



TOWN OF BALLSTON PLANNING BOARD
Regular Monthly Meeting: February 24, 2010

Richard Doyle, Chairman

Jeffrey Cwalinski

Joan Eddy

Derek Hayden

Members of General Public

John VanVorst

Audeliz Matias, 2nd Alternate

Kathryn Serra, Town Engineer

Peter Reilly, Planning Board Attorney

Thomas Johnson, Building Inspector

Chairman Doyle called the February 24, 2010 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

MOTION: Mr. Cwalinski made a motion to approve the January 27, 2010 minutes as submitted. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

NEW BUSINESS:

William Davey, 237& 247 Round Lake Road, Ballston Lake, NY 12019. Mr. Davey has acquired the estate of Charlotte J. Davey (mother of the applicant) and due to drainage from his property, is proposing a lot line adjustment to move the lot line 100ft. west.

Mr. Cwalinski asked if the auto recycling business would be expanded. Mr. Davey replied no.

Mr. Hayden stated the map shows the zoning district as Rural; should be changed to Ballston Lake Residential.

Mr. Doyle asked about the raised mound on the property. Mr. Davey said it is a berm used for screening.

Mr. Doyle opened the public hearing at 7:39pm

Mr. Doyle closed the public hearing at 7:40pm

No one wished to speak.



Mr. Reilly said if the Board is inclined to pass the lot line adjustment; it would be subject to review of a consolidation deed.

Mr. Reilly asked the applicant if there is a junkyard on the present lot and if there is any intent to expand the junkyard operation on the other lot.

Mr. Davey replied yes on the present lot, but does not intend to expand to the other lot.

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

MOTION: Mr. Cwalinski moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Ms. Eddy seconded the motion. **CARRIED.**

MOTION: Mr. Cwalinski made a motion to approve the lot line adjustment on the map title boundary lot adjustment between Charlotte J. Davey and William D. Davey dated December 30, 2009, subject to a consolidation deed to be submitted and reviewed, subject to the automobile salvage yard not to be expanded, and change zoning district on map from Rural to Ballston Lake Residential. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Astro Chemical Co., Inc, 3 Mill Road Ext. for site plan review and a special use permit. Jay Arnold, Scott Fuller, and Michael Wantuch were present on behalf of Astro Chemical Co., Inc. Mr. Arnold said the proposal is for an 89' x 21' addition to an existing building adding more office square footage and laboratory.

Mr. Arnold said building #2 consists of 400sq. ft. constructed 15 years ago used for quality control. The proposed building is a shed roof addition consisting of 1,800sq. ft. providing more bench space, file space and more space for quality control.

Mr. Hayden asked if the proposed addition would match the existing building exterior. Mr. Arnold replied yes, consisting of steel sheathing.

Mr. Cwalinski asked about quality control. Mr. Arnold said each product has a specific recipe that has that has to meet the quality control.

Mr. Doyle opened the public hearing at 7:52pm

Mr. Doyle closed the public hearing at 7:53pm

No one wished to speak

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

MOTION: Mr. Hayden moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Mr. VanVorst seconded the motion. **CARRIED.**



Ms. Serra said the town code references the number of parking spaces based upon building size it might be best to grant a waiver.

Mr. VanVorst asked the total number of parking spaces.

Ms. Serra said the summary does not call out a number of parking spaces, but there are a number of dedicated spaces with additional perimeter locations that a vehicle could park.

MOTION: Mr. VanVorst made a motion to grant a waiver from the requirement for 63 parking spaces. Ms. Eddy seconded the motion and all present voted in favor. **CARRIED.**

MOTION: Mr. Cwalinski made a motion to approve the addition as described on the drawing title Map of Lands of 3 Mill Road, LLC as conveyed from Erica B. Fuller and Alysa B. Arnold, dated January 19, 2010. Mr. Hayden asked the Chairman if the applicant has submitted a waiver for the metal siding that is required in this zoning district. Mr. Cwalinski waived the prohibition on metal siding and permits the use of metal siding on this building, as it is consistent with the present zoning. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Mr. Doyle read the four criteria of 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. The Board agrees.
- 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. The Board agrees.
- 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. The Board agrees.
- 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 agrees.

MOTION: Mr. Cwalinski made a motion to approve the special use permit for Astro Chemical, LLC. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

Frank & Denise Volpe, 371 Schaubert Road, Ballston Lake, NY 12019 for a minor subdivision. Duane Rabideau of VanGuilder and Associates was present on behalf of the applicant. Mr. Rabideau said the applicant's request is to subdivide lot #9, which originally was subdivided in 2003.



