



**TOWN OF BALLSTON
PLANNING BOARD
Regular Monthly Meeting: August 26, 2009**

Present: Richard Doyle, Chairman

Josephine Cristy

Joan Eddy

Derek Hayden

John VanVorst

Lee Ramsey, 1st Alternate

Audeliz Matias, 2nd Alternate

Kathryn Serra, Town Engineer

Peter Reilly, Planning Board Attorney

Thomas Johnson, Building Inspector

Members of General Public

Chairman Doyle called the August 26, 2009 meeting to order at 7:30pm and led the Pledge of Allegiance. Chairman Doyle reviewed the agenda.

Correction to the minutes: Page 3) 7th para; strike “adhere” change to “appear” Page 5) 2nd para; strike “of” change to “on”

MOTION: Mr. VanVorst made a motion to accept the July 29, 2009 minutes as amended. Mr. Ramsey seconded the motion and all present voted in favor. **CARRIED.**

OLD BUSINESS:

Jack France, Schauber Road, Ballston Lake, NY 12019 for a Minor Subdivision. Duane Rabideau of VanGuilder and Associates was present on behalf of the applicant for a minor subdivision. Mr. Rabideau said turnouts were added every 200’ to utilize the driveway as part of the turnaround; an addendum to the plan shows a change in turnaround location.



Mr. Rabideau said the water contingency note (note 5) has been added to the plan.

Mr. Rabideau said the wells existing and proposed are shown on the two lots.

Mr. Rabideau said the Right-to-Farm Law (note 4) has been added to the plan.

Mr. Rabideau said the existing drive has been moved farther away from the lake with the ROW 60' setback lines making more room for the proposed house.

Mr. Rabideau said a signature block has been added to the plan.

Mr. Rabideau said setback lines have been shown on each of the proposed lots.

Mr. Rabideau said (note 6) has been added to the plan "this subdivision was in the Ballston-Lake Water Front District and is subject to site plan review prior to issuance of any building permits."

Ms. Serra asked Mr. Rabideau to summarize the conservation regarding the SWPP that is required in the three-lot development.

Mr. Rabideau said when the issuance of the first lot, the SWPP would be done on the entire project for each of the lots plus the road. Mr. Rabideau indicated there is not going to be any storm water detention treatment (pre-treatment) run-off of impervious surface.

Ms. Serra said the applicant had the option to do a SWPP and a storm water plan right now as part of the subdivision phase or they could choose to do a full SWPP for all three lots at the time the first house comes in for site plan. Ms. Serra said when a house comes in for site plan, a SWPP will need to be seen for all three lots and the road.

Mr. Doyle asked that (note 6) be more definitive.

Mr. Doyle opened the public hearing at 7:41pm.

Mr. Doyle said the proposed lots are 250' to 300' away from the lake.

Mr. Doyle closed the public hearing at 7:42pm.

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

MOTION: Mr. Hayden made a motion to accept the minor subdivision as presented on the map dated March 18, 2008 rev. August 4, 2009 subject to SWPP explanation no. (6), park and rec fees of \$1,000.00. Mr. VanVorst seconded the motion and all present voted in favor. **CARRIED.**

R.J. Taylor, Route 50, Ballston Spa, NY 12020 for Site Plan Review and a Special Use Permit for condominiums (48 dwelling units). Scott Lansing of Lansing Engineering was present on behalf of Ron Taylor for Ballston Condominiums. Mr. Lansing said the property consists of 6.96 acres zoned Mixed Use Center North. The applicant is proposing multi



family residential in the form of condominium units. The applicant is proposing six buildings at eight units per building totaling 48 units. The water and sewer service would be from the Rolling Brook Drive project and storm water would be managed on site.

Mr. Lansing said since the last meeting, an outstanding comment from CT Male needs to be addressed relative to a variance. The design standards call for a building setback no greater than 15' from edge of pavement and are proposing 20' so vehicles can park in driveways. Mr. Lansing said CT Male has agreed with that waiver.

Mr. Lansing said a shelter has been added out by Route 50 for any potential students waiting for the bus.

Mr. Lansing said a sidewalk along the access road has been implemented with an integral curve so drainage can go along the sidewalk to a catch basin.

A pull off area has been created for children waiting for the bus as well as a handi-cap accessible ramp and will not be a parking area (only for dropping children off waiting for the bus).

Mr. Lansing said emergency access gates have been moved back off the boundaries of the adjacent owners off Rolling Brook Drive.

The snow management plan states that snow be removed from site in a certain amount of time after a snowfall event.

Mr. Lansing said the request of verbiage be supplied for the creation of the HOA as well as rules and regulations. Mr. Lansing said the HOA did address restoration of any displaced areas and contractor.

