

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: July 30, 2014

Present: Richard Doyle, Chairman
Jeffrey Cwalinski
Josephine Cristy
Derek Hayden
John VanVorst
James DiPasquale, 1st Alternate
Thomas Johnson, Building
Inspector
Kathryn Serra, Town Engineer
Peter Reilly, Planning Board
Attorney
Members of General Public

Chairman Doyle called the July 30, 2014 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Chairman Doyle asked for corrections to the June 25, 2014 minutes. Mr. Hayden submitted minor grammatical changes.

MOTION: Mr. Cwalinski made a motion to accept the June 25, 2014 minutes as amended. Mr. Hayden seconded the motion and all present voted in favor.

CARRIED.

OLD BUSINESS:

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Dolomite Products Inc., Curtis Industrial Park (Site Plan Review) Stephanie Ferradino, Esq. and Adam Schultz with Couch White, LLC and Donald Fletcher with Barton & Loguidice were present on behalf on the applicant.

Ms. Ferradino stated the original site plan was filed on June 6, 2011. In response to this boards issuance of a Positive Declaration, a DEIS was submitted initially on June 27, 2013. The board then had 45 days to determine in which the DEIS was competed or incomplete. The town board, town engineer and the pubic all had comments on the initial DEIS which was deemed incomplete August 7, 2013. In response to the comments from this board, town attorney and the public, the applicant revised the DEIS and submitted 309 days ago on September 24, 2013. Ms. Ferradino said 14 copies of the revised materials including the CD were delivered to town hall on September 24, 2013. A member of Building and Planning signed for the materials.

Shortly after filing the revised DEIS, the town board passed a new Local Law which rezoned the property. On July 3, 2014, the Judge rendered a decision invalidating that Local Law in response to a law suit filed by Couch White, LLC claiming that it was improperly passed. The Judge declared that Law null and void.

Ms. Ferradino would request the board do the following;

- Deem the DEIS complete.

The SEQR provisions set forth at § 617.9 (a) (2) (b) provide and require a determination of completeness within 30 days of receipt of a resubmitted draft document.

The town should also prepare, file and publish a notice of completion consistent with that document and decide when public comment will occur and if there will be a public hearing and ask the board to take this action this evening.

Chairman Doyle said, "The board would be ready before the next planning board meeting and to request to be placed on the next meeting."

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Mr. Schultz said the letter dated, April 2, 2014 from Peter Reilly, Esq. that it was noted that Local Law 3-2013 was subsequently “tossed out” by the court and was not effective until October 24, 2013.

Mr. Reilly said the Town Council passed within days of the applicant submitted the revised DEIS. The board needs additional time to review. Mr. Schultz said if there are any questions or comments, will respond as quickly as possible.

Chairman Doyle said the board will work diligently and discuss at the next meeting.

Ms. Ferradino asked about receiving C. T. Male’s comments prior to the next meeting. Chairman Doyle said the board needs to review. Mr. Schultz said if there are comments, wanted to respond in a timely manner. Ms. Ferradino said this was consistent with the towns practice in the past.

Mr. Hayden asked if Notice of Entry was served. Mr. Schultz said, “Yes it has been served.” Mr. Hayden asked if contact was made to the Town Attorney and if the town will appeal. Mr. Schultz said it would be better to ask Mr. Walsh. Mr. Hayden said, if the town were to appeal, would affect would it have on the ruling and new law. Ms. Ferradino said, “You don’t want to be asking us for legal advice.”

Mr. Reilly said when the town files a Notice of Appeal, will look into that issue. Mr. Hayden asked if the April 2, 2014 letter was from Mr. Wash or Mr. Reilly – did not receive a copy of the letter.

Ms. Ferradino asked the date of the next meeting and Mr. Schultz made the request to be placed on the agenda. Chairman Doyle, “Said two weeks prior to said meeting.”

**Heritage Development Holdings, Timber Creek Phase IV, Ballston Lake, NY
12019 (Major Subdivision/PUDD (143-lots)). Jason Dell, P.E., CPESC, CPSWQ with**

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Lansing Engineering, PC was present of behalf of the applicant Geoff Brooks for the Abele Wood Subdivision located on Benedict Road and East Line Road Mr. Dell said Abele Woods formerly known as Timber Creek Phase IV encompasses four parcels totaling 96 acres. Based on the comments from the last meeting, the density has been decreased. The project will now include 129 single-family residences, 24 twin-town homes and 16 multi-family dwellings.

The applicant was before the board last month and presented and supplied all the materials to the board and C. T. Male for the SEQRA review and went through the items submitted.

Subsequent to last month's meeting, responded to the outstanding comments from C. T. Male in a detailed response letter and a slightly revised plan relative to the community center and park areas.

The applicant is here to ask the board to issue a Negative Declaration for the project.

Mr. Cwalinski said at the last meeting as questions was asked about trails and is not in favor of trails and feels trails present a security concern to the residents.

Mr. Brooks said currently there are 80 acres of nature preserve has currently two miles of trails that dead ends at the Abele Woods parcel to be extended to this parcel. Mr. Brooks said security is addressed in the HOA – proper signage, entrances and barriers.

Robert Sweeney, Esq. with Whiteman, Osterman & Hanna, LLP said the applicant is here for a Negative Declaration and this project will go to the Town Board to vote on the Planned Unit District Development (PUDD) and then back to the Planning Board for Site Plan Review. If there are details relating to issues like that relative to environmental significance, the board will have an opportunity to discuss during Site Plan Review. This is strictly for Negative Declaration under SEQRA.

