



TOWN OF BALLSTON PLANNING BOARD MEETING

July 26, 2023 at 6:30 pm

Town Hall Meeting Room and Zoom Webinar for Viewing Only
323 Charlton Road, Ballston Spa, NY 12020

www.townofballstonny.org

ATTENDEES:

John Van Vorst, Chairman
Dave Blair, Vice Chairman
Andrew Collar, Board Member
Peter DiLorenzo, Board Member
Audeliz Matias, Board Member
Michael Zuritis, Board Member
Andrew Clark, Attorney
Jenny Lippmann, Engineer
Kerri Mains, Planning Board Secretary

ABSENT:

Ben Baskin, Board Member
Dale King, 2nd Alternate
Jeff Stickles, Code Enforcement Official

Call to Order

The meeting was called to order at 6:30 pm and the Pledge of Allegiance was recited.

Approval of Previous Minutes

MOTION: Mr. DiLorenzo made a motion to approve the June 28, 2023 meeting minutes. Ms. Matias seconded the motion. All in favor. **CARRIED.**

OLD BUSINESS

220 Scotch Bush Road Minor Subdivision (PB 2023-002)

248.-1-81.141

Minor Subdivision to divide the parcel in half for the construction of a home. Public Hearing scheduled.

Mr. Patrick Jarosz of Gilbert VanGuilder Land Surveyor, PLLC.

Mr. Jarosz stated that he is present on behalf of the Clark family for a two-lot subdivision at 220 Scotch Bush Road. He is here for the public hearing and to answer any questions from the Board.

Chairman Van Vorst polled the Board for questions or comments; there were none.



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Public Hearing open 6:31 pm.

No one wished to speak.

MOTION: Mr. Blair made a motion to make a Negative Declaration under SEQRA for this Unlisted Action. Mr. DiLorenzo seconded the motion. All in favor. **CARRIED.**

Public Hearing closed at 6:34 pm.

MOTION: Mr. Collar made a motion to approve the minor subdivision at 220 Scotch Bush Road (PB 2023-002). Mr. Blair seconded the motion. All in favor. **CARRIED.**

Mr. Jarosz thanked the Board.

Katz Outlet Road Sketch Plan Conference (PB 2022-015)

Outlet Road; SBL 239.-1-80

Sketch Plan Conference for a Minor Subdivision to divide the 14.58-acre parcel into three residential building lots with Town water and natural gas.

Mr. Walter Katz and **Mrs. Maggie Katz**, property owners.

Mr. Katz stated that he wants to finish getting his approval. The Zoning Board of Appeals (ZBA) gave approval for three lots. He wants approval for at least three lots on his property.

Chairman Van Vorst stated that just because the ZBA gave approval doesn't mean that the Planning Board will give approval. They need to see engineered plans.

Mr. Katz stated that the Board has plans for the three lots showing houses, septic systems, etc.

Ms. Matias stated that the document link has the plans that were submitted to the ZBA.

Chairman Van Vorst asked if those are the same plans as for the Planning Board.

Mr. Katz answered affirmatively and stated that they show the designated wetlands; he has submitted everything he was supposed to.

Chairman Van Vorst polled the Board for questions or comments.

Mr. DiLorenzo and Mr. Blair discussed the lot sizes listed on the plans submitted to the ZBA compared to what they approved. Mr. Blair explained that the lot sizes listed include the wetlands; since the wetlands can't be used toward the five acres, the ZBA deducted the wetlands to determine the amount of relief to grant. He asked Ms. Lippmann if that is the case.



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Ms. Lippmann explained that Mr. Katz can have lots that are one acre in size, but the density calculation is five acres per dwelling, with the restricted lands subtracted from the acreage of the parent parcel. This calculation gives the density but doesn't say what the lot size should be. The lot area was fine, it was the number of dwellings allowed on the property that was questioned based on the restricted lands.

Mr. Clark confirmed that that was the intent of the variances that were granted by the ZBA.

Mr. Collar stated that it is about density, not lot sizes.

Ms. Lippmann answered affirmatively and stated that the zoning density allowed two lots with one dwelling per five acres, but the variances allow three.

Mr. Blair stated that that is in line with what the Planning Board recommended to the ZBA.

Ms. Lippmann answered affirmatively.

Chairman Van Vorst asked if SEQR was done at the ZBA.

Mr. Clark stated that it was, but it would be prudent for the Planning Board to do the SEQR determination as well.

MOTION: Mr. Blair made a motion to declare the Town of Ballston Planning Board the Lead Agency on this Unlisted Action on SBL 239.-1-8 on Outlet Road by Mr. Katz. Mr. DiLorenzo seconded the motion. All in favor. **CARRIED.**

Mr. Blair stated that there were conversations about where to start the separation from farmland to building. He asked if there was a determination on that.

Ms. Lippmann stated that they didn't dig into it much further as it would be beyond the threshold.

Chairman Van Vorst stated that it is not necessary to refer this application to the Saratoga County Planning Board.

MOTION: Mr. Blair made a motion to schedule a Public Hearing on August 30, 2023 at 6:30 pm. Mr. DiLorenzo seconded the motion. All in favor. **CARRIED.**

Mr. Katz thanked the Board.

Goode Street & Orchard Terrace Lot Line Adjustments (PB 2022-021)

145 Goode Street, 149 Goode Street, 153 Goode Street, 4 Orchard Terrace, 6 Orchard Terrace
SBL 248.17-3-4, 248.-1-51.1, 248.-1-89.111, 248.17-3-2, 248.17-3-3

Multiple Lot Line Adjustments across five adjacent properties under the same ownership.

