

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: May 29, 2013

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

Chairman Doyle called the May 29, 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 April 24, 2013 minutes.
Correction as follows: No Corrections

MOTION: Ms. Cristy made a motion to approve minutes. Mr. Van Vorst seconded the motion and all present voted in favor. **CARRIED.**

OLD BUSINESS:

Eric Katz - Public Hearing Opened 2/23/13
4 Connolly Rd.

Lead Agency 1/23/13
Coordinated Review

Site Plan Review / Special Use Permit 32 Multiple dwelling units

Mr. Brooks from Tommell and Assoc. spoke to the Board on behalf of Mr. Katz. Mr. Brooks stated that they have addressed all of the CT Male concerns. Kathryn responded that she had not had time to review what was submitted. Mr. Brooks spoke about the stream concern stating that the rise was not noticeable when the estimated 6400 gallons of water was introduced to the stream. Mr. Brooks also explained that Emergency Vehicles are not able to make the turn in the rear of the complex due to the parking spaces therefore an emergency access from Connolly Road is necessary.

Chairman Doyle stated that crash gates were needed at the Connolly Rd access. Mr. Brooks said that the gates are on the plans.

Chairman Doyle opened the Public Hearing at 7:44

Ms. Ann Pierce felt that the meeting was poorly attended due to the agenda not being posted on the Town's web site.

The Public Hearing closed at 7:46

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

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. Ms. Eddy believes it is an issue, the remainder of the Board agrees there are no issues with the above criterion.

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. Ms. Eddy believes it is an issue, the remainder of the Board agrees there are no issues with the above criterion.

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. Ms. Eddy believes it is an issue, the remainder of the Board agrees there are no issues with the above criterion.

MOTION: Mr. Van Vorst moved to grant the Special Use Permit. Miss Cristy seconded the motion Ms. Eddy NO, all others present voted in favor. **CARRIED.**

MOTION: Mr. Cwalinski motioned issue a Negative Declaration on the basis that there is not a potentially significant environmental impact. Mr. Van Vorst seconded the motion, Ms. Eddy abstained all others present voted in favor. **CARRIED**

MOTION: Mr. Cwalinski motioned to grant site plan approval subject to Mr. Van Vorst seconded the motion Ms. Eddy NO, all others present voted in favor. **CARRIED.**

Chairman Doyle implored Mr. Katz to be considerate of his neighbors on Connolly Rd. Mr. Katz told Chairman Doyle he most certainly would.

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Brooks Heritage LLC - *Public Hearing Scheduled*
Timbercreek Phase III
Site Plan Review / Mixed residential, commercial

Negative Declaration 4/24/13

Scott Lansing from Lansing Engineering reviewed the Timbercreek Phase III proposal. First floor retail with residential on the second and third floor.

Chairman Doyle opened the public hearing at 7:55 no one spoke, the hearing closed at 7:56

Chairman Doyle explained that it had only been three weeks since the coordinated review was mailed. You need to allow 4 weeks for any correspondence before you can move forward.

Chairman Doyle tabled the project until the next regularly scheduled Planning Board meeting on June 26, 2013.

Living Hope Church - *Public Hearing Scheduled*
978 Rt. 50 SBL # 248.-2-14.212
Site Plan Review / Special Use Permit / New church

SEQR not started

Kurt Bedore with KB Engineering presented the Living Hope Church site plan review. Mr. Bedore said the CT Male comments would be easily addressed. Mr. Bedore pointed out that the septic system has been revised to a mound system, the split rail fence has been removed, and a pavilion with a small storage shed has been added to the rear of the property overlooking the lake. Mr. Bedore also presented a proposed LED sign.

Ms. Eddy asked if it would be like Fogg's. Mr. Bedore said that the church's sign would be done with softer lights/colors.

Chairman Doyle asked if you would be able to see the pavilion and shed from the road. NO, they will be down over the knoll from the church.

Chairman Doyle opened the Public Hearing at 8:10

Ms. Ann Pierce voiced a concern about approving a sign without any set Town of Ballston guidelines for an LED sign.

A resident of the Town of Ballston from Mourningkill Dr stated that she felt the three crosses were enough sign for any church

Chairman Doyle closed the hearing at 8:15

Chairman Doyle polled the Board for their opinion of LED light signs:

Mr. Van Vorst does not have a problem with LED light signs.

Ms. Eddy wants a traditional sign. She also said any sign that changes is a distraction.

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Mr. Hayden needs more information before he is ready to make a decision. However he does not have a problem with LED light signs.

Ms. Cristy and Ms. Audeliz agree with Mr. Hayden.

Mr. Cwalinski would like to see a presentation on LCD light signs.

Chairman Doyle said he would prefer a more traditional sign with a thought provoking message

Mr. Bedore apologized stating that the sign they are looking at is LCD not LED.

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

Chairman Doyle tabled the application stating that the C.T. Male comments need to be addressed before the planning board would be able to move forward on this project.

Frank Rossi - *Public Hearing Not Scheduled*
Church Ave. SBL # 216.-2-22.111, 216.-2-27.11, 216.-2-40
Major Subdivision / Seven commercial lots

SEQR not started

Paul Olund of EDP gave the Board an update of the proposal. They are in negotiations with the village regarding the church parking spaces at the corner of Routes 67 & 50. They are also meeting with DOT. The BSNB is supportive of the connector road as are the owners of the Monaco property as this will give them access to the town road.

Mr. Van Vorst and Ms Eddy feel this is a great idea and cannot wait to see it happen.