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SEQRA RESOLUTION #1

**TOWN OF BALLSTON PLANNING BOARD
ABELE WOODS SUBDIVISION
JUNE 25, 2014**

MOTION TO ADOPT PARTS 2 AND 3 OF THE FULL ENVIRONMENTAL ASSESSMENT FORM

The Town of Ballston Planning Board hereby makes the following resolution:

WHEREAS, the applicant, Heritage Development Holdings (the “Applicant”) submitted an application (as amended through July 8, 2014), conceptual layout plan and narrative, and Full Environmental Assessment Form (“EAF”) seeking subdivision approval and rezoning to Planned Unit Development for the Abele Woods residential subdivision, located along Benedict Road and Longkill Road in the Town of Ballston; and

WHEREAS, the overall project area for the development includes approximately 96.16-acres and is comprised of four (4) parcels (tax map numbers 249.-3-22, 249-3-23, 249-3-33, and 249-3-25); and

WHEREAS, the project originally proposed 276 residential units, which has been reduced through project changes to 213 units consisting of single-family residences, townhouses, and apartment units and a community center and associated infrastructure to support the uses (the “Project”);

WHEREAS, the Project is a Type 1 action pursuant to SEQRA; and

WHEREAS, in January, 2014, the Town of Ballston Planning Board (“Planning Board”) declared its intent to act as SEQRA Lead Agency, and a notice was circulated to all the involved and interested agencies, and thereafter without objection, the Planning Board became the SEQRA Lead Agency for the Project; and

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WHEREAS, the environmental review of the Project included review of the following documents submitted by the Applicant:

- Major Subdivision Application, Project Narrative and Long Environmental Assessment Form, as amended.
- Traffic Impact Study for “Proposed Benedict Road and Round Lake Road PUDD,” prepared by Greenman-Pedersen, Inc., dated January 2010.
- Traffic Memorandum prepared by Greenman -Pedersen, Inc., dated January 31, 2014.
- Traffic Memorandum prepared by Greenman -Pedersen, Inc., dated June 9, 2014.
- Conceptual Layout Plan entitled “Timber Creek Preserve Phase IV,” prepared by Lansing Engineering, last revised February 12, 2014.
- Conceptual Stormwater Management Basin Analysis and Plan, prepared by Lansing Engineering, dated February 12, 2014.
- Conceptual Wetland Mitigation Area Plan and Wetland Crossing Plan, prepared by Lansing Engineering, dated February 12, 2014.
- Waters of the U.S. Map, prepared by Gilbert VanGuilder Land Surveyor, PLLC, dated May 13, 2009.
- Comment response letter, prepared by Lansing Engineering, dated February 12, 2014, in response to C.T. Male’s January 9, 2014 comment letter.
- Threatened and Endangered Species Letter from NYSDEC dated May 1, 2013.
- Freshwater Wetlands Validation Letter from NYSDEC dated December 11, 2013.
- Field Reconnaissance Report, prepared by Benchmark Forest & Land Management, dated January 2014.
- Lumac Company Letter regarding logging, dated February 7, 2014.
- Abele Builders Letter regarding logging, dated February 4, 2014.
- Undated Vernal pool letter from Gilbert VanGuilder.
- Phase I & II Archeological Investigations Report from Hartgen Archeological Associates, Inc., dated February 2014.
- Phase III Data Retrieval Plan from Hartgen Archeological Associates, Inc., dated June 2014.

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- Lansing Engineering Response letters, dated June 11, 2014 (two letters).
- Lansing Engineering Water Report, dated June 11, 2014.
- Lansing Engineering Sewer Report, dated June 11, 2014.
- North Country Ecological Services, Inc. Wildlife Report, dated June 9, 2014.
- Gilbert VanGuilder Land Surveyors, PLLC Response letter, dated June 11, 2014.
- Gilbert VanGuilder Land Surveyors, PLLC Response letter, dated June 10, 2014.
- Lansing Engineering Green Infrastructure Report, dated June 11, 2014.
- Lansing Engineering Stormwater Management Concept Report, dated June 11, 2014.
- Rendering Conceptual Layout Plan, Abele Woods Residential Subdivision Plan, prepared by Lansing Engineering, dated June 11, 2014.
- Conceptual Layout Plan, Abele Woods Residential Subdivision Plan, prepared by Lansing Engineering, dated June 11, 2014.
- Wetland Crossing Conceptual Plan, prepared by Lansing Engineering, dated June 11, 2014.
- Wetland Mitigation Plan, prepared by Lansing Engineering, dated June 11, 2014.
- Lansing Engineering Response letter, dated July 8, 2014.

WHEREAS, on January 22, 2014, February 26, 2014 and June 25, 2014, the Applicant presented the application and reports to the Planning Board; and

WHEREAS, the Planning Board retained the services of an expert engineering planning consultant, C.T. Male Associates (“CT Male”), to review the documentation and advise and assist the Planning Board with its environmental review of the Project; and

WHEREAS, CT Male comprehensively reviewed the Project and its potential environmental impacts and issued comment letters dated February 24, 2014, March 7, 2014, and June 24, 2014; and

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WHEREAS, the Planning Board has received and considered correspondence from the public, specifically David and Susan Gibson regarding the Project; and

WHEREAS, the Planning Board has considered comment letters from involved and interested agencies; and

WHEREAS, the Planning Board has reviewed and completed the Environmental Assessment Form, Parts 2 and 3, with the assistance of C.T. Male.

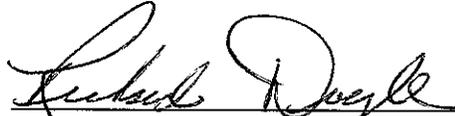
NOW, THEREFORE, BE IT RESOLVED: on motion of member, John VanVorst, seconded by member Lee Ramsey, and after due deliberation, and in consideration of the entire record, including, but not limited to, the consideration of the application, reports/studies, comments from the Planning Board's engineer consultant and the responses from the Applicant's consultants, agency comments and public comments, the Planning Board has completed the full EAF (Parts 2 and 3) in accordance with SEQRA and hereby adopts the completed Parts 2 and 3 of the full EAF.

Dated: July 30, 2014

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	Yes	No	Abstain
Richard Doyle, Chairman	X		
Jeffrey Cwalinski, Vice-Chairman	X		
Josephine Cristy, Member	X		
Derek Hayden, Member	X		
Lee Ramsey, Member	X		
John Van Vorst, Member	X		

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Hon. Richard Doyle, Chairman

SEQRA RESOLUTION #2

**TOWN OF BALLSTON PLANNING BOARD
ABELE WOODS SUBDIVISION
JULY 30, 2014**

**MOTION TO ADOPT NEGATIVE DETERMINATION OF
SIGNIFICANCE PURSUANT TO SEQRA**

The Town of Ballston Planning Board hereby makes the following resolution:

WHEREAS, the applicant, Heritage Development Holdings (the “Applicant”) submitted an application (as amended through July 8, 2014), conceptual layout plan and narrative, and Full Environmental Assessment Form (“EAF”) seeking subdivision approval and rezoning to Planned Unit Development for the Abele Woods residential subdivision, located along Benedict Road and Longkill Road in the Town of Ballston; and

