



April 14, 2015

**CITY OF SARATOGA SPRINGS**  
**Comprehensive Plan Workshop**  
**City Council Room**  
**6:00 PM**

**6:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT PERIOD / 15 MINUTES**

**CONSENT AGENDA**

Nothing at this time.

**MAYOR'S DEPARTMENT**

1. Discussion: Comprehensive Plan Workshop #4
2. Discussion: Preliminary City Council Consensus on 53 Possible Amendments

**ACCOUNTS DEPARTMENT**

Nothing at this time.

**FINANCE DEPARTMENT**

Nothing at this time.

**PUBLIC WORKS DEPARTMENT**

Nothing at this time.

**PUBLIC SAFETY DEPARTMENT**

Nothing at this time.

**SUPERVISORS**

**ADJOURN**



April 14, 2015

CITY OF SARATOGA SPRINGS  
Comprehensive Plan Workshop  
City Council Room  
6:00 PM

PRESENT: Joanne Yepsen, Mayor  
Michele Madigan, Commissioner of Finance  
John Franck, Commissioner of Accounts  
Anthony Scirocco, Commissioner of DPW  
Christian Mathiesen, Commissioner of DPS

STAFF PRESENT: Joe Ogden, Deputy Mayor  
Lynn Bachner, Deputy Commissioner, Finance  
Maire Masterson, Deputy Commissioner, Accounts  
Eileen Finneran, Deputy Commissioner, DPS  
  
Brad Birge, Planning Department  
Kate Maynard, Planning Department  
Sue Barden, Planning Department  
Steve Shaw, Building Department

**RECORDING OF PROCEEDING**

The proceedings of this meeting were taped 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.

**CALL TO ORDER**

Mayor Yepsen called the meeting to order at 6:01p.m.

**PUBLIC COMMENT**

**Mayor Yepsen said the public comment period is limited to a total of 15 minutes and individuals are limited to two minutes each according to the rules approved in February of 2004 by the City Council.**

Mayor Yepsen opened the public comment period at 6:01p.m.

Oksana Ludd of 4 Blueberry Way stated although she was part of the Comprehensive Plan Committee she submitted this statement solely as a citizen of Saratoga Springs. At the March 24th meeting she noticed that the Council was referring to Saratoga National and the D'Andrea Family as "Applicants". Calling them Applicants affords them an elevated status. She stated that makes the applicants comments more important than all other comments. It is unfair to afford these considerations to only some people and not all. She asked that all citizens be given the details of the application process, and that all citizens should be able to have their voices heard with regards to the Comprehensive Plan.

Amy Durland of Saratoga Springs since the Comp. Plan process began in 2013 the D'Andrea's and Saratoga National Golf course have made repeated attempts to have their properties removed from the

Conservation District and or to get higher density than are allowed and commercial uses all in the cities "Green Belt". She is asking for the Council to state their position. With regards to the information on the City website it would be helpful if it was put up earlier than just a couple of hours for review.

Bonnie Sellers Saratoga Springs asking if the council can take another look at the photographs. Stating we are an all year round city. There are a lot of summer and winter photos. If council is going to keep the pictures on the cover pages. She asked if winter and summer photos could be used.

Harry Moran Chair of Sustainable Saratoga stated his main point is that this process needs to be wrapped up. In the interest of accommodating two influential property owners we have gotten side tracked. We need to remember that Comprehensive plan is about laying out a plan that reflects the community's broad goals for the future and should not focus on specific projects. Council needs to clearly state their position and move on. Need to protect green spaces.

Tom Newkirk Saratoga National Golf Club after being involved in all of the council meetings pertaining to this issue they have gotten a wide range of feedback and had overwhelming support from the business community and critic from the land conservation groups. They also listened to the concerns for the need to protect the green belt. Our goal was always to find a path through the approval process. To have it evaluated and eventually approved by the appropriate land use boards. The intention was to better serve our customers and visitors with a world class facility to match the reputation of the golf course to match the legacy of Saratoga Springs. They have now revised the plans to remove the 100 unit condominium and focusing on the renovation of the lodge. 350 acres will be preserved with a conservation easement. (Copy of letter attached).

Theresa Capozzola 57 Gilbert Road the comprehensive plan process is not supposed to be a community driven with two land owners with the rest of the community tagging along. So she hopes this is put to rest tonight. She also hopes the resort overlay is not approved. The question people should know as we enter into November do you favor hotels as exit 14. She asked the Mayor do we want to open up the green belt to hotels yes or no.

