



Jean Loewenstein – Co-Chairperson
John Viola – Co-Chairperson
Ronald Bormann
Stephen Grandeau
Dwight Havens
Kyle Kordich
Frank Mazza
William Smith (alt)
Leejun Taylor (alt)

Town of Malta

Planning Board

2540 Route 9
Malta, NY 12020
(518) 899-2685
Fax: (518) 899-4719

Jaime L. O'Neill – Building & Planning Coordinator
Floria Huizinga – Planner
Adrian M. Cattell – Planner
David E. Jaeger, Jr. – Planning Technician & Board Secretary
Mark Schachner – Legal Counsel
Leah Everhart – Legal Counsel

Meeting Minutes for May 24, 2023

The Town of Malta Planning Board held its regular meeting on Wednesday, May 24, 2023 at 6:30 p.m. at the Malta Town Hall, with Co-Chairperson, John Viola presiding:

Present:

William Smith
Dwight Havens
Frank Mazza
Jean Loewenstein
John Viola
Ronald Bormann

Absent:

Leejun Taylor
Kyle Kordich
Stephen Grandeau

Correspondence: All correspondence is on file.

Co-Chairperson Viola read the following agenda into the minutes:

Project #	Project Name	Project Type
23-04	Cobble Pond Farms (Concept)	Site Plan Amendment
23-10	Keystone Novelties	Site Plan
21-16	Mountain View Meadows Estates (Major Subdivision)	Extension of Approval
23-06	10 Hermes Road	Site Plan Amendment
23-09	Charlie's Stay and Play	Site Plan
23-09A	Charlie's Stay and Play	Special Use Permit

Chairperson Viola appointed William Smith as a full member.

23-04, Cobble Pond Farms, Site Plan Amendment (Concept)

Lauren Simons, VP of GRJH, Inc. presented for Cobble Pond Farms. Simons stated that the applicant wanted to replace the existing 34'x100' diesel island canopy with a smaller one of the same design that is 34'x24' in size.

Adrian Cattell commented for the Planning Department. Cattell noted that the proposal was a Site Plan Amendment, that the property was zoned C-5, and that current use was pre-existing non-conforming. Cattell also noted that Code Enforcement believed the use was acceptable to continue as such with the proposed renovations. Cattell noted that the site was in an archeologically sensitive area and that a Letter of No Impact had been received from The Office of Parks, Recreation, and Historic Preservation.

Cattell informed the Board that truck access to the site was via an easement over the neighboring property to the West. Cattell also noted that the Fire Apparatus Turning Radii information and the Erosion and Sediment Control Plan (E&SC) were yet to be reviewed by Engineering and that an owner authorization form was still needed regarding the neighboring property and continued use of the easement area.

Cattell asked Simons if the fire lane would be painted as shown on the plans.

Simons said yes.

Reuben Hull of LaBella Engineering commented, he confirmed Cattell's comments about needing to review the Fire Access and E&SC Plan as well as noting that he wanted Code Enforcement to confirm that the proximity of buildings to fuel storage would meet building and fire code.

Hull also asked Simons if there would be any changes to the current fuel storage for the site and wanted Simons to make sure that the applicant look into any possible NYS requirements that may need to be adhered to for building permits with regards to fuel storage.

Simons stated that there would be no changes to the current fuel storage and that the applicant would make sure they followed all requirements that needed to be met.

BOARD DISCUSSION

Loewenstein asked Cattell if correspondence from OPRHP had been received.

Cattell said yes.

Loewenstein also asked if the fire lane would be painted on the site.

Simons said yes.

Mazza asked the applicant if the new fuel canopy would be smaller than the current one.

Simons said yes, and that there would be two pumps with two fueling points for a total of 4 (four) fueling points.

Viola asked Cattell if the easement documentation had been received by Planning.

Cattell said that they were on file and appeared to be accurate according to their description.

Simons asked the Board if they could waive the owner authorization requirement for the continued use of the access easement.

Everhart asked if the applicant would be willing to inform the neighboring owner in writing about the onsite change.

Simons said yes.

Everhart asked Cattell about the OPRHP letter and what effect it would have on a SEQRA determination.

