

Town of Ballston
Planning Board

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: August 28, 2013

Present: Richard Doyle, Chairman

Members of General Public

Josephine Cristy

Jeffrey Cwalinski

Joan Eddy

Derek Hayden

John VanVorst

Lee Ramsey

Kathryn Serra, Town Engineer

Peter Reilly, Planning Board Attorney

Thomas Johnson, Building Inspector

Terresa Bakner, Whiteman, Osterman & Hanna, LLP

Chairman Doyle called the August 28, 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 July 31, 2013 minutes.

Correction as follows: None were supplied

MOTION: Mr. Van Vorst made motion to approve minutes Mr. Ramsey seconded the motion Mr. Hayden abstained due to not attending the meeting all other present voted in favor. **CARRIED.**

Chairman Doyle asked for corrections to the Special Dolomite Meeting on August 7, 2013 minutes.

Correction as follows: None were supplied

MOTION: Mr. Van Vorst made motion to approve minutes Mr. Cwalinski seconded the motion Mr. Hayden abstained due to not attending the meeting all other present voted in favor. **CARRIED.**

Chairman Doyle asked the board for comments and thoughts regarding the DES form Dolomite submitted.

Mr. Van Vorst commented on the Trip Generation from page 2 of the document. He pointed out that there were only 2 trucks bringing material in but 12 trucks leaving per day. Chairman Doyle explained that the trucks coming in were much larger than the trucks going out however DEIS has been asked to clarify that comment.

Kathryn Serra spoke about the accident lane and she plans to have the comments modified.

Chairman Doyle also asked Ms. Serra to address the private driveway at Curtis Lumber.

Teresa Bakner stated that she will advise the applicant of the board's comments.

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OLD BUSINESS:

Frank Rossi - *Public Hearing 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 from EDP reviewed the progress made on the Rossi project. The two roads in the project have been revised so not to land lock any of the current parcels.

Chairman Doyle asked the board for their comments and or thoughts. None were given. Chairman Doyle stated that the board agrees with the positioning of the roads.

Kathryn Serra asked if the turn lane at Routes 50 & 67 issue had been resolved. Mr. Olund said yes. Kathryn also asked if Clayton Manning was designing the northern entrance. Mr. Olund said yes.

Mr. Olund asked if CT Male accepted the refiguring of the Trustco access road. Kathryn said they were waiting for the highway dept to submit any comments.

Ms. Eddy asked if the access roads would be one lane in & one lane out. Paul said yes.

Kathryn asked if the roads work around the storm water basins. Paul said yes. Kathryn then said she would talk to the highway superintendent about taking over the storm water basins.

Mr. Olund said he will work on the three remaining C.T. Male comments.

SWPPP – one per project

Second storm water management plan

Design of the wall with the assistance of a geo tech engineer

Chairman Doyle asked about the fore bays. Mr. Olund said they have been looking at the issue.

Chairman Doyle asked if the board had any thoughts or comments to share. No one spoke.

Chairman Doyle opened the public hearing at 8:05 no one spoke, the hearing closed at 8:06

Chairman Doyle thanked Mr. Olund for the update and stated that things seem to be moving along quite nicely

R. J. Taylor - *Public Hearing opened 7/31/13*
Springwood Meadows Dr. SBL #228.6-3-10
Special Use Permit/Site Plan Review / Condominiums (24 dwelling units)

Lead Agency 7/31/13

Scott Lansing of Lansing Engineering reviewed the project with the board, noting that all comments both from the board and CT Male have been addressed including the concern that none of the construction vehicles use Rollingbrook Dr and the paper street shown on the draws remain just that

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Chairman Doyle asked for comments/ thoughts from the board. None were given

Chairman Doyle opened the public hearing at 8:11 no one spoke, the hearing closed at 8:12

MOTION: Mr. Cwalinski made a motion to approve the design drawings dated 8/21/2013 subject to noting the 4 open items. Mr. Hayden seconded the motion and all present voted in favor. **CARRIED**

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

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

MOTION: Mr. Van Vorst motioned to approve the SUP for RJ Taylor Springwood Meadows. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED**

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

FW Webb - Public Hearing opened 6/26/13
1 McCrea Hill Rd 228.-3-30.142/141
Site Plan Review / New Sign – free standing

Roger Keating of Chazen spoke to the board regarding the sign revisions, stating that all of the board's comments were taken into consideration for the design of the new sign.

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Chairman Doyle asked the board if they had any questions. No one spoke.

Chairman Doyle opened the public hearing at 8:20

Audeliz Matias of 1271 Route 50 and 1st Alternate Planning Board Member thanked Roger for the new design.

