to get a reason back in 2018 when John Witt comes forward and says he wants to increase the density. Nobody asked why John. He has the minutes. What are you basing that on. Well things have changed we have lesser units; people want smaller units. Well things have changed again. It is called covid. People are choosing not to work in the office. They are looking to work from home, looking for a bigger space for a home office. This is about the density of that site, and it is not going to work. All the other issues, and incidental parking. All valid and those are going on right now. You do not want to address the issue. Another question I am sure no one will answer it. John sells two parcels to Burns Management without the density increase. Why is he so confident that he can sell those parcels eat into his original density and leave only 77 units. Why does he do that. Why doesn't he get his approval first with a new Special Use Permit and new density. Why didn't he do that. Nobody asked him why he did not do that. Does he know something we do not know. Does he know he will get it anyway. We just do not understand. It is not just about this project it is about this entire site.

At the last meeting Mr. McTygue had questions, what happened with that. Are we going to look at the whole project going back to 2002. Any traction there or are we just going to move this on. He is asking that the Planning Board stop this right now and we look at amending the Special Use Permit. With John's original approvals there is space for 77 units. Why can't we put in 77 additional units and use the additional space into parks, more trails, for walking and biking.

Why are we stacking people on top of each other like sardines for the benefit of one person. One developer. I get your traffic mitigation which is happening everywhere around that. Except for getting in and out of the site. We will have 223,000 sq. ft. of commercial which is an entirely different topic. Where are you putting 223,000 sq. ft. of commercial.

It is not going to be a little Mom and Pop cleaners and nail salons. Where is it going. Are we going to take 223, 000 sq. ft. of commercial. Will it become a Home Depot, a Staples? Why not just pause this, look at the Special Use Permit, and do this right. Once we put a shovel in the ground it is too late.

Mark Torpey, Chair, asked if there were any thoughts or questions from the Board. The Chair stated he does not feel we are in a position tonight to draft a decision. We need to take these additional comments. He does have a question regarding snow removal. It would be helpful for our attorney help us draft and craft a motion that we may wish to move forward with at another meeting. We will work through the issues and things we have heard from the neighbors and do that in that fashion. He would like to get a feel by a show of hands how the Board members are leaning in terms of the Site Plan, are we comfortable with it or do we need additional information. Considering all we have heard and all the review of the project having legal start crafting something on our behalf. It would be helpful so at the next meeting we go through this in a thoughtful mechanical way.

Bill McTygue stated back in June he put in writing his thoughts and comments and reinforced the comments made that was referenced here tonight. The point of his discussion had to do with what we would be looking at in the future. Not so much the current applicant who is tending to and resolve the issues to make it a better project. His concern really had more to do with where we are going out there in the future. Because it is a legitimate concern that the current street designs may not manage the density we may be asked to approve in the future. That was the thrust of his concerns. We did have back-and-forth discussion among the Board in this regard. This was put in writing expressing those concerns. The current applicant has brought a project before the Board we are asking to review and act upon. He is not losing sight of that. The applicant has done a rather good job of reshaping the project and making it better. He feels the Board will concur with that. It is a better project than originally proposed. Recognizing and respecting that there is a legal argument which has been filed, and the right of the neighborhood. Depending how this moves forward we all must be sensitive to the action facing the Board and the city. How that will play out he has no idea. In taking a poll of the current project and how it fits with the scheme in terms of the numbers now and the numbers we are being asked to approve with the improvements they have made and parking. This seems to fit going with the original numbers submitted in 2002 and fits with the original scheme. We are not operating outside of the original concept, and the way the numbers were originally approved. He likes the idea that certainly this community needs workforce housing. There is across the Board recognition that the city must pay more attention to working with projects that want to fulfill that type of obligation for the community and that is what we need. This project is offering that opportunity and we should all recognize the work that has been done in trying to improve this project and create a better neighborhood. At the end of the day this makes a positive contribution to making the neighborhood better out there and providing more parking. When you look at the neighborhood as it exists currently those pocket parking areas that currently exist. He likes that idea in this type of setting than relying on street parking. In the future I will have real concerns when Mr. Witt comes in and tries to present a major further expansion of this neighborhood. As stated, he will have concerns in the future about that. Right now, we have something we can work with which is before the Board.