Cattell stated that Planning felt the project would be consistent with the Supplemental Town-Wide GEIS and Statement of Findings since OPRHP stated there was no impact onsite and that disturbance to the site had already occurred for the initial

fuel canopy.

Loewenstein asked Cattell if SEQRA could be acted upon with the OPRHP letter.

Cattell said yes.

Resolution #2023 – 12
SEQRA

MOTION by Jean Loewenstein **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May, 2023 determines that Project #23-04, Cobble Pond Farms, Site Plan Amendment is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

Loewenstein asked Cattell to clarify the outstanding Engineering comments.

Cattell stated that Planning wanted the Fire Apparatus Turning Radii comment to be addressed and for the E&SC Plan to be reviewed.

Hull added that he wanted Code Enforcement to ensure that all fire codes were adhered to in the construction of the new fueling canopy.

Resolution #2023 – 13

MOTION by Jean Loewenstein **SECONDED** by Frank Mazza to resolve that the Malta Planning Board on the 24th day of May, approves Project #23-04, Cobble Pond Farms, Site Plan Amendment, with the following conditions:

1. That the Erosion & Sediment Control plan be reviewed and approved by the Town Designated Engineer.
2. That the applicant provides proof of notice to the owner of neighboring property for the continued use of the easement.
3. That the Town Designated Engineer review and approve the fire truck turning plan.
4. That the applicant conform to NYS Building and Fire Code, to be verified by Code Enforcement.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

23-10, Keystone Novelties, Site Plan

Ed McMahon presented for Keystone. McMahon stated for the Board that all materials for the proposed use had been received by the Planning Department and that he was before the Board to answer any questions or concerns.

Huizinga presented for the Planning Department. Huizinga noted that other Firework Tent Site Plans had been received by Planning in the past and that the Keystone submission was similar to those. Huizinga noted that the proposed site is located at 2370 US Route 9, adjacent Taddeo Drive, and that the site would be active for 10 days, June 22 to July 5. The site will operate in accordance to NYS Law, town code and NYS fire code. Huizinga also noted that fireworks sales were not a listed use in the

Town Code; however were allowed in 2014 by NYS, and that Malta had opted in to allowing fireworks sales in town with all sites requiring Site Plan approval by the Planning Board.

Huizinga asked the applicant to consult with Code Enforcement regarding required permits for the tent, storage container and signage.

McMahon stated that he would check with Code Enforcement and that there would be significant signage for parking to ensure safety.

Engineering had no comments.

BOARD DISCUSSION

Loewenstein asked McMahon to detail the parking for the site.

McMahon stated that as customers entered the site, there would be parking to the left, next to the tent and adjacent to the existing building, with a total of 10 parking spaces.

Bormann asked McMahon what kind of lighting would be used onsite.

McMahon stated there would lighting onsite powered by a generator.

Mazza asked if there would be NO PARKING signs on Route 9.

McMahon said yes.

Resolution #2023 – 14 SEQRA

MOTION by Jean Loewenstein **SECONDED** by Frank Mazza to resolve that the Malta Planning Board on the 24th day of May, 2023 determines that Project #23-10, Keystone Novelties, Site Plan is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

Resolution #2023 – 15

MOTION by Frank Mazza **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May 2023 approves Project #23-10, Keystone Novelties, Site Plan, as presented:

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – NO
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 5-1

21-16, Mountain View Estates, Major Subdivision (Extension of Approval)

Scott Lansing presented on behalf of the applicant.

Lansing noted that the project was originally approved on January 24, 2023. Since that time, Lansing noted that the Conservation Easement was approved by the Town Board, and water and sewer had been approved by the Clifton Park Water Authority and the Saratoga County Sewer District. Lansing also noted that approval from the NYSDOH needed to be obtained and that he was waiting on NYSDEC approval for water and sewer.

Lansing stated that he felt the final approvals required for the project would arrive soon and asked for a 90 day extension of approval for the project.

Huizinga presented for the Planning Department. Huizinga noted that if a 90 day extension of approval were granted, it would extend the current approval expiration date until September 22, 2023. Huizinga also noted for the Board that the Conservation Easement for the project was approved by the Town Board on May 1, 2023 and that Planning staff was working on completing the required Baseline Documentation Report for the Conservation Easement.

Loewenstein asked Huizinga if the applicant would need to return to the Board if they needed an additional extension.

