



## TOWN OF BALLSTON PLANNING BOARD

Regular Monthly Meeting: January 26, 2012

Present: Richard Doyle, Chairman

Jeffrey Cwalinski

Derek Hayden

John VanVorst

Lee Ramsey

Audeliz Matias, 1stAlternate

Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the, January 26, 2012 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

The applicants had the option to table their application until next month having only six board members.

**MOTION:** Mr. VanVorst made a motion to approve the December 14, 2011 minutes as prepared. Mr. Cwalinski seconded the motion and all present voted in favor. **CARRIED.**

### **OLD BUSINESS:**

**Peter Curwen, 221 Charlton Road, Ballston Spa, NY 12020 (238.-1-92) (Minor Subdivision)** Andrew Kosiba of Northeast Land Surveyors was present on behalf of the applicant proposing a 4-lot minor subdivision, including three flag lots.

Curwen to retain (Lot 1) 6.175 acres fronting Charlton Road, (Lot 2), 11.822 acres fronting Goode Street to a Curwen family member with two remaining lots;(Lot 3) 4.601 acres and (Lot 4) 6.061 with frontage on Goode Street.

The Right-to-Farm Law note added to map.

As requested by Ms. Eddy, the septic system locations noted on the map for parcels on Goode Street including Broomhead and Como.

Mr. Doyle met with Mr. Patch of 404 Goode Street on Tuesday, January 24, 2012 at 10:30am who provided septic system location.

The applicant applied to ACOE for a permit.



After a review of the project, CT Male recommends sizing the drainage culvert under the proposed driveway off Goode Street with two 24" pipe crossing the driveway, which will adequately carry the uphill water.

Mr. Doyle has a concern with the trees blocking the normal drainage running east to west on Charlton Road. Mr. Gay indicated no citations given from ACOE, but there were indications trees were down.

A concern arose when visiting the site the trees cut had frozen over.

Mr. Kosiba was on site this morning and noticed one tree in particular on the south side. Mr. Kosiba has spoken to Mr. Curwen agreeing to move the downed tree.

Mr. Doyle requested clearing the channel as part of the action.

Mr. Doyle opened the public hearing at 7:43pm

Mr. Doyle asked Mr. Patch to confirm their walk of the property on Tuesday, January 24, 2012 at 10:30am. Mr. Patch confirmed.

Mr. Doyle closed the public hearing at 7:45pm

**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.**

**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. Cwalinski made a motion to approve the minor subdivision of the Lands of Peter W. and Mary O. Curwen as described by the drawing of the same title revised on November 8, 2011 subject to the debris in the channel, which crosses the driveway being removed so it is in accordance with the ACOE permit. Park and Rec Fees (\$1,000 per lot) payable at issuance of building permit. Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

#### **NEW BUSINESS:**

**Trustco Bank, 235 Church Avenue, Ballston Spa, NY 12020 (216.-1-22.11) (Site Plan Review)** John Renzi, Graphic Impact Signs, proposed replacing existing (42sq. ft) sign and installing a (48.75sq. ft) onto existing pole.

After an extensive review of the zoning code, the 4ft overall width was the only item not met.

The existing sign is preexisting, nonconforming, and internally illuminated fully. The proposed sign has an opaque background; looks black during the day, but at night, looks like as though the logo and letters are hovering in the air. The square footage of the illuminated area is half of what the existing sign (42sq. ft. of illuminated area down to 21sq. ft). Even though the physical structure is larger than allowed, the design intent is tasteful, not blaring. The applicant prepared a golden effect view, making the existing sign a lot lighter than allowed for zoning. The applicant proposes to "shrink" the width and increase the setback of the proposed sign, further back from the road.



The applicant is seeking relief for a 2' 6" waiver for the width for the proposed sign.

Mr. Cwalinski asked; was an attempt made to design a sign in accordance with the Town's Design Standards. Mr. Renzi said a sign designed per the Town's Zoning Code, deemed esthetically inappropriate.

The proposed sign is tasteful, has esthetic value, not over powering, half the size of the Hess sign, and not 75 yards from the proposed with less illumination. The intent is for quality not size. Mr. Cwalinski thanked the applicant for preparing the rendering following the current Town's Design Standards.

Mr. Hayden asked if the signs in Florida are similar. Mr. Renzi said signs are a mirror image including 1400 Altamont Avenue and Highland Park NY. The quality of the Trustco image is tasteful whether owning the building or leasing.

Mr. Hayden asked, "Why do I need to know the temperature and the time if it is in my car already usually." Mr. Renzi said Trustco Bank is electing to establish this in certain communities as a service.

Mr. Hayden asked with a busy intersection and distractions; are there concerns with a ghosting effect and the way it is going to look. Mr. Renzi replied no, there is a setting on the sign with four-second intervals. This is about being tasteful; not trying to come across as a circus or Las Vegas.

Mr. Renzi said Trustco is spending money to keep the customers in the existing communities.

Mr. Hayden asked if the hovering effect could be a distraction for drivers. Mr. Renzi said no, it is very tasteful. Mr. Renzi had a rendering of an exact sign located on Clifton Country Road in Clifton Park, NY.

Mr. Hayden asked if the proposed sign is "animated", because the town code does not permit animated signs. Mr. Renzi replied no; the term animated is a scrolling message.

Mr. Doyle asked if the 16' 1" height is a standard height used by Trustco Bank. Mr. Renzi said no, the existing pole structure is utilized to meet the wind resistance based on the existing square footage. Mr. Doyle asked, "If the sign could be made smaller vertically." Mr. Renzi said if you were to make the sign smaller, the NYSDOT sign would block its visibility.

Mr. Hayden asked if any other communities in New York have not approved a similar sign. Mr. Renzi replied no. Mr. Hayden asked about Florida. Mr. Renzi replied no, but message centers rejected by Planning Boards will require a variance from the Zoning Board of Appeals. An investment of \$40,000.00 cannot warrant restrictions on the message center. "If the applicant cannot get the approval for the full "100%, they walk from it."

The Board agrees to the requested 2' 6" waiver.

Mr. Doyle opened the public hearing at 8:10pm

Fred Iannon, 1 Rolling Brook Drive asked who is responsible for maintaining the sign. Mr. Renzi said Trustco Bank would not order the sign without the optional satellite time tracker.



Mr. Doyle closed the public hearing at 8:04pm

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

**MOTION:** Mr. Cwalinski made a motion to grant the applicant relief from the width to the extent of 2' x 6". Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

**MOTION:** Mr. VanVorst made a motion to approve the proposal as described on the plan dated December 12, 2011 from the change to the existing sign at the Trustco Bank. Ms. Matias seconded the motion and all present voted in favor except Mr. Hayden who voted NO. **CARRIED.**

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

Meeting adjourned at 8:10pm

Respectfully submitted,

Michelle L. Dingman