

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting May 26, 2016

Present: Richard Doyle, Chairman
Jeffrey Cwalinski
James DiPasquale
John VanVorst
Patrick Maher
Audeliz Matias
James Fischer
Kathryn Serra, PE Town Engineer
Paul Guillet, C. T. Male
Thomas Johnson, Building Inspector
Members of the General Public

Absent: Peter Reilly, Esq.

Chairman Doyle called May 26, 2016 meeting to order at 7:30 p.m. and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Old Business

Mourningkill Properties

1443 Route 50 SBL #228.-1-7

Site Plan Review/Special Use Permit / New Commercial & residential

Scott Lansing with Lansing Engineering was present on behalf of the applicants.

The parcel consists of 7.1 acres located directly across from Tomaselli Court. The proposal is for a mixed use development – commercial (11,000 sf) on the northern building, (5,500 sf) on the southern building and five buildings – 10-units each for a total of 50 apartment buildings.

Previously there was a storm water basin in the southern portion of the site and were able to redirect some of the storm water – slightly increase the size of the chamber system to eliminate that storm water basin on the southern portion of the site and improve the grading for the proposed project. There are no changes to the site plan since the last meeting.

Architectural Changes for commercial buildings located in the front portion of the parcel – trying to improve the glass on the first floor; architects added glass and meet the requirements for the glazing on the first story.

A comment letter was received from C. T. Male and feels are technical in nature and can absolutely address.

Mr. DiPasquale inquired about the sidewalks for the project.

Mr. Lansing stated at the last meeting discussed sidewalks along the front and will put together a cost estimate for that (an escrow amount will be set aside for the sidewalks) and could be constructed at a later date; not constructed at this time. The C.T. male comment letter did outline the preparation of a cost estimate and the establishment of escrow for those sidewalks – something the applicants are prepared to do.

A further discussion was held on the sidewalks being built at a future time i.e., cost and who will construct.

Ms. Serra stated that the board agreed to comment #3 (there will be an additional level of review relative to retaining walls). Chairman has a concern for the construction of the retaining walls. As noted on the drawing, an engineer will be needed for the design of the retaining wall and meets all the requirements for the project.

Chairman Doyle opened the public hearing at 7:43 p.m.

Fred Jansen asked if there was a thought of a traffic light there. Chairman Doyle stated a traffic study was performed and it turns out that everything is good.

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

Chairman Doyle closed the public hearing at 7:47 p.m.

MOTION: Mr. Cwalinski made a motion for a conditional approval of the drawing with the title “Schmidt Parcel” with the revision May 9, 2016, NY Development Group submits an estimate for the sidewalks, the design of the retaining walls is part of the building permit process and the approval is final approval contingent upon sign-off. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Chairman Doyle read through the 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.
- 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.
- 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.
- 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.

The board determined there were no issues to the above said criteria (special use permit) for this project.

MOTION: Mr. Maher made a motion that a special use permit be granted for the "Schmidt Parcel" at 1143 Route 50. Mr. Fischer seconded the motion and all present voted in favor.
CARRIED.

MXMAC, LLC
2 McCrea Hill Rd. SBL # 228.-3-59
Minor Subdivision-for commercial lots

Tom Andress, PE, with ABD Engineering was present on behalf of the applicant.

The applicant is proposing a two lot subdivision associated with the site plan for (CTI Properties, LLC). The applicant is proposing to subdivide the six acre parcel into two lots consisting of 2.6 acres and 3.6 acres and create a common driveway and some easements provided for sewer and a common easement agreement for the storm water management areas and lines going through the facility draining north to south.

Mr. Dipasquale stated the common driveway is all within the larger lot. Mr. Andress stated there will be easements set up for common access. The applicant has a plan that shows phase (1) construction that shows that portion of the road being constructed.

Chairman Doyle opened the public hearing at 7:58 p.m.

Fred Jansen, 50 Beacon Street stated his house is located on Beacon Street and right now is having a water problem because there are springs that are running down into (our) land. Has anything been done to check for underground springs and how is that going to be affected when the buildings are installed.