Peter Tavares Saratoga National Golf Club on behalf of Saratoga National the 10-1 and more recently only the 5-1 supporters that send letters in to the council. I speak on behalf of them as well as in support of the project at Saratoga National.

Mayor Yepsen closed the public comment period at 6:18 p.m.

Mayor Yepsen stated it has been a long haul they do intend to wrap this up tonight. This is the 4<sup>th</sup> workshop and it has been needed. They plan to make this as efficient as possible.

## **MAYOR'S DEPARTMENT**

Discussion: Comprehensive Plan Workshop #4

Discussion: Preliminary City Council Consensus on 53 Possible Amendments

Mayor Yepsen stated this is not a final document and additional edits are welcome.

Commissioner Mathiesen said this is all consistent with the comments we made previously. He sees nothing here that is at all contrary to the sentiments of the council so he would be in support of these.

Commissioner Frank said he has some questions about what was brought up in public comment number 41 through 43. Could the council go into detail to see the reasoning?

Commissioner Madigan said she would like to look at #51 that was left outstanding at the last meeting. It was a recommendation to revise the country overlay map.

### #51 Revise the Country Overlay Map

Brad Birge stated they formatted a cleaned up version of the 53 Amendments hoping that would be less confusing. The second document has all the same wording as the first also includes the original statements as well. You can see the original and then what was proposed.

Item #51 relates to the country overlay map. There were three suggestions that were part of question #53. The City owns a large parcel that borders the lake; that is currently Conservation development district. The suggestion was to incorporate that with the country overlay. The third statement that was suggested was all those properties within the conservation development district should be within the country overlay. Council had discussion about that at last time. We thought that what we heard initially was that would include the Conservation Development District (CDD). All this information is used to make a draft document that will then go out to the public for comments and the council as well. All of these items help us to form a draft this is not a final. It would include the D'Andrea property.

Commissioner Madigan asked if the original #51 was just to do the area on Crescent Avenue adjacent to Lake Lonely.

Brad Birge (PDF presentation was set up for viewing) stated the original suggestion included three statements or suggestions. The first portion is that that is adjacent to Lake Lonely; the second applies to the western shore of Loughberry Lake; and the third was general lands of CDD that should be in the country overlay. He thought that was what he heard the council wanted to go with.

Commissioner Mathiesen stated he thought what they talked about was the country overlay for the land adjacent to the Loughberry Lake and for the land on the plateau described as the D'Andrea property. He thought that they had spoken about both of those being included in the country overlay.

Brad Birge stated the country overlay follows the ridgeline before the plateau begins and parts drop off down into the stream. The plateau portion was not included although all of them are currently in the CDD.

Commissioner Mathiesen asked Brad to explain again what the significance is of the country overlay.

Brad Birge stated it is not a regulatory overlay. It is an overlay that is intended to be more design based rather than prohibiting or allowing specific activity. That would be done either through the Comprehensive Plan map and then subsequently zoning ordinances. Regardless of what happens, there should be a sensitivity to the natural resources that are there on site aesthetic resources. There is a reason because of its nature and location for there to be certain sensitivity however you decide to develop it.

Commissioner Mathiesen asked that's not dictated by zoning and so that can imply to areas that are not necessarily in the conservation development district.

Brad Birge advised that is correct. The overlay includes areas that are not CDD and it includes some specialty gateways and urban residential areas.

Commissioner Madigan stated she was not sure exactly what we are agreeing too. Are we agreeing to the final plan of those three points?

Brad Birge advised the idea is to revise the country overlay map to include areas as CDD to encompass what is referred to as the D'Andrea property and the multiple properties between Crescent and Lake Lonely.

Commissioner Scirocco asked if the Comprehensive Plan Committee have a consensus on this?

Brad Birge stated there was a significant discussion on the value and the merits of retaining the overlay map it was decided that it was an important aspect of the plan and that it did serve a purpose. He didn't recall a discussion on the aesthetic design aspect.

Commissioner Madigan stated she is inclined to be a NO on this one. I'm not going to hold up the comprehensive plan on this.

Mayor Yepsen asked the council if they are in consensus or does anyone feel it should be changed from what we have revised it to.

