



# TOWN OF BALLSTON

## PLANNING BOARD AGENDA

**June 29, 2022**

**Town Hall Meeting Room**

**323 Charlton Road, Ballston Spa, NY 12020**

**6:30 pm**

**Call To Order**

**Pledge Of Allegiance**

**Approval Of Previous Minutes**

**OLD BUSINESS**

**1. *Bloomfield Solar CSI (PB 2021-017)***

Mann and Garrett Road; SBL 215.-1-48.1

- Site Plan Review, Special Use Permit and Lot Line Adjustment for Community Solar Installation (CSI)
- **Public Hearing Scheduled**
- SEQRA Type 1 Action, open

**2. *Active Solar - Randall Road Solar Farm (PB 2021-012)***

Randall Road; SBL 226.-1-43.1

- Site Plan Review and Special Use Permit for Community Solar Installation (CSI)
- **Public Hearing Continued**
- SEQRA Type 1 Action, closed

Documents:

[DEPT. OF ARMY - ACTIVE SOLAR.PDF](#)

## **NEW BUSINESS**

### **1. *Mangino Buick Building Addition Sketch Plan (PB 2022-011)***

1484 Route 50; SBL 228.-1-53

- Sketch Plan Conference for a 6,000 SF building addition
- SEQRA Unlisted Action, open - SEQRA is included with the Mangino Buick Entrance and Sign project

Documents:

[2022-06-08 SKETCH PLAN REQUEST.PDF](#)  
[SITE PLAN\\_MANGINO GMC\\_BLDG ADDITION.PDF](#)

## **Public Hearing Rules**

#1 Five-minute limit with warning at four-minute mark. If you have more to say, please submit it in writing. All submissions will be read.

#2 No foul language, swearing, cursing.

#3 No insulting offensive remarks.

#4 Please don't repeat already expressed comments.

#5 Don't expect a response to remarks tonight; there is no discussion between public and applicant or board. All questions will be answered in time.



**DEPARTMENT OF THE ARMY**  
U.S. Army Corps of Engineers, ATTN: CENAN-OP-RU  
Upstate Regulatory Field Office  
1 Buffington St., Building 10, 3<sup>rd</sup> Fl. North  
Watervliet, New York 12189-4000

Upstate New York Section

April 21, 2021

SUBJECT: Permit Application Number NAN-2020-00591-UDE  
by Active Solar Development, LLC  
Town of Ballston, Saratoga County, New York

Sean McCleneghen  
Active Solar Development, LLC  
2189 Cook Road  
Galway, New York 12074

Dear Mr. McCleneghen:

On June 5, 2020, the New York District of the U.S. Army Corps of Engineers received a request for a Department of the Army jurisdictional determination for a 53.30 acre portion of a 79.05 acre property that is currently owned by Ronald Malloch. This request was made by North Country Ecological Services, Inc., as consultant for Active Solar Development, LLC. The site consists of two separate areas, identified as Randall Road Solar Area 1 and Randall Road Solar Area 2, and is located in the Hudson River watershed, along the north and south sides of Randall Road, in the Town of Ballston, Saratoga County, New York.

The submittal received by this office on June 5, 2020, included a proposed delineation of the extent of waters of the United States within the project boundary. A site inspection was conducted by a representative of this office on October 22, 2020, in which it was agreed that changes would be made to the delineation and that the modified delineation would be submitted to this office. On February 1, 2021, this office received the modified delineation.

Based on the material submitted, including the drawing entitled "Wetland Delineation Map for a Portion of Lands of Ronald Malloch", prepared by Creighton Manning Engineering, LLP, dated April 30, 2020, and last revised January 30, 2021, there are 2.21 acres of wetlands and 393 linear feet of stream channel within the 22.33 acre Randall Road Solar Area 1 site on the south side of Randall Road, and 6.32 acres of wetlands, 0.68 acre (1,330 linear feet) of the Mourning Kill, and 1,149 linear feet of additional stream channel within the 30.97 acre Randall Road Solar Area 2 site on the north side of Randall Road, that may be jurisdictional under Section 404 of the Clean Water Act. Within Randall Road Solar Area 1, Wetland Area A lies along the western site boundary and consists of 0.32 acre and Wetland Area C lies along the eastern site boundary and consists of 1.89 acres. Tributary 4, consisting of 393 linear feet, lies within Wetland Area C. Within Randall Road Solar Area 2, Wetland Area 1 traverses the center of the site from north to south and consists of 5.74 acres and Wetland Area 2 is located along the eastern site boundary and consists of 0.58 acres. The Mourning Kill is located within Wetland Area 1 and consists of 0.68 acre (1,330 linear feet). Tributaries 1, 2 and 3 are also located within Wetland Area 1 and consist of 403 linear feet, 547 linear feet, and 199 linear feet, respectively.

