

**TOWN OF BALLSTON
PLANNING BOARD MEETING**

July 27, 2022 6:30 pm

Town Hall Meeting Room
323 Charlton Road
Ballston Spa, NY 12020

ATTENDEES:

John Van Vorst, Chairman
Ben Baskin, Board Member
Dave Blair, Board Member
Peter DiLorenzo, Board Member
Michael Zuritis, 1st Alternate
Andrew Clark, Attorney
Matt Vaverchak, Code Enforcement Official
Jenny Lippmann, Engineer

ABSENT:

Dale King, Board Member
Patrick Maher, Board Member
Audeliz Matias, Board Member

Call to Order

The meeting was called to order at 6:30 pm.

Pledge of Allegiance was led by Chairman Van Vorst

Approval of Previous Minutes

MOTION: Mr. DiLorenzo made a motion to approve the June 29, 2022 meeting minutes as drafted. Mr. Blair seconded the motion. Mr. Baskin abstained. All others voted in favor. **CARRIED.**

OLD BUSINESS

Mangino Buick Building Addition Site Plan (PB 2022-011)

1484 Route 50; SBL 228.-1-53

Site Plan Review for a 10, 850 SF building addition. SEQRA Unlisted Action, complete.

Ms. Stephanie Alessandrini of Environmental Design Partnership and **Mr. Michael Coffey** of Mangino Buick GMC.

Ms. Alessandrini stated that she is here on behalf of PTR Properties Group, who want to construct a 10,850 SF building addition to the existing Mangino Buick GMC property. The existing automobile sales and services is approved with a Special Use Permit. They are not planning on changing that use; this is just an expansion on the existing use. This project was originally submitted with the Mangino entrance and sign project that was

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approved at the last meeting. The applications were separated when they discovered that the building addition is subject to the PDR (Purchase of Development Rights) program. The short EAF (Environmental Assessment Form) was submitted when both projects were considered as one, so SEQR has been addressed and the Negative Declaration has been issued. Ms. Alessandrini stated that the PDR paperwork and fees have been submitted. Due to exceeding the maximum allowable square footage, they are proposing rooftop solar panels so they will qualify for the 40,000 SF building footprint area. The total square footage of the building, including the addition, will be 32,500 SF.

Chairman Van Vorst asked who decides if the applicant's PDR cost calculations are correct.

Mr. Vaverchak stated that he and Mr. Stickles, the Building Inspector, worked with Ms. Lippmann to verify the calculations.

Ms. Alessandrini stated that one of Ms. Lippmann's comments was regarding the existing handicap parking. There are two handicap spaces. Many of the other spaces are used for vehicle storage, there are eight customer spaces and 40 employee spaces; she believes that only two spaces are required. They are painted on the pavement and there is a striped aisle next to it.

Ms. Lippmann stated that the submitted plan showed two spaces together without the striped aisle.

Ms. Alessandrini stated that there is a striped aisle on the side of the two spaces and pointed it out on the plan.

Ms. Lippmann stated that New York State building code requires a striped aisle for each spot.

Mr. Coffey showed a photo of the actual spaces with an aisle for each space.

Ms. Lippmann stated that New York State requires that all accessible spaces each be van accessible and be adjacent to an aisle; the photo showed an aisle between the two spaces to service both. Ms. Lippmann asked the applicant to update the plan.

Ms. Alessandrini stated that, in response to the other comments, they can paint a traffic arrow on the pavement to show one-lane access. They can also coordinate with the fire department to learn their vehicle sizes and tracking. There is gravel to the side of the parking area that would allow the fire truck to circulate.

Ms. Lippmann asked if the fire truck could circulate within 150 feet of all faces of the building.

Ms. Alessandrini answered affirmatively.

Ms. Lippmann stated that the project should be referred to the fire department as it's such a large building, to have their commentary on access points and circulation, etc.

Mr. Baskin asked if they could do a circular road around the property.

