



# SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS, CHAIRMAN  
50 WEST HIGH ST, BALLSTON SPA, NY 12020

JASON KEMPER, DIRECTOR  
518.884.4705 (P) 518.884.4780 (F)

## Meeting Minutes September 19, 2024

The meeting held in Conference at the office of the Saratoga County Planning Department located at 50 West High Street in Ballston Spa was called to order at 4:00 pm.

**Members Present:** Tom Lewis, Chairman, Devin Dal Pos, Ian Murray, and Connie Wood.

**Members Absent:** Donald McPherson, Marcia E. Murray, Ed Vopelak

**Staff:** Kimberly Lambert, Senior Planner; Jeffrey Williams, Planner and Nisha Merchant, Economic Development Specialist/Planner; Caroline Acevedo, Confidential Secretary

**Staff Absent:** Jason Kemper, Director;

**Guests:** John Olenik – Town of Milton

### **Approval of Minutes:**

**MOTION:** The minutes of the August 15, 2024, meeting were unanimously approved on a motion made by Mr. Murray and seconded by Ms. Wood. **CARRIED.**

**Recusals:** none

### **Referrals**

#### **24-134JW Town of Milton: 201 North Line Rd - Special Use Permit**

Located on Northline Rd/CR-45 & NYS Rt 50. Tax Map No(s): 203.11-1-21.

Mr. Williams presented an application for a proposed cannabis dispensary use to operate in conjunction of an existing retail cigar shop business within an existing 2,233 s.f. commercial building on the corner of NYS Rt 50 and Northline Rd/CR-45. The proposed dispensary and cigar shop will provide a total of 31 parking spaces and utilize the two existing curb cuts onto NYS Rt 50 and CR-45 respectfully.

Mr. Williams stated that the Saratoga County Department of Public Works (DPW) has informed the board of a concern with the configuration of the existing curb cut onto CR-45 and its ability to function safely due to the proposed use and increased intensity at this site. DPW expressed that they will require the CR-45 entrance to be right-in right-out only as well as require that internal traffic be allowed to circulate through the site and allow for exit onto Route 50. These concerns coupled with the State

funded roundabout slated to be constructed at the NYS Route 50 and CR-45 intersection in the near future.

Mr. Williams recommended that the applicant contact County DPW to further discuss the matter.

The Saratoga County Planning Board has requested additional information before they are able to render a decision.

**24-135KL City of Saratoga Springs: Unitarian Universalist Congregation - Site Plan Review**

Located on Loudon Road (Town of Wilton). Tax Map No(s): 154.-2-41.4.

Ms. Lambert presented an application for a proposed construction of a two-story, approximately 8,844 s.f. place of worship and associated site work on a 5-acre parcel in the City's Rural Residential Zone.

Ms. Lambert stated that the Saratoga County Planning Board reviewed this project for a special use permit previously in November 2023 with no significant county-wide impact or intercommunity impact.

The Board discussed the possibility of outdoor lighting on the proposed place of worship having a negative impact on neighboring properties as it is in a Rural Residential Zone. The proposed parking lot was discussed as to whether there would be an adequate amount of parking spots and that neighboring properties would not be negatively impacted by overflow of vehicles being parked outside of the lot during times of increased traffic to the place of worship. There will need to be coordination with the Town of Wilton on this project for access to the site as the proposed road access is in the Town of Wilton.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

**24-136NM Town of Clifton Park: Town of Clifton Park - Zoning Amendment - Text**

Located on Town-wide. Tax Map No(s): N/A.

Ms. Merchant presented an application for a proposed revision to the Definitions and Town Code regulating the requirement of providing 110% clear zone for proposed communication towers in the event one fails.

Ms. Merchant recommended approval.

**24-137KL Town of Clifton Park: Fire Rd. Gas Station - Site Plan Review (Amendment)**

Located on Fire Rd & NYS Rt 146. Tax Map No(s): 272.9-1-19.

Ms. Lambert presented an application for a proposed amendment to the 2023 site plan review of a proposed 6,850 s.f. retail convenience store with gas sales by adding a drive thru bank service.

Ms. Lambert stated that when the Saratoga County Planning Board reviewed this site plan originally in November 2023, they found no significant county-wide or intercommunity impact and the amendment to this site plan for the drive thru for a bank did bring up the review of the turning radius to ensure vehicles can successfully negotiate the area to the back of the building.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

**24-138JW Town of Clifton Park: Cotton Solar 1, LLC - Special Use Permit & Site Plan Review**

Located on Sugar Hill Rd. (Ag. Dist. #2). Tax Map No(s): 282.-1-10.1.

Mr. Williams presented an application for a proposed 5MW Solar Array, including access driveway, equipment pads and stormwater controls, to be placed on 16-acres of the 102-acre parcel within the Town's Conservation Residential zoning district.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**24-139JW Town of Northumberland: *Martindale* - Area Variance**

Located on West River Rd./CR-29 (Ag. Dist. #1). Tax Map No(s): 118.-1-9.11.