Mark Torpey, Chair, stated he was encouraged when Susan had the conversation with the Commissioner of Public Works who seemed willing and eager to look at future development and re-look at the area that is a constraint. We do not have any data to consider taking a different approach in this area. If DPW is willing to look at it and provide a good review, see if there is space

in there to accommodate additional vehicular capability in a way that DPW may think is necessary and helpful is great. If a subsequent project comes before this Board, there is nothing we would do to stand in the way to prevent greater access in and out. That would be within our purview and things that we would like to see. We have not had any data to date that suggests we need to do that now. This is a wonderful project and excited about Wellspring opportunity and everything Beacon has provided is wonderful for the city. He is fully in support of the project. The Chair stated there was an issue about snow removal and requested information from the applicant regarding this topic and how these parking spaces will be truly preserved in the winter so that it is not taking up street space.

Mr. Heller stated there is substantial green space around the project for snow stacking. There will be a private company coming in to provide snow plowing and to remove snow. Beacon will provide information to the Board regarding notifying the potential owners to move their vehicles for snow plowing. The snow can pushed onsite to the west where there is space to stockpile snow.

Mark Pingel stated he also supports the project. He thinks there were three points which were made. First, for clarification, Beacon will not exacerbate the parking problem. They have their own parking and will keep it clear.

Jessica from Beacon stated they are providing more parking than the town requires. The calculation states 80 spaces required, and we are providing 84. That is above what we expected. Normally our residents have one car per unit on average. We feel we will have adequate parking.

Mark Pingel stated the current parking problem that our current residents are reporting is a problem of the area now, a pre-existing condition which will not get worse.

Jessica from Beacon stated they do not expect so. One of the concerns which was voiced is that people will not want to pay for parking at the apartment buildings. At our building we do not have for parking.

Mr. Heller stated along Whistler Court there are 11 parallel parking spaces constructed with this project which gets into the widening of the road to allow for this. There are additional onsite parking spaces and parking along Excelsior along the frontage. Jessica mentioned we are providing 84 spaces where 80 is required. Based off Beacon's other properties they felt that a total of 63 will be required for their tenants. Of their 63 required 21 will be more than that. We are still meeting city standards.

Mark Pingel questioned if the spaces on Whistler Court would be public spaces.

Mr. Heller stated yes, it would be on the property there.

Mark Pingel questioned how you would keep anybody from parking in those spaces.

Unidentified member of the audience stated the hotel, Burns, Beacon and all the condominiums have cross access easements everywhere. Anyone can park anywhere, even on the streets, Gibson, and Whistler. Already Whistler is jammed up. More spots will be created on Whistler with the widening of the street. The whole road must be widened to accommodate traffic. Already on Excelsior counting into their calculation is jammed up as well.

Mark Pingel questioned if this project was counting on parking along Excelsior as well.

Mr. Heller stated yes along the northern section along the front.

Kerry Mayo questioned when the parking is jammed up. He has been in this area at different times of the day and after work around 5:15PM on a Thursday night prior to a meeting and there are spots everywhere. When should the Board go to see the issues being brought forth tonight. When does this happen.

Unidentified member of the audience stated during track season it is jammed.

Kerry Mayo stated well this is Saratoga Springs.

Unidentified audience member stated after dinner, 6:30 - 7:00 P.M., early evening, sometimes on a Sunday.

Mark Pingel stated like Kerry he drove through when it was suggested by public comment to see the parking problem and he did not. He is also looking for the times when what you are reporting can be observed.

Unidentified audience member stated sometimes there are problems and sometimes there are not.

Mark Pingel stated the snow removal seems to be a problem that the city can address now. All they must do is plow the streets differently than they are plowing them now. That may mean moving parked cars and is a tactical issue that the city can fix. How we go about addressing that with the city is something the Board will need to investigate.

Widening of the roadway is a long-term fix for the parking issues on Whistler Court. One thing that has been discussed is the Excelsior-to-Excelsior area. In driving that area, it is problematic with large trucks making deliveries in this area. From a project point of view that is the one thing that he feels is legitimate to ask about. The remaining issues seem long term or city oriented or whatever. Excelsior to Excelsior will be exacerbated and is proximate to that corner.

Jessica from Beacon stated to clarify that is not part of the project. That is offsite.

Mark Pingel stated neither is Veteran's Way or Route 50.

Chuck Marshall stated previous SEQRA findings require that Veterans Way and Route 50 have mitigation. So, Excelsior to Excelsior mitigation should have/would have to be identified at that time. Any offsite mitigation must be addressed in the SEQRA findings. Previously amended SEQRA findings cannot push this application that is not within their site plan boundaries.

Mark Torpey, Chair, stated he feels there is flexibility after SEQRA to work with improving the project. Does Counsel have any input on this.

