

Planning Board Meeting Minutes  
Village of Ballston Spa  
Held on September 13, 2023

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

Chairman present: Rory O'Connor

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

Pledge of Allegiance

Chairman O'Connor stated that we will have a short discussion prior to the O'Reilly presentation regarding the Fox Subdivision. He had a discussion with Scott Lansing, who is the engineer for the Fox Subdivision. We have gone back and forth on details that were spelled out in the minutes. We talked today, and everything has been resolved except for one item in the June 14, 2023, Planning Board Minutes criteria for a motion. A motion was made by Member Martin which stated in item #5: The map will be altered to show a sidewalk across the driveway and the driveway will have a turnaround of a T type to enable the owner of the property to turn around on the property to get out and not have to back out into traffic. The motion was seconded by Member McNamara and the motion carried. The map they provided shows that the turnaround is the common driveway coming in. My question is does that meet, in your opinion, the interpretation of being on the property or not. Mr. Lansing feels that it does. After discussion, Member Burlingame thinks what they have shown meets the intent we needed. Member McNamara said it looks fine. Chairman O'Connor said that is all he wanted to know. Building Inspector LaFountain stated that the submissions that he looked at were missing a sidewalk note on the map stating that the developer or contractor is responsible for building the sidewalks. Chairman O'Connor said he will mention it to them.

Chairman O'Connor requested a motion to approve the minutes of the August 9, 2023 meeting. A motion was made by Member Martin, seconded by Member McNamara, to approve the minutes of the August 9, 2023 meeting. The motion was approved.

New Business: None

## Old 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. David Muraco and his son, Louis Muraco, stated that they submitted a revised site plan incorporating comments from the last meeting. The 8' fence details were provided. The iron stakes at the front and rear of the property were put in by the surveyor. We are 5.3' off the front of the neighboring building and 5.5' off the back of the neighboring building. The stamped survey will be submitted next week. They will be milling a lot of the parking lot and it will be paved and have stripes and handicaps. The sidewalk will be flush with the pavement. Blue spruce and honey locust trees have been picked out for the creek side and are being pulled in a little from the creek. They want to be sure they are on their property. They are looking at alternatives for the fencing material. Composite will be 6 to 8 weeks out. They are looking at alternatives for natural and staining it with the good side on the neighbor's side.

Member McNamara stated that he is concerned with the dead spots in the pavement. Mr. Muraco stated it will be milled and we have shot grades. The entire parking lot will be paved and will be smooth as glass. Member Burlingame asked if there are bollards in front of each parking space on the updated map. Mr. Muraco replied yes. He stated that curb stops are not good for snowplowing. Member Burlingame asked about the in and out signs. Mr. Muraco said they will be replaced because they are a mangled mess now. Mr. Muraco said everything you see on this map will be done in the next couple weeks. Chairman O'Connor stated that we need a survey to show the actual dimensions. He would like a motion to grant conditional approval of a site plan excluding signage and pending receipt of a survey. Attorney Bitter suggested that this should be declared a Type 2 Action under section 617.5-18 of the SEQR law. A motion was made by Member Battenfield, and seconded by Member McNamara, to declare this a Type 2 Action for SEQR. The motion carried. Chairman O'Connor stated the final paper size should be 22" x 28".

Member McNamara made a motion to grant Site Plan Approval. The Site Plan will consist of Sheet ASP1.1 as submitted tonight with the following changes: (1) Add the landscaping information on sheet SP3. (2) Change in the bollards so that one bollard will be located in the center of each parking space that fronts against the building. (3) Remove the pole sign that is located on this sheet. (4) The Site Plan will include another sheet being put together now showing the final survey information by a licensed surveyor.

The motion was seconded by Member Battenfield. The motion carried. Chairman O'Connor stated that they have their Site Plan.

