

**DRAFT**

**SEQRA SCOPING DOCUMENT**

FOR THE

**TOWN OF BALLSTON  
COMPREHENSIVE PLAN UPDATE AND ZONING AMENDMENTS**

**Town of Ballston**

323 Charlton Road  
Ballston Spa, NY 12020

**Lead Agency:**

Ballston Town Board  
323 Charlton Road  
Ballston Spa, NY 12020

Contact: Eric Connolly, Town Supervisor

(518)-490-2780

[econnolly@townofballstonny.org](mailto:econnolly@townofballstonny.org)

[www.townofballstonny.org](http://www.townofballstonny.org)

**November 10, 2021**

## INTRODUCTION

The purpose of this Draft Generic Environmental Impact Statement (DGEIS) is to assess the potential for significant adverse impacts associated with the adoption of the targeted 2021 Comprehensive Plan and Zoning Ordinance Update (Proposed Action). The Comprehensive Plan update is a targeted update evaluating and providing recommendations for the following topic areas: rural character and targeted growth; agriculture; hamlets; clean energy and the environment; infrastructure; and governance and administration. The Town is also updating its zoning ordinance to be consistent with the recommendations of the Comprehensive Plan update.

This Draft Scoping document was prepared pursuant to New York State Environmental Conservation Law Article 8, the State Environmental Quality Review Act (SEQRA); and Part 617 of Chapter 6 of the New York Code of Rules and Regulations (NYCRR), the Town of Ballston as SEQRA lead agency will require a Draft Generic Environmental Impact Statement (DGEIS) for the adoption of the 2021 Comprehensive Plan and Zoning Ordinance Update. In accordance with SEQRA, the DGEIS will address specific potential adverse environmental impacts as required by SEQRA. This scoping document identifies the significant environmental conditions and resources that may be affected by the proposed action and defines the extent and quality of information necessary to address those issues in the DEIS.

This Draft Scoping document was reviewed by the Town Board on November 9, 2021. As required under SEQR 617.9 the public will be given an opportunity to comment on the Draft Scope. The Draft Scope will be made available on the Town website and project website and public comments will be received by the Town through November 30, 2021. **Correspondence was received from XX individuals. Issues raised during this period were evaluated as to the nature of the information and the importance and relevance of the information related to potential significant impacts.**

## PROJECT BACKGROUND AND PRIOR SEQRA PROCEEDINGS

The Town of Ballston is one of the fastest growing communities in Saratoga County. In July 2020, the Town Board undertook a targeted update to its 2005 Comprehensive Plan to address the needs of this growing community. This effort included public visioning, a community profile of existing conditions with mapping, numerous in-person and virtual public engagement activities, stakeholder meetings, an online community survey (hard copies available upon request), a student survey, a dedicated project website ([www.EnvisionBallston.com](http://www.EnvisionBallston.com)) and regular Town Board updates. The effort culminated in the preparation of a targeted updated Comprehensive Plan with a set of goals and recommended actions that largely maintained the Town vision to:

*“...preserve its working agricultural lands, natural resources, and high-quality life as it continues to accommodate residential and commercial growth in targeted areas of the community. The Town seeks to maintain the small town and rural character that are the roots of the Ballston community, while continuing to manage*

*growth and embrace new approaches to clean energy, land conservation and community connections leading to a bright future for multiple generations.” (2021 Draft Comprehensive Plan Update)*

The Draft Comprehensive Plan was made available for public review on August 30, 2021. The draft Comprehensive Plan was available for public review on [www.EnvisionBallston.com](http://www.EnvisionBallston.com) and hard copies were available at Town Hall and the Library. Comment forms were also available at the hard copy locations.

The Town Board referred the draft Comprehensive Plan to the Saratoga County Planning Board on September 3, 2021 per General Municipal Law §239-m and received a decision to Approve with comments on October 28, 2021.