The request is to subdivide the original lot into three lots: Lot 9A consists of 1.7 acres. Lot 9B consists of 2 acres. Lot 9C consists of 1.5 acres.

Mr. Rabideau said each lot would have individual wells and septic systems.

Mr. Rabideau said since this was part of the original subdivision and classified as a major subdivision, a Storm Water Pollution Prevention Plan had to be completed for the entire project.

Mr. Rabideau said all technical questions are answered for the entire subdivision including lot#9; any additional comments from 2010 concerning SWPP are minor in nature.

Ms. Serra said all technical comments were addressed and only comments were specific to changes of the scope of the work and phasing.

Ms. Serra said any approval of this three lot minor subdivision should include any grading plans that were prepared by Lansing Engineering and the entire SWPPP.

Mr. Doyle asked the date of the last survey. Mr. Rabideau said 2003.

Ms. Eddy asked when test pits were completed. Mr. Rabideau said the test pits were completed in 2008/2009.

Ms. Eddy asked if this property was located in the "BL0D" (sic).

Ms. Serra replied yes.

Ms. Eddy asked if the Board should require the applicant to provide dry sewers.

Ms. Serra agrees for the purpose of consistency and if the Board suggests, then dry sewers could be required and placed within that future private right-of-way. Ms. Serra feels it is a good idea for future work on this property, but not for this three-lot subdivision.

Mr. Doyle opened the public hearing at 8:20pm.

Mr. Doyle closed the public hearing at 8:21pm.

No one wished to speak.

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

MOTION: Mr. VanVorst moved to issue a Negative Declaration, with the basis that there is not a potentially significant environmental impact. Mr. Cwalinski seconded the motion. **CARRIED.**

MOTION: Mr. Cwalinski made a motion to approve the subdivision as described on the drawing subdivision of Lot 9 lands of Frank J. & Denis C. Volpe east side of Schaubert Road subject to park and rec fee of \$1,000.00 per lot map dated April 7, 2008. Mr. Hayden seconded the motion and all present voted in favor. **CARRIED.**



Ms. Eddy said under protest, "I do not think we are doing Schaubert Road any benefit by stacking these up on the corner."

Laurel Hayes, 973 Benedict Road, Ballston Lake, NY 12019 for a minor subdivision. Duane Rabideau of VanGuilder and Associates was present on behalf of the applicant to propose a three-lot subdivision. The applicant is requesting to subdivide 14.5 acres into three building lots.

Lot A consists of 1.66 acres including the existing residence. Lot B consists of 5.3 acres. Lot C consists of 6.67 acres to include private road.

Mr. Rabideau said each lot would include a private septic system and well.

Mr. Rabideau said the existing driveway has proposed turnouts.

Mr. VanVorst asked about Mr. Hayes having the ability to use the easement.

Mr. Reilly suggested notifying Mr. Hayes, the adjoining property owner by certified mail that a minor subdivision is in front of the Board.

Ms. Eddy said, "She has a concern with whomever the sole is that might end up with Lot C."

Mr. Reilly said "it is an easement of record so they are subject to whether the Board acts on the application or not."

Mr. Reilly stated he would send a letter to Mr. Hayes regarding this subdivision.

Mr. Johnson said lot A as shown, does not have sufficient lot width.

Mr. Doyle opened the public hearing at 8:40pm

Mr. Doyle closed the public hearing at 8:41pm

No one wished to speak.

Wesley Kaczmarek, 1017 Route 50, Ballston Lake, NY 12019 for site plan review and a special use permit. Scott Lansing of Lansing Engineering was present on behalf of the applicant. The proposal consists of 1.46 acres located in the Business Highway -2 District. The applicant is proposing a maintenance and storage facility approximately 3,456sq. ft. with approximately 3200sq. ft. to be used for garage storage and 256sq. ft. for office space.

Mr. Lansing said water will be served by an existing main along Route 50, sanitary sewer will be served by an individual septic system on the western portion of the parcel, and storm water management will be managed on site.



Mr. Lansing said renderings of the proposed building and site were supplied to the Board. The applicant is proposing a 72' x 48' building with the bay area of the garage to face the rear (west) and the front area to be office space facing (east).

Mr. Lansing wanted to further discuss architectural design standards and storm water.

The applicant has asked for a waiver relative to building materials on the structure primarily for the metal siding on the building.

Mr. Lansing said after reading the design guidelines, it does indicate plain metal siding. In Mr. Lansing's opinion, the applicant has been able to break up the façade on the building; as shown on the renderings.