MOTION: Mr. Van Vorst moved 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. Van Vorst moved to approve the sign design dated 8/12/2013 and the Barlow sign dated 8/6/2013. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED**

NEW BUSINESS:

Stewart Construction - *Public Hearing NOT Scheduled*
Old Westwind Farm

Proposed change to approved site plan – remove fence around storm water retention pond

Todd Stewart builder of Old West Wind Farm spoke to the board regarding the request to remove the fence from the previously approved site plan.

Kathryn Serra stated that the board should not make any decision on the matter before they have received comments from the highway supervisor.

Mr. Hayden asked if they would consider a split rail fence. Mr. Stewart stated that would be better than the proposed chain link fence if they were forced to have a fence. Mr. Stewart said they were thinking of a gate at the access road instead of a fence around the entire basin.

Mr. Van Vorst asked why this is becoming an issue now after the plans have been approved. No answer was given

The case was tabled until the Highway supervisor had provided his comments.

Cunningham, James R. - *Public Hearing Scheduled*
260 Scotchbush Rd.

Minor Subdivision – create one new residential lot

John Janis presented Mr. Cunningham's proposal to create a second building lot at 260 Scotchbush Rd. Mr. Janis is planning to build a new single family dwelling on the lot.

Mr. Hayden stated that the setbacks are missing from the drawing.

Mr. Cwalinski stated that the owners of the adjacent properties were not indicated on the drawings as well as the placement of those property owners wells and septic systems

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Chairman Doyle opened the public hearing at 8:50

Mr. Phelps of 258 Scotchbush Rd asked if the lot to be created was a buildable lot. He thought you had to have 5 acres to be able to subdivide. Chairman Doyle told him yes it is a buildable lot; you only need 2 acres (80,000 sq ft). Mr. Phelps also stated that he was concerned about the water table in the area. Specifically that his well would be affected.

Renee Mesh of Gloria Lane voiced a concern about added traffic. Mr. Johnson stated that Scotchbush Rd is a county road any concerns about traffic in that area would need to be sent to the county.

Chairman Doyle closed the hearing at 9:01

MOTION: Mr. Cwalinski moved to name The Town of Ballston Planning Board the Lead Agency in the SEQR process. Mr. Van Vorst 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. Van Vorst made a motion to approve the design drawings dated 8/12/2013 subject to addition of the notes regarding setbacks, wells & septic systems and adjacent land owners. Park Rec Fee of \$1,000.00 to be paid at the time the building permit is obtained. Mr. Hayden seconded the motion and all present voted in favor. **CARRIED**

Wm. H. Buckley Farm - *Public Hearing Scheduled*
946 Rt. 50
Site Plan Review / Agricultural retail store

Marc Sacco owner of Wm. H. Buckley Farm spoke to the board regarding his proposal to sell fresh poultry & beef at a store on his property at 946 Route 50. He stated that he is in the process of applying for USDA licenses to slaughter poultry and cows on the premises and then sell the product there.

Mr. Hayden asked what the hours of operation would be. Mr. Sacco said eventually he hopes to have the store open 5 days a week.

Mr. Hayden asked how many employees do anticipate needing to run the store and will you be processing meat during the hours that the store is open. Mr. Sacco said he plans 3 employees to run the store and yes sometimes it would be necessary to process meat during store hours.

Chairman Doyle opened the public hearing at 9:15

Joan Pott voiced a concern that she did not believe this hearing was necessary as it is an Ag business. Some discussion followed, Mr. Sacco thanked Ms. Pott for her support but stated he needs the board's approval to move forward with his licensing applications, required by NYS Ag & Markets

MOTION: Mr. Van Vorst moved 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**

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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. Ms. Eddy Seconded the motion and all present voted in favor. **CARRIED**

MOTION: Mr. Cwalinski moved to approve Mr. Sacco site plan so as to obtaining license 20C & license 5C from the NYS Ag & Markets. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED**

Wm. H. Buckley Farm - Public Hearing Scheduled
946 Rt. 50
Site Plan Review / Sign

Marc Sacco owner of Wm. H. Buckley Farm spoke to the board regarding a sign on his property at 946 Route 50.

Mr. Hayden pointed out that the proposed sign is too low it needs to be 3ft above the ground

Mr. Ramsey pointed out that it only needs to be 35ft off the center of the road.

Chairman Doyle opened the public hearing at 9:30 no one spoke, the hearing closed at 9:30

MOTION: Mr. Cwalinski 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: Chairman Doyle made a motion to approve the sign subject to the sign being 3ft tall and 35ft off the center of the road. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED**

MOTION: Mr. Van Vorst made a motion to adjourn. Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

Meeting adjourned at 9:40 pm.

Respectfully submitted,



Debora Bradt
Planning Board Secretary