WHEREAS, the overall project area for the development includes approximately 96.16-acres and is comprised of four (4) parcels (tax map numbers 249.-3-22, 249-3-23, 249-3-33, and 249-3-25); and

WHEREAS, on July 31, 2013, at a regular meeting of the Planning Board, the Planning Board considered the Project and issued a positive recommendation to the Town Board in support of rezoning the Site to Planned Unit Development; and

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WHEREAS, the project originally proposed 276 residential units, which has been reduced through project changes to 213 units consisting of single-family residences, townhouses, and apartment units and a community center and associated infrastructure to support the uses (the “Project”); and

WHEREAS, the Project is a Type 1 action pursuant to SEQRA; and

WHEREAS, in January, 2014, the Town of Ballston Planning Board (“Planning Board”) declared its intent to act as SEQRA Lead Agency, and a notice was circulated to all the involved and interested agencies, and thereafter without objection, the Planning Board became the SEQRA Lead Agency for the Project; and

WHEREAS, the environmental review of the Project included review of the following documents submitted by the Applicant:

- Major Subdivision Application, Project Narrative and Long Environmental Assessment Form, as amended.
- Traffic Impact Study for “Proposed Benedict Road and Round Lake Road PUDD,” prepared by Greenman-Pedersen, Inc., dated January 2010.
- Traffic Memorandum prepared by Greenman -Pedersen, Inc., dated January 31, 2014
- Traffic Memorandum prepared by Greenman -Pedersen, Inc., dated June 9, 2014
- Conceptual Layout Plan entitled “Timber Creek Preserve Phase IV,” prepared by Lansing Engineering, last revised February 12, 2014;
- Conceptual Stormwater Management Basin Analysis and Plan, prepared by Lansing Engineering, dated February 12, 2014.
- Conceptual Wetland Mitigation Area Plan and Wetland Crossing Plan, prepared by Lansing Engineering, dated February 12, 2014.
- Waters of the U.S. Map, prepared by Gilbert VanGuilder Land Surveyor, PLLC, dated May 13, 2009.
- Comment response letter, prepared by Lansing Engineering, dated February 12, 2014, in response to C.T. Male’s January 9, 2014 comment letter.

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- Threatened and Endangered Species Letter from NYSDEC dated May 1, 2013.
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WHEREAS, on January 22, 2014, February 26, 2014, June 25, 2014 and June 25, 2014, the Applicant presented the application and reports to the Planning Board; and

WHEREAS, the Planning Board retained the services of an expert engineering planning consultant, C.T. Male Associates (“CT Male”), to advise and assist the Planning Board with its environmental review of the Project; and

WHEREAS, CT Male comprehensively reviewed the documentation in the record for the Project and its potential environmental impacts and issued comment letters dated February 24, 2014, March 7, 2014 and June 25, 2014; and

WHEREAS, the Planning Board has received and considered correspondence from the public, specifically David and Susan Gibson regarding the Project; and

WHEREAS, the Planning Board has considered comment letters from involved and interested agencies; and

WHEREAS, based on the comments received, the Applicant made significant changes to the Project, including, but not limited to, a reduction in the number of residential units from 276 units to 218 units (a 22.83% decrease in the size of the Project), and creation of a one acre wetland enhancement area to compensate for the impacts to 0.46 acres of wetlands; and

WHEREAS, on July 30, 2014, after careful consideration, the Planning Board completed and adopted the SEQRA Environmental Assessment Form, Parts 2 and 3; and

WHEREAS, in Part 3 of the EAF, the Planning Board provided further elaboration concerning three environmental areas – Impacts on Land, Impact on Flooding and Impact on Historic and Archeological Resources; and

WHEREAS, the Planning Board and each of its individual members carefully examined all of the documents in the record and comments received; and

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WHEREAS, based on the entire record before the Planning Board, the Project will result in no significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED: on a motion of member - Mr. Cwalinski, seconded by Mr. VanVorst, and after due deliberation, that:

1. The Planning Board has encouraged comments from all those involved and interested in the Project.
2. The Planning Board has conducted an independent examination and careful review of all relevant documentation and comments.
3. The Project was modified as a direct result of the comments received from the public, agencies and the Planning Board's planning consultant.
4. Based on Parts 2 and 3 of the full EAF, the Planning Board provides further elaboration (which is also contained the negative declaration attached hereto) concerning three (3) environmental areas – Impacts on Land, Impact on Flooding and Impact on Historic and Archeological Resources:

Impacts on Land

According to NRCS web soil survey depth to water table is less than 24" where construction will occur. There are no public water supply wells on the Site (or planned as part of the Project) or on any of the adjacent lots. The Site is currently serviced by the Burnt Hills-Ballston Lake Water District No. 2 Extension 25 water supply system and the Project will continue to be supplied with all of its water from the Town's existing public water distribution system. Groundwater reserves beneath the Site will not be utilized for potable or sanitary purposes by the Project and ground water resources will remain at their current level.

The property is also serviced by the County's sanitary sewer system and will not impact the quality of groundwater in the area.

All storm water generated on-site will be directed to a new stormwater management system, prepared by a licensed New York State engineer, consistent with NYSDEC regulations. Each area of the Site is proposed

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to have a strategically placed stormwater management systems to accommodate post development runoff.

The Project may be multi-phased occurring over a three (3) year time period. No phases are contingent upon earlier phase completion.

Based on the foregoing, the Planning Board finds that the Project will not have any significant adverse impacts on land, groundwater resources or as a result in construction that continues for more than one year or in multiple phases.

Impact on Flooding

Lansing Engineering prepared a conceptual stormwater management plan in order to ensure that post development runoff from the addition of impervious areas meets or is less than pre-development levels. To accomplish this, Lansing examined the contributing drainage areas on the Site and used HydroCAD, an engineering protocol to establish pre and post development conditions. The HydroCAD program analyzes hydraulic and hydrologic characteristics of a certain watershed area and associated stormwater management facilities. The difference in volume between the pre and post development conditions is the amount of volume that must be stored within the stormwater management facilities on the Site to achieve this goal.

