

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: July 2012

Present: Richard Doyle, Chairman
Josephine Cristy
Jeffrey Cwalinski
Joan Eddy
Derek Hayden
John VanVorst
Audeliz Matias, 1stAlternate
Kathryn Serra, Town Engineer
Peter Reilly, Planning Board Attorney
Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the, July 25, 2012 meeting to order at 7:40pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Corrections to minutes were given to Planning Board secretary, by Mr. Hayden. On page 1 add vote & Carried to motion to approve minutes. On page 4 add no one wished to speak for public hearing, also add all present voted in favor for Negative Declaration.

MOTION: Mr. Cwalinski made a motion to approve the June 25, 2012 minutes as prepared. Mr. Hayden seconded the motion and all present voted in favor. **CARRIED.**

OLD BUSINESS:

**Brooks Heritage, LLC, Timber Creek Phase II
Round Lake Rd. (SBL#249.-3-72.1)
(Major Subdivision) Proposed 99 residential lots on 29 acres**

Scott Lansing of Lansing engineering presented to the board the revised Phase II Major Subdivision Timber Creek. Lansing stated that he has met with CT Male as requested. The Rain Gardens will be moved to the front of the properties where they can be maintained by the HOA as requested by the board.

Mr. Hayden commented that it appeared to be more room between Round Lake Rd and the dwellings in that part of the subdivision. Lansing confirmed that to be true as that was also requested by the board.

Ms. Eddy asked about the design of phase II (keeping the number of parcels to 99 as not to have to go before the Town of Ballston Board. Chairman Doyle stated that it was legal. Ms. Eddy acknowledged that she knew it was legal but that the development was huge. Also stated that it would be a good thing for Mr. Brookes to give something back to the Town for example \$100,000.00.

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Mr. Cwalinski asked if the park had been moved and what if anything had been done about the parking concerns for the park. Chairman Doyle stated parking should not be needed as the park is for residents of phase II use. Mr. Cwalinski also wanted to know about the gazebo, benches, and room to play ball. Mr. Brookes benches were not part of the plan. There would be plenty of room to play catch off the side of the park. Ms. Eddy & Mr. Cwalinski both want benches around the gazebo so to lend to a more sense of community. Ms. Serra CT Male believes that the handicap spot would be on a town road. Mr. Brooks does not think a designated parking spot is needed. Mr. VanVorst agreed with Mr. Brookes, stating that there appears to be plenty of room to pull off on the wing of the road. Ms. Cristy asked if the park could be any closer to the homes. She also agreed with the concept of a pull off instead of a designated parking spot. It was pointed out that the park in phase I is the same distance from the residents as in phase II.

Ms. Eddy asked if commercial use was planned in phase III. Yes, commercial use was planned for a portion of phase III.

MOTION: Mr. VanVorst motioned 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.**

NEW BUSINESS:

Brooks Heritage, LLC - Timber Creek Phase I - *Public Hearing Scheduled*
Round Lake Rd. (SBL#249.-3-72.1)
Proposal to amend accessory structure setback requirements

Scott Lansing of Lansing Engineering presented the proposal to amend the accessory structure setbacks requirements for Timber Creek Phase I.

Mr. Brookes stated home owners have complained that they have to get a variance just to put up a simple shed. Mr. VanVorst asked if there are any home owners that opposed to the change.

Chairman Doyle explained the request stating that the lots cannot have an accessory structure and abide by the current setbacks. They are short about 5'.

Mr. Eddy asked if the HOA has any problem with a pool being that close to the property line. Mr. Brookes stated that the HOA require a fence around any pool.

Public Hearing opened at 8:15pm

David Van Pelt of 7 Forest Brook Drive stated that purchaser in Phase I of Timber Creek bought with eyes wide open.

Ann Pierce of 110 Lake Rd asked if the size of the shed requiring a permit was changing. Mr. Johnson said NO. Ms. Pierce also wanted to point out that any structure on Round lake Rd side was going to be very close to the road.

Public Hearing closed at 8:25pm

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Chairman Doyle asked if the thought that the size of the homes and or the sheds on the lots needed to be restricted. Mr. Cwalinski did not feel that was needed.

Ms. Eddy asked what size the trees that would be planted on Round Lake Rd. The trees are going to be 2 and half inch caliper in size. Ms. Eddy is also concerned that the sheds are going to be less that attractive. Mr. Brookes assured her that all structures would need to be approved by the HOA as well as the Town Building inspector.

MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Mr. VanVorst 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. VanVorst seconded the motion. **CARRIED.**

MOTION: Mr. VanVorst moved to approve the amending of the setbacks on both the side and back to 6' in Phase I Timber Creek. Mr. Cwalinski seconded the motion Mr. Hayden, Ms. Matias and Ms. Eddy voted no. As a tie breaker Chairman Doyle voted yes. **CARRIED**

RJ Taylor - *Public Hearing Scheduled*
Route 50/Rolling Brook Dr. SBL #228.6-3-2/3 Mixed Use North
District Proposal to change previously approved Condominiums to
Apartments

Mr. Taylor is requesting the change from Condos to Apartments due to The change in the economy since the study was conducted. A lending institution will not advance builder money until 70-80% of the units are sold. Springwood meadows would be a higher end apartment than the Brookline Apartments. Mr. Taylor is planning to rent the units for now and when the economy turns around will sell them. He will build the units to code for condos but rent them out.

Public Hearing opened at 8:45

Mr. DeSarbo of 6 Rolling Brook Dr spoke to the board.
Mr. DeSarbo stated that the Change from Condos to Apartments would significantly decrease the property value of the surrounding neighborhood. Mr. DeSarbo feels that the board should stick to what was originally approved.

Mr. Tom Herrick & Mr. Potter both concur with Mr. DeSarbo's statements.

Public Hearing closed at 9:00pm

Chairman Doyle explained to Mr. Taylor that is he wanted to change from Condos to Apartments he would have to go before the Zoning Board of Appeals to request a Special Use Permit.

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Roger O'Rourke - *Public Hearing Scheduled*

**12 Lake Shore Rd. SBL #249.5-1-8.12 Ballston Lake Waterfront District
Site Plan Review, replacement sewage disposal system**

Mr. Cwalinski asked who inspects the job. The building inspector inspects all aspects of the install.

Public Hearing opened at 9:10 no one spoke and the hearing closed at 9:11.

MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Mr. VanVorst 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. Cwalinski moved to approve the septic replacement sewage disposal system as put forth in Mr. Cants drawing as of 6/25/2012. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED**

Kenneth Plummer - *Public Hearing Scheduled*

**100 Hop City Rd. SBL #238.-1-3.13 Rural District
(Minor Subdivision) Proposed 2 residential lots on 4.76 acres**

Duane Rabideau presented the Ross Chambers subdivision. The Septic will be 100' from the property line.

Mr. Hayden asked about if a well was on lot #1. Yes there is a well but it is not on the plans. Mr. Johnson questioned the placement of the septic in relation to the well. Lot one is a single family dwelling. The O on the plans is the light symbol.

Chairman asked for a motion for SEQR process without the septic and well marked on the drawing. Public Hearing opened at 9:10 no one spoke public hearing closed at 9:11

MOTION: Mr. VanVorst motioned to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Ms. Eddy 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. Mr. Hayden seconded the motion. **CARRIED**

MOTION: Mr. Cwalinski moved to approve the minor subdivision of 2 residential lots on 4.76 acres at 100 Hop City Rd without the stipulation that the well and septic be added to the drawing, and a parks & rec fee of \$1,000.00. Mr. VanVorst seconded the motion all present voted in favor. **CARRIED**

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CBM MFG - Public Hearing Scheduled
15 Westside Dr. [257.12-2-49], Mixed Use Ballston Lake District
Site Plan Review Proposed 1600 sq. ft. addition

CBM needs more office space since the expansion of the manufacturing facility CBM needs more office staff. JT Pollard will draw design the addition.

Mr. Cwalinski- how many employees do you plan to hire. It was stated that at least 2 for now. It was also stated that it would not require additional parking spaces. Currently CBM employees 34 people and there are 50 parking spaces.

Public Hearing was opened at 9:25 no one spoke the hearing was closed at 9:26.

MOTION: Mr. Cwalinski motioned 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. VanVorst seconded the motion. **CARRIED**

MOTION: Mr. VanVorst moved to approve the proposed addition and appearance modification to CBM manufacturing located at 15 Westside Dr. Ms. Cristy seconded the motion all present voted in favor. **CARRIED**

MOTION: Mr. VanVorst made a motion to adjourn. Ms. Eddy seconded the motion. **CARRIED.**

Meeting adjourned at 9:35 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Aurora Bradt".