Commissioner Mathiesen said he continues to be in favor of extending the country overlay district to the parcels that we previously discussed.

Commissioner Scirocco stated that was his discussion as well.

Mayor Yepsen stated she will stick with the preliminary consensus as well.

Brad Birge we will scroll up to #41, #42 and #43 these suggestions all relate to the definition and text that relates to the specialty mixed use parks designation. There are three separate suggestions we looked at those and tried to combine what we thought was the essence of the proper language.

(1) The specialty mixed use Designation allows for low density mixed use commercial uses that focus on maintaining the distinctive rural character of the city and the area adjacent to Spa State Park a national natural landmark property. A couple of incorrect terms were added we were trying to work through some incorrect terms this somehow got in.

(2) Identifies the use not incompletion with the downtown core. There was several discussions as to whether it was appropriate to incorporate the language "but not in competition with" and our understanding was according to your initial consensus that it was not necessary to have that in there.

Brad Birge advised the revised description of #43 is there. They overlap to some extent they wanted to clean up the language to keep what was necessary and take out what was not. There is already a statement about residential uses being appropriate so rather than having that sentence was not fully integrated into it we simply said commercial and residential uses. They took out "but do not compete with" They are trying to determine terminology or term that would profess the vision or goal of this area more accurately than density. Density does not include the mixed use aspect of it. They looked at low to moderate impact or low to moderate intensity. Either of those work and are open to suggestions.

#### #44 & #45 Revise Definition of Specialty Mixed Use - Gateway

Brad Birge stated #44 & #45 are similar in that they relate to the gateway versus the park specialty area. There are two different ones that relate to this. The low to moderate density uses that focus on the distinctive entrance to the city for the commercial gateway is not to foster more intense or dense land use development but to improve the physical appearance and attractiveness of the commercial uses. These uses are primarily commercial in nature and are complementary to the downtown core. The second suggestion relates to the complementary to but not in competition with. They heard the Council say that the second portion was not necessary. Impact is the word they chose.

Mayor Yepsen stated what was recommended during public comment was low to moderate intensity.

Brad Birge stated It's not a density issue because of the mixed use. It's really about the magnitude of potential impact that comes with the intensity of the use intensity or impact of traffic and access and parking and noise and all of those things combined.

Commissioner Madigan stated we should probably have moderate in there.

Mayor Yepsen said she is fine with changing that to intensity.

Brad Birge suggested putting in low to moderate intensity or uses of low to moderate intensity.

Mayor Yepsen agreed.

#48 Revise Future Land Use Map – D’Andrea Property &  
#49 Revise Future Land Use Map – Resort Overlay Zone

Mayor Yepsen stated Tom Newkirk did not get to finish his letter in public comment but stated twice now that Saratoga National would support amendment #49 being withdrawn.

Brad Birge stated what the Council has been wrestling with is whether or not to change a comprehensive plan designation for this bit of land. It’s currently classified as conservation development district. It then evolved into a process if the CDD is kept, can a resort overlay be added in that area. There has been a lot of discussion whether or not that is appropriate and how that impacts the integrity of the conservation development district as a whole. Mr. Newkirk suggested taking this conversion out of the Comprehensive Plan and at some point he will present to City Council a zoning change of some sort. What this does is it takes it off the table for the Comprehensive plan.

Commissioner Mathiesen confirmed they are deciding whether or not the resort overlay zone would be approved as part of the Comprehensive Plan.

Brad Birge stated the current language states you would no longer need to suggest the resort overlay and proceed in another manner.

Commissioner Mathiesen said the party is suggesting that they are no longer interested in the resort overlay district that there really is no reason for the City Council to consider approving that.

Brad Birge stated we are being asked to take it off the table.

Commissioner Madigan stated this is about the #49 proposal. She agreed with one of the speakers this evening they are not an applicant. What needs to be done is form some kind of consensus of what it is being called. If the applicant removed it then we just need to move on.

Mayor Yepsen stated we have never had this were we are actually removing one of the considerations.

Brad Birge stated the Council has every right to remove #49 from consideration within the Comprehensive Plan.

**Commissioner Mathiesen moved and Commissioner Scirocco seconded to remove #49 from the Comprehensive Plan.**

Commissioner Mathiesen said this overlay district was in addition to that zoning mapping. We want to eliminate that part of the Comprehensive Plan. Saratoga National would no longer be part of the revised Comprehensive Plan.