The stormwater management plan notes that the majority of soils on the Project Site are poorly drained. The drainage pattern was evaluated and found that there is one subcatchment that flows overland to the various wetlands on the Site, which ultimately is conveyed to the larger wetland located to the north of the Site. There are ±17.29 acres of wetlands on the Site which were delineated and the delineation confirmed by the NYSDEC and ACOE. The Project includes the impact to 0.46 acres of ACOE jurisdictional wetlands. No impacts are proposed within NYSDEC regulated wetlands or the regulated 100 foot adjacent area.

Based on the amount of impervious surfaces anticipated from the Project, the HydroCAD analysis established the total volume of stormwater that will need to be stored in basins on the Site, 4.96 ac-ft. This volume will be stored in the areas of each of the basins above the permanent pools that will exist in each basin.

The proposed stormwater management plan to accommodate the amount of anticipated runoff includes six basins to capture and treat stormwater runoff from the proposed impervious areas of the Site. A conceptual site plan provides the locations of the proposed basins. 6.19 ac-ft of storage is proposed to manage potential stormwater impacts. This amount of storage is proposed above that required to account for necessary grading.

The Project will utilize several engineered stormwater management devices, including, but not limited to, catch basins, subsurface conveyance systems, stormwater management basins, and rain gardens. These devices will ensure all design storm events are conveyed and attenuated to minimize post construction runoff. The post construction stormwater runoff will be directed to on-site wetlands.

Additional stormwater treatment will be provided through green infrastructure practices, including riparian buffers, tree plantings and conservation of natural areas.

A Stormwater Pollution Prevention Plan ("SWPPP"), in accordance NYSDEC stormwater regulations, will be in operation during construction to ensure altered drainage does not increase stormwater runoff.

Based on the foregoing, the Planning Board finds that no significant adverse environmental impacts regarding flooding and stormwater are anticipated.

Impact on Historic and Archeological Resources

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The Applicant retained Hartgen Archeological Associates, Inc. ("Hartgen") to investigate, study and prepare reports regarding the historic and archaeological issues concerning this Site. Hartgen prepared the following reports: (1) a Phase 1 and II Archeological Investigation; and (2) a Phase III data recovery plan.

A Phase 1 and 2 site evaluation was conducted by Hartgen Associates. Five sites were identified, specifically BR Site 1-4 and the Wilson Site. Hartgen's archeological investigations report found:

BR Site 1 was a small deposit and 80% of it was excavated during the Phase II evaluation.

BR Site 2 was never plowed and the deposit was found to have very good preservation, and the site is considered National Register eligible (NRE) and avoidance was recommended.

BR Site 3 did not produce additional artifacts and based on the results, was considered a stray find. No further archeological work was recommended.

BR Site 4 was a small historic deposit located in an obscure, wooded part of the APE. Phase II excavations produced very little data and this was not considered a significant deposit and no further archeological work was recommended.

Only part of the Wilson Site would be impacted by the Project and the Phase II report included the portion within the APE. This area was discovered to be extensively disturbed. In addition to large areas of disturbance that were previously found during the Phase I investigation, this site is not considered NRE and no further archeological work is recommended for the entire site.

The Hartgen report recommended that no further work be performed for the Wilson site and BR Sites 1, 3 and 4.

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In an April 2, 2014 letter, the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) commented that it considered the BR-1 site NRE and that it concurred with the Hartgen recommendation that no further work be performed. To avoid a potential adverse impact, OPRHP recommended a detailed comparative study be performed of this site with others in the region in order to create a meaningful historic context which illustrates the site’s role in regional settlement systems.

OPRHP also concurred that the BR-2 site was NRE and that a site protection plan (to potentially avoid the site), or data recovery investigation should be prepared.

The Applicant provided to the Planning Board a Phase 3 Data Retrieval Plan prepared by Hartgen for BR Site 2, which also includes a proposed detailed comparative study as suggested by OPRHP for BR Site 1.

The Data Retrieval Plan proposes, for each site, the examination and analysis of six technical areas: research questions, data retrieval plan, field methods, and laboratory and analytical techniques, products, and provisos.

The Data Retrieval Plan will be implemented and completed in consultation with OPRHP and other regulatory agencies. This area will be avoided from construction activities until the proposed work/recovery plan has been implemented and completed.

Based on the foregoing, the Planning Board determines that no significant adverse environmental impacts on historic and archeological resources are anticipated.

5. The Planning Board has considered the entire record, including but not limited to the consideration of the application, reports/studies, comments from the Planning Board’s engineer consultant and the public, the full EAF (Parts 1, 2 and 3), subdivision plan, comment from involved and interested agencies and the public, and the Planning Board hereby finds and determines that no potential significant adverse environmental

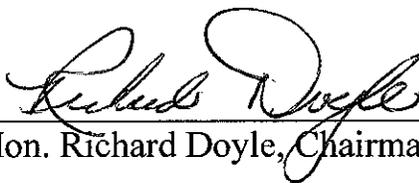
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impacts will result from the Project and adopts the SEQRA Negative Determination of Significance attached hereto.

Dated: July 30, 2014

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BOARD

	Yes	No	Abstain
Richard Doyle, Chairman	X		
Jeffrey Cwalinski, Vice-Chairman	X		
Josephine Cristy, Member	X		
James DiPasquale, First Alternate	X		
Derek Hayden, Member	X		
Lee Ramsey, Member	X		
John Van Vorst, Member	X		



Hon. Richard Doyle, Chairman

Frank Rossi, Church Ave, Ballston Spa, NY 12020; 216.-2-27.11, 216.-2-40 - Consider granting conditional final approval (Major Subdivision). Stephanie Mauro, Esq. with Harter Secrest and Emery, LLC was present on behalf of the applicant.

MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board be the Lead Agency in the SEQR process for the Wal-Mart application. Ms. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

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New York Development Group, 253 East Line Road, Ballston Lake, NY 12019; 239.-7-1 (Major Subdivision) Scott Lansing, P.E., CPESC, CPSWQ with Lansing Engineering, PC, was present on behalf of the applicants Geoffrey Booth and Jeffrey Knox.

Mr. Lansing said at the last meeting the board was in a position to approve the project, but had questions and comments from the board to formalize the documentation for the Negative Declaration and request a Negative Declaration for the project and preliminary final approval.

Chairman Doyle opened the public hearing at 8:20 p.m.