Ms. Alessandrini stated that there is not enough room; they worked with the NYS DEC and Army Corps on the location of the access road, they came up with this configuration that would minimize impacts. She stated that they would like to schedule the Public Hearing.

Chairman Van Vorst polled the Board regarding a Public Hearing.

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Mr. Baskin asked if the project will be referred to the fire department for the next meeting.

Ms. Lippmann stated that the project needs to be referred to the Fire Department and the Saratoga County Planning Board.

MOTION: Mr. DiLorenzo made a motion to schedule a Public Hearing for this matter for August 31, 2022 at 6:30 pm. Mr. Baskin seconded the motion. All in favor. **CARRIED.**

Chairman Van Vorst stated that the Board will set the Public Hearing for next month and authorize the County referral.

Ms. Lippmann stated that the County referral is due by August 10, 2022.

Mr. Clark asked the applicant if the Site Plan Review and Special Use Permit are separate applications.

Ms. Alessandrini stated that the use is approved for automobile sales and services with a Special Use Permit, so it is an existing use and they are just expanding on that.

Mr. Clark stated that typically when expanding the area of the Special Use Permit, the Board would have to amend the Special Use Permit that was previously issued.

Ms. Alessandrini stated that a Special Use Permit application was previously submitted.

Ms. Lippmann stated that it is a motion to be passed at the next meeting.

Mr. Blair asked if the initial Special Use Permit information is available.

Mr. Clark stated that his office has it.

The applicants thanked the Board.

Insite Northeast Minor Subdivision (PB 2022-010)

28 Diamond Road; SBL 294.00-3-72.2

Minor subdivision to subdivide the parcel into three single-family residential lots. Public Hearing scheduled. SEQRA Unlisted Action, open.

Mr. Terrance Hubbard of 28 Diamond Road.

Chairman Van Vorst asked if Mr. Hubbard had decided not to take advantage of the extra lot.

Mr. Hubbard stated that they looked at the lot lines but couldn't make it work. He stated that they missed the submission deadline, but he came to the meeting because the Public Hearing was scheduled.

Chairman Van Vorst asked what the difference will be in the next submission.

Mr. Hubbard stated that the submission would include some lot line adjustment and septic fine tuning.

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Chairman Van Vorst stated that he will have to leave the Public Hearing open as the plans will be different.

Mr. Hubbard stated that he didn't know that final plans are necessary for the Public Hearing.

Mr. Clark stated that the final plans are needed before closing the Public Hearing so the public has the chance to comment on the final project; closing it prior would exclude possible public comments.

Public Hearing open at 6:45pm.

No members of the public were present.

Public Hearing adjourned at 6:45 pm.

Ms. Lippmann stated that the project cannot be referred to the County Planning Board until final plans are submitted; County referral will be postponed at this time.

Chairman Van Vorst asked if the project is on a County road.

Ms. Lippmann stated that the property lacks frontage on Round Lake Road but is within 500 feet of it.

Mr. Hubbard asked why the project must be referred.

Ms. Lippmann stated that the County has jurisdiction over site plan reviews, subdivisions that are before the Town Planning Board. The Town Planning Board cannot authorize the project until the County referral is received stating that they have no comment.

Mr. Hubbard and Ms. Lippmann discussed the submission deadlines for the Town and County Planning Boards and when final plans should be submitted for review and referral. She stated that referral is a New York State law and there is no choice in the matter.

Mr. Hubbard stated that he thought the referral wasn't done in 2010 when they submitted the project and asked if this is something new.

Ms. Lippmann stated that it may have been done and the applicant didn't know it; it is an administrative item that is done on the back end.

Mr. Hubbard thanked the Board.

NEW BUSINESS

2150 Properties, LLC Sketch Plan (PB 2022-013)

852 Saratoga Road; SBL 257.-3-30

Sketch Plan Conference for a lot line adjustment and proposed building addition. SEQRA Unlisted Action, open.

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Mr. Kurt Bedore of KB Engineering & Consulting, PLLC and **Mr. Craig MacDonald**, owner of Suburban Services Group.