Ms. Stephanie Ferradino of Ferradino Firm, PLLC and **Dr. Matt Duemler**, property owner.



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Ms. Ferradino stated that she is here on behalf of the applicant for this project that's located on Goode Street and Orchard Terrace. She presented maps of the proposed adjustments and stated that the ZBA granted variances for 149 Goode Street for a reconfigured flag lot with 15 feet of frontage, which will be moved from Goode Street to Orchard Terrace. The reconfiguration will address the driveway that currently bisects the parcels and will enlarge the two lots on Orchard Terrace so they will conform to zoning law. There will still be two vacant lots, two residential lots, and the lot with the veterinary practice. The lot with access by way of an easement will continue to use the paved driveway on Goode Street; the pole of the flag lot will be on Orchard Terrace but a condition of the ZBA approval was that the access on Orchard Terrace will never be used.

Chairman Van Vorst polled the Board for questions or comments.

Mr. Blair asked if the mailbox for the flag lot will be on Goode Street.

Dr. Duemler stated that he would like to keep the mailboxes where they are now. He asked if the address will still be 149 Goode Street.

Ms. Ferradino asked who sets the address; if it is the fire department.

Ms. Lippmann stated that usually the County does that. The permanent easement is proposed so they always have access and the current address is Goode Street; it makes sense to maintain that address.

Mr. Zuritis stated that that makes sense as they will have access.

Chairman Van Vorst polled the Board for questions or comments; there were none. He stated that no public hearing is needed and asked if the County referral was done.

Mr. Clark stated that it was done for the ZBA variance application but must be done for the Planning Board for the lot line adjustment before a decision on the project; it is a statutory referral but if not done the final action could be subject to challenge based upon the failure to refer it.

Mr. Zuritis stated that, based on the County response to the ZBA, the expectation is that there would not be an issue.

Ms. Lippmann stated that at the next meeting everything should be in place for the Board to make a decision.

The applicants thanked the Board.



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NEW BUSINESS

Eastline Commons PUDD Phase III Sketch Plan (PB 2023-005)

SBL 228.-4-1.1

Sketch Plan Conference for the construction of 21 townhouses on 3.66 acres within the Eastline Commons PUDD; including public water and sewer service with on-site stormwater management.

Mr. Gavin Vuillaume of Environmental Design Partnership, LLP and **Mr. Tom Paonessa** of TP Builders, Inc.

Mr. Vuillaume stated that this is Phase 3 of a PUDD that was approved over ten years ago. There are two development areas left: lot 4 on the corner, which is more commercial, and this one on Eastline Road which is 500-600 feet from the road. He referenced a map of the original project and stated that the private roadway is used for the apartments plus some of the commercial and light industrial buildings in the rear. The lot is approximately three acres and they anticipated 21 townhome units. The area is fairly wooded, with an easement along the back of the parcel and a small wetland along the roadway. He distributed maps of the current project and stated that the layout follows the original concept. Access is from Eastline Road. There are woods to the south of the roadway and a portion of the stormwater management area. Once you enter the property it's wooded, with three buildings with six to eight units each. They are two-story buildings with three bedrooms per unit plus a garage and parking space. There is additional parking.

Mr. Blair stated that the plan says there are 23 parking spaces, but he only counts 13.

Mr. Vuillaume stated that there are 23 spaces throughout the site that are not in front of garages, and 21 spaces that are in front of each garage. There is enough area for fire apparatus and emergency services. They haven't determined garbage pickup yet. Lighting will be minimal as everything faces to the front; it will be on the front of the units with not much needed for the parking areas. The main stormwater management area will be near the entrance to the project; there will be an overflow area available. Sewer and water are available at the entrance to the project. The next set of plans will have more detail as they are currently at the early stages.

Chairman Van Vorst polled the Board for opinions on the project.

Mr. Zuritis stated that it seems consistent with the existing development.

Mr. Collar asked if the roadway is already installed; Board members answered affirmatively.

Ms. Lippmann stated that there is a curb cut.

Mr. Vuillaume answered affirmatively.

Mr. Lippmann asked when the wetlands were last delineated.

Mr. Vuillaume stated that they were just updated; they've gotten larger.



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Ms. Lippmann asked that the next submission confirm the fire apparatus access.

Mr. Vuillaume stated that he will make a diagram.

Mr. Blair asked if the stormwater management area that abuts the wetlands will potentially fill up and not percolate out fast enough.

Ms. Lippmann stated that they will have to show their plan for that.

Mr. Vuillaume stated that the basins for the existing apartments are wet ponds; these will be designed in the same manner.

Ms. Lippmann stated that there is still the runoff reduction issue.

Mr. Vuillaume stated that they will add more individual areas closer to the parking lot.

Mr. Blair asked if there is a pond.

Mr. Vuillaume answered affirmatively.

Mr. Blair asked if there are concerns that the pond may grow and affect the neighbors.

Mr. Vuillaume referenced the map and showed the basins where they will direct runoff and overflow.

Ms. Lippman stated that as part of the SWPPP they will submit they must validate that no stormwater goes offsite.

Mr. Villaume asked if a County referral will be required.

Ms. Lippmann answered affirmatively.

Mr. Vuillaume 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 7:06 pm.

Respectfully submitted,

Kerri Mains

Kerri Mains
Planning Board Secretary