

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: February 27, 2013

Present: Richard Doyle, Chairman
Jeffrey Cwalinski
Joan Eddy
Derek Hayden
John VanVorst
Lee Ramsey
Audeliz Matias, 1st Alternate
Kathryn Serra, Town Engineer
Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the February 27, 2013 meeting to order at 7:30pm and led the Pledge of Allegiance.

Chairman Doyle reviewed the agenda.

Chairman Doyle asked for corrections to the January 23, 2013 minutes.

Correction as follows: Resolution 2013-02 Derek Hayden voted no.

MOTION: Mr. Hayden made motion to approve January 23, 2013 minutes Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

OLD BUSINESS:

Eric Katz - Public Hearing Scheduled

4 Connolly Rd.

Site Plan Review Special Use Permit 32 Multiple dwelling units

Lead Agency 1/23/13

Coordinated Review

Mr. Brooks from Tommell & Assoc. reviewed with the board the status of the project. Mr. Brooks told the board that Tommell received from C.T. Male that day the storm water requirements, the notes were reviewed quickly and there does not seem to be anything that cannot be handled. The septic is planned for the back of the property. It is a self sustained unit, the water that is expended from the unit meets drinking water standards. The system will be on a generator. EJP will do all the testing and forward all results to DEC. The board wanted a dry sewer. C.T. Male deemed a dry sewer unnecessary.

Chairman Doyle asked for comments from the board. Mr. Cwalinski stated that he and other members of the board want a school bus kiosk. Eric Katz stated that was not a problem. They would make sure that the final plans include the school bus kiosk. Ms. Eddy pointed out that the emergency access could never be used as a

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parking area for any of the residents. The emergency access area would be kept clear of snow but would not be allowed to become a parking area at any time.

Chairman Doyle opened the Public Hearing at 7:50

Mr. Joe Grasso spoke on behalf of the 3 homeowners on Connolly Rd. The homeowners feel the Planning Board is not following Town code. Specifically the Public Hearing not scheduled until the project is in the final approval stage. Also the Special Use Permit should have been granted before the site plan review. The homeowners want to voice concern that Connolly Rd is a private owned road that the Town does not maintain. The homeowners want to know how the emergency access on Connolly Rd and storm water management are going to be maintained. The homeowners will not allow construction access will not be permitted on Connolly Rd.

Public Hearing closed at 8:05

The application was tabled.

Mangino Buick - Public Hearing Opened 1/23/13

SEQR not started

1484 Rt. 50 SBL #228.-1-53

Site Plan Review Special Use Permit 23,000 square foot Auto dealership building

Tom Andress ABD Engineering reviewed the proposal and added that CT Male's storm water management requirements have been addressed. Mr. Andress did indicate that they would be applying for a lighting waiver because of the 18' maximum height ordinance. The lighting poles are 30 ft., the building is 28'. All lighting would be down cast as previously stated.

Mr. Hayden asked how many lights would be needed if the waiver was not granted. Mr. Andress stated that the number would almost double. This would cause a nightmare for snow removal.

Chairman Doyle reviewed the waivers.

Lighting waiver, front set back waiver and front parking lot waiver. The front set back waiver is not needed because the building has been turned. The board approved the front yard parking and the lighting waiver.

Mr. Ramsey asked how many cars will be on the property at a time. Same as now was the answer provided.

Mr. Hayden asked what color are the light poles. The poles will be metal with heads about half the size of the current ones. They will be on a timer to come on at 10pm and off at 5am.

Chairman Doyle opened the public hearing at 8:20 no one spoke, the hearing was closed at 8:21

Chairman Doyle Read the four criteria for a special use permit.

1) The use shall be of such location, size and character that it will be in harmony with the

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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

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

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

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

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

MOTION: Mr. Cwalinski moved to approve the Special Use Permit request. Ms. Eddy seconded the motion and all present voted in favor. CARRIED.

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

CHAIRMAN DOYLE IMPACT ASSESSMENT

COULD

ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? NO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? NO

C4. A community exists plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? NO

C7. Other impacts (including changes in use of either quantity or type of energy)? NO

MOTION: Mr. Cwalinski motioned to Type II Unlisted. Ms. Eddy seconded the motion and all present voted in favor. CARRIED

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NEW BUSINESS:

Peter Ollari - Public Hearing Scheduled

1441 Rt. 50 SBL #228.-1-6

Site Plan Review 2300 square foot storage building for landscaping business

Chairman Doyle declared this a Concept plan review instead of a site plan review.

Duane Rabideau presented Mr. Ollari's proposal to the board.

Mr. VanVorst asked for a definition of restored wet land. Mr. Ollari explained the Army Corp of Engineers had required the previous owners to restore disturbed wet lands at the rear of the property. The Corp has verified that the restoration has been done. The members of the board requested that a formal letter from the Corp stating that the wet lands have been restored be provided.

Mr. Cwalinski asked if this is an allowed use. It was stated, this is the same use as the board approved about a year ago for applicant Kaczmarek.

Mr. Hayden asked if lighting would be around the property. Yes, in and around the landscaping displays. The plans show "bins" what are they? Concert barriers along the back of the property before the wetlands. How will deliveries be made? Mr. Ollari will be purchasing his own materials from other sources, and deliver them to his site him.

Mr. Cwalinski asked if one of 5 parking spaces on the drawing was a handicap space. Mr. Ollari said yes. Mr. Cwalinski stated parking in the front is not allowed. It was stated that all the parking area would be gravel. Snow removal of the area is not an issue because they are not open in the winter.