Leah Everhart, Counsel to the Land Use Boards stated we do not need to get too deeply into it tonight. We would recommend we have a group discussion about that very topic. It was a topic we wanted to discuss at our training session with the Board. It is a topic for discussion, it is worthy of discussion, and we want to have that discussion with you but tonight is not the night to go down that rabbit hole.

Todd Fabozzi stated it was not only SEQRA, but the SEQRA was based on the traffic engineer's analysis. So, we were basing that on professional analysis and that is important to note that we are making our judgements based on concrete numbers and analysis.

Chuck Marshall stated this applicant decreased the overall AM trips particularly with the removal of the daycare. So, from the trip generation perspective the applicant did lower the number by removing that specific use. Outside that his only comment would be that any offsite mitigation

should be complete before any CO is issued because that is what generates the need for the mitigation and is completely appropriate.

Kerry Mayo stated even just looking at the layout presented he does see any reason for these tenants to use that corner. Use Whistler Court. So, how would that have an impact.

Todd Fabozzi stated we do not want to have a scenario in any projects we approve in which the traffic does not function. In which people cannot get through. If they cannot pass each other or simply function. Narrower roads are safer roads. We are talking about an apartment complex, narrower roads where you must slow down to navigate. It is beneficial to the safety of this area and the idea of widening roads which has been proven over and over exacerbates the issue. There are studies that show this. That is something we need to consider in judging the width of the road.

An unidentified audience members stated on Whistler when there is a parked car you cannot have two-way traffic.

Mark Torpey, Chair stated it is not appropriate to impose a condition on the current site plan application then outside the project. It is an offsite issue and a city issue which is pre-existing and a city traffic problem. We are trying our best to mitigate the issues on site.

Bill Hoetzel, 30 Whistler Ct. From his balcony he can see Excelsior directly and as the roadway comes into the hotel the road narrows. Two weeks ago, two trailway busses were there sitting there for a day and a half. They park there because they cannot get into the hotel parking area. You have another situation where you have the hotel taking up the space.

Mark Richardson, 30 Whistler Ct. offsite, onsite, in the cul-de-sac whatever the project is you will affect the traffic flow. That corner where you come north off Excelsior and come west off Excelsior, the reason you cannot get through there is because of the way it was designed. You have those two bump outs and directly behind them is the pocket parking. It is narrow, you cannot get two cars through there. Granted it is not their problem, it is off their site, but it is a problem. Any project that comes into this area is contributing to that problem. It is valid to be addressed. You have all this parking along Excelsior, along Whistler and you come off the main drag and pull in and parallel park. In the winter there are cars on both sides. The city comes through, and they plow right down the center of Excelsior, right down the center of Whistler, and go up turn left and plow right down the center there. There are cars on both sides. Those cars get blocked in. They get banked in. They are now snowed in, and these people must dig their cars out. Just keep ignoring the problem folks.

Chuck Marshall stated that is no different than anyone else. It happens on Broadway; the cars get banked in and the city declares an emergency and there is alternate side parking.

Kerry Mayo stated you need to speak with public works, this is not a Planning Board issue.

Mr. Richardson stated we have asked for alternate street parking in the winter.

Bill McTygue stated Whistler Court is not a city street. The city should not be plowing it. They are responsible for the city streets only. They do not plow private streets.

Kerry Mayo stated he is not interested in being a public forum for something that should be managed by Public Works.
Can we move on.

Mark Torpey, Chair, stated he appreciates the thoughts and comments. We have an opportunity with DPW to have a conversation about these issues you are raising. The Chair stated he feels they are more broadly city related issues that can be worked out. We have an amenable host who is willing to talk about this now in office and we should take advantage of that. To summarize the concerns that you have put them down and these issues can be addressed and will be beneficial and helpful to the next project to look at this general area as well. There is a benefit all around to address these concerns. Obviously, you are this upset it must be valid. The Board has not necessarily observed this on our visits to the site. We can more broadly think about solving the problem and any subsequent projects. It is noted, and we are trying our best to help and address a broader pre-existing condition which would negatively affect other projects in this general area.