This preliminary jurisdictional determination (JD) is non-binding and indicates that there may be waters of the United States, including wetlands, within the review area. A preliminary JD is advisory in nature and may not be appealed. As you requested, enclosed are copies of Preliminary Jurisdictional Determination Forms signed by this office. Please be aware that for purposes of computation of impacts, compensatory mitigation requirements, and other resources protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected by the permitted activity as jurisdictional. If you wish, prior to commencement of any work on the site you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Guidance-Letters/>

In accordance with Regulatory Guidance Letter 05-02, "Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expiration dates." However, it is strongly recommended that the boundaries of the delineated waters be re-evaluated by a qualified consultant after five years of the date of this letter. This will ensure that any changes are appropriately identified and you do not inadvertently incur a violation of Federal law while working on your project site.

These determinations may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

It is strongly recommended that the development of the site be carried out in such a manner as to avoid as much as possible the discharge of dredged or fill material into the delineated waters of the United States. If the activities proposed for the site involve such discharges, authorization from this office may be necessary prior to the initiation of the proposed work. The extent of such discharge of fill will determine the level of authorization that would be required.

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

If any questions should arise concerning this matter, please contact Christine Delorier, of my staff, at (518) 266-6354.

Sincerely,

A handwritten signature in black ink that reads "Amy L. Gitchell". The signature is written in a cursive style with a large initial 'A'.

Amy L. Gitchell  
Chief, Upstate New York Section

Enclosures

cc: NYSDEC Region 5, Warrensburg  
Town of Ballston  
T. Ward – NCES, Inc.



**June 8, 2022**

**Mr. John Van Vorst** ([jvanvorst@townofballstonny.org](mailto:jvanvorst@townofballstonny.org))  
Planning Board Chairman

**Sent Via Email Only**

Town of Ballston  
323 Charlton Road  
Ballston Spa, NY

Regarding: 6,000 SF Building Addition – Mangino’s Buick GMC  
Sketch Plan Conference  
PTR Properties Group, LLC  
1484 Route 50  
Ballston, NY 12020

**Dear Mr. Van Vorst:**

PTR Properties Group, LLC (Applicant) is proposing to construct a 6,000 SF building addition to the existing Mangino’s Buick GMC building, located at 1484 Route 50 (Parcel I.D. 228.-1-53). This building addition is part of a larger, common plan, which includes the construction of an access road, a Mangino’s Buick GMC sign, a vehicle display area, a stream crossing, and associated stormwater management areas on the adjacent parcel, located at 965 Route 67 (Parcel I.D. 228.-1-18). A separate application has been submitted for the access road and associated infrastructure.

The existing building coverage is approximately 24,500± SF; with the proposed building addition, the proposed building coverage will increase to approximately 30,500± SF. The existing building is used for automobile sales and services, no change in use is proposed as part of this building addition.

It is our understanding that Local Law No. 2-2022, adopted in April, 2022, changed the subject parcel’s zoning from Mixed Use North to Mixed Use Route 50/67, according to the proposed amended zoning map dated April, 2022, prepared by M.J. Engineering. While the existing use is still allowed with a special use permit and site plan review, the new zoning changes render the existing building a non-conforming structure, as the maximum commercial building footprint permitted according to the bulk zoning requirements is 10,000 SF. If the Applicant elects to participate in the Town’s “Transfer of Development Rights” program, they may potentially increase their building footprint up to a maximum of 40,000 SF.

The map entitled, “Transfer of Development Rights Sending and Receiving Areas of the Town of Ballston” indicates that the subject parcel is in a receiving area for commercial use, and is therefore allowed to participate in this program.

Section §138-166 “Requirements of Receiving Area” of the Town of Ballston’s Zoning Code indicates that Applicants wishing to participate in this program have the option of purchasing development rights, and, in order to facilitate this process, must first participate in a “Sketch Plan Conference” to outline the requirements and steps necessary.

