

Town of Ballston  
Planning Board

## TOWN OF BALLSTON PLANNING BOARD

### Regular Monthly Meeting: January 21, 2016

Present: Richard Doyle, Chairman  
James DiPasquale  
Patrick Maher  
Audeliz Matias  
John VanVorst  
Kim Kotkoskie, 1<sup>st</sup> Alternate  
Thomas Johnson, Building Inspector  
Kathryn Serra, Town Engineer  
Peter Reilly, Planning Board Attorney  
John Munsey, C. T. Male  
Members of the General Public

Chairman Doyle called the January 21, 2016 meeting to order at 7:30 p.m. and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Chairman Doyle asked for corrections to the December 16, 2015 meeting minutes.

**MOTION:** Mr. Maher made a motion to accept the December 16, 2015. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

### OLD BUSINESS

**Conifer Realty, 800 Route 67, Ballston Spa, NY 12020; 228.-2-9.1, 12, 43, 45 (Site Plan Review Mixed use PUDD)**

Matthew Jones, Esq., Gavin Vuillaume, EDP and representatives from Conifer Realty were present.

Mr. Jones stated the overall project is to subdivide the existing areas A, B and C and hope to develop 142 apartments and divide into two lots.

Phase (1)	82 apartments and clubhouse
Phase (2)	60-units
Phase (3)	Townhouses

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Phase (4) Commercial development

Mr. Vuillaume stated there is one easement that is going to be modified to provide better access onto Route 67 and the lighted intersection on Eastline Road better known as Lot 12 and is a safety feature and provides immediate access out to Eastline Road.

The changes to the building locations and orientation to-building #6 has been rotated to accommodate some of the fire access to that particular building. Building #1 has been brought closer to the road to provide better fire access. The applicant has been working with C. T. Male and the Fire Department trying to modify to get the access to work better with a big concern with apartment buildings and three-story buildings with accessibility through parking lots. The parking areas have been modified and widened interior access lanes with plenty of room for fire trucks to access the building not only on the ends, but on the long side of the building. A turning radius has been provided for a large ladder fire truck and will continue to work with the fire department on fire hydrant locations. The applicant is working with C. T. Male on storm water basins.

A slight modification has been made to the landscaping plan based on C. T. Male's comment letter and provides adequate access for the fire trucks. The details for utilities have been provided with construction sheets. There sewer runs right down the center of the property (SCSD#1) and would be connecting from that sewer to access both the apartments from the east and to the west. There is an existing water main on Route 67. Ms. Moran with CME stated the first comment was the connection on the site that went between Commerce Drive and Eastline Road. It was typically looking for more of an internal street as of a connection that is there now. CME response: There is a connection between the two easements so anybody that works off of Commerce Drive will be kind of a continuation of that particular system. Rather than providing more of a designed street in between the two locations, CME feels it's best to keep it slightly less formal. Chairman Doyle stated the letter was stamped DRAFT and was hoping that CME would give that a little more thought. It appears winding through this complex, is maybe not the easiest way, but that access to Eastline Road has been there forever and people have become accustomed to it. Mr. DiPasquale stated that it could be hard to get out with the traffic that backs up on Eastline Road and Route 67. The vehicle queues were documented on Eastline Road and were not often that backed up where those driveways are and did happen occasionally, but for the most part; people would be able to cycle through and get out. Mr. DiPasquale stated that the connection between Eastline Road and Commerce Drive are private roads and there could be a potential amount of traffic though that area. Ms. Moran stated the site is expected to generate 90 vehicle trips in the AM peak and 114-115 vehicle trips in the PM peak. Ms. Serra stated you are going to see existing users on Commerce Drive use the private drive to cut through. The applicant stated they would construct speed humps throughout the site to control the traffic. Ms. Moran stated the second comment from BFJ is mitigation at the intersection of Eastline Road and Route 67. The Town of Malta has a TIP application

