

Planning Board Meeting Minutes
Village of Ballston Spa
Held on August 9, 2023

The meeting was called to order at 7:00pm by Chairman O'Connor

Chairman present: Rory O'Connor

Members present: Scott Burlingame, Peter Martin, Mike McNamara,
Attorney Stefanie Bitter

Members absent: John Battenfield, Alternate Paul Dunkelbarger

Pledge of Allegiance

Chairman O'Connor requested a motion to approve the minutes of the June 14, 2023 meeting. A motion was made by Member McNamara, seconded by Member Martin, to approve the minutes of the June 14, 2023 meeting. The motion was approved.

Administrative Action:

- Kirkland Westbrook – 95,99,107-109 Front Street – Lot Line Adjustment
Bob Wilktow from Gilbert Van Guilder Land Surveyor represented Mr. Westbrook for the proposed lot line adjustment. He stated that Kirk and Diane Westbrook have owned the property since 1993. They purchased 95 Front Street in 1988. They currently live at 107-109 Front Street which they purchased in 1981. They want to sell 95 Front Street, but before doing so they are trying to be proactive and take care of some encroachments. These houses were built in the late 1800's before there was any kind of zoning or anything like that. As you can see on the map, coming down from between 95 and 99, basically on the property line there is a seam between the buildings, but then there is a little drip ledge that sticks out from the foundation, and the property line runs right thru the property at 99 Front Street. Mr. Westbrook suggested jogging around that going down to the garage that sits on Walnut Street and having another jog that would mimic the roof overhangs heading towards Walnut Street. They possibly in the future want to sell 99 Front Street while the currently live in 107-109 Front Street and would like to take care of any encroachments and to adjust the property line so that he has a little more land on the east side of his house and will also give him access to a stairway to the garage where it heads towards Walnut Street which he wants to incorporate into the lot line. Currently the lot line is west of the stairway and since he owns all the property now it is not an issue. If he sells it in the future, he would technically be trespassing to get into his garage. They are not planning on building or constructing anything, they are just trying to be proactive on the existing buildings. Attorney Bitter asked if 95

and 99 Front Street are residential units. Mr. Westbrook replied yes. Chairman O'Connor stated this application is an administrative action for a lot line adjustment, and we have mylars. Hearing no objections from the Board, the map is accepted. We will get it stamped and get it going.

New Business:

- 288 Milton Avenue– Tax ID #203.80-2-16 O'Reilly Ballston Spa NY. Application for a Site Plan Review for a complete remodel/buildout of an existing stand alone building with minor exterior modifications. Chairman O'Connor stated that he and a couple Board members went to the site today and found what the applicant wants to be very reasonable. Tiffany Lawson is the Real Estate Design Manager for O'Reilly Auto Parts in Springfield, Missouri. She stated that O'Reilly sought out this property, which was the former NAPA building, based on favorable traffic counts and sales projections. They feel they will do very well in this location. The retail sales floor will be about 3000 square feet and will be open for business from 7:30 am to 8:30 or 9:00pm. Final store hours will be determined by the surrounding business hours of operation. Trucks will come in for overnight deliveries 5 nights a week. Chairman O'Connor stated that the site does not have a loading dock. Ms. Lawson stated that a loading dock is not needed. They unload pallets on the ground level and walk them into the store with a pallet jack. Chairman O'Connor stated that there must be something in the demographics that make this area favorable to auto parts stores. Ms. Lawson stated that being close to other auto parts stores is preferred by O'Reilly. She stated that the building, being in a high traffic area with good visibility, should do well. She noted that they are expanding heavily into the northeast. Member Martin said he is impressed with the company and thinks they will serve the community well. Ms. Lawson stated that the store should have about 20 employees, give or take a few. He asked who handles the signage. She answered they have a separate sign department that handles that. Chairman O'Connor asked her to tell whoever does the sign that they need to be informed of our code. She replied "of course". Chairman O'Connor stated that we are pleased to have them here.

