

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting:

Present: Richard Doyle, Chairman
Jeffrey Cwalinski
Joan Eddy
Derek Hayden
John VanVorst
Lee Ramsey
Timothy Northrup, 2nd Alternate
Kathryn Serra, Town Engineer
Peter Reilly, Planning Board Attorney
Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the, June 28, 2012 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Corrections to minutes none for May 2012

MOTION: To approve minutes by Mr. Cwalinski Second by Mr. Northrup

OLD BUSINESS: None

NEW BUSINESS:

Frederick Baldes - *Public Hearing Scheduled*
2 Manning Rd. SBL# 249.5-1-37 Ballston Lake Waterfront District
Site Plan Review

Chairman Doyle read the application.

Mr. Baldes stated that he put the stones down to help the area drain. He indicated that the area is a danger to mow. The mower gets stuck and to remove the mower he has to be half off the mower to keep it running and try to lift the mower with the other his other hand. Also Mr. Baldes stated that he was not aware of the 1000 sq ft rule.

Mr. Cwalinski asked Mr. Baldes if he had consulted with an engineer. The answer was no.

Chairman Doyle asked Mr. Baldes what his plan is. Mr. Baldes explained the he raked the stones over to comply with the 1000 sq ft rule but has put the rest of the drainage project on hold.

Town of Ballston
Planning Board

Mr. Cwalinski told Mr. Baldes that he must hire a professional to draw up plans and submit them to this board before he can move forward.

Mr. Baldes then turned to the second part of the site plan which is to remove pines along the property and 2 others at the waters edge.

Ms Eddy asked what the plan was to take care of the soil in the area of the pines. Eddy suggested a row of Hemlocks about every 6 feet. Eddy stated to Baldes that he needed a definite plan before he went forward with the tree removal part of the site plan. Ms. Eddy made it very clear that Mr. Baldes has a lot of work to do.

Chairman Doyle in summarizing stated that Mr. Baldes needs to put together a more comprehensive plan for the board review.

Mr. Cwalinski suggested the plan should include a sketch of the area.

Mr. Baldes asked why what he would like to do is such a problem.

Mr. Johnson stated that the Baldes property is waterfront and needs to adhere to all the rules set out for the use and treatment of waterfront properties in NY State.

Chairman Doyle & Ms. Eddy reiterated that Mr. Baldes needs to put together a comprehensive plan complete with a time line for the scope of work presented and bring that before the planning board before he can move forward. Also stated was that Mr. Baldes needs to remove the stones off the area so that they are not a hazard in anyway (example mowing).

Chairman Doyle state that the board was not trying to be difficult but everyone needs to follow the rules.

Public Hearing opened at 7:55pm

David Pierce stated that he has a library full of landscaping books directly related to water front property to lend if Mr. Baldes would be interested. Mr. Pierce also stated that DEC and Army Core of Engineers my need to be consulted.

Deborah Lee-Bruni Stated that a year ago Mr. Baldes removed trees at the waters edge of his property. Mr. Baldes stated that he was going to replace them with Willows but did not. Ms Lee-Bruni stated that prior to the removal of the trees the area never had a drainage issue. Ms. Lee-Bruni also stated that the rocks that Mr. Baldes put down changed the elevation and those they are in the right of way.

Mr. Leitch Jr. stated that he & Mr. Baldes did not see eye to eye. The problem has been on going from the time that Mr. Baldes moved in. Mr. Baldes has blocked the right away for Mr. Leitch's property, by placing boulders. Mr. Leitch also stated that surveillance cameras have been put in trees toward his property.

Attorney Rielly interrupted the conversation stating that the Planning Board does not have jurisdiction over the road or the shore line.

Town of Ballston
Planning Board

Mr. Leitch asked who does. He was told that was a civil matter and he would have to go through the court system.

Mr. Cwalinski stated that the road and shore line were not relevant to the current application before the board. Said application concerns tree removal on the property away from the shore line and the removal of the gravel.

Mr. Jackson previous owner of the Baldes property defined the pines in question as scotch pines and also explained that they had become an eye sore and should be removed.

Ms. Lee-Bruni asked about the disposal of the cut down trees. She asked if a permit to burn was required. Mr. Johnson stated that at the present time there were no open burn restrictions.

Mr. Leitch stated again that there were surveillance cameras in the trees on the Baldes property and pointed to his property.

Mr. Cwalinski and Mr. Reilly both reiterated that this board (Planning Board) has no jurisdiction over that matter. Surveillance cameras are not relevant to the application at hand.

Public Hearing Closed at 8:25pm

Chairman Doyle told Mr. Baldes that the planning board expected him to contact the army corps of engineers and the DEC before he continued with any of the projects outlined in the current application. Once that was done he is to meet with an engineer draw up a comprehensive plan complete with sketches as to what Mr. Baldes intends to do with his property.

Mr. Baldes stated that the DEC & Army Corps of Engineers do not consider this to be a large enough area for them to come out and inspect. Kathryn from CT Male concurred with Mr. Baldes in regards to the DEC & Army Corps of Engineers.

Chairman Doyle told Mr. Baldes that he needed to be more persistent in getting the 2 parties to come out.

Mr. VanVorst stated that this board does not want to have to address this matter every couple of years.

Town of Ballston
Planning Board

John J. Ebert, Jr. - *Public Hearing Scheduled*
360 Charlton Rd. SBL# 238.-1-3.12 Rural District
Minor Subdivision

Duane Rabideau with Van Guilders Land Surveyor represented Mr. Ebert. Mr. Ebert wants to divide 4.73 acres into 2 building lots at 360 Charlton Rd.

Mr. Cwalinski-who owns parcel A? Duane-Kenny Plummer.

Mr. Chairman concerned about the rear of the property being to wet to build. Duane Rabideau – area is not wet at this time. Mr. Chairman – is the area prone to flooding? Duane Rabideau - No

Opened public hearing at 8:30 closed at 8:32

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

MOTION: Mr. VanVorst moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Ms. Eddy Seconded the motion. **CARRIED.**

MOTION: Mr. VanVorst moved to approve site plans Ms Eddy 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.**

Respectfully submitted,



Debora Bradt
Planning Board Clerk