Mr. Williams presented an application for a proposal to replace an existing mobile home on a 15.30-acre parcel with a new mobile home in the same location which is 5 ft from the property line. Per Town zoning, the required side yard setback is 10 ft where the applicant is seeking 5 ft of relief.

Mr. Williams stated that there is a letter written by the owner of the neighboring parcel stating that they have no objection to a new mobile home being placed in the same location as the existing structure as it would have no impact on them.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**24-140JW Town of Northumberland: *Savett* - Use Variance**

Located on West River Rd./CR-29 (Ag. Dist. #1). Tax Map No(s): 144.-1-1.3.

Mr. Williams presented an application for a proposed use variance to allow an existing apartment, above a detached garage, on a 5.1-acre parcel, to be occupied as a secondary dwelling on the same parcel.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**24-141JW Town of Northumberland: *Lebowitz* - Use Variance**

Located on Well Lane (Ag. Dist. #1). Tax Map No(s): 104.-1-5.1.

Mr. Williams presented an application for a proposed use variance to allow an existing cabin, on a 49.2-acre parcel, to be occupied as a secondary dwelling on the same parcel.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**24-142KL Town of Halfmoon: *Hayner Country Store* - Site Plan Review**

Located on NYS Rt 236. Tax Map No(s): 273.-2-88.

Ms. Lambert presented an application for a proposed 1500 s.f. addition to the rear of the existing country store/ice cream parlor that is situated on a 6.13 acre parcel. Existing access to Rt 236 is to remain as well as the existing gravel parking area with landbanked parking provided.

Ms. Lambert noted that the Hayner Country Store had been brought before the Board in March 2022, where a PDD Amendment had been approved to include the addition of an 800 s.f. enclosed pavilion and expansion of their gravel parking area by 7,500 s.f gravel parking area. The site plan was reviewed in May 2022 and found to have no significant county-wide or intercommunity impact.

Ms. Lambert stated No Significant County-wide or Intercommunity Impact.

**24-144NM Town of Ballston: 976 Rt 67 - Area Variance**

Located on NYS Route 67 (NYS Rt 50. Tax Map No(s): 228.-1-17.

Ms. Merchant presented an application for an existing approximately 0.96-acre parcel with an existing residential dwelling which is proposed to be developed into a one-story indoor pickleball facility and is required to have a minimum of 1 acre parcel for the Mixed Use Route 50/67 zoned parcel. Relief of approximately 0.04-acres is being sought.

Ms. Merchant stated No Significant County-wide or Intercommunity Impact.

**24-145NM Town of Ballston: Cameron - Area Variance**

Located on Charlton Rd/CR-51. Tax Map No(s): 238.-2-18 &-19.

Ms. Merchant presented an application for a proposed Lot Line Adjustment to expand an existing 0.457-acre parcel to a 2.829-acre parcel in order to separate a dwelling with outbuildings from an existing mobile home park creating the need for an area variance as the Rural zoned parcel is allowed a minimum lot area of 5-acres per Town Code. The relief requested is 2.171 acres

Ms. Merchant stated No Significant County-wide or Intercommunity Impact.

**MOTION:** A motion to approve Planning Department recommendations for planning referrals as presented was made by Mr. Dal Pos, seconded by Mr. Murray and unanimously approved.  
**CARRIED.**

**SUBDIVISIONS**

**24-A-42JW Town of Milton: Reilly - Subdivision Review**

Located on Finley Road (Town of Charlton, Town of Ballston, Ag. Dist. #2). Tax Map No(s): 214.-1-23.1.

Mr. Williams presented an application for a proposed two lot subdivision from an existing 41.561-acre parcel to create a 7.256-acre parcel with residential and outbuilding improvements and a vacant 34.305-acre parcel.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**24-A-43NM City of Saratoga Springs: Scarpinato (247 Kaydeross) - Subdivision Review**

Located on Kaydeross Ave East & Crescent Ave/CR 22. Tax Map No(s): 179.-3-29.211.

Ms. Merchant presented an application for a proposed 3-lot conservation subdivision from an existing 13.35-acre parcel in the City's Rural Residential District. Lot 1 will be 11.720 acres with existing residential improvements and conservation easement areas, Lot 2 will be 0.811-acres for a proposed residential use, Lot 3 will be 0.837-acres for a proposed residential use. The proposed residential lots will be on a private driveway connected via easement to a public right-of-way and to-be-dedicated right-of-way in an adjacent proposed subdivision. Proposed residences will be served by public water and onsite waste water systems.

Ms. Merchant stated that any work performed within the County Right-of-Way must be permitted by the county DPW.

Ms. Merchant stated No Significant County-wide or Intercommunity Impact.