Mr. Lansing said the overall parcel was 1.46 acres. The applicant had a SWPPP performed on site assuming the site disturbance was over one acre, but only totaled 1.2 acres. CT Male's recommendation is to look at this area as less than an acre of disturbance and allow removal of the area.

Ms. Serra said if the applicant does not disturb an acre, a full SWPPP is not necessary. Ms. Serra respects that Mr. Lansing is continuing to have some pollution control measures provided for this project.

Ms. Serra said if there was no storm water basin to attenuate the runoff, the increase is rather slight (less than 20 percent). Ms. Serra said the rate is quite insignificant compared to larger projects.

Mr. Lansing is asking for approval for this project contingent on CT Male's signoff.

Ms. Eddy has a concern with the proposed building looking like a "warehouse" and asked what are the rules and regulations about putting flora in the storm water management area.

Ms. Serra would not suggest putting flora on an embankment and would want vegetation that can withstand hydric soils and water.

Ms. Eddy brought up esthetics and suggested shutters for the south end of the building.

Ms. Eddy asked if lighting will be 24 hours, or will it be on a motion sensor. Mr. Kaczmarek said on a motion sensor.

Ms. Eddy asked the height of the fence. Mr. Kaczmarek said the fence shown is 4' around the catch basin, but prefers 6'. Ms. Eddy recommended chain link fence.

Ms. Matias asked the distance of the house on the west side. Mr. Lansing said 160'.

Mr. Lansing said Norway spruce is proposed to be planted on the site. Ms. Eddy asked the height of the Norway spruce. Mr. Kaczmarek said 4' to 5'.

A discussion was held on a buffer between the proposed building and the property to the west.

Ms. Eddy asked if a sign is proposed. Mr. Kaczmarek replied yes, on Route 50. Ms. Eddy suggested setting the lights on an angle and wash back towards the building as opposed to right off the sign and going down Route 50.



Ms. Eddy asked what type of salt will be used. Mr. Kaczmarek said calcium chloride (magic salt) to be stored inside the building.

Ms. Eddy said the property is located in the "BLOD" (sic). Ms. Serra said more than likely if sewer was to service Route 50, they would put a force main down Route 50 and this building would have to hook up with a grinder pump or service lateral.

Mr. Hayden asked if any plans have changed since the Zoning Board meeting. Mr. Hayden referenced chemical fertilizers will not be stored inside, one dump truck, two or three trucks including trailers, and yard waste to be disposed of in the Town of Malta. Mr. Kaczmarek said there are no changes.

Mr. Hayden asked what type of maintenance would be performed on site. Mr. Kaczmarek replied oil changes, basic maintenance; no engine teardowns or engine rebuilds.

Mr. Hayden asked about washing of equipment. Mr. Kaczmarek replied no equipment washing. Mr. Hayden asked about fuel storage. Mr. Kaczmarek replied no fuel storage on site.

Ms. Eddy asked how many vehicles would be left on site. Mr. Kaczmarek said two pickup trucks that are setup for plowing and/or towing with mowers to be stored inside.

Mr. Hayden asked the number of jobs that would be created. Mr. Kaczmarek said three to five.

Mr. Hayden asked about herbicides and pesticides. Mr. Kaczmarek said that would be used around the building.

Mr. Hayden asked how will be the stone will be stored. Mr. Kaczmarek said in a storage bin.

Mr. Hayden asked for justification on this type of metal siding proposed.

Mr. Kaczmarek said the siding is a package from Morton building, and have not investigated looking at alternative siding.

There were further discussions held on types of siding in the Route 50 corridor.

There were further discussions on the exterior of the building.

Mr. Kaczmarek requested a list of items requested by the Board.

- Siding - horizontal vs. vertical (metal o.k.)
- Larger windows on south east side
- Screening – concerns with the house on west side (Middleline Road)
- Lighting
- Sign

Mr. Doyle opened the public hearing at 9:20pm

Cindy Tomlins Grob, 1020 Route 50 appreciates the remarks regarding the appearance of the property. Ms. Grob said that Route 50 has become a showcase for Morton buildings and does not reflect what she would like to see as a



property owner or as someone who has lived in this town. Ms. Grob said she looks across the road from her property at the abomination of junk piles that have been allowed to grow, and thanks the Board for moving in another direction.

Mr. Doyle closed the public hearing at 9:25pm

MOTION: Mr. VanVorst made a motion to adjourn. Ms. Eddy seconded the motion. **CARRIED.**

Meeting adjourned at 9:30pm

Respectfully submitted,
Michelle L. Dingman