

**TOWN OF SARATOGA
PLANNING BOARD DRAFT MEETING MINUTES*
January 24, 2024**

Chairman Walter Borisenok called the meeting to order at 7:00 p.m.

Clerk Linda McCabe called the roll: Chairman Walter Borisenok – present, Laurie Griffen – present, Patrick Hanehan – present, Christopher Koval - present, Joseph Lewandowski – absent (arrived at 7:05 p.m.), George Olsen - absent, Robert McConnell – absent.

Also attending: Garry Robinson, Mike Giovanone, Brian Sipperly, Dio (formerly Angela) Kaufman, Michalla Speno, Maxine Lautenberg, Michelle DeGarmo, Gary Squires, Gil Albert. (Sign in sheet is on record in the Clerk’s office)

A motion was made by Chairman Walter Borisenok, seconded by George Olsen, to accept the meeting minutes of December 20, 2023 as written. Chairman Walter Borisenok – aye, Laurie Griffen – aye, Patrick Hanehan – aye, Christopher Koval - aye, Joseph Lewandowski – absent (arrived at 7:05 p.m.), George Olsen - absent, Robert McConnell – absent.

**Carried 4 - 0
Approved**

Pre-Submission Conference for Special Use Permit

**Michael Giovanone #24-01
Boat N RV Condos, LLC
1438 Rt. 9P
Saratoga Springs, NY 12866
Location: 1428 Rt. 9P
S/B/L 180.18-1-2.1, 12 & 29**

**Representative: Brian Sipperly, Verity Engineering
P.O. Box 474
Troy, NY 12181**

Applicant seeks a special use permit to expand his Boat -n- RV and motor vehicle storage business.

Brian Sipperly, Verity Engineering, appeared on behalf of the applicant. He said they were before the Board in the fall of 2023 to talk about merging some property, but then decided not to go forward with that action at that time. He stated the September 2023 plan looks the same as previously submitted, but per Board request, they have reduced the size of the buildings by pulling back out of the setbacks.

Building Inspector/Zoning Officer Gil Albert stated they now only need a 14’ front setback.

Brian Sipperly stated there are many components to this project. They have NYS DOT for a curb cut permit, NYS DEC for a SPEDES permit, as well as a Region 5 NYS DEC for an Article 24 Freshwater Wetlands permit to allow disturbance in buffer zone. If that agency has any plan changes, he said they’ll update the Board. They’d like to go to the Zoning Board of Appeals, but first seek the Planning Board’s approval with their plan and layout of this project before going to the ZBA. If the Board okays this, they’ll seek a variance and then come back before this Board. He stated if unsuccessful with obtaining a variance, the plan will remain the same, generally conforming with what was presented at this meeting.

Christopher Koval questioned that, in the honeycomb area of the submitted map, they're looking for NYS DEC to give them a deal and let them build in that area?

Brian Sipperly responded yes, Article 24 Freshwater Wetlands permit allows for that, if approved. Its review and oversight, there are no thresholds required; they prefer all regulated buffers remain undisturbed, but the Article 24 permit process allows for just that. Think of it as a variance process, as it's very similar to that.

Laurie Griffen questioned if it's correct to assume if that Article 24 permit carries through, the applicant will receive the same variance from NYS DEC as on the current buildings that're there?

Brian Sipperly responded they weren't involved in that development of 2006 - 2007, but she is correct. The wetland complex comes down around the old rail line, around the southern side of the barn – it's quite large. The reason it's jurisdictional to NYS DEC is because it's over 12.4 continuous acres. Yes, from the applicant's original plan, that wetland line would have protruded in, the 100' buffer would have been germane, but he couldn't speak to records of 13 years ago.

Zoning Officer/Building Inspector Gil Albert stated they did have approval back then.

Laurie Griffen stated she drove out there to refresh her mind and questioned if this is a mirror image of what the applicant has previously done. She assumes he did the same thing back then although it'll probably change a bit, as rules change.

Brian Sipperly replied the rules haven't changed pertaining to what Mr. Giovanone would have done back then, it remains the same exact thing today. The same complex, same rules and regulations will apply.

Chairman Walter Borisenok noted currently there are water and sanitary waste pumps on site and questioned that they'll be decommissioned.

Brian Sipperly responded yes and they're not proposing any new water, sanitary or utility connections. Those utilities will be removed during site development. They'll be applying for a flood plain permit and will be subject to any hundred-year flood plain permit certificate requirements. They'd like to store stormwater underground and will know more once the Town approves a layout and they get together with NYS DEC for stormwater, water quality, riparian borders, etcetera.

Chairman Walter Borisenok questioned if Quaker Springs Fire District will be reviewing a fire plan for this project.

Zoning Officer/Building Inspector Gil Albert responded yes, they will. So far, he sees no issues with the project. Emergency vehicles will be able to navigate, but the fire department will be happy to review when plans are final.

Brian Sipperly stated they'd like to put in lake lockers/boat buddies as there is a need for that type of small units for people to put their water toys and kayaks in at the end of the day and easily grab them upon entering again. Typically, people go in 6 a.m. – 8 a.m. for no more than 20 minutes.