Huizinga said they would need to be on the August 25, 2023 agenda if an additional extension of approval was needed.

Hull asked Lansing when onsite earthwork would begin.

Lansing stated that he wasn't sure but felt that work would begin in 2024.

BOARD DISCUSSION

No comments from the Board

Resolution #2023 – 16

MOTION by Ronald Bormann **SECONDED** by William Smith to resolve that the Malta Planning Board on the 24th day of May, 2023 approves Project #21-16, Mountain View Meadows Estates, Major Subdivision (Extension of Approval), for 90 days beyond the present deadline of June 24, 2023 to September 22, 2023.

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

23-06, 10 Hermes Road, Site Plan Amendment

Lansing presented for G&G Industrial Lighting (Hermes Development LLC).

Lansing noted that the site is 5.59 acres, and that the existing onsite facility would be utilized with a proposed 12,000 SF addition. Lansing also noted that the onsite tower that is attached to the existing structure would be demolished and the addition would be constructed in its place.

Lansing stated that there would be additional paving completed onsite for better truck access and that parking would be used with no change. Lansing noted that there were currently 103 parking spaces onsite with 22 banked. Lansing felt that no new parking would be needed for the site.

Lansing noted that an Erosion and Sediment Control plan had been created with onsite underground stormwater management and that the facility would be serviced by public utilities. Lansing stated that the existing facility was sprinkled and that the addition would be as well. Lansing also noted that preliminary final engineering had been prepared for the project by his firm and asked the Board for an exception on the Town's lighting requirements of 0.0 foot-candles (fc) at property line since the existing outdoor lighting created 0.4 fc at property line, and since the applicant would like to utilize the existing lighting.

Viola asked Lansing how far the existing lighting was from the road.

Lansing stated that it was approximately 160 feet from the road.

Viola also asked what the tower was used for.

The applicant stated that it was a light duty warehouse structure that was unused since the 1970s.

Huizinga stated for the Board that the existing lighting was acceptable. Huizinga noted that new lighting must meet the current Town code lighting standards. If the applicant were to make repairs or upgrade the old lighting, replacements should be LED lighting with a maximum of 3000K in temperature to allow for softer lighting and that lighting most likely would not extend past the property line.

Huizinga also asked the applicant to include, on the final site plan, a note indicating which 22 parking spots will be banked.

Huizinga also noted that a Lot Line Adjustment application was submitted and administratively approved on 5/16/2023 by Planning. Huizinga stated that she wanted the Board to make a condition of approval that the lot line adjustment map be filed and filing receipt be provided prior to the final site plans being signed. Huizinga noted that the applicant would own the neighboring property (30 Hermes Rd) and that they would need to provide correspondence to her that grading/soil disturbance would spill over onto the adjacent property.

Reuben Hull of LaBella Associates recommended that the waiver regarding site lighting was unnecessary in his opinion but would support it if the Board felt it was necessary.

Huizinga noted that Malta Ridge Fire Department has no concerns about the project.

BOARD DISCUSSION

Everhart asked Huizinga to detail her SEQRA recommendations.

Huizinga recommended that since SEQRA had previously been completed for the NYSEDA project and that, the proposed site plan amendment would be consistent with prior SEQRA determination and the Town-Wide GEIS and Statement of Findings.

Everhart recommended that the SEQRA Resolution not note the prior SEQRA determination and to focus on the GEIS and Statement of Findings.

Resolution #2023 – 17 SEQRA

MOTION by Jean Loewenstein **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May, 2023 determines that Project #23-06, 10 Hermes Road, Site Plan Amendment is consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

Resolution #2023 – 18

MOTION by Dwight Havens **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May, 2023 approves Project #23-06, 10 Hermes Road, Site Plan Amendment, with the following conditions:

1. That the approved Lot Line Adjustment be filed with the County Clerk.

2. That the extra 22 parking spaces be shown as banked on the final Site Plan.
3. That the applicant show proof that they have landowner permission to create soil spillage onto the neighboring property created by temporary grading.
4. That the applicant address the 5.17.23 LaBella Associates comment letter.

Ronald Bormann - YES
Frank Mazza - YES
Dwight Havens - YES
William Smith - YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

23-09, Charlie's Stay and Play, Site Plan

Matt Brobston of The LA Group presented on behalf of the applicant. Brobston noted that the project was a second draft of an initial design in a different location. Brobston also noted that the proposed location included an existing dog daycare facility.