Ms. Serra stated this application is for subdivision and wait for the presentation for the site plan review.

Chairman Doyle reiterated that Mr. Andress stated this project proposed will drain north to south.

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

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

Chairman Doyle closed the public hearing at 8:02 p.m.

MOTION: Mr. Maher made a motion for subdivision at 2 McCrea Hill Road as shown on plan dated May 11, 2016 be approved. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

CTI Properties, LLC

2 McCrea Hill Rd. SBL#228.-3-59

Site Plan Review Two 15000 sf office buildings; one 40000 sf manufacturing facility.

Tom Andress, PE with ABD Engineering was present on behalf of the applicant.

The applicant is proposing a 40,000 sf building (CoreTech).

At the last meeting there was a concern with drainage and took that into consideration.

The site is almost in the middle of the parcel and all drains towards the north and into the NYSDOT ROW and some goes across the street into a cross drain into the Mourningkill and elected to take all of that water and intercept into the storm water management area. Any springs that may be running through towards the north have run a whole network of pipes and when the pipes are put in the ground will have a bedding that will be porous and pick up some of the water. If there is a deeper spring somewhere, it may miss that, but most will be picked into either the piping system proposed or potentially or in the gravel in the sub base of the road; it will significantly reduce the surface water of going toward the north. The storm system is 3-4' deep and have to grade from the low end to the back up-to the road where it's higher.

The proposed access road allows for maneuvering the truck docks and some truck docks in the middle. Each would have its own individual waterline coming off of McCrea Hill Road to serve the two buildings. The sewer was set up with a manhole and a connection for said building. Storm water to flow towards the rear and go into this larger basin area, which goes into the piping system into McCrea Hill Road. McCrea Hill Road was built with an 18" pipe; then goes to 24", 30", 42" and 48" as you go down the hill at a 3 to 4 percent slope have huge capacities. It was built to take water from the site and run it down and then there are two different detention systems at the bottom that eventually goes into the creek towards the Curtis Lumber facility.

The applicant proposes parking in the front and side; have a phase (1) plan that shows a smaller building to be built as phase (1) and when the need arises, could expand.

The applicant was in receipt of the comment letter from C. T. Male and responded to all site related issues. The storm water designed needs to be reviewed by C. T. Male and a meeting will be scheduled between applicant and town engineer.

Ms. Matias asked about the comment relative to square windows that were added. Mr. Andress provided the board with a rendering of the proposed building which show revision "more architectural flare" adding block windows along the top and added additional plantings.

Chairman Doyle opened the public hearing at 8:14 p.m

Fred Jansen, 50 Beacon Street stated when looking at this does not see anything separating this building from the residential building; any thoughts of putting trees.

Chairman Doyle stated we will talk about the design at the last meeting and the applicant did mention landscaping and will do something on the other side. Along the north side are proposing a mix of Spruce, Maple and Pine 16" spacing between the proposed trees with an existing hedgerow; an updated planting schedule to be provided to the board. Ms. Serra stated that when these trees are planted, will not make a great vegetative buffer.

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

Fred Jansen stated the applicant stating they are going to put the trees in front of the current shrubbery. Mr. Andress stated correct. Ms. Jansen asked if the shrubbery will be taken down. Mr. Andress stated no.

A further discussion was held on the placement of the dumpster toward the west.

Chairman Doyle closed the public hearing at 8:20 pm for this meeting; public hearing remains open.

Mr. Dipasquale requested the applicant submit the update plans prior to the next meeting.

Ms. Serra stated there are six outstanding comments from the March 28, 2016 C. T. Male comment letter and need to be completed before returning to the board.

Application tabled.

Peter Hatalyk (High Rock Distillery)
1321 Route 50. SBL #228.-3-7
Site Plan Review Addition

Peter Hatalyk presented.