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for that. Ms. Serra stated if that Eastline Road round-about didn't happen for the next ten years, we're still going to be having this development resulting in the level of service (LOS) drop and the Planning Board is very concerned about that. Ms. Moran stated the previous PUDD approval also had a LOS drop and there was certain threshold allowed up-to that point even with the LOS drop. Ms. Serra does not disagree, but the problem is this PUDD outdated that and were looking at the problem now. Ms. Serra asked that you (CME) had petitioned to the state to go around that LOS drop with the standard requirement mitigation. Ms. Moran stated it's a very typical request to make to the state and during the AM peak hour there is no drop in LOS during the build and no-build conditions and during the PM peak hours there is also no drop in build and no-build conditions. The overall delay at the Eastline Road and Route 67 intersection increases by about five seconds under no-build conditions at an overall LOS "E" at this intersection and with the addition of this project it would be an additional five second increase and still operating at LOS "E".

Mr. DiPasquale asked the status of the Storm water management. Mr. Vuillaume stated EDP is in the process of addressing C. T. Male's comments and currently making changes to the storm basins.

Mr. Fischer asked how the commercial phase will be affected by the storm water perspective. There will be a storm water management for that area and discharge to the intersection at Eastline and Route 67. A further discussion was held on the concern that the commercial property gets developed in an orderly manner. Mr. DiPasquale asked when the round-about goes in, will it impact that lot. Mr. Vuillaume stated it's designed mostly to the east. Ms. Serra stated the board should understand that after reading the traffic study that development cannot happen until traffic mitigation occurs at that intersection because any additional development will kick the threshold.

Chairman Doyle opened the public hearing at 8:20 p.m.

**David Pierce, 110 Lake Road** asked if the traffic study is for this project, Dolomite, Wal-Mart and Kelley Farm and if they are all up-to date because it seems like all these projects are adding to the traffic issues that we have been talking about for the last three years that are happening on Route 67. Ms. Serra stated each of those projects assumes each other. Dr. Pierce stated the applicant is only sixth-tenths away from an asphalt plant.

**Anne Pierce, 110 Lake Road** asked if the applicant is considering a left turn lane on Eastline Road and what would be the commercial area and into the apartments.

**Ian Murray, 824 Route 67 (Brookside Nursery)** cannot say that he is in favor of this project, but not opposed to it.

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1. Ownership – is the applicant in our community for the short term or long term. The applicant builds and operates themselves in a number of states.
2. Ingress/Egress access for emergency services in the matter of safety to navigate the facility. There has been a meeting with the fire department and we (the board) share your concerns because safety is number one.
3. Traffic – think everyone knows how he feels about the Dolomite project, but our little micro-community have been a small business in the town since 1975 providing jobs and services and to the point that the traffic is getting so bad that is thinking ahead short term on what he is going to do because it could be possibly driving him out of business with traffic. Comments tonight relative to traffic and LOS and its imperative that they keep that service road (access between Commerce Drive and Eastline Road) in the design and functioning all of the time. Without a turn lane at that round-about and what's proposed for Dolomite at Curtis Industrial Park would certainly drive me out of business because there would be no interruption of traffic. Ms. Serra asked Mr. Murray if he would possibly speak to the Town of Ballston Supervisor for the pursuit to try to upgrade Eastline Road and try to get that turn lane extended past Commerce Drive. Mr. Murray stated he absolutely would and no negative affect to the board as he is a board member in another town and it angers him because he loves this community, but it's been asleep at the wheel for 20 plus years. Mr. Murray has been to numerous politicians, numerous supervisors and told them the problem and we missed the boat on this and now look what we are doing to our micro-community by packing all this traffic in here in light on the Wal-Mart that got approved potentially 28 trucks per hour coming in and out of Dolomite. Mr. Murray stated Commerce Drive eastbound are at an LOS "F" with no proposed improvements with this project or with Dolomite and has a serious effect on his business.

A further discussion was held on the service road.