Brobston stated that the new facility would require a Lot Line Adjustment (LLA) for its proposed location at the rear of the property and that ultimately a road would be constructed on the property by the owner (Stewart's). Brobston felt the LLA would be the best way to construct the project and allow for the future road. Brobston noted that he was presenting to request a Special Use Permit (SUP) since the proposed facility would be mixed use with an accessory dwelling unit (ADU) for an employee for the overnight care of dogs.

Brobston noted that a DOT highway work permit would be needed because the applicant plans to remove one of the two onsite curb cuts and use the remaining Northern entrance to the property.

Brobston noted that the new construction would be at the very back of the property. It would feature a 12,000 SF building, 31 parking spots, a grooming and vet facility onsite as well as an accessory dwelling unit. Brobston also noted that the Northern entrance to the building would be for daycare, with the grooming and vet facility serviced by the central entrance. Brobston also stated that a separate Southern entrance would be for the ADU. Brobston noted that to the rear of the facility there would be play yards for dogs with shaded areas and a play pool.

Brobston noted that Fire access radii were included with the submitted plan, as well as a grading plan for construction access.

Brobston also noted that due to the sandy soils onsite, infiltration would be used for majority of stormwater management with a basin for the facility on the Western side of the site. Brobston also noted that a lighting and utility plan was included, denoting light spillage and the large septic design for the site needed for the large number of dog kennels onsite. Water would be provided for the site via well, and the building would be sprinkled with water provided by onsite storage tank.

Randy Kelley of Balzer Tuck Architecture described the interior layout of the facility.

Viola asked where the ADU would be.

Kelley stated it was on the Southern side of the bldg.

Brobston noted that most Engineering comments had been addressed at that time and that any others would be answered going forward.

Viola asked Brobston to clarify the fact that the status of the site property.

Brobston detailed how the Lot Line Adjustment (LLA) would create the proposed site out of two existing sites. He also noted that an LLC would be created by Stewart's and Charlie's Stay and Play (CS&P) that would provide specific rights to each partner. The created lot would be leased to CS&P with the entire property being owned by the LLC. Brobston noted that the final entrance to the site would be an access easement for CS&P that would be built as a Town road. This road would be on Stewart's property in the interim. Once the remaining property was developed, the LLC between Stewart's and CS&P would dissolve and the site for CS&P would be sold to CS&P with an entrance to their site on a Town road.

Everhart clarified Brobston's description for the Board.

Huizinga stated for the Board that the Stewart's PDD required Stewart's to build a future Town road for further development.

Huizinga noted that the LLA was necessary for CS&P to eventually have road frontage when they own the proposed parcel.

Everhart asked if an owner authorization had been signed by Stewart's

Huizinga said yes.

Everhart asked if the LLC would be formed and if the conveyance of land would occur during the project review process.

Brobston stated that if Site Plan and Special Use Permit approval were obtained, the LLA could be administratively approved by Planning and the LLC would then be created.

Everhart recommended that a member of the LLC submit written authorization of unanimous consent to the project review process proceeding once SP and SUP approval were granted.

Brobston agreed to this.

Hull stated for the Board that the initial access for the site would be a driveway that would exist during the lifespan of the LLC between Stewart's and CS&P. The length of this driveway that would lead to the eventual CS&P parcel would be rebuilt to Town standards as an official road. CS&P would then have a shorter driveway on their property that would exit onto an official Town road.

Huizinga stated for the Board that the project required Site Plan and Special Use Permit approval. Huizinga also noted that a LLA would be needed, and that an updated survey was needed to be submitted for the LLA to be filed. Huizinga wanted the final Site Plan to include the final lot configuration.

Huizinga noted that the proposed building is 1200+ feet from road and wanted the driveway designed to NYS Fire Code.

Huizinga also noted that the Malta Ridge Fire Department was comfortable with building design since it would be sprinkled.

Huizinga also stated that traffic assessment correspondence had been submitted to LaBella and that proposed signage would need to be submitted as a building permit application.