Mr. Bedore stated that the project is entitled 2150 Properties; it entails two properties at 852 and 854 Saratoga Road. 2150 Properties owns #852 and #854 is owned by another entity, Jeencomm Properties. Mr. MacDonald is the man behind those; he owns Suburban Heating, a longstanding HVAC business in Burnt Hills. He would like to double the building's size, mirroring it across the property line of the two parcels, so they are proposing a lot line adjustment to combine the two lots. The use of the new building addition will be consistent with the use of the existing building; it will contain a warehouse and offices. A few new employees will be added. The lot is 2.69 acres in the new Commercial district, which is consistent with the previous Mixed Use South district. Regarding the engineering comment letter, the lot coverage maximum is 30% and their proposed lot coverage is 48%; there will not be much disturbance as the lot they want to expand into is shovel ready. The Building will have a basement with loading docks on the north side and on the back side like the existing building and the front will be built up at grade to enter at grade similar to the existing building. Regarding the five-foot side setback minimum, when the lot line is removed the project will be in compliance. The project is in the Ballston Lake Watershed Protection Overlay district; stormwater management practices are in order. Mr. Bedore asked if the new construction is under one acre would that negate the overlay SWPPP (Stormwater Pollution Prevention Plan) requirement.

Ms. Lippmann and Mr. Bedore discussed the SWPPP requirements; Ms. Lippmann stated that she believes that the commercial construction threshold is one acre of soil disturbance; she will check.

Chairman Van Vorst asked if the applicant has verified that the project is in the Watershed district.

Mr. Bedore answered affirmatively and detailed some of the areas of the district; he will take a closer look for the next meeting.

Mr. Bedore stated that they will add an additional line to the existing septic system to accommodate additional employees.

Mr. MacDonald stated that there are currently six full-time employees, that may increase to eight.

Mr. Bedore stated that the new line will be out front, and they will not pave over it; they will build the new parking area around it.

Mr. Blair stated that the plan says the leach field will be relocated outside of the gravel drive.

Mr. Bedore stated that they are not going to pave over it or have traffic on top of it; there may be a finger of the septic system under the pavement.

Chairman Van Vorst stated that it looks like 80% is under the gravel drive.

Mr. Bedore stated that they are proposing to leave it as is because it works well and will add the additional finger to add more capacity for the additional employees. He doesn't see a need to replace or relocate it.

Mr. Blair stated that if there will be traffic over it, it should be evaluated by an engineer.

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Mr. Bedore stated that he could have it evaluated and provide a statement.

Mr. Blair stated that everyone is told not to drive over a leach field.

Mr. Bedore stated that that is true but that the system has been there for years.

Mr. Blair stated that it should be evaluated if it's under a stone driveway.

Mr. Bedore asked Mr. MacDonald if it was always paved.

Mr. MacDonald stated that he paved over it.

Mr. Bedore stated that they don't see it as a problem as it stands but they will evaluate it and provide qualified statements and/or findings; their intent is to add another line.

Mr. Blair asked where the septic for the house is.

Chairman Van Vorst stated that the house doesn't exist.

Mr. MacDonald stated that he has lost track of where the septic is located.

Chairman Van Vorst stated that the house is not there, although it appears on the map.

Mr. MacDonald stated that house is gone.

Mr. Bedore stated that it is a dated survey which will be updated. Water will continue to be served to the building through the existing service and cross connect the new addition so there is no change in that regard. The business is doing well and expanding, and this is a great addition to the Town tax base and for everybody. Because it is a shovel ready area, he would be surprised if there is any adverse environmental impact.

Chairman Van Vorst asked if they are seeking a waiver for site coverage.

Mr. Bedore stated that they are looking for 18% relief.

Chairman Van Vorst polled the Board on the waiver.

Mr. Bedore stated that the waiver is needed to build the addition.

Mr. Blair stated he would be ok with it.

Mr. DiLorenzo asked if the driveway was included in the lot coverage calculations.