In order to comply with this requirement and to formally begin the process of participating in the purchasing of development rights program, we, on behalf of the Applicant PTR Properties Group,

LLC, would like to formally request a sketch plan conference to further determine the requirements of the PDR program at the planning board's earliest convenience, perhaps the agenda meeting preceding the June 29th, 2022 planning board meeting.

The Applicant would also like to use this opportunity to discuss the potential alternate path which was presented in a review letter by M.J. Engineering in May, 2022, to approach the Zoning Board about pursuing an area variance for the building addition.

In addition to this formal request, we've attached an overall site plan which shows the location of the proposed 6,000 SF building addition. If additional information is required, please contact our office at your convenience. We await your response regarding the Sketch Plan Conference.

Sincerely,



**Stephanie Alessandrini, P.E.**

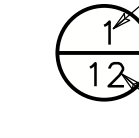
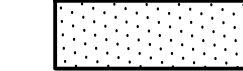
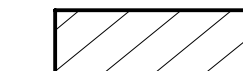

Environmental Design Partnership

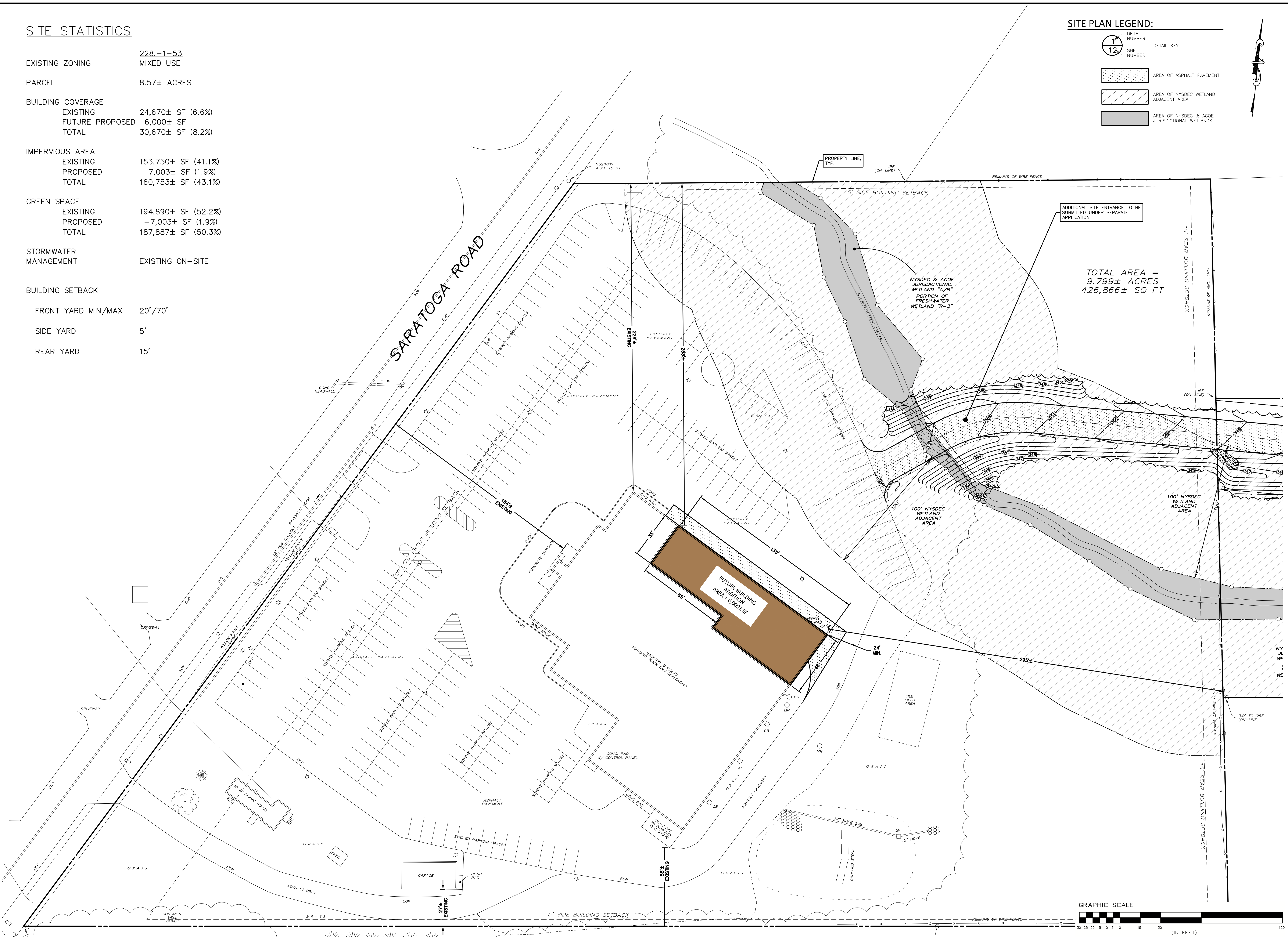
cc: Tmitchell@edpllp.com, Mcoffeysr@manginos.com, pmangino@mangino.com