**David Whittredge, Chief of Ballston Spa Fire Department** has reviewed the maps and does not believe in the computer generated truck access – they do not work. There are concerns with the curbing process around all the parking lots and buildings and believe there is access if there is nobody parking illegally, however would like to see the curbing's have a paver approach to them like the round-about so there is no problem hopping their trucks up and over them in case of an emergency. At the ends of the buildings where there is no fire lane, we would like to see paved grass (honeycomb style interlocking blocks that go in the ground and filled with sand tamped in place and then grass be planted on them – they can withstand 50 tons of weight. Ms. Serra asked specifically where you would like to see that.

- Building #2 south end of the building;
- Building #3 in-between there and the clubhouse;
- Building #4 south end;

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Building #5 possibly something on the south side.

Ms. Serra stated that the south end of building 2, 5 and between the clubhouse and building 4. Mr. Whittredge stated 5, 4, 2 and 3. Mr. Whittredge asked the numbers of hydrants are proposed on site and if there will be 5" connection to hook their supply lines to. Ms. Serra stated that is a water department standard. Buildings 1 and 2 the parking lots are a little tight. Will the buildings be equipped sprinkler system? Mr. Johnson stated yes. Will there be stand pipes in addition to the sprinkler system and where would they be located at each building. Mr. Johnson stated the code does not require stand pipes for this type of structure, but we can talk about that. Will entranceways be secured at all times with a key code access or an open door with a common hallway to all the apartments? Secured with electronic fobs. We would request that Knox-boxes be placed on every single building. The island at Route 67 (east and west bound exit and entrance only) would appreciate the curbing not to be so pronounced. Ms. Serra stated that NYSDOT has their standards, but does agree at the round-about. There are no elevators in the buildings as it is not required and the town would have to make it a requirement. Mr. Johnson stated that Mr. Ott with the Emergency Squad had a concern with that. Will the alarm systems be through an alarm company or smoke detectors for each apartment? Mr. Johnson stated it's required to have a central alarm system. What type of landscaping is proposed between the buildings that are going to join Commerce Drive? Mr. Vuillaume stated low shrubs. Will there be stop signs that come off the road that comes off of Route 67 (east/west section). Mr. Vuillaume stated internally yes.

Dr. Pierce asked if those pavers are going to solve the problem in the winter if there are snow banks on the side. Chairman Doyle stated that will be a problem and will discuss at a later date; 10% is needed for storage or else it will need to be hauled away. Ms. Serra asked Mr. Vuillaume to take a look at that.

Chairman Doyle stated the public hearing will remain open.

**Walter Katz, White Beach Road, Ballston Lake, NY 12019; 239.-1-21.2 (Minor Subdivision/LLA).**

Duane Rabideau, PLS with VanGuilder and Associates was present on behalf of the applicant.

The proposal is for a 3-lot subdivision for the parcel located at 20 White Beach Road.

Lot #1 17 Acres

Lot #2 approximately 6 Acres

Lot #3 under 6 Acres

Mr. Rabideau stated that each lot will be serviced by onsite well and septic.

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The SWPPP has been prepared and reviewed by C. T. Male and all issues have been resolved. Chairman Doyle opened the public hearing at 8:50 p.m.

No one wished to speak.

Chairman Doyle closed the public hearing at 8:51 p.m.

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

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

**MOTION:** Mr. Fischer moved that we approve the subdivision as discussed and presented. Revised map dated December 22, 2015 and the revised SWPPP dated December 28, 2015. Park and Rec fee of \$1,000 per lot payable at issuance of the building permit. Ms. Matias seconded the motion and all present voted in favor. **CARRIED.**

**Mark Katz, 1145A Route 50, Ballston Lake, NY 12019 239.-1-40.11 (Site Plan Review/Motor Vehicle Repair).**

Scott Lansing, PE, with Lansing Engineering was present on behalf of the applicant Vander Molen Fire Apparatus Facility.