Mr. Hayden asked if a fence was planned. Not as this time.

Mr. Ramsey asked if there would be lighting of the areas. The only lighting will be around the landscaping displays in each corner of the property.

Irrigation material will not be sold.

Chairman Doyle stated that if the building was turned on the property the parking would not be an issue.

Chairman Doyle opened the public hearing at 8:55 no one spoke, public hearing closed at 8:56.

All the members of the board requested that a full description of the proposed sign be presented **the next** time the applicant appears before the board.

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Donny Dudley Tennis Foundation- *Public Hearing Scheduled*
933 Route 50
Site Plan Review Outdoor Tennis Courts

Mr. Dudley reviewed the phase 1 of the proposal. The driveway which DOH has approved the cutouts for, parking area near the front of the property and 2 full size tennis courts at the rear of the property.

Mr. Ramsey asked if there would be fencing around the Courts. Mr. Dudley said yes.

Ms. Eddy asked if there would be port a potty. Mr. Dudley said yes by the courts. She also asked if there would be a paved walk way between the parking lot and the courts. Would there be power at the site. Not at the beginning maybe sometime in the future. Benches are planned around the courts. She stated that the plans are very rough. The plans need to be professionally drawn up.

All of the board members demanded that Mr. Dudley consult an engineer to draw up plans before he reappear before the planning board. The plans must show emergency access to the courts, a handicap parking spot, dimensions of the courts and how they will fit on the property, ect....

Walter Katz III - *Public Hearing Scheduled*
20 White Beach Rd. SBL #239.-1-21
Minor Subdivision 2 Residential Lots

Margaret and Walter Katz III appeared before the board on their own behalf.

Chairman Doyle asked if they had approval from the zoning board. Yes.

Chairman Doyle asked how long the driveway is. Mrs. Katz stated ¼ mile. It was determined that pull offs need to be provided. Marc Katz explained that the drive way is wide enough to provide a pull off at any point in the driveway.

Chairman Doyle opened the public hearing at 9:33 no one spoke, the public hearing closed at 9:34

MOTION: Mr. VanVorst moved 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. Cwalinski motioned to declare this a Type II action under SEQR and therefore exempt from review. Mr. VanVorst seconded the motion all present voted in favor. **CARRIED.**

MOTION: Mr. VanVorst motioned to approve Walter Katz III application for Minor Subdivision at 20 Whites Beach Road as described in the plans dated 1/15/2013 and include Parks and recreation fee of \$1000.00. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED.**

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Adirondack Medical Supply- *Public Hearing Scheduled*
1490 Rt. 50 SBL# 216.-1-40.1
Site Plan Review – Sign

Jim Paratore of Adirondack Medical Supply spoke to the board on his own behalf. He apologized for not realizing that he needed a sign permit. The sign will go in the same base that the previous property owner used. The change is that the sign needs to be a foot larger due to the Adirondack's logo.

Mr. Hayden asked why the sign has to be 5' wide. Mr. Paratore explained that the logo is unreadable on a 4' wide sign. It was determined that the base is within the regulations, the problem is the sign it's self.

Mr. Ramsey stated that he did not have a problem granting the sign permit.

Mr. Van Vorst asked if the board should request a revision to the sign design standards.

The board decided that they wanted the applicant to provide a drawing of what the sign would look like if it was constructed within the current standards and then a drawing of the requested sign.

Public Hearing opened at 9:50pm no one spoke, hearing closed at 9:51

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

MOTION: Mr. Cwalinski declared it a Type 2 Action requiring no further action is required Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED**

MOTION: Mr. Cwalinski moved to approve the Adirondack Medical Supply sign. Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED**

Brooks Heritage LLC - *Public Hearing NOT Scheduled*
Timbercreek Phase III
Site Plan Review Concept

Mr. Van Vorst reclused himself.

Scott Lansing of Lansing engineering present Timbercreek phase III to the board. Phase III will be mixed use first floor 4500 sq ft retail and 5000 sq ft office space with the 2nd and 3rd floor apartments. 172 parking spaces in the rear of the building. Public water and sewer. There will be sidewalks connecting with Phase I & II keeping with the TND classification.

Kathryn Serra of CT Male requested that water Table testing be done before the project can move forward.

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Board approved the Concept contingent on the Water Table Test as requested by CT Male.

Stonebridge Enclave, LLC- *Public Hearing Scheduled*
Amend existing Planned Unit Development
28' x 32' Maintenance Building

Ms. Eddy recused herself.

Scott Lansing – Lansing Engineering along with Jessie Albert reviewed the request for the maintenance Building.

Mr. Hayden asked if they would be storing gas. Yes.

Ms. Albright stated that the landscaping around the building would match the rest of the complex.

Public Hearing opened at 10:25 on one spoke, hearing closed at 10:26

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

MOTION: Mr. Hayden declared it a Type 2 Action requiring no further action required. Mr. Cwalinski seconded the motion and all present voted in favor. CARRIED

MOTION: Mr. Cwalinski motioned to approve Stonebridge Maintenance Building as described in the plans dated December 26, 2012. Mr. Van Vorst seconded the motion and all present voted in favor. **CARRIED.**

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

Meeting adjourned at 10:30 pm.

Respectfully submitted,



Debora Bradt
Planning Board Secretary