Mark Torpey, Chair, questioned the Board if they agreed and support the Site Plan. There are issues raised and brought up tonight. The Board would like to take the opportunity to draft the resolution with all the issues we discussed. At the next meeting we would be able to walk through those one by one and assure everything is appropriate and everyone agrees with it. The Chair stated he knows the fundamental issue which has been a concern for a while in the increase in density. There were concerns about what was during covid and things that were raised at a meeting when I was virtually participating. The Special Use Permit came before the Board in 2017. We have had years where this was reviewed and debated. We did not really have public input and comment during those early years. It is more of an issue now with people raising issues and concerns. It has been something we have been discussing. In the transition since 2002 the underlying zoning in this area has changed and became a Transect zone - T-5. It was completely changed to an unlimited density area. In the interim period from when this was first put together until now. In addition to that we had the 2015 Comprehensive Plan that was being reviewed for four or five years and the underlying Comprehensive Plan addressed different density issues for this whole area of the city. This went through public comment and public review, and there was a broad review and discussion of those changes. As a Planning Board we are now looking at those new set of conditions to look at how a revised project would fit and comport with what is now on the record as being the rules of the game. As Todd pointed out at the last meeting, this was not a PUD that the city produced and articulated the definitive boundaries of everything that fits and then it is static until it expires. We are dealing with a dynamic changing set of rules governing this area of the city and this project and everything we took in terms of the increased density is perfectly meshed and fits. What must work is people have to work and drive around safely and we can work on those issues collectively and together. We should move forward with this project and not hold them hostage to those discussions.

Bill McTygue stated this will play out in the future. There is a lawsuit over this issue, and it will be sorted out in court. He has stated his concerns going forward in the future how this will unfold with future parcels being brought before the Planning Board for future action. Right now, we have one application before us. The issue with the plowing can be easily resolved with talking with the department. There are plow crews assigned to each area of the city. They can make sure when the crew goes through Excelsior it can assure vehicular access.

Todd Fabozzi stated that is what we are working with the existing Zoning Code, the existing Comprehensive Plan and we are working with the future. This is complicated because if someone moves into this area not aware of the plans of how this is to continue to transition into an urban neighborhood then it becomes jarring when it is doing that. We do not want it to be dysfunctional to the extent that people cannot function. They cannot get out; it is not safe. This city has been able to achieve an urban neighborhood which was the goal of the plan and so there are more ways to walk, bike then to drive. From this perspective that is a huge success. Those are the primary goal in our key urban neighborhoods is to try to make that happen. The fact that we are making that happen is a great success. We want to have affordable housing and hopefully we get to a point where we get more of that, and it will be another success. We are using up less of our open space

and try to preserve our green belt while growing as a dynamic city. To protect our greenbelt, we must allow for growth in our urban areas. In urban areas there are certain norms of urban living. For example, snow in the northeast and cars that park on the street get snowed in. I have lived in the city my whole life. I have parked on the street. That is just a function of urban neighborhoods. There are tons of streets in this city and small cities in which if there are cars parked on two sides, two cars cannot pass. One car waits for the other car to pass. You go slow and the next car passes. These are just urban norms, and they are not dysfunctional. The other thing he believes will happen in this area, and he is unsure if he fully understands this dynamic, but we have heard it from the residents is this idea is that there is parking that is not being used because people do not want to pay for it. What will happen if the parking gets to the point, we have not observed it, and we have been out to the site many times. He lives near the site; he has walked the site and biked the site and he has not seen the kind of congestion that we are being told. If it got to that point and those people that have an option to pay for parking will do so. Having lived in Albany and paid for parking there are lines of people waiting to do so to obtain off street parking. That will help to push those cars back where they should be. We do not want to see that happen. This project is providing more than their fair share of parking so he is comfortable that we have listened to all the facts thoroughly and heard the public and compared those and he is in favor of this project.

Mark Torpey, Chair, stated he will adjourn this project for this evening.

RECUSAL:

Bill McTygue recused from the following project and exited the meeting.

5. **#20220776 NYS RT 29 SITE PLAN,** NYS RT. 29 Sketch Site Plan for a proposed multi-family residential project in the Transect-5 (Neighborhood Center) District.

Mark Torpey, Chair stated there was a proposed project for this area back years ago. The Board members are familiar with the site. The applicant will walk the Board through the project and receive feedback on the project.

Applicant: Prime Companies, Dean DeVito

Agent: Jamie Easton, EP Land Services;

Mr. Easton provided a visual of the location of the project which is between Station Lane, the Train Station, Washington Avenue, and the railroad tracks. The project site consists of 17 acres. The Board has seen this project before through a previous site plan review of a mixed-use development, but never reached the construction phase.

Prime Companies recently purchased this property and here tonight to present the project and receive your feedback.