Chairman O'Connor stated that we are moving to the signage portion of this application. Tom Wheeler of AJ Signs made a presentation. He stated that a pole sign, very similar to what NAPA had at the road is needed because the building sits back from the road so that motorist can see where O'Reilly is and turn in. The pole sign acts as a directional aid. It is an internally illuminated sign similar to the one in Burnt Hills. On the building, the sign will be internally illuminated with channel letters for O'Reilly Auto Parts, also similar to Burnt Hills. It is scaled to fit the building. Chairman O'Connor stated that they are asking for a lot more than our code allows. Our code says you can have one sign, 16 square feet. What you are asking for is understandable. It is so much more than our code specifies. He doesn't see any compromise being offered other than this is what they want to do. Attorney Bitter asked what is there now and was there a pole sign? Mr. Wheeler replied that there was a pole sign at the road and NAPA had a sign on the building, which was probably bigger than what we are asking for. The signs are long gone. Member Burlingame stated that the building sign is similar to the NAPA sign but the pole sign was shorter. Member Martin stated that he feels they need a sign on the building and on a pole. He stated that the scale and color of the building sign is OK. Members McNamara and Burlingame agreed. Building Inspector LaFountain stated that 205.17E says signs shall not exceed the height of the building. Chairman O'Connor asked if the pole sign will be back lit. Mr. Wheeler replied yes. Chairman O'Connor said he feels these signs are better looking than the NAPA sign. Various options of the height, size, and location of the pole sign were discussed. A compromised height of 10' was discussed. Member McNamara suggested the size of the sign be reduced to 3' x 6' instead of 4' x 8' and the pole be 12' in height to the bottom of the sign instead of 16'. He noted if we are going with a masonry structure, we have to be careful to stay away from DOT right of way. Building Inspector LaFountain stated we need to determine exactly where the sign will go. Mr. Muraco stated that the pole sign will be on their property, not in the DOT right of way. He stated that if a second sign is not approved, they are not going to run power to the sign, and he would need to know that before they start paving. Chairman O'Connor stated he would like to see the pole sign lower and smaller and that the masonry style would be preferred. Member Burlingame stated he prefers the masonry sign style. He feels it fits better in the CBD. Member Battenfield stated that 2 columns with stonework on the bottom of each column and a sign on top would be nice. Chairman O'Connor stated that he would like to see samples of the other O'Reilly pole signs that have been done in other municipalities. He asked what the smallest size was done for a road sign. Mr. Muraco said he would

provide some samples of signs previously done. Building Inspector LaFountain stated that as stated in the denial letter, a third temporary-type sign was also denied. It is way over-sized for what is allowed. Section 205.14 (6) states that temporary-type signs shall not be illuminated and shall be limited to a maximum size of 16 square feet in area and 4 feet in height. Such signs may not be erected for periods of longer than 30 days. Mr. Muraco asked if it could be extended to 120 days. Building Inspector LaFountain stated that would need another variance. Mr. Muraco stated that they will not have all the construction completed in 30 days, and asked if they could put a banner on the building. Chairman O'Connor replied yes. Building Inspector LaFountain said you could put a temporary sign on the inside of the glass on the front of the building. He stated that window signs must be affixed to the inside and the sign area must not exceed 33% of the window surface area. He also said banners are not allowed. Chairman O'Connor pointed out that banners already exist everywhere in the Village. Building Inspector LaFountain said he has never approved a banner anywhere, and that they have the authority to override anything they want to right now. Chairman O'Connor stated he was not trying to override anyone's authority, he was just trying to make a point.

Member McNamara made a motion to approve a variance allowing a second sign on the O'Reilly Auto Parts site. Member Martin seconded the motion. The motion carried. Member Martin made a motion to approve a variance for the building sign on O'Reilly Auto Parts for 109.43 square feet total as drawn on sheet SG2.1. Member Battenfield seconded the motion. The motion carried. Member Burlingame made a motion to grant a variance for the coming soon construction sign as shown on SG2.1 to be erected on the O'Reilly property for the time of 120 days or until the building sign is erected. Member Martin seconded the motion. The motion carried. Chairman O'Connor asked O'Reilly to get them samples of signs done in the past, and they will look at that. Mr. Muraco thanked everyone.

A motion was made to adjourn at 8:30pm by Member Battenfield and seconded by Member Martin. The motion carried.

Respectfully submitted,

Kathleen Barner  
Building Department Clerk