

**TOWN OF BALLSTON
PLANNING BOARD**

Regular Monthly Meeting: September 25, 2013

Present: Richard Doyle, Chairman

Josephine Cristy

Jeffrey Cwalinski

Joan Eddy

John Van Vorst

Derek Hayden

Lee Ramsey

Audeliz Matias 1st Alternate

Kathryn Serra, Town Engineer

Peter Reilly, Planning Board Attorney

Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the, September 25, 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 minutes for the August 28, 2013 meeting
Mr. Hayden supplied corrections. Some grammar and add unlisted action motion under F.W. Webb sign application, also add unlisted action motion under Wm. H. Buckley sign application.

MOTION: Ms. Cristy motion to approve minutes from the August 28, 2013 Planning Board meeting
Mr. VanVorst seconded all present voted in favor. **CARRIED.**

OLD BUSINESS:

Frank Rossi - Public Hearing Scheduled

SEQR not started

Church Ave. SBL # 216.-2-22.111, 216.-2-27.11, 216.-2-40

Major Subdivision / Seven commercial lots

Paul Olund from EDP spoke to the board on Mr. Rossi's behalf. Mr. Olund started to review the project; however Chairman Doyle explained that it was not necessary for Mr. Olund to review the Engineer's comments.

Ms. Eddy stated that all the comments would be addressed at the same time and that would be at the next regularly scheduled planning board meeting.

Chairman Doyle opened the public hearing at 7:35 no one chose to comment, the hearing closed at 7:36.

Chairman Doyle reviewed what the planning board expected to see at the next two meetings and when they would be. He stated that at the October 30, 2013 meeting they expected to see the preliminary design and at the November 20, 2013 meeting they expect to give final approval for the project.

Ms. Eddy asked Mr. Rossi if he was prepared to have the water lines inspected.

Mr. Rossi stated Frasier Engineering did the inspections at the time of installation.

Kathryn Serra stated that she would not allow the town to take over anything that has been in the ground for 10+ years without a current inspection. Mr. Rossi stated that he was willing to do whatever C.T. Male deemed necessary for the project to be finalized by the November 20, 2013 Planning Board meeting.

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**

NEW BUSINESS:

Thomas & Charles Lowe - *Public Hearing Scheduled*
Goode St. SBL #238.-1-39
Minor Subdivision / 2 lots

Applicant failed to appear therefore application was tabled.

Richard Clark - *Public Hearing Scheduled*
63 Lundy La. SBL #249.17-2-4
Site Plan Review / shoreline stabilization

Richard Clark presented his application to the Planning Board.

Mr. VanVorst asked how they planned to get the materials needed to the shore. Mr. Richard said they are going to have to take the retaining wall down, bring all the material in with either a wheelbarrow or possibly a small bobcat and then rebuild the retaining wall.

Chairman Doyle opened the public hearing at 7:50 no one chose to comment, the hearing closed at 7:51

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

MOTION: Mr. VanVorst 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 site plan review as shown in the plans dated July 19, 2013 Ms. Eddy seconded the motion and all present voted in favor. **CARRIED**

CMK Associates *Public Hearing Scheduled*
818 Rt. 50 SBL #257.10-2-72
Site Plan Review / New sign

Tom Wheeler with AJ Signs presented the new sign design for CMK Associates. The existing sign will be removed and the new sign will be closer to the road.

Mr. Hayden asked if the sign would be attached to the adjacent decorative white posts. Mr. Wheeler said no the sign would be free standing but give the look of a "real state sign".

Mr. Cwalinski asked if the position of the sign would impede the view of traffic turning on to Route 50 from Kingsley Rd. Mr. Wheeler said no the sign is at least 6 car lengths from the corner and seventeen ft back from the shoulder.

Chairman Doyle opened the public hearing at 7:58 no one chose to comment, the hearing closed at 7:59

MOTION: Mr. VanVorst motioned 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: Mr. VanVorst 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 sign as shown in the plans dated September 8, 2013. Ms. Eddy seconded the motion Mr. Hayden voted nay, all others present voted in favor. **CARRIED**

Chairman Doyle addressed Mr. Stewart regarding the fencing around the retention ponds at the West Wind Farms Housing Development.

Chairman Doyle polled the board for their option.

Mr. Cwalinski stated that I feel there should be fencing around all storm water retention ponds in the Town of Ballston.

Ms. Eddy asked who is liable. Mr. Reilly stated no one is liable. The party involved in the incident will try to sue but will not win due to the fact that they were trespassing on private property.

Kathryn Serra feels there should be some distinction. She explains that Mr. Whalen has told her stories of what some people have done with retention ponds in the town. Such as dumping grass clippings in them and clogging up the drain pipe, putting an aeration fountain in them and so on. Mr. Reilly agrees there should be some distinction.

Chairman Doyle stated that Ms. Serra, Mr. Whalen, Mr. Johnson and I were planning to take a ride around the town to evaluate the current storm water retention ponds and their needs for fencing.

Chairman Doyle feels that the requirement for a fence around the storm water retention ponds my need to be handled on an individual basis.

Mr. Johnson stated that the homeowner pays taxes on the land and should be able to do what he wants with his property.

MOTION: Mr. VanVorst motioned to adjourn the meeting. Ms. Eddy seconded and all present voted in favor. **CARRIED**

Meeting adjourned at 8:15pm

Respectfully submitted,

A handwritten signature in cursive script that reads "Debora Bradt".

Debora Bradt

Planning Board Secretary

