

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: October 29, 2014

Present: Richard Doyle, Chairman
Jeffrey Cwalinski, Vice Chairman
Josephine Cristy
Derek Hayden
John VanVorst
James DiPasquale, 1st Alternate
Patrick Maher, 2nd Alternate
Thomas Johnson, Building Inspector
Kathryn Serra, Town Engineer
Peter Reilly, Planning Board Attorney
Members of General Public

Chairman Doyle called the October 29, 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 September 24, 2014 minutes. Mr. Hayden submitted minor grammatical changes.

MOTION: Ms. Cristy made a motion to accept the September 24, 2014 minutes as submitted. Mr. Maher seconded the motion and all present voted in favor **CARRIED**.

OLD BUSINESS:

Wal-Mart Stores, Inc., Frank Rossi and Ballston Spa National Bank, Church Ave., Ballston Spa, NY 12020; 216.-2-22.111, 216.-2-27.11 and 216.-2-40 (Site Plan Review-137,000 square foot retail store-Major Subdivision-commercial lots).

Leslie Mauro, Esq. with Harter Secrest and Emery, LLC and Frank Rossi II, Esq. were present on behalf of the applicant.

Chairman Doyle stated on September 26, 2014 a coordinated review letter was sent to the involved agencies. To date, one response letter was received from NYSDEC agreeing the Town of Ballston Planning Board be the Lead Agency in the SEQR process.

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MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board the Lead Agency in the SEQR process (Rossi Subdivision, Wal-Mart and Ballston Spa National Bank). Mr. Maher seconded the motion and all present voted in favor. **CARRIED.**

Chairman Doyle said a public hearing will be held at the Ballston Spa High School on Thursday November 20, 2014.

H. R. Schultz, R. J. Taylor, Route 67, Ballston Spa, NY 12020; (Site Plan Review-Major Subdivision-21 dwelling units.) Scott Lansing, P.E., CPESC, CPSWQ with Lansing Engineering, PC and Ronald Taylor were present.

Mr. Lansing stated the Site Plan approval for the East line Commons Planned Unit Development District consists of 40.87 acres – Part (A) – consisting of 4.46 acres proposing 21 units for the approved 22 lots.

Samples of the materials proposed were displayed for the board to review.

Mr. Lansing said the buildings have been revised with front-load garages while the original plan had side-load garages. This change allows for a more direct access to driveways and will lead to an overall reduction in impervious areas associated with fewer run-offs and eliminating the wetland impacts.

Mr. Cwalinski asked if dumpsters or roll-away garbage receptacles are proposed. Mr. Lansing said roll-away receptacles are proposed.

Mr. Taylor stated the proposed units to have two, three and four bedrooms. The proposed buildings are 25' wide – 4' wider than Springwood Meadows – making the garages larger to store the roll-away garbage receptacle.

Ms. Serra asked if the NOI was submitted, if not, the application is subject to the updated regulations as the Negative Declaration was granted in 2011.

Mr. Hayden asked the applicant to provide an updated site plan showing the proposed front-load garages.

Mr. Reilly requested a narrative describing the revised proposal to ensure its well within the confines of the old permit.

Mr. Lansing stated a narrative will be supplied.

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Mr. DiPasquale stated the proposed project is “esthetically pleasing”.

Mr. Lansing asked if the board would entertain a conditional approval for the project.

Mr. VanVorst was not opposed to a conditional approval.

Mr. DiPasquale was opposed to a conditional approval.

Mr. Reilly reiterated that review of the SEQR is necessary before an approval can be given for the project.

Mr. Hayden requested a revised map of the proposed changes.

Eric & Rosemary Katz, Lake Road, Ballston Lake, NY; 239.-2-37.1 (Minor Subdivision-4-lot residential subdivision) Eric Katz presented the proposal to the board. Mr. Katz proposes a minor four-lot subdivision at 197 Lake Road (Lakeview Gardens).

The applicant was in receipt of the outstanding CT Male comments.

Mr. Katz stated a Phase I Archeological Study is scheduled for the site on November 3, 2014.

Discussions were held on the proposed driveway relative to fire truck access.

Discussions were held on the proposed rain gardens and pocket ponds for the project.

Mr. Katz requested a preliminary final conditional approval for the project.

The board is in agreement to granting a preliminary final conditional approval on the resolution of the outstanding engineering comments.

Chairman Doyle opened the public hearing at 8:03 p.m.