On September 14, 2021, the Town Board held an in-person public hearing at Town Hall and continued the public hearing to a virtual platform on September 15, 2021.

The Town Board has initiated the preparation of zoning amendments to ensure the zoning is consistent with the draft Comprehensive Plan. A Zoning Work Group consisting of Town Building Department staff, representatives from the Town Board and the Town’s project consultants held regular meetings to prepare the zoning amendments. The Town Board considered the zoning amendments at its November 9, 2021 Town Board meeting where a public presentation of proposed zoning changes was provided by the project consultants. The Town Board scheduled a public hearing for the amendments on November 30, 2021.

The Town Board referred the zoning amendments to the to the Saratoga County Planning Board on November 10, 2021 per General Municipal Law §239-m and received a decision to XXXX with on XXXX 2021.

At its November 09, 2021 referred the zoning amendments to the Town Planning Board.

The SEQRA Action is the adoption of the Comprehensive Plan update and zoning amendments. This action is considered a Type 1 action per 6 NYCRR Part 617.4(b)(1) which requires coordinated review. On August 10, 2021 the Town Board initiated coordinated review and declared its intent to be lead agency for the purposes of SEQRA. Notices were provided to all interested and involved agencies per SEQR regulations and included a Full Environmental Assessment Form (FEAF) Part 1. The Town Board is the appropriate entity to serve as lead agency as it will be responsible for the adoption of the 2021 Comprehensive Plan and Zoning Ordinance Update. No other involved agency objected to the Town Board serving as lead agency.

Following the required timeframe for coordinated review, the Town Board declared lead agency for SEQRA, reviewed FEAF Parts 1, 2, 3 and issued a Positive Declaration on October 12, 2021. This procedural step formally initiates the preparation of the Generic Environmental Impact Statement (GEIS).

## PURPOSE OF THE DRAFT SCOPING DOCUMENT IN SEQRA

The purpose of SEQRA is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional, and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, SEQRA requires the preparation of an GEIS. It was the intention of the State Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with social and economic considerations, and that those factors be considered together in reaching decisions on proposed actions. It is not the intention of SEQRA that environmental factors be the sole consideration in decision-making.

The Town Board, as lead agency, has issued a positive declaration and initiated the preparation of this draft scoping document. This draft scoping document represents an initial step in the review of potential environmental impacts under SEQRA for the proposed action. The primary goals of scoping are to focus the GEIS on potentially significant impacts and to eliminate consideration of those impacts that are irrelevant or non-significant. The purpose of this draft scoping document is to provide an opportunity for involved agencies, interested agencies, and the public to review and comment on the identification of significant environmental conditions and resources which may be affected by the proposed action, and to identify the extent and quality of information necessary to address those issues during the SEQRA process.

Written comments on the draft scoping document from the public were submitted to the Town of Ballston, Attention: XX or via the project website on or before November 30, 2021. Notice of the public scoping comment period were posted on the Town of Ballston website (<https://townofballstonny.org/>), the project website (<https://www.envisionballston.com/>) and sent to all interested/involved agencies. The final scoping document was revised as directed by the Town Board to address comments received during the public comment period.

## CONTENTS OF THE DGEIS

The DGEIS will include the elements required by 6 NYCRR 617.9(b), including:

- i. DGEIS Cover Sheet. All draft and final GEISs must be preceded by a cover sheet stating whether it is a draft or final GEIS; the name or descriptive title of the action; the location (county and town, village or city) and street address, if applicable, of the action; the name and address of the Lead Agency and the name and telephone number of a person at the agency who can provide further information; the names of individuals or organizations that prepared the GEIS; the date of its acceptance by the Lead Agency; and in the case of a draft GEIS, the date by which comments must be submitted.
- ii. DGEIS Table of Contents. The table of contents will include listings of DGEIS sections,

tables, figures, maps, appendices, attachments and items that may be submitted under separate cover (and identified as such).