Chairman Doyle polled the Board for their thoughts on the connector road

Mr. Cwalinski asked for an explanation of the project. The connector road is necessary to allow future development to access town road without crossing private property.

Mr. Cwalinski, Ms. Eddy, Mr. VanVorst, Mr. Hayden, Ms. Cristy & Ms. Matias all approve of the connector road.

Chairman Doyle tabled the application.

Lang Media - *Public Hearing Scheduled*
20 Mourningkill Dr. SBL # 228.-3-36.1
Special Use Permit / Two new Billboard Signs

SEQR not started

Michael Lang owner of Lang Media spoke to the Board. Mr. Lang told the Board that they have revised their application. The applicant is no longer interested in putting up an LED billboard they want to install two traditional billboards.

Mr. Hayden asked what the site distance was. Can you see it from Brookline and Route 50? Mr. Lang said NO.

Ms. Eddy asked how long do the ads stay up. Mr. Lang said 30-60 days

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Chairman Doyle stated that Town code requires the billboards to be 25' from the silo. Mr. Lang said they are.

Chairman Doyle opened the Public Hearing at 8:34

A resident from Mourningkill Dr asked to be shown where the new signs will be. She was told one will be across Route 50 from Sherman and the other one will be across Route 50 from Everson Way.

Ms. Ann Pierce asked if these billboards maxed out the Town's limit on billboards. Chairman Doyle said yes.

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 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

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

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

MOTION: Mr. Van Vorst motioned to declare this an unlisted action under the SEQR process and therefore will declare this a Negative Declaration under the SEQR process. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED**

MOTION: Mr. Cwalinski motioned to approve Lang Media's request to install two new **NON LED** billboards at 20 Mourningkill Dr. Mr. Van Vorst seconded the motion and all present voted in favor. **CARRIED**

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NEW BUSINESS:

Brian Knight - *Public Hearing Scheduled*
19 France La. SBL #249.17-2-20
Site Plan Review / Construct new single family dwelling

Brian Knight reviewed for the board his site plan review for construction of a single family home on France Lane.

Chairman Doyle pointed out the grade around the home was not shown on the drawings submitted. Mr. Knight explained that he submitted what Mr. France submitted when the Planning Board approved the minor subdivision. Kathryn Serra of C.T. Male explained that the drawings submitted in were conceptual. The planning board will need to be supplied with more detailed plans that include the grade around the home among other details. Kathryn told Mr. Knight to have Mr. Reese (Mr. Knight's engineer) send her his plans as soon as possible so she could review and make any comments, that way Mr. Knight might be able to get on the June 26th planning board agenda.

Chairman Doyle opened the public hearing at 8:54 no one chose to speak, the hearing was closed at 8:55

Chairman Doyle told Mr. Knight he understands that the plans the planning board requires will cost Mr. Knight more money but in the long run it will save Mr. Knight a lot of heartache. The architect will not be able to build a sturdy home without the required details.

Andre LeBrecque - *Public Hearing Scheduled*
926 Rt. 67 SBL #228.-2-26

Site Plan Review / Add new single family dwelling to lot containing existing single family dwelling

Kurt Bedore of KB Engineering presented Mr. LeBrecque's site plan to convert an existing office over the garage into a 1 bedroom apartment.

Mr. Cwalinski asked if the owner would be occupying any of the residences at the address. NO both residences will be rentals. The current septic is for the 3 bedroom home. The apartment will be hooked to the county sewer. Mr. Cwalinski also asked if the electric would be underground. Mr. Bedore said yes the electric would be run underground.

Mr. Hayden asked if the first floor of the garage was still going to be used as a garage. Mr. Bedore said yes it would be used for parking for the apartment. The plans are to put a new roof and siding on the garage to match the house.

Chairman Doyle opened the Public Hearing at 9:08, no one spoke, and Public Hearing closed at 9:09.

MOTION: Mr. Cwalinski motioned to name The Town of Ballston Planning Board as 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. Van Vorst motioned to declare this an **unlisted action** under the SEQR process and therefore will declare this a Negative Declaration under the SEQR process. Mr. Hayden seconded the motion and all present voted in favor. **CARRIED**

MOTION: Mr. Van Vorst motioned to approve the LeBrecque site plan as shown in plans dated May 15, 2013. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED**

R. J. Taylor - Public Hearing NOT Scheduled
Springwood Meadows Dr. SBL #228.6-3-10
Special Use Permit/Site Plan Review CONCEPT / Condominiums (24 dwelling units)

Scott Lansing of Lansing Engineering, presented RJ Taylor's site plan review for Phase II of the Springwood Meadows Condominiums. There will be three buildings with a total of 24 units. The existing home will be demolished. Mr. Lansing stated that all of C.T. Male's comments have been addressed.

Kathryn Serra of CT Male did ask about the driveway currently at the rear of the property on to Rolling Brook Dr. Mr. Lansing stated that the driveway would be eliminated. There would not be access to Rolling Brook Dr

Mr. Van Vorst stated that he felt that the Phase I of the project was very nice however he believed that the community was to be gated.

Chairman Doyle asked if Mr. Taylor owned more property around the condominium development. Mr. Taylor said yes, however the majority of it is wetland protected therefore he is unable to build there. He has considered giving it to the Town.

Chairman Doyle commented that the area appears to be hilly. Mr. Lansing said it is and that's the reason the foundations on the back side of the buildings will be exposed.

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

Meeting adjourned at 9:25 pm.

Respectfully submitted,



Debora Bradt,
Planning Board Secretary