Susan Herbert, 27 Chapel Hill Blvd., said the June 25, 2014 failed to include the Deer Crossing Signs on East Line Road. Ms. Herbert believes there is a wildlife corridor that interfaces between the Chapel Hill Development and this proposed new development. This corridor is not identified and protected in this proposed plan. Ms. Herbert said § 2.2 of the Towns Comprehensive Plan (Goals) – one of the goals for future development is to create a network of open spaces to provide wildlife habitat – corridors are needed for open space. In §3.9 (Greenways and Open Space) – farmland and open space is a natural resource and serve an important function in maintaining a healthy environment by providing wildlife corridors by protecting sensitive areas. The town must plan to make sure important natural resources are protected. Article 4 of the Town Code – Subdivision and Design Requirements - §104-12 – General Design Requirements § (N) – Existing natural features and open spaces shall be identified and connected at the coherent open spaces at the maximum extent practical (eco systems, watersheds and wildlife corridors). The hedgerow that currently exists between Chapel Hill and the proposed new development can be seen on a map (Google Earth). Establishing a grading line in the plan does nothing to protect that vegetation that makes up the hedgerow. Mr. Lansing stated at the last meeting that the hedgerow depth in the vicinity of lot 25 was about 15' – Ms. Herbert said it's significantly more than 15'. Ms. Herbert proposes that hedgerow to serve as a wildlife corridor and be protected by not including it in any part of the lot or else restricting the modifications or destruction of any vegetation that makes up that

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hedgerow as part of the covenants for the sale of that land. §104-C of the Town Code – Preservation of Existing Features – The Planning Board shall whenever practical require preservation of all existing features which are important to the natural scenic rural historic character of the town. The Planning Board may impose restrictions designed to preserve such features including the limitation that the renovation of areas where site alteration is prohibited as a condition of approval. Ms. Herbert asks that the Planning Board use their power and authority under §104 12-C to protect the wildlife corridor.

David Pierce, said as a member of the Saratoga County Water Quality Committee would like the board to please consider and enhanced phosphorous standard for this project and look at the storm water retention plan to make sure that the storm water is maintained onsite and not add to the volume of water the enters into the Sweet Road watershed.

John Warren, 25 Chapel Hill Blvd., said with a subdivision of this size there should be a certain area of open space identified – what fraction of the subdivision should be considered open area. Chairman Doyle said the applicants meet the open area spaces (green space).

Chairman Doyle closed the public hearing at 8:32 p.m.

SEQRA RESOLUTION #1

**TOWN OF BALLSTON PLANNING BOARD
KELLEY SUBDIVISION
JULY 30, 2014**

**MOTION TO ADOPT PARTS 2 AND 3 OF THE FULL
ENVIRONMENTAL ASSESSMENT FORM**

The Town of Ballston Planning Board hereby makes the following resolution:

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WHEREAS, the applicant, New York Development Group LLC (the “Applicant”) submitted an application (as amended through June 24, 2014), conceptual layout plan and narrative, and Full Environmental Assessment Form (“EAF”) seeking site plan and subdivision approval for the Kelley residential subdivision, located at 253 Eastline Road in the Town of Ballston; and

WHEREAS, the overall project area for the development includes approximately 149.3-acres and is comprised of one parcel (tax map number 239.00-2-7.1); and

WHEREAS, the project consists of a 133-lot residential subdivision. (the “Project”);

WHEREAS, the Project is a Type 1 action pursuant to SEQRA; and

WHEREAS, on January 22, 2014, the Town of Ballston Planning Board (“Planning Board”) declared its intent to act as SEQRA Lead Agency, and a notice was circulated to all the involved and interested agencies, and thereafter without objection, the Planning Board became the SEQRA Lead Agency for the Project; and

WHEREAS, the environmental review of the Project included review of the following documents submitted by the Applicant:

- Site Plan Application, Project Narrative (revised February 12, 2014) and Full Environmental Assessment Form (revised February 12, 2014).
- Subdivision Plans, last revised June 23, 2014.
- Stormwater Pollution Prevention Plan, last revised May 2014.
- Jurisdictional Determination Letter from the Army Corps of Engineers, dated January 7, 2014.
- Traffic Impact Study, prepared by Creighton Manning, last revised May 7, 2014.
- Water District Report, last revised May 14, 2014.
- Sanitary Sewer Report, last revised May 14, 2014.
- Comment response letter to C.T. Male’s May 23, 2014 comment letter, dated June 11, 2014.

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- Comment response letters from Creighton Manning, dated May 28, 2014 and June 11, 2014.
- Comment response letter to C.T. Male's June 19, 2014 comment letter, dated June 24, 2014.
- Correspondence from the New York State Office of Parks, Recreation and Historic Preservation dated June 16, 2014.
- Preconstruction Notification Map dated May 29, 2014 showing open water mitigation.

WHEREAS, on January 22, 2014, February 26, 2014, April 30, 2014 and June 25, 2014, the Applicant presented the application and reports to the Planning Board; and

WHEREAS, the Planning Board retained the services of an expert engineering planning consultant, C.T. Male Associates ("CT Male"), to review the documentation and advise and assist the Planning Board with its environmental review of the Project; and

WHEREAS, CT Male and its transportation subconsultant comprehensively reviewed the Project and its potential environmental impacts and issued comment letters dated January 16, 2014, February 24, 2014, April 23, 2014, April 28, 2014, May 23, 2014, May 29, 2014 and June 19, 2014; and

WHEREAS, the Planning Board has received and considered correspondence from the public as outlined in their meeting minutes; and

WHEREAS, the Planning Board has considered comment letters from involved and interested agencies; and

WHEREAS, the Planning Board has reviewed and completed the Environmental Assessment Form, Parts 2 and 3, with the assistance of C.T. Male.

NOW, THEREFORE, BE IT RESOLVED: on motion of member John VanVorst, seconded by member Josephine Cristy, and after due deliberation, and in consideration of the entire record, including, but not limited to, the consideration of the application, reports/studies, comments from the Planning Board's engineer

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consultant and the responses from the Applicant's consultants, agency comments and public comments, the Planning Board has completed the full EAF (Parts 2 and 3) in accordance with SEQRA and hereby adopts the completed Parts 2 and 3 of the full EAF.