Mr. Lansing said a Traffic Impact Study has been submitted and stated that Buckhurst Fish & Jacquemart has reviewed.

Mr. Lansing said the project needs DEC and DOH approval because it exceeds 2,500 gallons a day and will need permits for public sewer.

Mr. VanVorst said 550 cubic yards of sand would be removed from off the property. Mr. Lansing said that a cut and fill is done for every site and will be excavating a portion of the back of the site. Mr. VanVorst said most of it on the north side.

Mr. VanVorst said he has done a little research and found that 550 cubic yards is 35 to 40 10 wheel dump truck loads of dirt and seems substantial. Mr. VanVorst asked if this could be left on site. Mr. Lansing said they try to keep their wetlands down and remove from site.

Ms. Eddy asked if there would be a retaining wall. Mr. Lansing said a mixture of retaining wall and grade down.

Mr. VanVorst asked if there would be any screening. Mr. Lansing said screening is not proposed.

Ms. Eddy asked the distance from the building to wall from the edge. Mr. Lansing said roughly 30' to 40'. Ms. Eddy said there is room for screening.

Ms. Serra said she recalls it being 20'.



Mr. Doyle asked the Board members about the different elevations on the north and west side. Mr. Doyle said setbacks are similar to that in a residential district.

Ms. Eddy suggested screening for some type of buffer. Mr. Lansing said that it has not been proposed.

Mr. Taylor is in agreement with screening on the north side.

A further discussion was held on screening.

Mr. Hayden asked the road width. Mr. Lansing said 20' with 5' sidewalks.

Ms. Eddy asked what colors the applicant is proposing the buildings to be. Mr. Taylor said neutral, earth tones. Mr. Doyle asked the applicant to bring in samples with the next submittal.

Mr. Doyle opened the public hearing at 8:01pm

Mr. Doyle closed the public hearing at 8:02pm.

No one wished to speak.

Ms. Serra said the applicant has to apply for their wetland disturbance permit.

Mr. Hayden asked about the snow removal contract and status of Route 50.

Mr. Reilly said he has spoken with the applicant's attorney about the title to the roadway.

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.**

MOTION: Mr. Doyle moved to grant preliminary design approval for the Taylor project with the stipulations that the additional engineering will come forth, color charts will be brought to next meeting and finish up final design. Mr. VanVorst seconded the motion and all present voted in favor.

NEW BUSINESS:

Suburban Services Group, 852 Route 50, Burnt Hills, NY 12027 for Sketch Plan Conference. Craig MacDonald presented the proposal to construct a 3800sq. ft to 4200sq. ft storage building at the above said location. Mr. MacDonald said the plan is showing the tractor-trailers entering, exiting, and turning around. Mr. MacDonald said that presently there are two tractor-trailer deliveries a month.

Mr. MacDonald said the proposed storage building will be used for storage and there are no plans to heat the building. Mr. MacDonald said there may be a potential for an office or a bathroom, but has not made that final decision.



Mr. Hayden asked what will the building look like.

Mr. MacDonald said it would be a steel building and match the existing tan siding with a conventional shingle roof with a number of overhead doors along the side so trucks can back up every night and load up in the morning.

Mr. Ramsey asked if the vehicles would park inside the proposed building.

Mr. MacDonald said that he would not design it to park than three or four trucks inside it mostly for staging.

Mr. Ramsey asked the height of the building.

Mr. MacDonald said 18'.

Mr. Hayden asked what is going to be stored in the outdoor storage area.

Mr. MacDonald said that is the tenant's storage area.

Ms. Eddy asked if these proposed trucks turn around is going to be big enough for the tractor-trailers.

Mr. MacDonald replied yes.

Mr. Ramsey asked if the tractor-trailers are 45'. Mr. MacDonald replied yes.

Ms. Eddy said they would not be coming out the existing Morrisey driveway. Mr. MacDonald replied no.

Ms. Serra encouraged the applicant to go to the towns website and download design standards for this specific zoning district, which talks about esthetics, setbacks, screening and colors.

A discussion was held on waivers concerning design standards.

Mr. Hayden asked if there would be any additional lighting. Mr. MacDonald said there would be additional lighting put on the building.

Mr. Hayden asked if this would lead to more employees or vehicles. Mr. MacDonald said another four employees and four trucks.

Mr. Ramsey asked Mr. MacDonald the number of trucks he has presently. Mr. MacDonald said 14.

Mr. VanVorst asked if an office is put in the building, would water be put in that building. Mr. Macdonald said yes to wash the trucks.

Ms. Eddy asked if the trucks would be washed inside the building. Mr. MacDonald said no there would be some type of hose bin would be installed so it can be hooked up so they can vehicles can be washed outside.