The applicant is proposing an addition on the south end of the building, steam boiler room (for stills and a storage room for alcohol storage tanks. Proposed are two garage doors on the backside of building and a man door (3'0" x 7'0") on the south wall for a means of egress. A Bathroom is being added and a vestibule entrance.

The applicant submitted for a special use permit for outside seasonal use and was told it never got posted and asked to be placed on next month's agenda.

Chairman Doyle stated a more detailed plan/information is needed for the special use permit.

The applicant is proposing tents, tables, chairs, non-amplified music (until 8:00 p.m.) and lights on the existing posts; no additional lighting.

Chairman Doyle asked to list on plans.

The materials proposed for addition to match existing.

No additional parking is being requested.

Chairman Doyle opened the public hearing at 8:29 p.m.

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

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

Chairman Doyle closed the public hearing at 8:30 p.m.

MOTION: Mr. Maher made a motion that the addition to site plan on drawing A-1 dated April 13, 2016 be approved. Mr. Cwalinski seconded the motion and all voted in favor except Mr. VanVorst who voted NO. **CARRIED.**

New Business

Christopher Carney

96 B Westside Dr SBL # 257.8-2-1.1

Site Plan Review for a new single family dwelling & demo of existing home.

Christopher Carney presented.

The applicant currently resides at 96B Westside Drive (single-family dwelling with a detached garage). The property has 100' of lake frontage, approximately 400' deep.

The applicant is proposing to build a new single-family dwelling with an attached garage behind the existing home (40' from edge of bank). The new home will be approximately 75' from the edge of the bank. A new septic system is proposed to be existing codes for the project.

Prior to construction of new home, the existing garage will need to be taken down; area of new home. After the new home is constructed and a Certificated of Occupancy is issued, the existing home will be taken down.

The green space will be increasing on the site for the project (approximately 600'). No changes to grading for the project. A basement is proposed for the new home; existing home does not have a basement.

Mr. Cwalinski asked if the existing driveway will be used for the new home. Mr. Carney stated the existing driveway will be used to the point where it reaches the new house; existing turn around area will be removed. Mr. Cwalinski asked if there are proposed shoreline modifications. Mr. Carney stated no shoreline modifications are proposed.

An agreement has been made to with current owner to remove pavement anytime. Mr. Carney stated it's their intent to remove before the end of the project, which will be used for their lawn for the project.

The plans were submitted for the proposed septic system for the project, which will replace existing.

A further discussion was held on removal of the existing home relative to side yard setbacks.

Chairman Doyle opened the public hearing at 8:40 p.m.

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

Mr. DiPasquale asked about the well on the neighbor's property. Mr. Carney stated the well is in existence on the south has been abandoned. There is no existing well the property to the north. Mr. Dipasquale stated to add a not to plans for the applicants protection.

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

Chairman Doyle closed the public hearing at 8:44 p.m.

Chairman Doyle discussed Part 2 of the EAF

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No

MOTION: Mr. Cwalinski made a motion to approve the site plan at 96B Westside Drive dated 4-5-16 conditioned on the satisfactory resolution of C. T. Male's comments and septic plan. Mr. Maher seconded the motion and all present voted in favor. **CARRIED.**

Marc Desrosiers
East Line Rd. SBL # 239.-2-4.151
Major Subdivision CONCEPT

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

The parcel is approximately 54 acres just north of the Chapel Hill Subdivision and west of Eastline Road.

The applicant is proposing 57 lots single-family lots. The front portions of the project closest to Eastline Road are proposed as 120' lot frontage and in the back portion proposes 150' lot frontage for the project.

The applicant is proposing 26 lots in the front (120') and 31 lots in the back (150'). One lot located in rear to be retained by the applicant for future construction of a single-family residence.

The applicant proposes one access point off of Eastline Road and a connection for Knottingly Place (Chapel Hill) and Katherine Court (Stonebridge).

The project will be served by public water, sewer and storm water management to be mitigated on site.

The applicant was in receipt of the C. T. Male comment letter.