Mr. Easton provided a visual of the surrounding neighborhood including DEC wetlands. We reviewed the new UDO zoning which Neighborhood Center for the project. We are proposing a moderate intense mixed-use project. Mr. Easton provided a visual and narrative of the project for the Board. Based on the current layout we anticipate requiring variances from the ZBA. We have four T-shape buildings which are four stories in height which slope in the rear to accommodate the parking garages underneath. The parking garages are 95% buried on the site for aesthetics.

Mark Torpey, Chair, stated he recalls from the previous project a very high-water table in this area. It was about 3 ft. to groundwater. There may be real issues to providing underground parking.

Mr. Easton state they have three T-shaped buildings. Between the underground parking and the three parking fields on the site parking meets the code requirements. Parking ratio 1.6 for all those

units. On the periphery we have two story buildings, row housing. At this time, we are unsure if these units will be sold, or rentals. We anticipate doing a mix of products in this area even if it is all rentals. These would have attached garages providing one space in the garage and the ability to have two vehicles in the driveways for each unit. With this design we have a nice courtyard area in the center. It does what we choose to provide as amenities. We had the wetlands re-delineated and reviewed the 100 ft. buffer and where are we looking to preserve trees. One of the largest issues of this project is the elevation change. Mr. Easton provided visuals on the site where the elevation changes 20ft to 25 ft. It is a quick drop off

Route 29 necessitating bringing in fill for the buildings to work on this site. The building will sit on the existing grade, but the fill will be necessary to make the roadway work into the site in this area. Fire code and county code requires a roadway to be maximum 8% grade. Along with the roadway there was concern regarding making the courtyard work and storm water management from a DEC standpoint. We are trying to maintain the vegetation along Route 29. Because that elevation is going to drop, and the road will funnel downgraded to the parking lot which is 15ft lower than the road. This will allow us to keep all the existing pine trees and other vegetation along the way for stormwater management, a grading standpoint, and utilities. In reviewing the city code and the UDO the two roadways proposed in the project will be constructed and become city streets with parking which has not been calculated in our current parking calculations. One roadway will accommodate parking on both sides of the street and one roadway will accommodate parking on one side of the street.

Todd Fabozzi stated he is familiar with the challenge on Route 29 and the grade change from the previous project.

He questioned why you would not put buildings up to Route 29 which is part of the urban requirement for this type of zone to meet the street frontage. The way you could react to that issue is in the entrance you have created a through street that can serve as the urban street and connect from one side of the project to the other. He suggests street one takes on the character of a boulevard as an option. May the other street does not need to be a city street but narrower. Then street one becomes more of the urban boulevard since you cannot come out to Route 29. You do need to present a face onto Route 29 to that opening that has a gateway look to it. So, when someone comes into the site, they will see something grand which they can look all the way down that street as if you are looking at Broadway, shaping the street with buildings on both sides which you are now, giving the street form all the way through. That becomes the primary street and what you see from Route 29. That is a way to play off the street frontage but not on 29 but this roadway plays the main street role. The parking lot next to 29 can be removed and you have parking on the street. This is how it functions as an urban neighborhood. This is my first reaction thinking how to make that entrance a real gateway, a feature that pronounces that instead of coming up to Route 29. I do not see the mixed-use aspect of this but mixed use with small type of retail would be appropriate in this area and he is not seeing that.

Mr. Easton spoke regarding Todd's suggestion taking into consideration the topography with the suggestion of retail was mentioned to me, and we are looking at that at this time.

Chuck Marshall stated he has a problem just from the previous application with one street being private and the other street being public. Both streets should be city streets just for a maintenance issue.

Discussion ensued regarding the roadways and requirements per the code and the new UDO requirements.

Mr. Easton spoke regarding the site constraints for commercial mixed use on the site the grading and railroad bridges.

Mark Pingel stated he appreciates the thought about reducing the parking pads for more on street parking. Having to request variances and the size of the variances will be difficult. There must be a different way of parking the cars.

Mr. Easton provided views of all the outdoor site amenities for the residents. These common areas where the tenants have an outdoor space to use. What we are proposing between the two four story buildings we added a pool, putting green, and an area for interaction. There are indoor amenities offered off this outdoor area, computer desks, pool hall, gym, as well as an outdoor tv room. Views of the location of public amenities which includes a dog park, and a playground area along with additional civic space around the site with sidewalks throughout.

Todd Fabozzi spoke about enhancing the area around the train station which as it currently stands is a bit underwhelming. The previous project had great walking areas, and he suggested this applicant review that portion of the previous project for this site regarding the public portion.