Gary Bynon and William York, 774 Route 50, Burnt Hills, NY 12027 for Sketch Plan Conference. Duane Rabideau of VanGuilder and Associates representing Gary Bynon and William York for Lakeside Volleyball Club. Mr. Rabideau said



this application would consist of a full site plan and minor two-lot subdivision. Mr. Rabideau said the entire site consists of 14 acres and the lot with the proposed development would consist of 10 acres, which leaves four acres to the original parcel.

The parcel is located in the mixed-use center south district is going to be broken into two phases. The first phase will consist of the first part of the building 200' x 132' with the appropriate parking and if it is a success, it could be expanded another 100' in the rear annexed first section.

This plan shows the total build out of the project with 142 parking spaces with four handi-cap spaces.

The building design is similar to Extra Innings on McCrea Hill Road.

The layout is set up so it minimizes the impacts the wetlands that are on site.

The vegetative buffers on the north, south, and rear will remain.

Mr. Rabideau said the first phase would have four volleyball courts and the second would be three courts for basketball and a potential for indoor soccer and there has been an interest for judo.

Mr. Rabideau said the inside of the building is set up for retail and a food court consisting of prepackaged food and vending machines. The restrooms will have no showers.

The mezzanine level will include offices in the corner and a sports training area and will be set up for staging for events.

Mr. Rabideau said the total overall height of the building is 35'.

Mr. Rabideau said the hours of operations during the week are 6:00am to 8:00am and 6:00pm to 10:00pm and during the weekend 8:00am to 8:00pm

Mr. Rabideau said the main activity would be volleyball tournaments that are held on the weekends and the season starts in December and runs through Memorial Day.

Mr. Rabideau said the tournaments are like football games when comparing traffic will be coming in at staggered times depending on when their match is set up; the most intense time would on the weekend.

Mr. Rabideau said the applicants have had positive feed back from the public about this proposed project because there is a need for it in the area.

Ms. Eddy asked for an approximate location of the building on the plan.

Ms. Eddy asked the length of the building. Mr. Rabideau said 200' first phase and 132 wide.

Ms. Eddy said this proposal is child oriented not adult.



Mr. Bynon said no it will be for both and will be open early in the morning for adults. There will adult leagues, basketball, volleyball, and a plan to open up early in the morning.

Ms. Eddy asked how many volleyball groups could be happening at once. Mr. Bynon said 16 to 20 on a tournament weekend.

Mr. Ramsey asked how many courts are being proposed. Mr. Bynon said four. Mr. Bynon said four, but you can do five teams per court on a weekend.

Ms. Eddy asked how does basketball fit in. Mr. Bynon said the three courts are over the volleyball courts.

Ms. Eddy asked how many people come for a volleyball match. Mr. Bynon said 300, which includes players and parents.

Ms. Eddy asked if people come in buses. Mr. York replied no.

Ms. Serra asked if parking will be sufficient and recommends that the applicants engineer look at the use of the building and the parking spaces.

Mr. York said this proposal is being compared to the Buffalo Niagara Court Center site.

Ms. Serrra asked if there would be any school buses. Mr. Bynon said no.

Mr. Bynon said between the hours of 7:00am and 10:00am are going to be the busiest when people are coming in.

Mr. Ramsey asked if children from the high school would be going to this facility.

Mr. Bynon said their business plan has left the entire day open from 9:00am to 5:30pm for any school whether public or private to use this facility or rent this facility.

Mr. Doyle said to look at snow removal.

Ms. Eddy brought up fire access in the front of the building. Ms. Serra said that she would make sure that the plan complies.

Mr. Ramsey asked the building setback off Route 50. Mr. Rabideau said 150'

Mr. Bynon said there are seven summer camps planned. There will be open gym time throughout the year and will be open 5:30am to 8:30am for individuals to workout or just walk.

Mr. Hayden asked about the sports training. Mr. Bynon said it is a Physical Therapist with a concentration on high performance training.

Mr. Hayden asked if there would be a membership.

Mr. Bynon said thee would be a fee for the entire year.

Mr. Hayden asked if there would be seating on the lower level. Mr. York said bleachers on wheels and the mezzanine area would have tables and chairs.



Mr. Bynon said t-shirts would be available to order on site.

Mr. Hayden asked about signage. Mr. Doyle to follow the guidelines in the towns design standards.

Ms. Cristy asked the name of the proposed business.

Mr. Bynon said Lakeside Recreation Center.

Mr. Doyle suggested subdivision first and then site plan review.

Mr. Doyle asked the Board their opinion of the project.

Mr. VanVorst could not say one bad thing about the project. Mr. Doyle feels it is good for the school district.

The Board feels this is a good idea for the town to have a facility of this nature.

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

Meeting adjourned at 8:55pm.

Respectfully submitted,

Michelle L. Dingman