Planning Board Meeting Minutes

Village of Ballston Spa

Held on January 12, 2022

The meeting was called to order at 6:58 by Chairman Rory O’Connor

Chairman present: Rory O’Connor

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

Also present: Mayor Fitzpatrick, Trustee Kormos, Stefanie Bitter, Village Attorney,

Pledge of allegiance

Chairman O’Connor asked for a motion to approve the minutes of the June 10, 2021 meeting. A motion was made by Member McNamara, seconded by Member Martin, to approve the minutes of the June 10, 2021 meeting. The motion was approved.

Old Business: None

New Business:

* 15 West High Street – Christ Episcopal Church Sign – The Church was represented by Attorney Paul Goldman. Mr. Goldman stated that the proposed sign is a brick based, one-sided reader board, not a digital sign. The Church views this sign as a community service. This sign was previously denied because it was deemed a flashing digital time and temperature sign which is prohibited by Village of Ballston Spa code 20515C. Mr. Goldman reiterated that this is not a digital sign, it is a reader board with fixed messages. The sign will display information as an intermittent rotating message. He stated that the code has no definition of intermittent. Mr. Goldman stated the Church is agreeable to not having the reader change more than once a minute, so as not to be a distraction to people or drivers. Mr. Goldman stated that the Church is here today to come to some kind of common ground with the Village regarding the sign. Member Battenfield stated that there are several code issues with the proposed sign. The sign is not far enough from the property line. Code says it must be 10’ away, and this sign less than that. Chairman O’Connor asked what the Church is asking for tonight. Mr. Goldman replied that he would ask if under 20513 the sign can be deferred to the Planning Board in regard to all aspects of the sign, rather than getting bounced back to the Zoning Board. Attorney Stefanie Bitter stated that this is a unique circumstance and is asking if the applicant is here asking to stipulate that the Planning Board be deemed to review this as a variant in regard to size, setback and 20515B&C. Mr. Goldman said he would agree to the stipulations. The Zoning Board Chair stated that they regard this as Type 2 and that no action is required . A Short Environmental Assessment Form was handed to the Board. A motion was made by Member McNamara and seconded by Member Battenfield to declare the Planning Board as lead agency and find that the action is Type 2 under SEQRA and thus no further review is required. The motion carried. Chairman O’Connor suggested the need to compromise on the digital aspect of this sign. A representative from AJ Signs said they can regulate the density of the light and frequency of the rotating messages. Member McNamara stated that the R1 zone and the size of the sign is a problem. R1 code specifically states a sign itself can be a maximum of 8 sq ft. Chairman O’Connor stated the digital aspect of this sign is problematic and asked the Church if a compromise can be reached. Father Roy stated he wants to work with the Village on the sign to come to an agreement. Member Battenfield stated that the sign is not within code. The Church would need to reduce the size of the new sign. Amber alerts might be a distraction to drivers. Member McNamara stated the size of the sign is a problem and that it should not flash constantly. Chairman O’Connor stated he would like to visit a similar sign that already exists. AJ Signs said they could bring a demo truck to the next Board meeting. Chairman O’Connor said that would be very helpful. He stated that the Board feels the digital aspects must still be be worked out. He also stated that the actual size of the sign is too large for a R1 zone. The current sign is 24 sq ft. and does not fall within current code. A compromise must be made by the Church in order to get the support of the Board. Mr. Goldman agreed to come back to the February 9 meeting with a set of stipulations to present to the Board. Chairman O’Connor stated he will put them on the next meeting agenda. Chairman O’Connor opened the floor to public comment. Gary Stephenson, 45 West High Street, has concerns on how the sign affects a historic district. He finds the electronic sign is a concern and the precedent that this will create if it is approved. He feels this sign does not match up with a historic district.
* 11-13 Washington Street – Randy (RJ) Elliott – Mr. Elliott is requesting a change of use from storage to retail to open a brewery. He discussed adding a sidewalk to the second floor entrance, a sign, and shrubs on the right side. Sq. ft total will be 2600. He is trying to purchase the alley behind the building from the Village for dumpster placement and to comply with ADA access. Chairman O’Connor requested a formal site plan with a survey or engineered drawing before the next Board meeting. Mr. Elliott agreed. Member McNamara stated more lighting is needed on the stairs and near the back door. Signage for CBD and professional landscaping was discussed. Chairman O’Connor stated that the improvements that have already been made are remarkable. He stated all the arrows are pointing in a positive direction.
* 24 Washington Street – Ron Murphy - Mr. Murphy is requesting to create 9700 sq ft of flex space. Improvements to the facade and parking lot will be made. He is looking to create 6 retail stores with a common hallway and remaining 2100 sq ft will be warehouse space. Drainage will be directed towards Bath St. A curved sidewalk around the building will be created. Chairman O’Connor said the plan looks good with respect to drainage. Mr. Murphy stated all tenants will be retail, with handicapped parking on both sides of the building. Access to the warehouse will have an overhead door. Chairman O’Connor requested a more detailed site plan. Member Battenfield commented that this will be a great addition to the Village.

Public Comment:

* Marilyn Stephenson, 45 West High St. – She acknowledges the importance the Church has in the community. She has a concern about the sign. She feels they don’t need a sign. She recommends making an announcement in church and use social media. She is concerned about the location of the sign and illumination issues. She asks how the Village will monitor, manage, and enforce any issues that come up in the future. Chairman O’Connor commented that there is no determination on the sign yet and that the Board will be sensitive to lighting and historic significance and will do their best for the residents.

* Liz Kormos, 89 Hyde Blvd. – She has a question in regard to the Elliott property and the fire department access to the alley. She asked what the alley will be used for. Chairman O’Connor stated that the plan is to clean up and pave the alley and it will be used for dumpster placement and handicapped parking. She is concerned about emergency vehicles driving thru. Chairman O’Connor said this will need to be addressed on the site plan.
* -32 10th Street – She has a concern about the church sign being too large. She stated we are lucky to have Ron Murphy to have him in the Village. Member McNamara commented there are too many church signs now.

* Spencer Tacy – 320 Saratoga Avenue – He is happy to see money being invested in the Village. He asks that the Board protect residents regarding signs.

* Gary Stephenson, 45 West High St. – Asked if this Board is the deciding factor on the Church sign. Chairman O’Connor said yes. Mr. Stephenson asked what input will the Historic Commission have on the sign. Chairman O’Connor said the Historic Commission gave their input to the Zoning Board. Chairman O’Connor will check with counsel about the Historic Commission input on the new design of the sign.

A motion to adjourn at 8:44pm was made by Member Battenfield and seconded by Member Martin. The motion carried.

Respectfully submitted,

Kathleen Barner

Building Department Clerk