Town of Ballston, NY

Saratoga County

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26 results for: solar

Code

89-2{17} SOLAR PANEL

A device for the direct conversion of **solar** energy into electricity.

Solar Collection Systems > Definitions.

89-2{4} COLLECTIVE SOLAR

Solar installation owned collectively through subdivision homeowner association, college student groups, "adopt-a-solar-panel," or other similar arrangements.

Solar Collection Systems > Definitions.

89-2{16} SOLAR ENERGY EQUIPMENT/SYSTEM

... to the process by which **solar** radiation is collected and ... dissipation and distributed. **Solar** systems include **solar** thermal, photovoltaic and concentrated **solar**.

Solar Collection Systems > Definitions.

89-2{14} SOLAR COLLECTOR

A **solar** photovoltaic cell, panel or array, or any **solar** hot air or **solar** energy collector which relies upon **solar** radiation as an energy source for the generation of electricity or transfer of stored energy to heat, air or water.

Solar Collection Systems > Definitions.

89-2{6} FREESTANDING OR GROUND-MOUNTED SOLAR ENERGY SYSTEM

solar

A **solar** energy system that is directly installed on the ground and is not attached or affixed to an existing structure.

Solar Collection Systems > Definitions.

89-2{19} SOLAR THERMAL SYSTEM

solar

Solar thermal systems directly heat water or other liquid using sunlight. The heated liquid is used for such purposes as space heating and cooling, domestic hot water, and heating pool water.

Solar Collection Systems > Definitions.

89-2{18} SOLAR STORAGE BATTERY

solar

A device that stores energy from the sun and makes it available in an electrical form.

Solar Collection Systems > Definitions.

89-2{12} ROOFTOP OR BUILDING-MOUNTED SOLAR SYSTEM

solar

A **solar** system in which **solar** panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

Solar Collection Systems > Definitions.

Ch 89 Solar Collection Systems

solar

[HISTORY: Adopted by the Town Board of the Town of Ballston 8-7-2012 by L.L. No. 2-2012 . Amendments noted where applicable.] GENERAL REFERENCES Fire prevention and building construction — See Ch. 62 . Zoning — See Ch. 138 .

§ 89-1 Purpose and intent.

solar

A. The purpose of this legislation is to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar collection systems without excess regulation. The intent is to allow building-integrated photovoltaic (BIPV) systems, flush-mounted solar systems, roof-mounted and building-mounted and pole-mounted solar installations that have a minimum footprint (height) to be approved using the building permit process while requiring freestanding, ground-mounted or pole-mounted solar energy system installations over a certain height and based upon certain placement, to go through an area use permit process before the Board of Zoning Appeals with input from abutting property owners. This legislation is not intended to override agricultural exemptions that are currently in place for farmers.

B. Solar energy is a renewable and nonpolluting energy resource that can prevent fossil fuel emissions and reduce a municipality's energy load. Energy generated from solar energy systems can be used to offset energy demand on the grid when excess solar power is generated.

C. The use of solar energy equipment for the purpose of providing electricity and for heating and/or cooling is a national priority and is a necessary component of the Town of Ballston's current and long-term sustainability agenda.

Solar Collection Systems

89-2{5} FLUSH-MOUNTED SOLAR PANEL

solar

Photovoltaic panels and tiles that are installed flush to the surface of a roof or wall and which cannot be angled or raised.

Solar Collection Systems > Definitions.

89-2{10} PHOTOVOLTAIC (PV) SYSTEM

solar

A **solar** energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells, that generate electricity when light strikes them.

Solar Collection Systems > Definitions.

89-2{13} SOLAR ACCESS

solar

Space open to the sun and clear of overhangs or shade including the orientation of the streets and lots to the sun so as to permit the use of active and/or passive **solar** energy systems on individual properties.

Solar Collection Systems > Definitions.

89-2{15} SOLAR EASEMENT

solar

An easement recorded pursuant to the NY Real Property Law § 335-b, the purpose of which is to secure the right to receive sunlight across real property of another for continued access to sunlight necessary to operate a **solar** collector.

Solar Collection Systems > Definitions.

§ 89-4 Permitting.

solar

A. To the extent practicable, and in accordance with Town of Ballston law, the accommodation of solar access to sunlight for such equipment and the protection of access to sunlight for such equipment shall be encouraged in the application of the various review and approval provisions of the Town of Ballston.

B. Rooftop and building-mounted solar collectors. Rooftop and building-mounted solar collectors are permitted in all zoning districts in the Town of Ballston subject to the following conditions:

(1) Building permits shall be required for installation of all rooftop and building-mounted solar collectors.

(2) Height limitations of the Town of Ballston Zoning Code[1] shall not be applicable to solar collectors that are rooftop mounted, provided that rooftop solar collectors are mounted to such height as is reasonably necessary to accomplish the purpose for which they are intended to serve, and that such structures do not obstruct solar access to neighboring properties. This applies to solar collectors mounted on flat roofs so long as the units do not extend horizontally past the roofline.