- iii. DGEIS Acronyms and Abbreviations: Commonly used acronyms and abbreviations utilized within the DGEIS will be identified.
- iv. Firms / Organization Involved in the Preparation of the DGEIS: Consultants that contributed in the preparation of the DGEIS will be listed with each firm's point of contact information provided.

In addition, the DGEIS shall include the following sections:

## **1.0 EXECUTIVE SUMMARY**

The executive summary will include a brief description of the proposed action and a listing of potential environmental impacts and proposed mitigation measures. A summary will also be provided of the approvals and permits required, and the alternatives to the proposed action that are evaluated within the DGEIS.

As discussed above, the Town of Ballston is updating its 2005 Comprehensive Plan to reflect current needs and its future vision. The Comprehensive Plan update is a targeted update evaluating and providing recommendations for the following topic areas: rural character and targeted growth; agriculture; hamlets; clean energy and the environment; infrastructure; and governance and administration. The Town is also updating its zoning ordinance to be consistent with the recommendations of the Comprehensive Plan update. Adoption of the updated Comprehensive Plan and Zoning is considered the proposed action.

Alternatives evaluated include a no action alternative, proposed zoning, and proposed zoning with incentives.

## **2.0 DESCRIPTION OF THE PROPOSED ACTION**

As described in more detail in the following sections, this chapter of the DGEIS will include a comprehensive description of the action and will provide a detailed discussion of the proposed zoning changes.

### **2.1 Project Overview**

This section of the DGEIS will provide a brief discussion of the Town of Ballston updated Comprehensive Plan and a description of the proposed zoning changes.

### **2.2 Site Description**

This section of the DGEIS will characterize the size, geographic boundaries, and physiographic characteristics of the town. Additionally, the location in relation to nearby Towns, as well as recognized or protected natural or man-made features will be described. The dominant land uses within and adjacent to the town will also be discussed. More detailed descriptions of these resources and potential impacts and their relationship to those discussed in the previous SEQRA documents will be analyzed in dedicated sections of Chapter 3, as discussed below.

### **2.3 Detailed Description of the Proposed Action**

The purpose of the proposed Project will be described in this section of the DGEIS. A description of the Town's 2005 Comprehensive Plan and how it was updated will be provided, demonstrating how the zoning will be changing to be consistent with the updated Comprehensive Plan.

### **2.4 Purpose, Need and Benefit**

A statement describing the purpose and need for the updates will be provided, along with background and history of the project. This section will also include a brief overview of the environmental, social and/or economic benefits that are anticipated to result from the Project.

### **2.5 Reviews, Approvals and Other Compliance Determinations**

Governmental agencies having approval over the Project will be listed in this section, with explanation of the nature of their jurisdiction and the specific approvals required from each listed entity. In addition, the details associated with the SEQRA process for the proposed action will be included, along with a discussion of agency and public review and participation.

### **2.6 SEQRA Process**

This Section will describe the prior SEQRA activities as well as the subsequent activities anticipated to occur.

## **3.0 EXISTING CONDITIONS, POTENTIAL IMPACTS AND MITIGATION MEASURES**

With respect to each issue (or set of issues) described below in the various resource sections, the corresponding section of the DGEIS will identify in sequence: the existing environmental conditions; the potential impacts of the proposed action; and anticipated measures to avoid, minimize, and/or mitigate those impacts, as appropriate. The impacts and mitigation measures presented in these sections will include those related to the proposed operation as well as its construction. Each section will identify whether anticipated impacts will need to be described and evaluated in detail in this document. If it is determined that no new impacts in that section need to be evaluated in the document, the analysis from previous documents will be summarized and incorporated by reference into the DGEIS.

Where one of these sections identifies multiple related issues, the section will first describe the existing conditions regarding all of these multiple related issues before then describing the related potential impacts. The discussion of impacts related to the multiple issues included within the section will then be followed by a review and discussion of related mitigation measures. The text of these sections will be supplemented with maps, graphics, agency correspondence and agency data/analyses, Geographic Information System (GIS) data and newly prepared support studies, as necessary, to convey the required information.