**24-A-44NM Town of Halfmoon: *Connors & Pogoda* - Subdivision Review (LLA)**

Located on Siena Dr. (Groom Rd/CR-91). Tax Map No(s): 278.14-2-83; &-82.

Ms. Merchant presented an application for a proposed lot line adjustment between 9 Siena Dr. and 15 Siena Dr. to convey 382 s.f. of property 15 Siena Dr. to 9 Siena Dr to remedy an encroachment of a shed. The result will be 29,427 s.f. for 9 Siena Dr. and 23,867 s.f. for 15 Siena Dr.

Ms. Merchant stated No Significant County-wide or Intercommunity Impact.

**24-A-46JW Town of Stillwater: *Moran* - Subdivision Review**

Located on Meehan Rd (Ag. Dist. #2). Tax Map No(s): 242.-1-5.11.

Mr. Williams presented an application for a proposed 2 lot subdivision from an existing 8.66-acre parcel to create a 2.06-acre parcel with existing residential improvements and a 6.60-acre vacant parcel for a proposed residential use.

Mr. Williams stated No Significant County-wide or Intercommunity Impact.

**MOTION:** A motion to approve Planning Department recommendations for planning subdivision as presented was made by Mr. Murray, seconded by Ms. Wood and unanimously approved.  
**CARRIED.**

**MOUS**

**24-A-45MOUJW Town of Wilton: *Ingersoll Subdivision* - Subdivision Review (Amendment)**

Located on Ingersoll Rd (NYS Rt 50). Tax Map No(s): 154.-1-3.1.

An amendment to the subdivision for re-configuration of the roadway eliminating a cul-de-sac road design on the eastern edge of the property in order to provide a direct future connection to the proposed Northridge Subdivision (Adk Property Ventures) road network.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Wilton Planning Board, the referral for Subdivision Review (Amendment) was reviewed on 9/19/2024 by Mr. Williams with concurrence from Devin Dal Pos & Tom Lewis that the action posed No Significant County-wide or Intercommunity Impact.

**24-130MOUJK Town of Malta: *Malta Center (Ellsworth)* - Area Variance (Sign)**

Located on US Route 9. Tax Map No(s): 229.51-1-1.

Proposed two area variances to construct a new multi-tenant sign for the multi-use site. The requested variance is for Sign Structure Height and Sign Area.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Malta Zoning Board of Appeals, the referral for Area Variance (Sign) was reviewed on 8/15/2024 by Mr. Kemper with concurrence from Connie Wood & Ed Vopelak that the action posed No Significant County-wide or Intercommunity Impact.

**24-131MOUJK Town of Malta: *Parker Truck Repair - Area Variance***

Located on US Route 9. Tax Map No(s): 217.-2-33.12.

A proposed area variance request to construct a 3,750 s.f., three-bay truck repair and service shop with a provided 25 ft. front yard setback whereas 50 ft. front yard setback is required. The applicant is seeking relief of 25 ft. from the Town's code.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Malta Zoning Board of Appeals, the referral for Area Variance was reviewed on 8/15/2024 by Mr. Kemper with concurrence from Connie Wood & Ed Vopelak that the action posed No Significant County-wide or Intercommunity Impact.

**24-132MOUJW Town of Halfmoon: *Frank Warehouse - Site Plan Review***

Located on Hudson River Rd./NYS 32 & US 4 (Hudson R.). Tax Map No(s): 280.-2-16.2.

A proposed 2,200 s.f. addition to the front of the existing 13,200 s.f. warehouse to provide more storage space

Comment: In February 2024 reviewed area variance for 1,400 addition. In May 2024, reviewed area variance for the 2,200 s.f. addition via MOU.

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Planning Board, the referral for Site Plan Review was reviewed on 8/22/2024 by Mr. Williams with concurrence from Devin Dal Pos & Ed Vopelak that the action posed No Significant County-wide or Intercommunity Impact.

**24-143MOUJW Town of Halfmoon: *Rock Precision Automotive - Site Plan Review***

Located on NYS Rt 146 (Upper Newtown Rd/CR-86). Tax Map No(s): 273.-1-11.

A re-approval of a 2021 site plan for expanded parking and the placement of a 10ft x 24ft maintenance shed on a 1.09 acre parcel with an existing automotive repair shop. The proposed expanded parking area will provide 42 parking spaces and utilize the existing curb cut on NYS Rt 146.

Comment: vegetative buffer, non-point pollutants and aisle width at northern end of parking

In accordance with the Memorandum of Understanding (MOU) between the Saratoga County Planning Board and the Town of Halfmoon Planning Board, the referral for Site Plan Review was reviewed on 9/6/2024 by Mr. Williams with concurrence from Connie Wood & Don McPherson that the action posed No Significant County-wide or Intercommunity Impact.

**DISCLAIMER:** Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law Section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

**Adjournment**

The meeting was adjourned at 4:30 pm.

Respectfully Submitted,  
Caroline Acevedo, Confidential Secretary