[1] *Editor's Note: See Ch. 138, Zoning.*

(3) Rooftop units must have a three feet setback on all four sides.

(4) Roof structures must be properly engineered to support collectors.

(5) Rooftop units must be installed according manufacturer's specifications.

C. Building-integrated photovoltaic (BIPV) systems. BIPV systems are permitted outright in all zoning districts. No building permit is required if the system is installed when the structure the BIPV is part of is constructed.

D. Ground-mounted racks and freestanding solar collectors. Ground-mounted and freestanding solar collectors mounted on a pole are permitted as accessory structures in all zoning districts of the Town of Ballston, subject to the following conditions:

(1) Building permits are required for all ground-mounted and freestanding solar collectors.

(2) The location of the solar collectors must meet all applicable setback requirements for accessory structures in the applicable zoning district.

(3) The unit must be installed in a side or rear yard, unless an area variance is granted by the Zoning Board of Appeals. Such area variance shall be obtained from the Zoning Board of Appeals, which shall issue said area variance based upon the criteria found in § 267-b, Subsection 3, of the Town Law of the State of New York. [Amended 6-9-2015 by L.L. No. 2-2015]

(4) Units that exceed 10 feet in height from the ground require an area use permit. Such permit will be obtained from the Zoning Board of Appeals which will issue the permit based upon the criteria found in Town Law § 267-b3(b) and (c).

(5) Units less than 10 feet in height follow the standard building permit process.

(6) The Town encourages installations that would employ landscape screening and other methods of enhancing the appeal of the ground-mounted and freestanding solar collector such as the use of architectural features, earth berms, or other screening which will harmonize with the character of the property and surrounding area.

(7) Small experimental solar panels for charging batteries (less than one kilowatt) would not require any permits.

(8) Solar collectors shall be located in a manner that reasonably minimizes shading of property to the north while still providing adequate solar access for collectors.

E. Solar-thermal systems. Solar-thermal systems are permitted in all zoning districts subject to the following condition:

(1) Building permits are required for installation of all solar-thermal systems.

F. Solar energy systems and equipment shall be issued building permits only if the Town of Ballston Building Inspector determines that the proposed solar energy system does not present any unreasonable safety risks, including, but not limited to, the following:

(1) Weight load.

(2) Wind resistance.

(3) Ingress or egress in the event of fire or other emergency.

Solar Collection Systems

89-2{3} BUILDING-INTEGRATED PHOTOVOLTAIC (BIPV) SYSTEM

solar

A **solar** energy system that consists of integrating photovoltaic modules into the building structure such as the roof or the facade and which does not alter relief of the roof.

Solar Collection Systems > Definitions.

89-2{8} NET METERING

solar

A billing arrangement that allows **solar** customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage.

Solar Collection Systems > Definitions.

138-3B{70} STRUCTURE

solar

A combination of materials to form a construction that is safe and stable, and includes among other things stadiums, platforms, radio towers, sheds, storage bins, signs, satellite dishes, **solar** panels and

pole-framed canvas or plastic-sided storage sheds.

Zoning > Terminology > Definitions; word usage.

§ 89-5 Safety.

solar

A. All solar collector installations must be performed by a qualified solar installer if the installation is by other than the homeowner.

B. Prior to operation, electrical connections must be inspected by the Code Enforcement Officer and by an electrical inspection person or agency as determined by the Building Inspector in conformance with State Building Code.

C. Any connection to the public utility grid must be inspected by the appropriate public utility.

D. Solar energy systems shall be maintained in good working order and shall be removed if not in use for more than 12 months by removal of such system and mounting hardware within 90 days after the 12th month.

E. Rooftop and building-mounted solar collectors shall be designed to be and installed to be in conformance with the New York Uniform Fire Prevention and Building Code Standards that are applicable when the building permit is issued.

F. If solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use. When they are no longer in use, they shall be disposed of in accordance with the laws of New York and Code and local laws of the Town of Ballston and any other applicable laws or regulations.

Solar Collection Systems

89-2{11} QUALIFIED SOLAR INSTALLER

solar

... and operation of **solar** electrical equipment and ... or who are certified as a **solar** installer by the North ... be deemed to be qualified **solar** installers for the purposes ... be deemed to be qualified **solar** installers if the Town of ...

Solar Collection Systems > Definitions.

§ 89-3 Applicability.

solar

A. The requirements of this chapter shall apply to all solar collector system installations modified or installed after the effective date of this chapter.

B. Solar collector system installations for which a valid building permit has been properly issued, or for which installation has commenced before the effective date of this chapter, shall not be required to meet the requirements of this chapter, except in accordance with § **89-5D**, **E** and **F**.

C. All solar collector systems shall be designed, erected and installed in accordance with all applicable codes, regulations and industry standards as referenced in the State Building Code and Town of Ballston Building Code.[1]

[1] *Editor's Note: See Ch. **62**, Fire Prevention and Building Construction.*

D. Solar collectors shall be permitted only to provide power for use by owners, lessees, tenants, residents, or other occupants of the premises on which they are erected, but nothing contained in this provision shall be construed to prohibit "collective solar" installations or the sale of excess power through a "net billing" or "net metering" arrangement in accordance with New York Public Service Law § 66-j or similar state or federal law or regulation.