Huizinga stated for the Board that she made suggestions for the Board in making their decision regarding Special Use Permit approval, and that Code enforcement and Planning had determined the ADU was permitted for employee use to provide 24 hour care of the animals.

Hull noted that his comments related to utilities. Hull wanted well flow tests and noted his comment letter had recommendations on the design for the onsite septic. The septic system would need NYSDOH approval. Hull also noted that he wanted traffic calculations based on each individual use for the site calculated and then totaled to provide a more accurate idea of what traffic there would actually be onsite.

BOARD DISCUSSION

Loewenstein asked if Brobston had any maps showing the entire site after the proposed LLA.

Brobston stated that he did not have anything at that time but would look for one, but noted that planning staff comments had an image of the entire site.

Loewenstein asked if the current Mahogany Ridge facility was in use, how many dogs were in that facility, and how many would be in the new facility.

Brobston stated that there were currently 15 dogs in the existing facility. Brobston also stated that when the new facility was completed, there would be 30 dogs onsite.

Loewenstein was concerned with the number of proposed parking spaces onsite, she asked if there would be enough given the uses of the facility.

Brobston stated that 31 spaces was enough since the facility would be geared towards “drop-offs” and “pick-ups” and since the design exceeded the required 18 parking spaces for the facility.

Loewenstein also asked how far the proposed facility was from existing homeowners.

Brobston stated that the closest residence to the proposed facility was approximately 870 feet to the South.

Havens asked how the size of the fire prevention system was designed.

Brobston stated it was designed by Northeast Fire Prevention and that the size was calculated by them.

Havens asked how far away the nearest water supply was after the onsite 12,000 gallon storage tank.

Brobston noted that the nearest water source beyond the tank was the nearby Malta Ridge Fire Department to the South. Mazza asked if the property would be hooked up to public water once the remainder of the property was developed and water service was extended to the property.

Brobston stated that this was the intention of the applicant.

Smith asked how the applicant planned to provide enough water.

Brobston stated that the proposed well would be sufficient according to their calculations and that a second well would be drilled if one well was not enough. Brobston also stated that a well data report would be needed to determine its ability.

Hull clarified for the Board that the sprinklers for the building would not be drawing water from the well itself when they were running, but from the onsite holding tank that would be supplied by the onsite well.

Smith asked if fire apparatus would be able to successfully access the site and requested pull offs to be created for additional trucks to provide support until the full Town road was completed.

Brobston said yes and that if pull offs were required they would be incorporated into the design.

Everhart asked Brobston to ensure that any time frame applicable to action related to the Site Plan (SP) be waived so that the Board would hold the Site Plan in abeyance with the Special Use Permit (SUP).

Brobston agreed to this and stated that it was the applicant’s intention to do so.

Resolution #2023 – 19
SEQRA

MOTION by Jean Loewenstein **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May, 2023 determines that Project #23-09 & Project #23-09A, Charlie’s Stay and Play, Site Plan and Special Use Permit are consistent with the Supplemental Town Wide GEIS and Statement of Findings and therefore no further SEQRA review is required.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola - YES

Motion CARRIED 6-0

Loewenstein asked Hull if his request to include updated traffic numbers based on the combined number of onsite uses was something that would be difficult for the applicant to obtain and if it would change the layout of the design of the project.

Hull stated that his request wouldn’t change the layout of the design, but would change the conclusion of the feasibility of the

design itself. Hull did not feel that the request would significantly change the feasibility of the design.

Resolution #2023 – 20

MOTION by Jean Loewenstein **SECONDED** by Ronald Bormann to resolve that the Malta Planning Board on the 24th day of May, 2023 approves Project #23-09 Charlie's Stay and Play, Site Plan, with the following conditions:

1. That the applicant address the 5.22.23 LaBella comment letter.
2. That the onsite Accessory Dwelling Unit be restricted in writing to Employee use ONLY.
3. Approval and filing of the Lot Line Adjustment documentation.
4. That the driveway incorporate bump outs for multiple emergency vehicles to access the site.

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola – YES

Motion CARRIED 6-0

23-09A, Charlie's Stay and Play, Special Use Permit

Public Hearing

Matt Brobston of The LA Group presented on behalf of the applicant.

Public Hearing

Viola opened the Public Hearing at 8:10.