### **3.1 Traffic and Transportation**

This section of the DGEIS will document existing vehicular use at key intersections and describe the anticipated effects of the proposed action on transportation-related use and infrastructure, and recommend measures to avoid, minimize, or mitigate adverse impacts.

A traffic study will be presented that has evaluated the potential traffic impacts associated with the action on the surrounding roadway network based on standard engineering practice and input from the Town of Ballston. The traffic study includes traffic analyses for key intersections within the Town using industry standard methodologies as specified in the most-recent version of the Highway Capacity Manual and Synchro© Version 11 macroscopic traffic analysis software utilized for the capacity analyses. The key intersections for this study have been identified at the following locations:

1. NY Route 50 / NY Route 67
2. NY Route 50 / Brookline Road
3. NY Route 50 / Middleline Road
4. NY Route 50 / NY Route 146A
5. NY Route 50 / Lake Hill Road
6. NY Route 146A / Lake Hill Road
7. NY Route 67 / Middleline Road
8. NY Route 67 / Eastline Road
9. NY Route 67 / Brookline Road
10. Round Lake Road / Eastline Road
11. Outlet Road / Lake Road
12. Brookline Road / Middleline Road
13. Lake Road / Eastline Road
14. Lake Road / Round Lake Road

Data collection will occur utilizing both Automatic Traffic Recorders (ATR) to obtain daily traffic volumes as well as manual turning movement counts at the study area key intersections as detailed in the approved scoping document.

The data will be forecast to a horizon year as specified in the approved scoping document and in consultation with CDTC regarding growth rates. It is assumed that the forecast year will be 20 years from the time of the study. Other potential development within the Town currently under

consideration or review by the Town will be evaluated and included in the forecasted traffic volumes either in the growth rate used or the inclusion of volumes for specific developments, if applicable. The build-out analysis based on the Town of Ballston Comprehensive Plan will be utilized to determine future anticipated vehicular trip generation using the most-recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

The capacity analysis will include the following conditions:

1. Existing (2021 Existing Volumes with Existing Geometry)
2. Future No-Build (Design Year Volumes with Existing Geometry)
3. Future Build (Design Year Volumes with Build-Out Vehicular Trips with Existing Geometry)
4. Future Build with Improvements (Design Year Volumes with Build-Out Vehicular Trips with Modified Geometry)

The Future Build analysis will include the anticipated vehicular trips generated by the build-out analysis with existing geometry and improvements in order to maintain acceptable Level of Service (LOS) standards as defined by ITE and the New York State Department of Transportation (NYSDOT).

A review of intersection safety will include analysis of crash data for the last five (5) available years for the key intersections defined in the approved scoping document. Existing options for alternative modes of transportation will be included in the study along with modifications for the Future Build condition to accommodate the anticipated growth within the Town.

### **3.2 Sewer**

The DGEIS will describe existing solid waste management and infrastructure services including wastewater treatment. MJ will complete an assessment of the sewer system within the study area to verify the capacity of the existing sewer system to support future growth and identify needed improvements. Information will be based on publicly available data, personal communications with service providers, and/or review of pertinent literature. The DGEIS, with the inclusion of the assessments mentioned, will identify how the proposed action may impact these services, and mitigation measures will be identified, as needed. Requests from sewer and water utility providers will also be included in the DGEIS. Coordination with Saratoga County Sewer District Authority will be a critical component in this evaluation.

### **3.3 Water**

This section of the document will describe existing conditions of water infrastructure resources in the town. Existing conditions, potential impacts and mitigation measures will be presented for the topic area. An assessment of the Town's water system within the study area to verify the capacity of the existing water system to support future growth and identify needed improvements will be described here. Relevant reports, mapping, and the most current water system operational data from the Town will be included. A site visit will collect hydrant data and in turn develop water

demands for the proposed buildout scenarios. This evaluation will also include an update to the Town's water model to reflect existing and future conditions.