Dated: July 30, 2014

TOWN OF BALLSTON PLANNING
BOARD

	Yes	No	Abstain
Richard Doyle, Chairman	X		
Jeffrey Cwalinski, Vice-Chairman	X		
Josephine Cristy, Member	X		
Derek Hayden, Member	X		
Jim DiPasquale, First Alternate	X		
Lee Ramsey, Member	X		
John Van Vorst, Member	X		



Hon. Richard Doyle, Chairman

Town of Ballston
Planning Board

SEQRA RESOLUTION #2

**TOWN OF BALLSTON PLANNING BOARD
KELLEY SUBDIVISION
JULY 30, 2014**

**MOTION TO ADOPT NEGATIVE DETERMINATION OF
SIGNIFICANCE PURSUANT TO SEQRA**

The Town of Ballston Planning Board hereby makes the following resolution:

WHEREAS, the applicant, New York Development Group LLC (the “Applicant”) submitted an application (as amended through June 24, 2014), conceptual layout plan and narrative, and Full Environmental Assessment Form (“EAF”) seeking site plan and subdivision approval for the Kelley residential subdivision, located at 253 Eastline Road in the Town of Ballston; and

WHEREAS, the overall project area for the development includes approximately 149.3-acres and is comprised of one parcel (tax map number 239.00-2-7.1); and

WHEREAS, the project consists of a 133-lot residential subdivision. (the “Project”);

WHEREAS, the Project is a Type 1 action pursuant to SEQRA; and

WHEREAS, on January 22, 2014, the Town of Ballston Planning Board (“Planning Board”) declared its intent to act as SEQRA Lead Agency, and a notice was circulated to all the involved and interested agencies, and thereafter without objection, the Planning Board became the SEQRA Lead Agency for the Project; and

WHEREAS, the environmental review of the Project included review of the following documents submitted by the Applicant:

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- Site Plan Application, Project Narrative (revised February 12, 2014) and Full Environmental Assessment Form (revised February 12, 2014).
- Subdivision Plans, last revised June 23, 2014.
- Stormwater Pollution Prevention Plan, last revised May 2014.
- Jurisdictional Determination Letter from the Army Corps of Engineers, dated January 7, 2014.
- Traffic Impact Study, prepared by Creighton Manning, last revised May 7, 2014.
- Water District Report, last revised May 14, 2014.
- Sanitary Sewer Report, last revised May 14, 2014.
- Comment response letter to C.T. Male's May 23, 2014 comment letter, dated June 11, 2014.
- Comment response letters from Creighton Manning, dated May 28, 2014 and June 11, 2014.
- Comment response letter to C.T. Male's June 19, 2014 comment letter, dated June 24, 2014.
- Correspondence from the New York State Office of Parks, Recreation and Historic Preservation dated June 16, 2014.
- Preconstruction Notification Map dated May 29, 2014 showing open water mitigation.

WHEREAS, on January 22, 2014, February 26, 2014, April 30, 2014, and June 25, 2014, the Applicant presented the application and reports to the Planning Board; and

WHEREAS, the Planning Board retained the services of an expert engineering planning consultant, C.T. Male Associates ("CT Male"), to advise and assist the Planning Board with its environmental review of the Project; and

WHEREAS, CT Male and its transportation subconsultant comprehensively reviewed the documentation in the record for the Project and its potential environmental impacts and issued comment letters dated January 16, 2014, February 24, 2014, April 23, 2014, April 28, 2014, May 23, 2014, May 29, 2014 and June 19, 2014; and

WHEREAS, the Planning Board has received and considered correspondence from the public as outlined in their meeting minutes; and

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WHEREAS, the Planning Board has considered comment letters from involved and interested agencies; and

WHEREAS, based on the comments received, the Applicant made significant changes to the Project, including, but not limited to, a reduction in the number of residential units from 137 units to 133 units, the addition of an open water mitigation area, plan revisions to avoid archeological sites and address technical comments; and

WHEREAS, on July 30, 2014, after careful consideration, the Planning Board completed and adopted the SEQRA Environmental Assessment Form, Parts 2 and 3; and

WHEREAS, in Part 3 of the EAF, the Planning Board provided further elaboration concerning one environmental areas – Impact on Agricultural Resources; and

WHEREAS, the Planning Board and each of its individual members carefully examined all of the documents in the record and comments received; and

WHEREAS, based on the entire record before the Planning Board, the Project will result in no significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED: on motion of member John Van Vorst seconded by member Josephine Cristy, and after due deliberation, that:

1. The Planning Board has encouraged comments from all those involved and interested in the Project.
2. The Planning Board has conducted an independent examination and careful review of all relevant documentation and comments.
3. The Project was modified as a direct result of the comments received from the public, agencies and the Planning Board's planning consultant.
4. Based on Parts 2 and 3 of the full EAF, the Planning Board provides further elaboration (which is also contained in the negative declaration attached hereto) concerning one environmental areas – Impact on Agricultural Resources: impact on Agricultural Resources

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1. Loss of Agricultural Land within an Agricultural District

The proposed action will irreversibly convert ~149.3 acres of lands in Agricultural District #2. The parcel owner has submitted a request to the Saratoga County Board of Supervisors to remove the entire parcel from Agricultural District #2. The Applicant has stated that agricultural activities on the parcel have been reduced over the years and that currently only 25-30 acres of the approximate 149.3 acre parcel are being utilized to grow cow corn. Further, the Applicant has pointed out that Saratoga County soil maps outline the parcel's soils as poor to moderate for agricultural production and that the parcel owner no longer wishes to utilize the parcel for agricultural activities.

In the Town of Ballston there are approximately 10,327 acres of land in Agricultural District #2. This reduction represents a 1.4% decrease in overall size of Agricultural District #2.

This loss of agricultural lands is not considered to be a significant adverse environmental impact for the following reasons:

- a. The project site is appropriately zoned as Ballston Lake Residential for the proposed single-family residential development.
- b. The project site is located within an area of the Town, east of Route 50 and along East Line Drive in close proximity to I-87 which is anticipated to be built out as residential development, consistent with the Town's existing Comprehensive Plan dated December 2005.
- c. The project site is not currently a highly active farm.
- d. The project site contains some wetlands and generally poor to moderate quality soils for agricultural production that serve to constrain farming operations.

For these reasons the Planning Board believes that the proposed loss of agricultural lands that are part of Agricultural District #2 does not represent a significant adverse environmental impact.

