



Town of Ballston Planning Board
Regular Monthly Meeting: August 25, 2010

Present: Richard Doyle, Chairman

Josephine Cristy

Jeffrey Cwalinski

Joan Eddy

Derek Hayden

John VanVorst

Lee Ramsey

Audeliz Matias, 1stAlternate

Kathryn Serra, Town Engineer

Peter Reilly, Planning Board Attorney

Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the August 25, 2010 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Mr. Doyle indicated the July 28, 2010 minutes will be available at the next meeting.

OLD BUSINESS:

Ballston Spa National Bank, 990 Route 67, Ballston Spa, NY 12020 for site plan review and a special use permit for the Ballston Spa National Bank Office Building and Bank Branch. Scott Lansing of Lansing Engineering, representatives from Ballston Spa Nation Bank, BBL Construction Services, and HCP, Architects were present. Mr. Lansing said at the last meeting discussions were relative to site planning and architecture for the proposed structure.

The building has been positioned for function, visibility, and convenience. As a part of the proposal, the applicants are requesting variances for the building location and parking. The first waiver is relative to the building setback; the design guidelines outline the recommended setback of the maximum of either 20' or 32' given the proximity to Route 67 as proposed. The parcel is setback 100' from the right-of-way line.

The second waiver is relative to parking in the front of the structure. The structure is includes a branch bank location in the front portion of the building and a drive-thru for the convenience of the customers.



As a result, the applicant's are requesting a waiver for the parking to be placed in the front of the building so there is parking in close proximity to the bank branch. There was a recommendation by CT Male and board members to remove one of the rows of parking a single row of parking remains.

The drawing depicts building location in other structures in the area.

Many of the other structures in the area are located with the same setback from the Route 50/Route 67 corridor. Given the potential future development of the area it would be a good transition to go from the structure being setback.

At the last meeting, there was a request to look at what the building could look like if it were pushed forward and how the parking would be configured. A sketch was presented to justify as to why the applicant's feel the parking is required to the front portion of the building. A sketch shows the building pushed forward to the 20' to 32' setback from the ROW line including the proposed parking plan.

Measurements were taken from the main entrance for the proposed branch bank.

- 110' to the edge to the first handi-cap parking space
- 25' to the first standard type parking space
- 135' from the entranceway to the first standard parking space.
- 200' to the center of the common area; accessible for elderly and handi-cap

That summarizes the justification for the two waivers. The applicant would like the board's consideration hoping to advance the site plan to preliminary approval.

Mr. Doyle thanked Mr. Lansing for responding to his phone call, providing sketches, and the letter.

Mr. Doyle asked the board's comments to the proposed waivers for setback and parking.

Mr. Cwalinski said is not happy with the way the building looks, the request for the waiver to move the building back, and the parking in the front. Mr. Cwalinski suggests a more traditional that would fit in with the Village. After an examination of a building located on Route 146, displaying smaller windows, window grids, shutters, and common red brick, was the direction he was looking for.

Mr. Cwalinski said up front placement of the building is inconsistent with what is there presently; the only problem is precedent with future applicants. Mr. Cwalinski suggests moving the bank retail portion to the front and moving the building forward. This would eliminate parking in the front to maintain the parking on the side for handi-cap spaces adjacent an entrance for the retail-banking portion.

As for the other retail space, maybe it can be relocated somewhere within the building.

Mr. Cwalinski has a concern with the BSNB logo; would like it to see "Ballston Spa National Bank" spelled out which signifies more pride in the community.

Mr. Cwalinski asked about the signage for the other retail use.

The BSNB allows the bank to go outside the local community.



Ms. Eddy asked the reason for not moving the bank up front in its entirety.

A further discussion was held on the size and use of space for the proposed branch bank.

Mr. Lansing said justification has been met for access other uses of the building.

Ms. Cristy is in favor of moving the building back and would like to see some type of foliage in the front, but feels the building looks like a "school."

Mr. Nassivera, AIA said the proposed structure would consist of

- Red brick
- Case stone window headers
- Cornice "stucco"
- Columns "metal material"

Mr. Nassivera said styles taken from surrounding traditional and contemporary buildings give a transitional appeal.