**SITE STATISTICS**

EXISTING ZONING	228-1-53 MIXED USE
PARCEL	8.57± ACRES
BUILDING COVERAGE	
EXISTING	24,670± SF (6.6%)
FUTURE PROPOSED	6,000± SF
TOTAL	30,670± SF (8.2%)
IMPERVIOUS AREA	
EXISTING	153,750± SF (41.1%)
PROPOSED	7,003± SF (1.9%)
TOTAL	160,753± SF (43.1%)
GREEN SPACE	
EXISTING	194,890± SF (52.2%)
PROPOSED	-7,003± SF (1.9%)
TOTAL	187,887± SF (50.3%)
STORMWATER MANAGEMENT	EXISTING ON-SITE
BUILDING SETBACK	
FRONT YARD MIN/MAX	20'/70'
SIDE YARD	5'
REAR YARD	15'

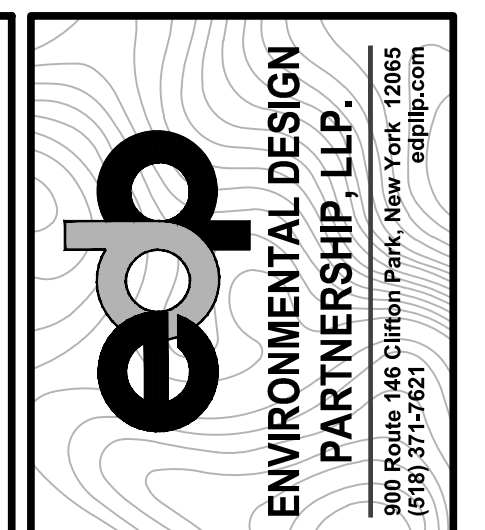
**SITE PLAN LEGEND:**

-  DETAIL NUMBER  
12 DETAIL KEY
-  AREA OF ASPHALT PAVEMENT
-  AREA OF NYSDEC WETLAND ADJACENT AREA
-  AREA OF NYSDEC & ACOE JURISDICTIONAL WETLANDS



TOTAL AREA =  
9.799± ACRES  
426,866± SQ FT

FUTURE BUILDING  
ADDITION  
AREA 6,000 SF



TAX ID NO. 228-1-53  
JUNE 6, 2022

**BUILDING ADDITION**  
**MANGINO BUICK, GMC**  
PTR PROPERTIES GROUP, LLC  
1484 ROUTE 50  
TOWN OF BALLSTON  
SARATOGA COUNTY, NEW YORK

DRAWN BY	EKR
CHECK BY	SPH
EOP PROJECT NUMBER	131708
<small>THE ALTERATION OF THESE DOCUMENTS IN ANY MANNER WITHOUT THE DIRECT SUPERVISION OF A REGISTERED PROFESSIONAL (REGISTERED ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR A PROFESSIONAL CONTRACTOR) IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.</small>	
REVISION	DATE BY

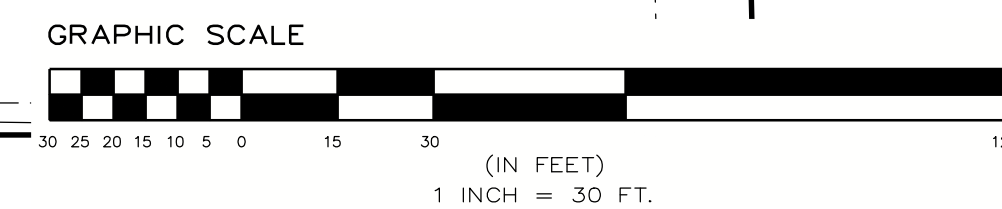


SCALE:  
**1" = 30'**

**NOT FOR CONSTRUCTION**

SHEET TITLE:  
**SITE PLAN**

SHEET:  
**1 of 1**



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