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. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Chairman Doyle closed the public at 8:06 p.m.

No one wished to speak.

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MOTION: Mr. VanVorst made a motion to grant conditional final approval of the resolution of engineering and SHPO comments for Lakeview Gardens revision date 10/3/2014. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED.**

NEW BUSINESS

Gayle Buckley, MD, 815 Route 50, Burnt Hills, New York 12027; 257.10-1-53.2 (Site Plan Review-Convert 2 dwelling units to 3 dwelling units) Dr. Buckley and Chris Fitch presented the proposal to the board.

The applicant proposes to modify the existing two dwelling unit with office and garage to a three dwelling unit with garage with no change to the existing footprint or existing parking.

The site serviced by public water and an onsite septic system.

Mr. Hayden stated the applicant answered "NO" to questions 5B and 11 of the SEQR form and said the answer should be "YES".

Chairman Doyle opened the public hearing at 8:15 p.m.

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

The board stated NO IMPACT for questions 1-11 for Part 2, Page 3 and Page 4 of the Environmental Assessment Form (EAF).

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

David Stern asked why the applicant did not apply to the Zoning Board of Appeals. Mr. Johnson stated that multiple dwelling units require site plan approval from the planning board.

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

MOTION: Mr. Cwalinski made a motion to approve the Site Plan as described on plan for Gayle P. Buckley, MD at 815 Saratoga Road, Burnt Hills, NY 12027 drawing dated 9/10/2014. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

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Countryside Stove & Chimney, 839 Route 50, Burnt Hills, NY 12027; 257.-2-5 (Site Plan Review-New front entrance to existing retail.

David Crouse, owner proposes to change the façade to the front of the store in spring 2015.

Discussions were held on signage.

Display material to remain as well as the existing patio.

Chairman Doyle opened the public hearing at 8:25 p.m.

David Stern suggested a projector to show the location of the proposed projects.

Mr. Hayden provided a copy for public benefit.

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

Chairman Doyle closed the public hearing at 8:26 p.m.

No one wished to speak.

MOTION: Mr. VanVorst made a motion to approve the addition for David Crouse on the drawing date, July 8, 2014. Mr. Cwalinski seconded the motion and all present voted in favor. **CARRIED.**

USA Gas, 991 Route 67, Ballston Spa, New York 12020; 216.-1-33 & 34 (Site Plan Review-Special Use Permit-Modify existing gas station/convenience store.

Scott Lansing, P.E., CPESC, CPSWQ with Lansing Engineering, PC, was present on behalf of the applicant.

Mr. Lansing said the parcel is .76 acres located on Route 50 and Route 67 with an existing 1,800 SF structure with a canopy and four pumps – two pumps and four bays.

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The proposal involves the creation of a 2,500 SF convenience store including six gasoline/diesel pumps. The site shall be serviced by public water and a waste water disposal system. A total of 33 parking spaces are proposed.

Mr. Lansing received comment letters from NYSDOT, C. T. Male and BFJ relative to the proposal and will address the outstanding comments.

Further discussions were held on proposed ingress/egress to the site.

Mr. Hayden stated question 12B of the EAF was answered "NO" and said the answer should be "YES".

Mr. Cwalinski stated the sign to meet the towns design standards.

Mr. VanVorst asked about impervious surface and the provisions for run-off.

Mr. VanVorst suggested a grass roof atop of the building to resolve the lack of green space for the site.

Mr. Hayden answered "NO" to question 13B of the EAF as it was left blank.

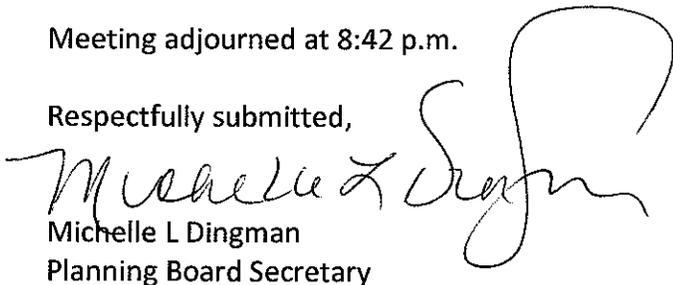
Discussions were held on ingress/egress of the site onto Route 67.

Mr. Hayden suggested some type of screening to protect the property to the south.

MOTION: Mr. Hayden made a motion to adjourn. Mr. VanVorst seconded the motion.
CARRIED.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,



Michelle L Dingman
Planning Board Secretary