The parcel consists of 3.12 acres located in the Business Highway-2 District. The proposal is for a retail maintenance facility consisting of an 8,505 square foot building for the outfitting of emergency service vehicles. Since the last meeting, the applicant has provided preliminary plans, SWPPP with additional details and is in receipt of the C. T. Male comment letter.

Ms. Serra stated that C. T. Male will take a look at the buildings eastern elevation relative to the town's design standards as vertical metal siding is prohibited. Ms. Serra recommended dressing up the façade to make it look better.

A further discussion was held on the exterior of the proposed building and adhering to the town's design standards.

Mr. Cwalinski would like to see horizontal siding is not a fan of vertical siding on the front.

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Ms. Serra asked if the applicant would consider vinyl siding on the side that faces Route 50. Mr. Katz stated it's possible.

Ms. Kotkoskie stated that some of these changes will impact the EAF on how the questions were answered. Also the hazardous waste question seemed high. The storage of bulk products stated 250 and the answer was no and you would be under 185 – (p) on page 8. Mr. Katz stated they can max out at 250. Ms. Kotkoskie stated that you had a portable tote, but still has to do his storage capacity.

Chairman Doyle opened the public hearing at 9:05 p.m.

No one wished to speak.

Chairman Doyle closed the public hearing at 9:06 p.m.

Application tabled.

**NEW BUSINESS**

**1491 Saratoga Road, LLC, 1491 Route 50, Ballston Spa, NY 12020; 216.-1-62 (CONCEPT - Site Plan/Special Use Permit – Apartment Community**

Joseph Dannible, EDP was present on behalf of the applicant. The property is located on the west side of Route 50 approximately four miles south of Route 67. The application is proposing 40 apartment units and two buildings. Along the road will be a 16 unit apartment building, two floors and eight units per floor.

Chairman Doyle asked to application to explain the market rated apartments. There are no subsidies involved on the project.

The project access is a single curb cut on Route 50. The rear building is a two story building, 12 units totaling 24 units.

The site has been is designed to accommodate fire apparatus access to the site; a turn-around at the rear of the site in accordance with New York State Fire Code.

The site to be serviced by municipal water and sanitary sewer and storm water to be managed on site. An area has been designated for snow storage.

Mr. VanVorst would like to see some kind of connectivity between the adjoining parcels. The applicant will discuss with adjoining land owners about possible connection. Mr. VanVorst stated on the northern end would be easy to provide for a paper street.

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Mr. Cwalinski stated that we are taking all the Mixed Use areas and filling them up with apartments. We keep hearing we want small businesses in this town, but we are not accommodating small businesses. Is there any chance of getting any retail or something in here than just apartments? Mr. Dannible stated retail is dictated for a demand for retail in the area and at this point in time, no one has come forward for a retail use. The applicant is looking for move forward on a zoning compliant use with a special use permit on this property. Mr. Cwalinski has a concern for the proposed building too close to Route 50; feeling it would be a poor quality of life. Ms. Serra this is the first applicant adhering to the standards for layout; every other applicant has received a waiver with a row of parking in the front.

A further discussion was held on the proposed site layout of the project.

Chairman Doyle asked about the ACOE wetlands. Mr. Dannible stated we have not done the detailed engineering and anticipate the impact somewhere around 2,500 sq. ft.

A further discussion was held on the proposed greenspace for the project.

Ms. Serra stated the excessive parapets need some attention to reduce the height.

Ms. Matias agrees that we need more commercial on Route 50.

Mr. Dannible asked if the board is o.k. to decrease the parking down to two parking spaces per unit. Mr. Fischer asked the reason if you are not redesigning the buildings. More greenspace and reduce the impervious area on site. A further discussion was held on proposed parking for the site.

Application tabled.

**Eagleton, LLC, 1 Charlton road, Ballston Spa, NY 12020; 239.-1-47 (Site Plan Review/Special Use Permit Landscaping equipment/storage & single-family dwelling)**

Scott Lansing, PE, with Lansing Engineering was present on behalf of the applicant.