2. Proposed Action is Not Consistent with an Adopted Municipal Farmland Protection Plan

The proposed action will result in a loss of farmland which is not wholly consistent with the generic recommendations contained in Ballston's adopted Agriculture and Farmland Protection Plan (January 2014). This inconsistency is not considered to be a significant adverse environmental impact for the following reasons:

- a. The Town Board has not yet enacted any specific legislation aimed at protecting some or all of Agricultural District #2, or other agricultural or farm lands in the

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Town. The generic recommendations contained in the Town's Agriculture and Farmland Protection Plan are considered as advisory until which time as local legislation is put in place by the Town Board.

b. The project site is located within an area of the Town, east of Route 50 and along East Line Drive in close proximity to I-87. This area of the Town is anticipated to be built out as residential development, consistent with the Town's existing Comprehensive Plan, dated December 2005.

c. The project site is appropriately zoned as Ballston Lake Residential for the proposed single-family residential development.

For these reasons the Planning Board believes that the proposed loss of farmland does not represent a significant adverse environmental impact.

5. The Planning Board has considered the entire record, including but not limited to the consideration of the application, reports/studies, comments from the Planning Board's engineer consultant and the public, the full EAF (Parts 1, 2 and 3), subdivision plan, comment from involved and interested agencies and the public, and the Planning Board hereby finds and determines that no potential significant adverse environmental impacts will result from the Project and adopts the SEQRA Negative Determination of Significance attached hereto.

Dated: July 30, 2014

TOWN OF BALLSTON PLANNING BOARD

	Yes	No	Abstain
Richard Doyle, Chairman	X		
Jeffrey Cwalinski, Vice-Chairman	X		
Josephine Cristy, Member	X		
Derek Hayden, Member	X		
Jim DiPasquale, First Alternate	X		
Lee Ramsey, Member	X		

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John Van Vorst, Member

X

Hon. Richard Doyle, Chairman

NEW BUSINESS:

Peter Hatalyk (High Rock Distillery), 1321 Route 50, Ballston Spa, NY 12020; 228.-3-7 (Special Use Permit - Craft Distillery. Peter Hatalyk, Jr., and Jake Hewson were present on behalf of High Rock Distillery. The applicants are proposing a craft distillery (Whiskey, Gin and Vodka). The proposed distillery will include a tasting room, bottling room and storeroom.

Mr. DiPasquale asked if there was adequate parking for the workers. Mr. Hewson said the back parking lot is used for overflow and front lot for customers.

Mr. Ramsey asked if the dining area will be used. Mr. Hewson said that is the proposed tasting room.

Mr. Hayden asked if the outside dining area will be used. Mr. Hewson said that will be used for a sitting area.

Ms. Cristy asked if there will be an odor from the distillery. A ventilation system to be installed – vented to courtyard.

The proposed hopper location is located in the parking area.

Mr. DiPasquale asked about the safety concerns. The only concern is heating the product – explosion proof.

Mr. Ramsey asked the number of employees. Mr. Hatalyk replied, two.

Mr. Ramsey asked the hours of operation. Mr. Hatalyk said Monday - Friday 12:00 p.m. to 6:00 p.m. and Saturday - Sunday 12:00 p.m. to 7:00 p.m.

The operation is subject to State and Federal inspections.

Mr. Hayden asked about the use of the second story. Mr. Hewson said the second floor is used for storage.

The proposed sign will not exceed the existing sign. Mr. Johnson said if the applicant exceeds the existing signage, site plan review is required.

Mr. VanVorst said, "He has lived on Mourningkill Drive since the 70's and in 1997 one of his sons got run over by a drunk driver on that road and was left for dead in the middle of the street and because of that have perspective and is very much opposed to the consumption of alcohol – so he cannot support what the applicants are proposing and very much against the production of alcohol in that area and feels it is a detriment to the neighborhood."

Mr. Hayden said there were missing questions on the SEQRA form.

Ms. Cristy asked for the definition of a craft distillery. Mr. Hatalyk said, "The applicants are going to make in a year what Jack Daniels spills in a day." (Grains to glass)

Chairman Doyle opened the public hearing at 9:09 p.m.

Sarina Dayter said there is mention of expansion – what does that mean. Mr. Hatalyk said the potential for storage buildings on site. Ms. Dayter has a concern for traffic and speed limit; vehicles exceed the 45mph speed limit. Mr. Hatalyk reiterated the hours of operation – Monday-Friday 12:00 p.m. to 6:00 p.m. and Saturday-Sunday 12:00 p.m. to 7:00 p.m.

Ms. Serra asked if the applicant spoke to NYSDOT and agrees to the existing curb cuts. Mr. Hensom replied, yes. Ms. Serra asked for documentation from the NYSDOT regional engineer.

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Chairman Doyle closed the public hearing at 9:15 p.m.

The board reviewed the outstanding unanswered questions on the SEQRA form. - 4, ANSWER: (residential) 5b, ANSWER: (yes) 9, ANSWER: (no) and 16, ANSWER: (no).

MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board be the Lead Agency in the SEQR process. Ms. DiPasquale seconded the motion and all present voted in favor and all present voted (Mr. VanVorst abstained).
CARRIED.

MOTION: Mr. Cwalinski motioned to declare this an unlisted action under the SEQR process therefore will declare this a Negative Declaration under the SEQR process. Mr. Ramsey seconded the motion and all present voted in favor Mr. VanVorst (ABSTAINED). **CARRIED.**

Chairman Doyle read the following questions on Part 2, Page 3 and Page 4 of the Environmental Assessment Form (EAF):

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? The board replied, "No, or small impact may occur."
2. Will the proposed action result in a change in the uses or intensity of use of land? The board replied, "No, or small impact may occur."
3. Will the proposed action impair the character or quality of the existing community? The board replied, "No, or small impact may occur."
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? The board replied, "No, or small impact may occur."

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5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? The board replied, "No, or small impact may occur."
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities. The board replied, "No, or small impact may occur."
7. Will the proposed action impact existing:
 - a. public/private water supplies? The board replied, "No, or small impact may occur."
 - b. public/private wastewater treatment utilities? The board replied, "No, or small impact may occur."
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? The board replied, "No, or small impact may occur."
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? The board replied, "No, or small impact may occur."
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? The board replied, "No, or small impact may occur."
11. Will the proposed action create a hazard to environmental resources or human health? The board replied, "No, or small impact may occur." Mr. VanVorst and Mr. Dipasquale said this action creates a large impact (product)

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The Board has determined, based on the information and analysis above and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

Chairman Doyle read through the four criteria of a Special Use Permit:

1) The use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of the adjacent districts. Mr. VanVorst (YES), Ms. Cristy (YES), Mr. Cwalinski (NO), Mr. Hayden (NO), Mr. DiPasquale (NO), Mr. Ramsey (NO).