### **3.4 Land Use and Zoning**

This section will describe the existing character of the town and review relevant land use regulations (zoning) and planning documents that have been previously prepared and adopted for the Town of Ballston. The section will evaluate the potential impacts related to the change in zoning. In addition, this section will evaluate potential impacts regarding the proposed Project's compatibility with surrounding land and discuss measures to avoid, minimize or mitigate Project related impacts. Mitigation will include the identification of design features that will enhance the visual quality of the project and provide the appropriate transition to adjacent land uses. Potential impacts to lands in the Agricultural District as well as appropriate mitigation will be discussed.

### **3.5 Growth and Character of the Community**

This section will describe the existing character of the town and review relevant planning documents that have been previously prepared and adopted. The DGEIS will identify how the proposed action may impact the character of the community, and mitigation measures will be identified, as needed.

## **4.0 ALTERNATIVES ANALYSIS**

The DGEIS will include a description and evaluation of the range of reasonable alternatives to the proposed action. Alternatives to be considered will include the "no action" alternative, proposed zoning, and proposed zoning amendments with incentives. The impacts anticipated for each alternative assessed will be summarized within the DGEIS. To evaluate the impacts of each alternative, a Geographic Information Systems (GIS) generated build-out analysis will be prepared for each alternative to identify potential commercial square footage and potential residential units.

### **4.1 No Action**

6 NYCRR Part 617 requires review alternatives to a Proposed Action including the "No Action" alternative be included in an GEIS. This section of the DGEIS will include a discussion of potential outcomes associated with the Town choosing not to pursue the Comprehensive Plan update and proposed zoning amendments.

### **4.2 Proposed Zoning**

This section of the DGEIS will include a discussion of potential outcomes associated with the proposed zoning amendments.

### **4.3 Proposed Zoning with Incentives**

This section of the DGEIS will include a discussion of potential outcomes associated with the future development opting to participate in the Town's proposed local Purchase of Development

Rights (PDR) program or the Green Initiative Incentives program which include incentives based density and commercial square footage bonuses.

## **5.0 UNAVOIDABLE ADVERSE IMPACTS**

This section of the DGEIS will identify impacts that are likely to occur despite mitigation measures and will compare these unavoidable impacts to project-related benefits. This section will also identify general avoidance and mitigation measures (e.g., adherence to applicable regulatory requirements), and specific mitigation measures (e.g., development of a SWPPP). A summary of the corresponding sections of the DGEIS report and reference to that material will be discussed.

## **6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

This section of the DGEIS will identify those natural and man-made resources consumed, converted, or otherwise made unavailable for future use as a consequence of the proposed action.

## **7.0 GROWTH INDUCED ASPECTS**

This section of the DGEIS will describe potential growth-induced aspects the proposed Project may have with respect to additional development in the vicinity of the Project site.

## **8.0 EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES**

This section of the DGEIS will describe the effects of the proposed Project on the use and conservation of energy. Anticipated electric and natural gas demands associated with the anticipated growth will be presented. Correspondence from the utility service provider(s) will be included in the DGEIS.

## **9.0 REFERENCES**

This section of the DGEIS will list sources of information cited directly within the narrative text.

## **APPENDICES TO ACCOMPANY DEIS**

At a minimum, and as described in more detail in the previous sections, the following materials will be included to supplement the information presented within the narrative:

- Appendix A: Full Environmental Assessment Form
- Appendix B: Engineer's Report for Sanitary Sewer prepared by MJ Engineering and Land Surveying
- Appendix C: Engineer's Report for Water prepared by MJ Engineering and Land Surveying
- Appendix D: Traffic Impact Evaluation
- Appendix E: Proposed Zoning Amendments
- Appendix F: Buildout Analysis