Ms. Eddy suggests adding an accent color (third color) and hiring a Landscape Architect to design a four-season landscape.

Mr. Doyle said the board suggests the proposed building fit the architecture of the village.

Ms. Eddy asked the bank colors. The logo incorporates a mixture of blue, red, purple, and gold; primary color is blue. The color shown is what is proposed.

Mr. Cwalinski's only concern is the proposed signage for the retail space and where it will be located.

At this time, there is nothing definitive on that space which depends on the market at that time for retail/professional office space.

Mr. Doyle asked the board their feeling on the setback.

Mr. Doyle said he would consider the setback.

Ms. Cristy is in favor of the setback.

Mr. Cwalinski said, "it is too citified sitting up front, but at what point do we say let's start complying."

Ms. Eddy said, there is a big vacant space that needs to be filled up with something and we cannot have that up here."

Mr. Hayden said he is not adverse to granting a waiver when it is justified, but it is three to five times more than allowed in the design standards. Mr. Hayden asked about cutting the grass area down.

Attorney for the applicant said there is the retail branch in the front and corporate office along the side. The architectural design has made it interesting how these two functions work with parking for the retail branch bank and potential retail use.



The branch bank will desire customers approaching the bank and using the drive-thru that want to make a left hand turn; parking against the building and behind will have vehicles driving out. This setback allows for landscaping in front; the drive isle is functional and one row of parking is a minimum to make it work as a branch bank. In terms of architecture, BSNB is trying to make a real statement as their main corporate office.

Ms. Serra asked the length of grass space in front of the proposed branch bank. Mr. Lansing said 30'

Ms. Serra asked the applicant if they have any concessions that they are willing to give the board to allow them a greater setback in terms of providing fencing, decorative gating, something special, or reduce the setback.

Mr. Doyle suggested a unique sign on the green space.

Ms. Eddy is concerned because this is located on a state highway and snow and salt will be an issue.

Ms. Serra asked the board if the justification from one row of parking is acceptable because they are looking at two separate waivers.

Ms. Serra said there are two design standards; one prohibits a front row of parking and then the setbacks.

Ms. Serra feels that Lansing Engineering has provided justification for one row of parking because it is a branch. Ms. Serra would like to see the justification more technical so potential applicants cannot say the board was arbitrary and will grant every waiver that comes before them.

Ms. Eddy said unless the drive thru is moved to the east or west side of the building and the retail banking is moved to the front, she does not see any way around it.

Ms. Serra said if the board grants this waiver, to look at very specific reasons that a project and the next applicant are not going to dispute, claim favoritism, or duplicate.

Mr. Doyle said Lansing Engineering provided a letter of justification for parking in the front.

Discussions were held on layout of the proposed branch bank.

Mr. Doyle asked the board their feeling on the layout of the proposed branch bank.

Ms. Cristy said, "She has not changed her mind."

Mr. Ramsey said, "He thinks it makes sense this way."

Mr. VanVorst said, "I think we should grant the waivers."

Mr. Cwalinski said, "He agrees that the waivers have been fully justified."

Mr. Hayden said, "He is much more comfortable with the parking waiver than the setback waiver."

Ms. Eddy asked Mr. Hayden "would you pull it forward more."



Mr. Hayden said he would like the applicants to move it as close as they can (asking 100' standards 32')

Ms. Eddy asked the distance from the depth of the parking spot. Mr. Lansing replied 20'. Ms. Eddy asked the pass by from the drive thru. Mr. Lansing replied 24'. Ms. Eddy asked the setback. Mr. Lansing said 100' a minimum of 10' from the face of the building to the parking space. Ms. Eddy asked how far forward the building could be moved to maintain the turning radius. Mr. Lansing said 10 feet.

Mr. Hayden said, "Now the applicants explained why they cannot do it and makes sense."

Mr. Reilly said from a legal standpoint through discussion, rationale, justification was established.

Mr. Reilly recommends consensus of the board.

Mr. Doyle said the remaining items that need further discussion.