Mr. Bedore stated that it's just the building.

Chairman Van Vorst stated that the driveway counts as impervious coverage; he asked Ms. Lippmann if that would change her figures.

Ms. Lippmann answered that she had done her own calculations.

Mr. DiLorenzo stated that he would be ok with it.

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Mr. Baskin asked if they could supplement somewhere else on the property to compensate for the lack of green space. He asked if that is ever done.

Chairman Van Vorst answered that in the past other projects have used unique strategies.

Mr. Baskin stated that they could donate trees to the Town.

Mr. Bedore stated that they could enhance the aesthetics by adding more landscaping. If the SWPPP is not required Mr. MacDonald would consider adding a rain garden, discretionary water treatment which includes landscaping; it doesn't change the coverage but would enhance the water quality treatment and the aesthetics.

Mr. Baskin stated that that would be fair. The requirements are created for a reason; this would be a way to ameliorate not complying with the code. This would make him more comfortable with the coverage.

Mr. Zuritis stated that he didn't have enough experience to render an opinion.

Mr. Baskin asked Mr. Clark if this is an appropriate request.

Mr. Clark stated that he thought so and would confirm; it's not required of the applicant.

Mr. MacDonald stated that where the house stood is all grass and will be maintained; he asked if that answered the question.

Mr. Bedore stated that Mr. Baskin is looking for mitigation for the amount of impervious coverage.

Mr. MacDonald asked if they could do something where the house was.

Mr. Bedore stated that they could add landscaping, a rain garden, a buffer to the north; that would be the logical place to do it for everyone's enjoyment.

Chairman Van Vorst asked Ms. Lippmann if the house was included in the impervious area calculations.

Ms. Lippmann answered yes, as the house was on the map.

Chairman Van Vorst asked if the percentage would be reduced since the house is not there.

Ms. Lippmann stated that it would be reduced; she will check.

Mr. Baskin stated that he would be ok with the ideas presented for that area.

Mr. Bedore stated that a rain garden could be put there to address the concerns.

Mr. Blair asked if the gravel driveway on the north side could be altered to help gain green space.

Mr. Bedore stated that they could adjust it; it was created when he thought the house was there.

Mr. MacDonald stated that he is open to that.

Mr. Blair stated that maybe they could get closer to the 30% requirement with the house gone and alterations to the stone driveway.

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Ms. Lippmann stated that she looked up the SWPPP requirement; it is one acre of disturbance.

Mr. MacDonald asked if the Board has the view of the building from the street.

Mr. Blair stated that that would be helpful.

Mr. Bedore stated that the next submission will have elevations, etc.

Mr. Vaverchak asked if the three breezeways between the two buildings, in addition to keeping employees out of the elements, are an effort to deem this one primary structure.

Mr. MacDonald stated that he first talked to an architect and considered how it would look if the buildings were connected, and how the roof would look and how high it would be.

Mr. Bedore stated that a sawtooth roofline keeps the height to 30 feet, one big roof would go up to 40 feet.

Mr. Macdonald stated that he wanted one building next to the other, but it would look awful from the street. With having employees going between buildings, and some utilities in the area, they came up with putting the new building next to the existing building with breezeways to connect them, which seemed to be the only way to make the project work without having a massive structure.

Mr. Blair asked if they could add a building perpendicular to the existing building instead of parallel to it so the roof heights would be the same.

Mr. MacDonald stated that from an operational standpoint, there will be people moving between buildings all day.

Mr. Blair stated that the buildings would be attached.

Mr. Bedore stated that that arrangement wouldn't work for Mr. MacDonald's needs.

Mr. MacDonald stated that he wanted one building but it wouldn't be good.

The applicants thanked the Board.

MOTION: Mr. Blair made a motion to adjourn the meeting. Mr. DiLorenzo seconded the motion. All in favor.
CARRIED.

Meeting was adjourned at 7:15 pm.

Respectfully submitted,

Kerri Mains

Kerri Mains
Planning Board Secretary