The overall parcel is approximately 1.63 acres located in the Business Highway-2 district and is vacant. There are two structures on the parcel a former snack bar with an office, a former miniature golf place and there is also a two car garage and one access point on Charlton Road. At this time, are considering saving one building in the back portion of the parcel that would be used as a shed.

The proposed project includes the demolition of the existing commercial/retail building and the development of a 7,320 sq. ft. storage/office facility and a single-family residential dwelling.

The office/storage facility will be for Lansing Property Services (LPS), which provides a wide range of lawn maintenance, landscape planting and snow and ice removal services for State Farm and residential and commercial facilities around the capital region.



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The main proposed main building will include a 6,000 sq. ft. and a 400 sq. ft. office. They are proposing five material bins being shown for future potential use.

A single-family residence is proposed in the back portion of the parcel.

The applicant is proposing 20 parking spaces.

A stockade fence is proposed on the southern boundary and an evergreen type buffer between the residence and the commercial building.

The site to be serviced by municipal water and onsite septic system and are currently below one acre and a full SWPP is not required for the project.

The applicant's Architect has put together some ideas and unfortunately has some vertical metal siding and will take care of and will have the architect review the design standards.

Ms. Kotkoskie asked the applicant if they looked at perc tests in other areas. Mr. Lansing stated that high ground water was on a great deal of the parcel. Could the well be eliminated? Mr. Lansing stated no, the well was not the issue and with high ground water would have to have a raised system.

Mr. DiPasquale asked if the driveway will be gravel. Mr. Lansing stated the applicant is proposing pavement.

Mr. Cwalinski asked if tree to the north could be taken down. Mr. Lansing stated yes.

Mr. Cwalinski asked what kind of trucks are going to be used here. Mr. Lansing stated pick-up trucks; the biggest is a six wheel dump truck and will be stored inside.

Mr. Cwalinski asked if the trucks will be washed on site. Mr. Lansing stated a drain is proposed in the facility that will be on a storage tank; light washing, but that is primarily for snow packed vehicles and pumped out on a routine basis.

Mr. Cwalinski asked if the existing split-rail fence could be salvaged and reused on the property. Mr. Lansing stated that some of that may have been taken down.

A further discussion was held on the esthetics of the proposed building (siding and roofing material). Applicant to review town's design standards.

Mr. Cwalinski asked if any type of chemicals will be store on the property. Mr. Lansing stated no chemicals.

Mr. Lansing stated a small sign in proposed in the middle in front of the building – it's more of a destination.

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Chairman Doyle asked if the applicant was going to have a dumpster. Mr. Lansing stated other than a small roll-off for typical trash – the one storage bin that we have now for actual debris - every so often would have sticks or grass clippings would take a bin load out and residential trash roll-Off container for trash.

Application tabled.

**Saratoga-Schenectady Endoscopy Center, 854 Route 50, Burnt Hills, NY 12027 (Sketch Plan Conference 34,759 sq. ft. Single-story new building)**

Kurt Bedore, PE, Paul Heisman, Architect and Debra Hunt, Chief Nurse Administrator with Saratoga-Schenectady Gastroenterology, LLC and Tom Pearson, Consultant were present on behalf of the Saratoga-Schenectady Real Properties, LLC; owners of 846/848 Medical Arts Facility and operating entity for Saratoga-Schenectady Gastroenterology Center.

The applicants are proposing an expansion of the back side of the 846/854 site encompassing approximately 35,000 sf medical arts facility expansion zoned Mixed Use Center South.

The facility has been an anchor commercial entity in the town for approximately 15 years. The Saratoga-Schenectady Gastroenterology was created approximately 25 years ago by Dr. Joseph Cavallaro a long time resident who lived on Middleline Road.

846 Route 50 site does infusion type services and 848 Route 50 offers ambulatory surgical services (ASC Services) gastroenterology scoping for diagnostics.

