

**Ballston Spa  
Comprehensive Master Plan Steering Committee  
March 17, 2022**

Present in Person: Carrie Chapman, John Cromie, Josh Frederick, Karen Martell, Ellen Mottola, and Jackie Pelliccia.

Present by Zoom: Monique Cohen and Jared Iacolucci

Excused: Mat Ercoline, Nafessa Koslik, and Marilyn Stephenson

Observers:

In Person: Adrian Guadarrama, Liz Kormos, and Bernadette VanDeinse

By Zoom: Christopher Bradley and Gina Marozzi

Meeting was opened by Chair Karen Martel at 7 PM. Minutes were reviewed and amended by adding Gabriel Larocque and Ben Baskin as observers appearing by Zoom. Motion to approve the minutes, as amended, by Ellen Mottola, seconded by Carrie Chapman; passed.

Karen noted this meeting is to come up with something from the observations of the last meeting we can suggest for the future. What items are the most important; what items should the focus be on?

A theme from last meeting was the concern over properties that were not kept up and who would buy them. Is the poorly maintained property more likely to be rented out and not owner occupied? Are there things which can be done to encourage owner occupancy. Should the village determine a balance between non-owner-occupied housing and owner occupied?

Because our housing stock is 100 years old or older, many of the smaller houses are affordable. This housing may be exactly what will attract Millennials to buy and live in the village.

Discussion last meeting dealt with increasing enforcement of the codes through increasing hours and staff.

Accessory structures, which are not allowed in current zoning can provide affordable places for young people starting out or for retirees.

Property maintenance may be incentivized and made a subject of zoning enforcement.

The 20% increase in housing prices in the last year is game-changing and will make it harder for young people to enter the village's housing market. Allowing more two-family homes will make it more affordable for young families to own a home and favor multigenerational residences, if they are owner-occupied.

Perhaps home ownership can be incentivized through rehabilitation grants, which allow the homeowner to do some of the work.

It may be worthwhile for the building-zoning department to provide a quality of housing report on a quarterly or semiannual basis.

Higher village house prices benefit current homeowners because they now have extra equity to improve their homes, pay college costs, or invest.

Last meeting's discussion can be capsulized by two issues, housing affordability and code enforcement. To make homes of increasing value affordable additional uses need to be allowed in the zoning law such as home-based businesses and accessory residences, including new structures like mini houses. The allowance of these multiple uses can lead to exploitation, which can devalue neighborhoods. To prevent that from happening, the codes must be enforced proactively and the zoning law has to be realistic, which the current zoning law is not.

Because what people needed to do to their properties to afford upkeep has not been allowed not allowed, enforcement looked the other way. This has created a large number of "illegal" properties which cannot be "grandfathered" because the non-conforming use can't be traced back to the beginning of zoning or 1949. A solution is for the village to pick a number of years, 20, 10, whatever and deem any non-conforming use to have been in existence that long as "grandfathered."

There can be a mix of incentives and penalties. require the landlord to look after the properties and ensure tenants comply with things like noise ordinances. Use periodic inspection of rental units to ensure apartments are safe and the property isn't over-occupied. Incentives, for example, could be centered around beautification projects and recognition.

Tenants should be held responsible for their conduct. Landlords should be made responsible as well so they will be forced to pay attention to their property. If landlords are fined for little things like not keeping up the yard or not shoveling

sidewalks, they will pay attention to their property and help prevent major neglect.

There has to be a way to prevent an owner of a house with half its wall missing from not being subject to enforcement, (which currently exists in the village). Houses should not be allowed to be overcrowded like a 1,200 sq. ft. house divided into three apartments.

Some municipalities have given tenants a right of first refusal when the landlord is selling. This provides opportunity for village residents to remain living in Ballston Spa and may provide an alternative to speculative investment, as the region grows as a center for high-tech.

We should expect and plan for speculative investment by large firms in our housing. It is happening in metropolitan areas and will spread to this area in time, as the Capital District grows its high-tech industry base.

Airbnb rentals in the village can be abused. If a house is taken for that use, a family is denied homeownership and the village is denied the benefit of that family. Also, guests can abuse the situation by disrupting a neighborhood. Otherwise, allowing Airbnbs guard against a firm deciding to knock down buildings to build a motel in the village. A vibrant downtown needs places for people to stay overnight. Airbnb guests will patronize restaurants and stores. While the business provides incentive for guests and hosts to behave, local regulations may be necessary.

When considering short-term rentals, there has to be care that spillover does not impact track rentals. Those rentals bring people to the village to shop and eat and are depended on by families.

Some areas of the village can have relatively intensive home-business uses such as surrounding the CBD like Bath, Ford, Walnut, and Court Streets and the lower part of Ballston Ave. Other neighborhoods can have home offices where there is little traffic, signage, etc. Areas in between can have moderate-use home businesses. It would be up to the code to draw lines and determine which areas need special permits. This subject will be explored further when the committee discusses village businesses.

A landlord contact list will also help keep landlords responsible because neighbors will know how to contact them.

Having a contact's email and phone number will supplement what can be obtained on the County Real Property Tax Service's website.

A positive, informal aspect of a home business is neighbors often receive the benefit of the business' services.

A discussion of parameters for which home business uses may require a special permit will be saved for when the committee reviews economic issues. Quality of life questions will be taken up at that time also.

Because Ballston Spa is the County Seat, many people who do not have dependable transportation are here to obtain services the county provides. They provide an important part of what Ballston Spa is, and we don't want to lose those people. It is important to provide affordable housing in face of rising property values.

Christopher Bradley mentioned he is listening in for "Clean the Air" a non-profit with state money that tries to minimize cigarette smoking. His group can provide landlords with "Smoke Free" signs for their apartments. His group may also be able to help with beautification grants that are connected to discouraging smoking.

Karen reported the contract with Behan Associates has been received and is being review by the village's attorneys.

Summary:

Serious enforcement of realistic codes is necessary to preserve the character of this village, which contains people of a wide socio-economic range, and to improve residents' quality of life. The expansion of uses in residential areas by allowing, in appropriate neighborhoods, home businesses, work from home opportunities, accessory residential structures, accessory apartments, Airbnb rentals, etc. will make housing more affordable for homeowners, provide lower income housing for young people, seniors, and those of modest means. To prevent this flexibility from being exploited by residents, absentee landlords, and large corporate entities, state and (to be devised) local property maintenance codes must be proactively enforced. To be successful in a village, enforcement should begin with incentives and rapid response to small infractions like trash-strewn lawns, un-shoveled sidewalks and excessive noise, involving the homeowner, landlord, and/or tenant.

Meeting adjourned, 8:00

Respectfully Submitted, John Cromie, Sec.