Chairman Walter Borisenok questioned parking and traffic flow for the lockers; folks in there 2 times a day, about 28 cars in and out in a day? This will be a different build then previously done.

Brian Sipperly responded they go in and out, no parking. They've prepared spaces in front of the lockers for loading and unloading. Applicant Michael Giovanone stated if the Board doesn't want the lockers, they won't do that, they'll just put a building there.

Chairman Walter Borisenok said he doesn't have much of an issue with it.

Zoning Officer/Building Inspector Gil Albert likes it, but needs to be sure there's adequate parking, especially at peak times, as it can be congested there and we don't want anyone parking on Rt. 9P. It's a great idea, as long as the applicant looks at all of the potentials; it can be good.

Applicant Michael Giovanone said they've had a lot of interest from the regatta parents to rent them as well. This is just an idea at this time.

Chairman Walter Borisenok stated they should put it on their radar to provide the Board information on how it will function, how much space is needed along with parking, traffic flow, lighting and landscaping.

Brian Sipperly said they're not asking for any waivers and they'll use dark sky lighting as well.

Chairman Walter Borisenok stated he appreciates that they pulled the buildings back; he sees no problem with the 14' offset and will give a positive recommendation to the ZBA. Overall, a lot of steps to go through with NYS DEC, NYS DOT, etcetera. Keep the Board in the loop as it moves forward. He suggested they not merge the property at this time. He then stated he was ready to accept a motion to declare the Board as lead agency for SEQR.

Laurie Griffen noted traffic for the lockers would be for seasonal storage, for boats, RVs, sport cars, etcetera, but no boat traffic. Buildings will be the same use as current use.

The Board agreed and Chairman Walter Borisenok said the layout looks fine and again, the Board will send this to the ZBA with a positive recommendation. He then asked the applicant to keep the Board updated.

A motion was made by Laurie Griffen, seconded by Patrick Hanahan, to declare the Town of Saratoga Planning Board lead agency for SEQR for this project. Chairman Walter Borisenok – aye, Laurie Griffen – aye, Patrick Hanahan – aye, Christopher Koval - aye, Joseph Lewandowski – aye, George Olsen - absent, Robert McConnell – absent.

Carried 5 - 0

**Michelle DeGarmo, Flatley Read #24-02
141 Rt. 32 South
Schuylerville, NY 12871
S/B/L 156.-2-27
Location: 124 Hayes Rd.**

Engineer: Garry Robinson, P.E.

Applicant seeks a special use permit to turn the residential property, located at 124 Hayes Rd.,

into professional offices for her business. She also seeks to expand the existing parking to allow 12 additional parking spaces.

Garry Robinson appeared before the Board on behalf of the applicant. He reviewed the property and the proposed use, changing the residential home into business offices, with the potential addition of a conference room for training session purposes. She typically has 10 students or so for training, along with her daily staff of five employees. Offices are open Monday – Friday, no weekends. There's a shallow well which runs at 8 gallons per minute. He said they're looking for 14 parking spaces plus the two spaces in the garage.

Chairman Walter Borisenok questioned the size of the building, number of bathrooms and clarified there's to be no one living there. He also noted the two car garage is only for parking, not additional office space.

Garry Robinson said the house is 1800 sq. ft. and there are two bathrooms.

Zoning Officer/Building Inspector Gil Albert stated they're going to want a conference room in future, let's be realistic.

Town Engineer Ken Martin questioned how many parking spaces are required.

Zoning Officer/Building Inspector Gil Albert stated 18 – 20 for a business and the garage cannot be changed into office space., although they can do an addition to the house for more space, such as a conference room. He questioned the location of the septic.

Garry Robinson responded that Stone Industry was out there.

Town Engineer Ken Martin stated he wants it checked out as it shows, on the submission, less than required. He wants the actual numbers.

Garry Robinson said they'll probably cut trees down.

Chairman Walter Borisenok stated the map shows a dry well and questioned where the parking is located and the distance of it compared to the dry well location.

Garry Robinson responded to the left.

Chairman Walter Borisenok and the Board wants landscaping for buffering and screening so no cars are seen from the road. The Board wants the second driveway and parking area removed. To clarify, the applicant will need to submit a current septic report, revised parking plan, verification of the leach field, buffering shrubs, etcetera. If they can have everything submitted two weeks prior to next month's meeting, we will publish for a public hearing.

Garry Robinson thanked the Board and asked about the neighbor notification list. The Clerk will supply that list for him.

Returning

Old Business: None

New Business: None

A motion was made by Patrick Hanehan, seconded by Laurie Griffen, to adjourn the meeting at 8:03 p.m. Chairman Walter Borisenok – aye, Laurie Griffen – aye, Christopher Koval – aye, Patrick Hanehan – aye, Joseph Lewandowski – aye, Robert McConnell – absent, George Olsen – absent.

Carried 5 - 0

Meeting Adjourned

The next regular meeting will be held Wednesday, February 28, 2024 at 7:00 p.m.

*All submittals must be to the Clerk **no later than 8:45 a.m., February 14, 2024 to be on the next agenda.***

Respectfully submitted,

Linda A. McCabe

Linda A. McCabe

Planning Clerk

Next meeting: January 24, 2024 at 7:00 PM.

~Minutes are not verbatim~