The first comment was relative to the buffer being proposed. There is a 30' minimum no cut buffer proposed along Eastline Road and to the south remainder of (Chapel Hill) and to the west (Stonebridge). A no cut buffer would be to deed restricted to cutting trees, structures or things of that nature.

The applicant believes the green area on the map is wetlands. The applicant is working on boundary and topography for the parcel and believes that is a wet area on the parcel.

Mr. Cwalinski asked if sidewalks are proposed for this project. Mr. Lansing stated no.

Mr. VanVorst stated he likes the way the cul-de-sac was designed on the west side of the wetlands to potentially join to the property to the north; is the property to north separate from

the north east where to power line goes through. Mr. Lansing stated it is a separate property. Mr. VanVorst asked if there is any way you could put a paper street. Mr. Lansing stated he can look at that.

A further discussion was held on a possible paper street for the project.

Mr. Dipasquale asked about the applicant presenting information on traffic as it impacts the adjacent properties.

Mr. Cwalinski asked if a HOA is proposed with the major subdivision to take care of the open space. Mr. Lansing stated no the applicant was not proposing that now; shown as a separate lot and will extend those lot line so that area will be absorbed. Mr. Cwalinski asked about the cul-de-sacs. Mr. Lansing stated they would be in the ROW. Mr. Cwalinski asked if the SWM will be taken care of by the town. Mr. Lansing stated yes.

Ms. Matias asked about the mail boxes. Mr. Lansing stated a location will have to be located for a centralized mailbox.

A further discussion as held on the infrastructure of road relative to Eastline Road construction access point.

MOTION: Mr. VanVorst motioned to name The Town of Ballston Planning Board the Lead Agency in the SEQR process and will be require a coordinated review. Mr. Fischer seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Mr. Maher made a motion to accept the concept as presented as noted on drawing CP-1 dated 5-11-16. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Wm. H. Buckley Farm
946 Rt.50 SBL# 248.-2-14.211
Special Use Permit / Outdoor recreation / paintball course

Mark Savo presented.

Mr. Savo stated this is a one-time situation for this request.

The proposal is located on ten acres in the center portion of the farm. The applicant would set up obstacles for the paintball course.

The hours will be from 10:00 a.m. and 3:30 p.m. will attendance between 30 to 60 people.

A drawing has been provided showing the proposed parking on the grass; no backing out onto White Beach Road.

This is a 12 hour agreement for May 28, 2016.

The course is 2,000' away from church and 1,000' from White Beach Road.

The course is for four adults, 14 plus; no one under will be allowed. Participants will be wearing jerseys and goggles.

Chairman Doyle opened the public hearing at 9:10 p.m.

David Pierce, 110 Lake Road, stated the paint is environmentally friendly and made out of gelatin.

Anne Pierce, 110 Lake Road asked if the paint balls will be sold on site.

Dorothy Spoonogle asked if this was a one-time thing and not an ongoing activity.

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

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

Chairman Doyle read through the 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 issues.
- 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 issues.

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 issues

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 issues.

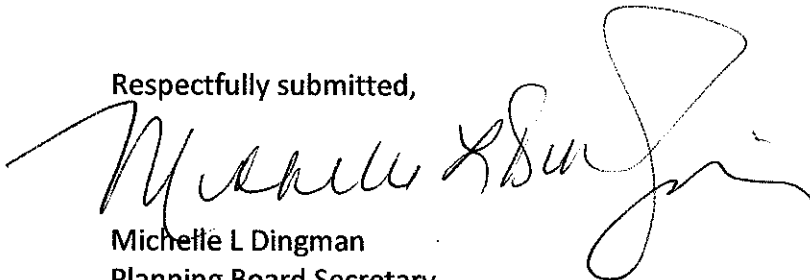
MOTION: Chairman Doyle made a motion to approve the paint ball activities at 946 NYS Route 50 for May 28, 2016. Mr. VanVorst seconded the motion and all present voted in favor.

CARRIED.

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

Meeting adjourned at 9:17 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 loop at the end.

Michelle L Dingman
Planning Board Secretary