Discussion ensued among the Board regarding the previous project and what was proposed at that time.

Mark Torpey, Chair stated there were four projects proposed at this time and we attempted to coordinate what was planned for a trail network and the like. The Chair would like to see how this project fits within the broader context of your neighbors. Also, how to use the civic space to engage with the trail network.

Mr. Easton stated most of this is DEC wetlands. We are proposing a connection to the adjoining site. Sidewalks are proposed internal to the site. He will review the former proposed project and will have more information when the applicant returns before the Board. The site amenities are proposed for the tenants, and we are attempting to design measures where the public can utilizing the sidewalks on the site but not the tenant amenities.

Mr. Easton provided the Board with views of the Townhouses. The proposed townhouses have attached garages, and 3 or 4 bedrooms with each unit. Something different than a multi-family unit in the T-shaped buildings. These are proposed as two-story units with a courtyard between the properties. Reviews of all elevations were provided.

Mark Pingel questioned if there was any consideration for supportive housing in here all well. Or is it all full market.

Mr. DeVito stated these will be market rate units.

Todd Fabozzi questioned the number of residential units proposed.

Mr. Easton stated 338 multi-family units and an addition 48 townhomes. Regarding traffic, we have been in discussion with Creighton Manning the traffic consultant for the project. In discussions with them, they have reviewed the traffic study done for the previous project. He reviewed the previous numbers provided for and used for the SEQRA review, with all the mixed-use buildings and the hotel which was approved. The traffic for this project will be reduced due to the lack of commercial uses on the site. We will impact the intersections and the traffic; we are aware of the impact on this corridor.

Todd Fabozzi questioned the ingress and egress off Route 29 and what will be done in this area regarding traffic speeds and the safety issues.

Mr. Easton stated what is being proposed will have a lesser impact than what was previously proposed.

Mark Torpey, Chair, stated this was about 4-5 years ago and the traffic studies and impacts were the summation of all the projects.

Mr. Easton stated we will review this project traffic wise on its own merits. We know it is a concern, we are aware of the impacts and determine what will need to be done. A traffic light on West and Station Lane is a given and will have to go in.

Mark Torpey, Chair, stated other issues was there was a collective agreement to share the cost of the upgrade to the sanitary sewer system.

Mr. Easton stated they are aware of these issues and the need to make contributions toward traffic mitigation and the sanitary sewer system upgrade, and we will work that out.

Mark Pingel questioned the sidewalk system proposed for this area and the whole pedestrian movement.

Mr. Easton provided a visual of the sidewalk currently in place and what sidewalk system is being proposed for this project.

Mr. DeVito stated the sidewalk noted on the site for connection is owned by Entrada.

Mark Torpey, Chair, stated this has been worked out with Entrada to provide access through their portion of the site.

The park created on the corner of West anchors that east/south corner. You may need to continue through your parcel with a joint easement. The navy base is there, there is senior housing on Kirby Road. They walk over the bridge and bicycles use in the area; we will need to look at a way to provide safe pedestrian/bicycle travel in this area. We need to have a discussion with DOT in this regard. Consider this as you look at the plans.

Mr. Easton stated he will look at this and what can be done within that space. We can have conversation with DOT.

Mark Torpey, Chair, stated we have had good success in conversations with DOT and staff would be happy to coordinate this type of conversation with DOT.

Mr. Easton stated he has gotten good feedback from the Board, as well as suggestions and has provided good starting points to move onto.

Mark Pingel stated he is interested in the management of the wetlands and exactly where the buildings are being placed regarding these wetlands with constrictions.

Mr. Easton stated the ACOE has jurisdiction over the wetlands on this property. The DEC buffer crosses onto this property.

Discussion ensued among the Board and applicant regarding civic space on the site and interconnection of the sidewalks between the properties.

Susan Barden, Principal Planner, stated this project falls under the UDO. We have added a 50ft. buffer around the ACOE regulated wetlands for the applicant's information.

APPROVAL OF MEETING MINUTES:

Mark Torpey, Chair, made a motion to approve the minutes of the September 15, 2022, Planning Board Meeting as submitted. 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; Chuck Marshall, in favor

MOTION PASSES : 4-0

UPCOMING MEETINGS:

Planning Board Workshop, Thursday, October 6, 2022.

Planning Board Meeting, Thursday, October 13, 2022.

MOTION TO ADJOURN:

There being no further business to discuss Mark Torpey, Chair adjourned the meeting at 9:17 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

Minutes approved October 27, 2022