2) The location and size of the use, the nature and intensity of the operation involved or conducted in connection therewith, its site layout, and its relation to streets giving access to which shall be of such that traffic to and from the use and the assembly of persons in connection with it will not be hazardous or inconvenient to the neighborhood or conflict with the normal traffic of the neighborhood. Mr. VanVorst (NO), Ms. Cristy (NO), Mr. Cwalinski (NO), Mr. Hayden (NO), Mr. DiPasquale (NO), Mr. Ramsey (NO).

3) The location and height of buildings, the location, nature and height of walls and fences, and that the use will not hinder or discourage the proper development and use of adjacent land and buildings or impair the value thereof. Mr. VanVorst (YES), Ms. Cristy (NO), Mr. Cwalinski (NO), Mr. Hayden (NO), Mr. DiPasquale (NO), Mr. Ramsey (NO).

4) The public convenience and welfare will be substantially served and appropriate use of neighboring property will not be substantially or permanently injured, subject to appropriate conditions and safeguards as determined necessary to promote the public health, safety and welfare. . Mr. VanVorst (YES), Ms. Cristy (NO), Mr. Cwalinski (NO), Mr. Hayden (NO), Mr. DiPasquale (NO), Mr. Ramsey (NO).

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MOTION: Mr. Cwalinski made a motion to approve the Special Use Permit for High Rock Distillery. Mr. DiPasquale seconded the motion and all present voted in favor except Mr. VanVorst (NO). **CARRIED.**

Mark Katz, 426 Devil's Lane, Ballston Spa, NY 12020; 227.-2-39 - Site Plan Review (Proposed single-family dwelling) Duane Rabideau with VanGuilder and Associates was present on behalf of the applicant. Mr. Rabieau said the applicant received an area variance on July 2, 2014 from the ZBA. The ZBA requested site plan review relative to drainage due to the concerns of the neighbor's drainage on the south side. C. T. Male comments were minor in nature. Ms. Serra has not reviewed the calculations.

A discussion was held on the adjoining neighbor's wells with respect to proposed septic system.

A discussion was held on the drainage.

Mr. Hayden asked the location of the current well. The current well is located under the house.

A discussion was held on the signage and property dispute. (No litigation).

Chairman Doyle opened the public hearing at 9:40 p.m.

Chairman Doyle closed the public hearing at 9:41 p.m.

No one wished to speak.

Chairman Doyle read the following questions on Part 2, Page 3 and Page 4 of the Environmental Assessment Form (EAF):

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? The board replied, "No, or small impact may occur."

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2. Will the proposed action result in a change in the uses or intensity of use of land? The board replied, "No, or small impact may occur."
3. Will the proposed action impair the character or quality of the existing community? The board replied, "No, or small impact may occur."
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? The board replied, "No, or small impact may occur."
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? The board replied, "No, or small impact may occur."
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities. The board replied, "No, or small impact may occur."
7. Will the proposed action impact existing:
 - a. public/private water supplies? The board replied, "No, or small impact may occur."
 - b. public/private wastewater treatment utilities? The board replied, "No, or small impact may occur."
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? The board replied, "No, or small impact may occur."
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? The board replied, "No, or small impact may occur."

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10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? The board replied, "No, or small impact may occur."

11. Will the proposed action create a hazard to environmental resources or human health? The board replied, "No, or small impact may occur."

The Board has determined, based on the information and analysis above and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

MOTION: Mr. Hayden motioned to name The Town of Ballston Planning Board be the Lead Agency in the SEQR process. Ms. Cwalinski seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Mr. Hayden motioned to declare this an unlisted action under the SEQR process therefore will declare this a Negative Declaration under the SEQR process. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Mr. VanVorst made a motion for conditional approval of the C. T. Male comments for the site plan for 426 Devil's Lane. Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

Mr. Ramsey recused himself.

Arlene Ida and Helen Jenkins, 201 Goode Street and Jenkins road respectively; 248.-1-40.1/248.-1-42. (Lot Line Adjustment). Duane Rabideau with VanGuilder and Associates was present on behalf of the applicants. Mr. Rabideau stated the proposal is to convey a 50' wide strip from 248.-1-40.1 to 248.-1-42 along the westerly side of 201 Goode Street (248.-1-42).

Chairman Doyle opened the public hearing at 9:50 p.m.

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Chairman Doyle closed the public hearing at 9:51 p.m.

No one wished to speak.

Chairman Doyle read the following questions on Part 2, Page 3 and Page 4 of the Environmental Assessment Form (EAF):

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? The board replied, "No, or small impact may occur."
2. Will the proposed action result in a change in the uses or intensity of use of land? The board replied, "No, or small impact may occur."
3. Will the proposed action impair the character or quality of the existing community? The board replied, "No, or small impact may occur."
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? The board replied, "No, or small impact may occur."
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? The board replied, "No, or small impact may occur."
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities. The board replied, "No, or small impact may occur."
7. Will the proposed action impact existing:
 - a. public/private water supplies? The board replied, "No, or small impact may occur."

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b. public/private wastewater treatment utilities? The board replied, "No, or small impact may occur."

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? The board replied, "No, or small impact may occur."

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? The board replied, "No, or small impact may occur."

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? The board replied, "No, or small impact may occur."

11. Will the proposed action create a hazard to environmental resources or human health? The board replied, "No, or small impact may occur."

The Board has determined, based on the information and analysis above and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

MOTION: Mr. Cwalinski motioned to declare this an unlisted action under the SEQR process therefore will declare this a Negative Declaration under the SEQR process. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Mr. VanVorst made a motion to approve the Lot Line Adjustment (LLA) on Lands of Helen Jenkins and Arlene Ida dated, July 11, 2014. Mr. Cwalinski seconded the motion and all present voted in favor. **CARRIED.**

Mr. VanVorst made a motion to adjourn. Mr. DiPasquale seconded the motion. **CARRIED.**

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Meeting adjourned at 10: 16 p. m.

Respectfully submitted



Michelle L Dingman
Planning Board Secretary