David Muraco introduced himself and his son, Louis Muraco. Their company makes the deals, signs the lease, and develops sites for O'Reilly. He stated that there is a commitment from the owners to do mainly site improvements, such as the existing sidewalk directly in front of the building which is proposed to be dug out and fixed properly and stoned the right way. It will be blended out into the parking lot. It will be ADA compliant. The driveway catch basin closest to the creek works best. They will get it to move and will

have professionals shoot grades. The parking lot will be entirely paved to get the grades to really work. Landscaping will be added to the right of the building entrance. They will dress that corner up since their neighbor doesn't seem to do much with it. It will not impact parking. A clean out will be done to protect the sewer. O'Reilly is proposing a fence. Chairman O'Connor stated that although we do not have a fence height requirement in the code an 8' fence would be good. He asked what the fence is made out of. Mr. Muraco answered composite wood material. Chairman O'Connor stated that he assumed that they are getting an updated survey and update the site plan to show the details. He asked if any additional paving will be required for the delivery trucks. Mr. Muraco answered possibly. Chairman O'Connor also asked if the delivery truck lighting is adequate. Ms. Lawson answered yes. Chairman O'Connor stated that it makes sense to level, grade, and pave the entire parking lot. He also stated that on your Short Form it should be noted that the property is in a flood zone, and that needs to be fixed on the plan. Mr. Muraco stated that is not a problem. Mr. Muraco stated that the front planter will be cleaned up and the tree will be trimmed back to around a third of the size it is now. He noted that the planter is one half on their property and one half on the Village property, but they are willing to maintain it because they feel it is a focal point. Chairman O'Connor noted that it is also a CDTA bus stop. He also requested pictures of the proposed fence. He asked if they plan on painting the building. Mr. Muraco answered yes. Chairman O'Connor stated that colors are important, and they would like to see what is being proposed. Member Martin asked if they are adding any site lighting. Ms. Lawson answered no. She stated that the paint colors will be their typical tan with O'Reilly trim colors. Mr. Muraco noted that they will be looking to get signage approved. Chairman O'Connor stated that you get 16 square feet in the code. We are willing to sit down and talk about that. He stated that we will need them to work with us on that. If that doesn't fit your plans, you can go before us and ask for a sign variance. Member Burlingame asked if there was only going to be a sign on the building. Ms. Lawson answered yes. Their logo is important on the building. Mr. Muraco said it is possible they may want a second sign in the planter. Chairman O'Connor stated that only one sign is allowed per code, however, they can ask for a variance. Mr. Muraco asked if this Board reviewed the Aldi project. Chairman O'Connor answered no, because it was not a change in tenancy. Chairman O'Connor also asked that the engineer or architect reach out to our DPW in connection with the water and sewer connections. Mr. Muraco asked if we want a letter from them. Chairman O'Connor said a conversation is fine. Chairman O'Connor stated that a suggestion was brought up to install curb blocks along the creek to stop cars from driving into the creek. Since they cleaned up all the overgrowth, there may be nothing to stop people from doing so. Building Inspector LaFountain stated a guard

rail would be OK on the creek side of the parking lot for safety. Member Burlingame asked if there was a dumpster enclosure at all. Mr. Muraco answered it is not proposed. Member Burlingame asked if there were any masonry repairs. Mr. Muraco stated not really, however there may be a few cracks which will be repaired. Member McNamara stated that seeing a picture of the fence would be good. He stated that the parking lot grading needs to be clarified. He would like to see curb or parking blocks in front of the building to stop cars from driving into the building. Mr. Muraco said he would get a landscaper there to offer suggestions. Member McNamara stated that the brick planter may be crumbling. He noted that the State owns that property. Mr. Muraco said they will fix it up and maintain it. Member McNamara stated that it was said that deliveries would be five nights a week. Ms. Lawson answered yes, they would be after business hours, usually after midnight. Chairman O'Connor stated that striping arrows in and out need to be upgraded. Mr. Muraco said yes, they will take care of that. Member McNamara asked if the O'Reilly letters on the sign are lit. Ms. Lawson stated the sign has raised letters and they are backlit. Member McNamara stated that there is a second sign on the site plan which shows it is in the DOT right of way. That needs to be moved onto the property. Mr. Muraco said it could easily be moved inside the property. Chairman O'Connor stated that he will send them a summary of everything they discussed prior to the next meeting (see attachment). Building Inspector LaFountain stated that handicap striping on the parking lot must be done. He asked about the covered walkway on the front of the building in the plans. Mr. Muraco said there is no plan for a covered walkway. They will remove it from the plans. Building Inspector LaFountain said the tree close to the building should be removed and that the landscaping be non-flammable, such as stone. He asked Attorney Bitter if the fence can be on the property line. She answered the fence can be on the surveyed line. Building Inspector LaFountain stated that no building permit will be issued until the site plan review is approved by this Board. Once this Board approves the site plan review, a building permit will be issued. Member McNamara asked if they can do demolition without a permit. Building Inspector LaFountain stated no demo permit is needed.