- Logo
- Design/shape of the front

Mr. Doyle opened the public hearing at 8:25pm

Mr. Doyle said the building itself meets the design standards, but the board is concerned that it fits with the rest of the areas architecture.

Mr. Doyle closed the public hearing at 8:26pm

Ms. Serra asked Mr. Doyle where the board would conceptually approve the site layout so the applicant's can move forward with engineering.

Mr. Lansing said that is the applicant's ultimate goal for this evening; site design, site engineering is a critical path to work parallel on that venture.

Ms. Eddy suggested two points of ingress and egress not three.

Ms. Eddy said, "Were ok with the footprint."

Mr. Doyle said until concept approval, engineering be taken at the applicant's risk.

Ms. Eddy asked the board their feelings about the ingress and egress to this project.

Ms. Serra said the DOT has the final say.

Further discussions were held on ingress and egress of the proposed site.

Mr. Doyle tabled the application.



Fred & Ute Heubner, Schaubert Road, Ballston Lake, NY 12019 for a major subdivision. Duane Rabideau of VanGuilder and Associates was present on behalf of the applicants. At the last meeting, the open issue was the easements for the storm water management detention areas. Mr. Reilly supplied proposed language to allow the town to assure that the storm water management areas would be maintained.

Mr. Reilly said Michael Schafer; applicant's attorney will work on any of the outstanding easement issues the board has regarding storm water.

Mr. Doyle said the Saratoga County Planning Board feels that since this application is a major subdivision, it should be subject to DOH regulations.

Mr. Doyle did not feel this would affect the board's decision moving forward.

Mr. Rabideau addressed all issues and was in receipt of a letter from DOH.

Mr. Doyle opened the public hearing at 8:33pm

Mr. Doyle closed the public hearing at 8:34pm

No one wished to speak.

MOTION: Mr. Cwalinski made a motion to approve the subdivision of the lands of Fred and Ute Heubner described on drawing dated, 7/27/2010. Subject to our chair resolving the comments forwarded to the board from the SCPB dated, 8/25/2010, the town attorney revising the declaration of storm water management area document, and subject to the collection of \$1,000.00 per lot park and rec fee payable at issuance of building permit. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED.**

Barbara Ille, 860 Route 50, Burnt Hills, NY 12027 for a minor subdivision. Duane Rabideau of Northeast Land Surveyors was present on behalf of the applicant. The applicant is proposing a two lot minor subdivision. Since the last meeting, the only open issues were the location of well and septic.

As requested by the board, the well and septic system locations were added to the plan.

Mr. Doyle opened the public hearing at 8:37pm

Mr. Doyle closed the public hearing at 8:38pm

No one wished to speak.

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



MOTION: Mr. Cwalinski made a motion to approve the subdivision as described on the map subdivision lands of William B. & Barbara S. Ille, revision dated, 8/3/2010 subject to \$1,000 park and rec fee per lot payable at issuance of building permit. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED.**

NEW BUSINESS:

Mr. Ramsey recused himself and Ms. Matias, alternate, assumed his position on the board.

Nick Paravalos, 794 – 800 Route 50, Burnt Hills, NY 12027 for a lot line adjustment. Nick Paravalos represented himself for the proposed lot line adjustment. The applicant is proposing to transfer 78' of 257.14.1-1 (794 Route 50) to 257.14-1-42 (800 Route 50).

Mr. Cwalinski asked if there were plans to build on the land. Mr. Paravalos replied no, it would be used for parking.

Mr. Doyle asked if the 23,503sq. ft. is a legal lot. Mr. Johnson said in the Mixed Use Center South District, there is no minimum lot size required.

Mr. Doyle opened the public hearing at 8:45pm

Mr. Doyle closed the public hearing at 8:46pm

No one wished to speak.

MOTION: Ms. Cristy 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. Hayden 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 drawing with the title Lot Line Adjustment between the lands of Nick Paravalos and Capitaland Property Management, LLC dated, 8/13/2010. Ms. Cristy seconded the motion and all present voted in favor. **CARRIED.**

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

Meeting adjourned at 8:50pm

Respectfully submitted,

Michelle L. Dingman