848 Route 50 has six offices for doctors – staffing 16 doctors, but again they rotated between Saratoga and Schenectady. They currently have a total of 70 employees including the doctors. The facility is open five and a half days a week (Monday through Friday and half a day on Saturday).

Mr. Heisman stated the proposed building is approximately 35,000 sf, which is called and Ambulatory Surgery Center by NYSDOH. This facility is regulated and licensed by NYSDOH having to meet pretty stringent criteria. The facility is 1-story, fully sprinklered, fire alarm, smoke detection, various communication systems, data systems – part of patient's records, main entry with a canopy so the patient can be discharged at the front door, ten procedure rooms and a recovery room for 29 patient stations. The service area to the east to accommodate deliveries for linens, supplies and an area for ambulance pick-up – should there be a patient transferred to the hospital.

The proposed exterior of the building to similar to existing - color and texture.

Mr. Heisman described the interior layout of the 35,000 sf building.

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Mr. Bedore stated there are only four procedure rooms at 848 Route 50 and proposing ten in the proposed building.

Mr. Bedore stated the site is under contract contingent upon a subdivision approval. Jencomm Properties are the current owner of the parcel and currently shaped as such. The Suburban Heating site will be retained by that owner and would be acquiring 11.4 acres. (The area in pink shown on the plans is what the applicant proposes to purchase).

The plans (picture #1) provided the board shown the entrance to the loop road where the applicant is hoping to come out next to Jasada Antiques, pictures #2 and #3 are where the applicant shows eliminating parking at 848 site to gain access from the existing access and picture #4, #5, and #6 show a panoramic view of site with good soils and a good platform to build on. The applicant to offer a traffic study to vet out any issues there that may need to be done. The proposal is to construct a loop-road to provide some relief to the condition of that intersection.

The applicant is proposing a looped water main through the site; the building will be sprinklered and onsite septic systems for the time being and are cognizant of the efforts of the planning effort of the town for the sewer district and would certainly would like to see that come in for the benefit of the environment and water quality of Ballston Lake and feels this project may come to fruition before sewers come; therefore are proposing septic systems. The SWPPP to be performed. Storm water to be managed on site. The will be pursuing the waiver for slightly higher lighting – 20' 24' range, but will vet that out with our Electrical Engineer – cutting down on the number of lights and for energy efficiency (envisioning LED lighting) downward directed. The back side is all woods owned by the Morris family and BH-BL High School property (back field).

Mr. DiPasquale asked if 848 are going to remain operational. Mr. Bedore stated yes.

Chairman Doyle stated the plan looks very good.

A further discussion was held on ACOE wetlands.

Mr. Cwalinski asked if a sign will be out front at the new entrance. Mr. Bedore stated he would think so, but will vet that out at a later time.

Ms. Kotkoskie asked what the rectangle that is shown on the map that is not be developed on. Mr. Bedore stated that a portable or temporary shed on stone. A significant storm drain has already been installed and asked if someone has tried to develop at one point. Mr. Bedore stated that the owner had done some work in there and was not involved with it – that's the way we received the site conditions. Mr. Kotkoskie asked if the applicant is going to touch it. Mr. Bedore stated if the storm water analysis warrants upgrades to that, we are obligated to provide for continuity – the applicant's initial preference is to leave as is.

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Application tabled.

Mr. Johnson stated that USA Gas needed an action on a special use permit from the board for the project.

Chairman Doyle stated that USA Gas needed a special use permit from the board and will have to schedule that for the February meeting. Mr. Reilly stated it gives the board time to look at the rear portion of the property.

**MOTION:** Mr. VanVorst made a motion to adjourn. Ms. Cwalinski seconded the motion and all present voted in favor. **CARRIED.**

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michelle L. Dingman". The signature is fluid and cursive, with a large initial "M" and "D".

Michelle L Dingman  
Planning Board Secretary