Chairman O'Connor stated if your site plan is ready and you have all of the other materials we discussed, we can put you on the agenda for the September 13 meeting and review the site plan at that time. Once the site plan is approved, it gets filed with the County, and your building permit will be issued by Building Inspector LaFountain. Mr. Muraco asked about the sign. Building Inspector LaFountain stated that they need to fill out a building permit application for a sign with him. If it meets the code requirements, the sign permit can be issued immediately. If it does not meet code requirements, it will be denied and sent to the Planning Board for their

review. Member Martin asked if that can be done at the next meeting along with the site plan approval. Building Inspector LaFountain stated that depends on when they apply for the sign permit. Chairman O'Connor thanked everyone for coming and stated that if they had any questions, they could reach out to himself, Building Inspector LaFountain, or the Building Inspector Clerk, Kathy Barner. Mr. Muraco thanked everyone.

Old Business: None

Member McNamara stated that after 52 years of living on McLean Street in Ballston Spa, he and his wife will be moving to the Town of Moreau and will be leaving the Board. Chairman O'Connor and Member Martin stated that he will be missed. Chairman O'Connor noted that if he is still living in Saratoga County, it may be possible for him to stay on the Board. He stated he will look into that.

A motion was made to adjourn at 8:00pm by Member Martin and seconded by Member McNamara. The motion carried.

Respectfully submitted,

Kathleen Barner
Building Department Clerk

Attachment

ATTACHMENT

As mentioned last night, it will help the process for all involved at your end to become familiar with our Village Code Article VI, Site Plan Review, and Article V, Sign Regulations, available on line at the Village website. The following is the summary of my, and other members notes-it is not the official record of course; those notes will come from Kathy's transcription once completed. Obviously, we expect, and are happy to engage in, ongoing discussion as needed to assist in your preparation for formal site plan submittal.

We discussed the following issues to be addressed by the Site Plan, as well as suggested follow up with the Village DPW Manager (Jeff Gawrys), and clarification of any State/Federal ADA requirements for the parking lot and adjacent CDTA bus stop area.

The Site Plan will address the following, plus Code required specifications:

Fence detail for south side of property with illustrations, material specs, and elevations. It was agreed to be placed on the south property line, per an updated survey to be provided, from the SE corner of the building to the western property line, at a height of 8 feet.

A detailed landscape plan is to be prepared for the parcel, including the Planter at the western front of the lot, the northern creekside area recently cleared, and a small area near the SE corner of the structure. The Building Inspector suggested non flammable fill, such as stone, rather than mulch in that area. Owner has agreed to repair any brick damage on the planter as well. All to be reflected on the site plan.

The entire parking area is to be professionally surveyed for elevations, with complete grading plan on the site plan to insure adequate drainage to all catch basins, including the lowering of the center one, which is elevated. All drainage infrastructure to be tested prior to paving, Owner has agreed to remove concrete "sidewalk" adjacent to front of structure, and level the area to ADA standards, prior to repaving the entire lot. Curb blocks, or equivalent shall be installed at front of building to prevent accidental "drive thru". ADA parking will be provided per Regulations based upon occupancy/customer traffic estimates. Lot will be re-stripped showing existing in/out directional arrows and other details as needed. Creekside elevations to be evaluated to determine the need for a "guard rail" system .

Sign detail was discussed and Code requirements explained; final details of signage to be shown on site plan, with measurements and illustrations.

Deliveries were defined to be after business hours, loading and unloading at grade level using existing overhead door.

Trash dumpsters, as shown on the existing prints should be re-evaluated considering deliveries, and looked at for possible placement on the north side of the structure, as were the previous ones used by NAPA.

I believe the above covers our discussions, and hope it assists you moving forward. We look forward to working with you on this exciting addition to our Village.

Best-

Rory O'Connor

Chair, Village of Ballston Spa Planning Board

518.757.6400 direct