Commissioner Madigan asked if there a big difference between voting to remove and voting no?

Commissioner Scirocco stated his concern is will it come back. If we remove #49 can it come back?

Brad Birge said someone can always come before the council and ask for a Comprehensive Plan change. The Council as the legislative body can rule on that.

Commissioner Madigan said she does not support the resort overlay and voting against the resort overlay concept in the CDD.

Mayor Yepsen stated for the purposes of the Comprehensive Plan we need to consider this. It sounds like we do not want to consider it in the comprehensive plan as written.

**All - Ayes**

#### #48 Revised Future Land Use Map D'Andrea Property

Brad Birge stated current Comprehensive Plan designation includes the area constrained lands, slopes, and wetlands should development occur, a conservation analysis would be done. The property owners wished to develop that in a manner that was above the density threshold than would ordinarily be permitted in the RR district with zoning. They have asked for a change in the Comprehensive Plan designation that would allow for the higher density.

Brad Birge asked the council if they want to maintain the conservation district as it currently stands.

He explained the property owners were originally asking for RN2 which would allow for maximum of 7 units per acre. The Comprehensive Plan allows for a maximum density allowable under the zoning district. They are unable to increase the density without a Comprehensive Plan designation. We don't know what zoning district they wish to have yet or the ultimate number of units they would like to have on the property. They are seeking roughly 50 units.

Mayor Yepsen asked for the purposes of creating a Comprehensive Plan document for the public review what are the options?

Brad Birge said the first question is whether or not to change the current boundaries of the Conservation Development district and the regulations contained within that and residential density. If you are comfortable moving in that direction what is the appropriate designation to change it to.

Commissioner Mathiesen asked what are the options in terms of designations.

Brad Birge said they are asking for an RN1 with a maximum of 1 to 3 1/2 units per acre.

Commissioner Mathiesen asked so that brings it to the 120 units?

Brad Birge said it would be much larger 80 acres and multiply times 3 1/2 that put you well into the 270 range. But again nothing would change till you went to the subsequent zoning to determine what the proper density zoning is within that area. It could be as high as the threshold in the Comprehensive plan or it could be lower.

Commissioner Mathiesen I would also like to mention that anytime in the future anybody can go back to the City Council and ask for a change in the comprehensive plan with a more specific plan.

Brad Birge said as a legislative body you have the authority to change the zoning in the comprehensive plan.

Commissioner Scirocco said if we keep everything as it is right now to preserve the conservation district that option would be on the table they would have to come back the council or the zoning board?

Brad Birge said they can come back at anytime and petition the board.

Commissioner Mathiesen said concern is basically the compromise that they came up with. There doesn't seem to be a specific avenue at this point in time for the City Council to rein them into that kind of density through the comprehensive plan. That would limit them to the concept that they currently have. Is that correct?

Brad Birge stated that was correct.

Mayor Yepsen said so we need to decide if we want to change the boundaries of the district.

Commissioner Mathiesen said would be better to finish the comprehensive plan now and give the people who want to work with that parcel the opportunity to come back to the City Council if they want to make alterations to the plan.

Commissioner Scirocco said he agrees with Commissioner Mathiesen. The land out there should be left as it currently is.

Commissioner Mathiesen said also we should not be in a hurry to allow much more development on the plateau until we are able to provide better fire and EMS.

Commissioner Madigan said we have spent way too much time on #48 and #49. I'm not inclined to be making changes. This project is welcome to come back and ask for a change in the comprehensive plan. am not inclined to go down this path for either of these proposals.

Commissioner Franck stated the land was purchased knowing how it was zoned. He felt this was a fair compromise. The D'Andreas can sell the parcel tomorrow and the new owners could put in 270 units. Things were changed after the fact.

**Commissioner Mathiesen made a motion and Commissioner Scirocco seconded the motion to not approve the revision of the future land use map for the D'Andrea parcel.**

**All - Ayes**

Mayor Yepsen thanked Brad Birge and his staff for all their hard work on these items.

Brad Birge I will have an updated draft document for the council to review before the May 5<sup>th</sup> council meeting.

Mayor Yepsen said she will set a public hearing for this at the next council meeting on May 5<sup>th</sup>.

### **ADJOURNMENT**

There being no further business, Mayor Yepsen adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Margaret LoPresti  
Clerk

Approved:  
Vote: