

Town of Ballston
Planning Board
May 30, 2012

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: May 30, 2012

Present: **Richard Doyle, Chairman** **Members of General Public**
Josephine Cristy
Jeffrey Cwalinski
Joan Eddy
John VanVorst
Paul Guillet, Town Engineer
Peter Reilly, Planning Board Attorney
Thomas Johnson, Building Inspector

Chairman Doyle called the May 30, 2012 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

OLD BUSINESS:

Brooks Heritage, LLC, Round Lake Road (Major Subdivision) proposed 99 residential lots on 29.25 acres.

Scott Lansing of Lansing Engineering spoke for Brooks Heritage, LLC explained that Wet Land Preservation has been approved. Boundary survey has been done for Ballston Lake Residents. Also explained that there is 26.87 Acres in the subdivision of those 6 acres will be used for 67 Single family homes and 12 acres will be used for 32 Multi family homes total 99 units. This will allow the lots to be 5 to 10 feet larger than the lots in phase one. All roads in the project are town roads. Sidewalks on both sides of the road, streetlights and connection to trails are adjustments to previous site plan and will be maintained by the HOA. Books Heritage also requested a rear setback adjustment for the houses that will have the garages pushed back from 30 to 15 feet because moving the garage back will result in moving the living space back. Discussed was allowing a rear set back on the side of the house with the garage to 15 ft, leaving the other area at 30ft.

Mr. VanVorst asked about the value of the Master bedroom on the first floor vs. the larger yard. Brooks Heritage advised that the floor plans with the first floor master were by far the most popular. Also inquired about moving the east side of the development further east and it was determined doing that would be in the 100 foot buffer.

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Ms Eddy asked if this was the total number or was there going to more added, stating that the first plan was for 81 homes. It was confirmed that the total would stand at 99. Ms Eddy also remarked about the fact that the intent appeared to be to make this a TND neighborhood. Brooks Heritage also confirmed that. Ms Eddy also inquired about the Trees in the park that have been removed from the second site plan and was assured that there would be trees in the park with the gazebo and that the gazebo would have lights that would be maintained by the HOA.

Mr. Doyle asked the board how they felt about the change in the rear setback. Attorney Reilly interceded that was an issue for the zoning board not the planning board.

Mr. Cwalinski asked about storm water.

Mr. Doyle addressed the use of water gardens as storm water reservoirs. He does not believe that these gardens should be on private property due to the concern of maintenance of these gardens. Mr. Doyle advised Mr. Lansing to address these concerns with CT Male.

Mr. Lansing requested a motion for SEQR. Mr. Doyle and all members denied the request. The board requested that they be supplied with copies of all floor plans before the any motions would be considered.

Public hearing was opened at 8:10 no one chose to speak and so closed at 8:11

NEW BUSINESS:

CBM Manufacturing, Inc., 15 Westside Drive (Site Plan Review) proposed 4850sq. ft. additions. Mr. Doyle introduced Mr. McCormick owner of CBM and requested him to explain his proposal.

Mr. McCormick's proposal is for two additions to the existing buildings one 32'x40' and 20'x 40' The expansion would allow CBM to add 3 employees, and that there is ample parking for all.

Mr. Cwalinski had concerns about the SEQR checklist in particular # 8. It was determined that CBM needs to submit a corrected and complete SEQR form and Application.

Attorney Reilly voiced concerns that the property where CBM is located has deed restrictions but also noted that the Town of Ballston was not enforcing these restrictions.

Ms. Eddy talked about the need for a handicap parking spot. CBM indicated that the handicap spot was along side the building. Ms. Eddy stated that it needed to be marked as such.

Newspaper reporter asked how many buildings were on the site currently. Was answered two buildings currently are at 15 Westside Drive.

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

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MOTION: Mr. Cwalinski moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Ms. Eddy seconded the motion and all present voted in favor. CARRIED.

MOTION: Mr. Cwalinski made a motion to approve site plan review with the stipulation that CBM rewrite the application and SEQR. Ms. Eddy seconded the motion and all present voted in favor. CARRIED.

Liebert, Breslin, and Gala, LLC, 11/15 Long Creek Drive and 166 Kingsley Road (Lot Line Adjustment)

Duane Rabideau of Van Guilder Associates represented Lori Liebert in the request for a lot adjustment. Lot number 11 at Long Creek Drive would acquire a small triangular piece from the corner of lot 15 also at Long Creek Drive as well as a rectangular piece from the rear of Focastle Farms.

Mr. Van Vorst asked if that would give the lot number 11 at Long Creek Drive enough property to be able to subdivide. No it would not was stated by Duane.

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

MOTION: Mr. Cwalinski moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Mr. Van Vorst seconded the motion and all present voted in favor. CARRIED.

MOTION: Ms. Eddy made a motion to approve the lot line adjustment. Mr. Cwalinski seconded the motion and all present voted in favor. CARRIED.

Walter Katz, 1184 Route 50 (Special Use Permit) proposed Day Care Facility.

Mr. Katz explained that he has been working with the agency that licenses day care in New York State. Mr. Katz stated that he has complied with all of the requirements set forth by afore mentioned state agency.

Ms. Eddy commented that it all looks good on paper but can it really be built were it is proposed.

Mr. Doyle concurred pointing out the slope of the land in the area of the propped building. Mr. Katz assured the board that the retaining wall is taking care of all concerns as to the subility of the slope.

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Mr. Doyle read the four criteria for a special use permit, and stated that approving the SUP has to wait for the afore mention agency to sign off on all requirements with an expiration date of December 31, 2012.

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. NO IMPACT

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. NO IMPACT

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. NO IMPACT

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. NO IMPACT

The Board agrees there are no issues with the above criterion.

MOTION: Mr. Cwalinski moved to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Mr. Van Vorst seconded the motion and all present voted in favor. CARRIED.

MOTION: Mr. Van Vorst moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Mr. Cwalinski seconded the motion and all present voted in favor. CARRIED.

MOTION: Mr. Van Vorst moved to approve the site plan review contingent on the December 31, 2012 approval from afore mentioned state agency. Mr. Cwalinski seconded and all present voted in favor. CARRIED.

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Charles Curtiss, 343 Hop City Road (Sketch Plan Conference) proposed dairy products manufacturing facility.

Mr. Curtiss explained that currently the processing of the dairy products is being done off site which is a huge cost. There fore they want to build a 40'x80' building to be used for production of various dairy products (cheese & yogurt). They also want to build a 30'x40' building to be used as a retail store to sell the dairy products. Mr. Curtiss also stated that none of the waste from the production is disposed of on site.

Mr. Doyle explained this project is agricultural in nature and that normally the planning board does not get involved in agriculture. However, because this is construction of two large buildings an site plan review is recommended.

Mr. Cwalinski asked if the structures were pre fab. No Also inquired as to if there will be a new sign. Yes, and it will be a bite larger that the current sign. Parking is more than sufficient to accommodate any future growth.

MOTION: Mr. Van Vorst moved to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Mr. Cwalinski seconded the motion and all present voted in favor. CARRIED

MOTION: Mr. Van Vorst moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Ms. Eddy seconded the motion and all present voted in favor. CARRIED.

MOTION: Mr. Cwalinski moved to approve site plans Ms Cristy seconded the motion and all present voted in favor. CARRIED

MOTION: Ms. Eddy made a motion to adjourn. Mr. Van Vorst seconded the motion. CARRIED.

Meeting adjourned at 9:10 pm.

Respectfully submitted,

**Debora Bradt
Town of Ballston Clerk**