Everhart asked the Board if they felt they were ready to move forward with project approval in the concern that the Public Hearing should remain open in case the Board were not ready to move forward.

The Board felt comfortable moving forward with SUP approval.

There were no comments from the public.

Viola closed the Public Hearing at 8:14.

SPECIAL USE PERMIT CRITERIA. The Board reviewed the criteria.

1. Is the use listed as a permitted special use in the appropriate zoning district?

C-8 zoning identifies Mixed Use as specially permitted use. The proposed uses (pet daycare/boarding, pet grooming, animal hospital (veterinary) are permitted uses in the C-8 Zone. The minimum lot size required in the C-8 zone is 80,000 sf with 200 ft. of road frontage. The parcel will meet these standards upon finalization of the lot line adjustment.

2. Conforms to the standards and design requirements specified in the Code and the Master Plan for that particular zone.

The proposed use will be compliant with the standards and design requirements of the C-8 Zone, Comprehensive Master Plan, and Commercial Corridor Design Standards & Guidelines.

3. Will not have an undue adverse effect upon adjacent property, the character of the neighborhood and surrounding areas, traffic conditions, parking, utility facilities, or other matters affecting the public health, safety, welfare or convenience of the public.

The project will not have an undue adverse impact on the neighborhood. The site is a redevelopment of an existing pet daycare/boarding facility (Mahogany Ridge Dog Daycare). Mixed use is consistent with the Master Plan Neighborhood 12, Route 9 North update.

5. Will not create operations or uses that will be considered objectionable to nearby properties by reason of noise, fumes, vibrations, illumination or other outward effects on others in the zone.

The proposed use should not create any objectionable operations. The proposed use/project will utilize a new 11,800 sf building to accommodate the dog daycare/boarding facility. The facility will be staffed 24/7. An accessory unit, located within the building, will be for staff use only. Staffing is required on site 24/7 for care of the animals and facility.

5. Complies with any other requirements within the zone.

Yes. If granted the proposed special use will comply of municipal requirements within the C8 zone, including site plan approval and administrative lot line adjustment approval.

6. Will be in harmony and promote the general purpose and intent of the Master Plan.

Yes. Neighborhood 12 vision for this Corridor is to establish or promote redevelopment of highway commercial, office and other uses....and which would not likely directly compete with established uses in the core Downtown area.

7. Will not adversely affect the short-term and long-term cumulative impacts on the environment.

The proposed mixed use building will not adversely affect the environment.

8. Will be able to mitigate to the satisfaction of the Board any adverse or irreversible impacts on the environment, including any growth-inducing aspects of the proposed use.

The project will manage stormwater and waste water on site. The project is subject to Town mitigation fees such as traffic, open space and GEIS.

9. Will not adversely affect unique and irreplaceable assets or resources of the area.

The proposed uses will not adversely affect any unique or irreplaceable assets or resources of the area.

10. Will be serviced adequately (as determined by the Board) by essential public facilities and services, including, but not limited to, highways, streets, parking spaces, public transportation, police, ambulance and fire protection, drainage structures, solid waste management and refuse disposal, water and sewers, groundwater protection, schools, energy conservation, as well as any other additional services as the Board deems appropriate.

Yes. The proposed uses/site plan provides adequate essential facilities and services; sufficient parking, private water (well) and sewer (septic) and stormwater management will service the project.

Resolution #2023 – 21

MOTION by Ronald Bormann **SECONDED** by Frank Mazza to resolve that the Malta Planning Board on the 24th day of May, 2023 approves Project #23-09A, Charlie's Stay and Play, Special Use Permit, as presented:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES
Jean Loewenstein - YES
John Viola – YES

Motion CARRIED 6-0

Planning Board Business

MOTION by William Smith **SECONDED** by Dwight Havens to accept the March 28, 2023 minutes.

VOTE:

Ronald Bormann - YES
Frank Mazza – YES
Dwight Havens – YES
William Smith – YES

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Jean Loewenstein - YES

John Viola – ABSTAIN

Motion CARRIED with 5 YES and one ABSTENSION

Frank Mazza **MOTIONED** to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of the Planning Board, **SECONDED** by Jean Loewenstein, motion carried unanimously at 8:30 PM.

Respectfully submitted by,

David E. Jaeger, Jr.

Planning Board Secretary

Planning Technician