Solar Collection Systems

§ 89-6 Appeals.

solar

A. If an individual is found to be in violation of the provisions of this zoning code, appeals should be made in accordance with established procedures of the Town of Ballston Code.

B. If a building permit for a solar energy device is denied because of a conflict with other Town law or the building code, the applicant may seek relief from the Town of Ballston Zoning Board of Appeals which shall regard solar energy as a factor to be considered, weighed and balanced along with other factors considered by the Zoning Board of Appeals.

Solar Collection Systems

§ DL-1 Disposition of legislation.

solar

Enactment	Adoption Date	Subject	Disposition
L.L. No. 1-1999	1-5-1999	Town Clerk salary	NCM
L.L. No. 2-1999	3-2-1999	Zoning amendment (Corporate Technology Park)	Ch. **138**, Appendix
L.L. No. 3-1999	3-2-1999	Zoning amendment (Katz Corporate Park)	Ch. **138**, Appendix
L.L. No. 4-1999	8-3-1999	Zoning amendment	Ch. **138**
L.L. No. 5-1999	11-4-1999	Mass gatherings	Ch. **81**
L.L. No. 6-1999	11-4-1999	Zoning amendment	Ch. **138**
	1-4-2000	Personnel policies	Ch. **28**
L.L. No. 1-2000	3-9-2000	Zoning amendment	Ch. **138**
L.L. No. 2-2000	9-5-2000	Readoption of zoning	Ch. **138**
L.L. No. 3-2000	9-5-2000	Adoption of Code	Ch. **1**, Art. **I**
L.L. No. 1-2001	6-5-2001	Zoning amendment	Ch. **138**
L.L. No. 2-2001	6-5-2001	Zoning amendment	Ch. **138**
L.L. No. 3-2001	1-3-2002	Zoning amendment (Corporate Technology Park)	Ch. **138**, Appendix
L.L. No. 4-2001	1-3-2002	Zoning amendment (Corporate Technology Park)	Ch. **138**, Appendix
L.L. No. 1-2002	3-5-2002	Personnel policies amendment	Ch. **28**
L.L. No. 2-2002	3-5-2002	Idling of large machinery, equipment and vehicles	Ch. **80**, Art. **I**
L.L. No. 3-2002	5-7-2002	Idling of large machinery, equipment and vehicles amendment	Ch. **80**, Art. **I**
L.L. No. 4-2002	12-3-2002	Zoning amendment (Beacon Hill)	Ch. **138**, Appendix
L.L. No. 5-2002	11-7-2002	Sanitation standards amendment	Ch. **73**, Art. **I**
L.L. No. 6-2002	12-3-2002	Personnel policies amendment	Ch. **28**
L.L. No. 1-2003		Moratorium	NCM
L.L. No. 2-2003		Moratorium	NCM
L.L. No. 3-2003	9-2-2003	Personnel policies amendment	Ch. **28**
L.L. No. 4-2003	9-30-2003	Unsafe buildings amendment; fire prevention and building construction amendment; health and sanitation amendment; site plan review amendment; subdivision of land amendment; zoning amendment	Chs. **52**, **62**, **73**, **91**, **104** and **138**

Enactment	Adoption Date	Subject	Disposition
L.L. No. 1-2004	3-4-2004	Personnel policies amendment	Ch. **28**
L.L. No. 2-2004	4-6-2004	Subdivision of land amendment	Ch. **104**
L.L. No. 3-2004	6-1-2004	Personnel policies amendment; subdivision of land amendment; senior citizens tax exemption amendment; zoning amendment	Chs. **28**, **104**, **110**, Art. III, and 138
L.L. No. 4-2004	7-6-2004	Zoning amendment	Ch. **138**
L.L. No. 5-2004	8-3-2004	Zoning amendment	Ch. **138**
L.L. No. 6-2004	9-7-2004	Subdivision of land amendment	Ch. **104**
L.L. No. 7-2004	10-5-2004	Moratorium	NCM
L.L. No. 1-2005	1-4-2005	Site plan review amendment, subdivision of land amendment; zoning amendment	Chs. **91**, **104**, and 138
Ord.	2-1-2005	Vendors	Ch. **127**
L.L. No. 2-2005	3-1-2005	Moratorium	NCM
L.L. No. 3-2005	5-3-2005	Personnel policies amendment	Ch. **28**
L.L. No. 4-2005	5-3-2005	Subdivision of land	Ch. **104**
L.L. No. 5-2005	5-3-2005	Zoning Map amendment	NCM
L.L. No. 6-2005	5-3-2005	Subdivision of land amendment	Ch. **104**
L.L. No. 7-2005	12-6-2005	Zoning amendment (Beacon Hill)	Ch. **138**, Appendix
L.L. No. 1-2006	1-3-2006	Moratorium	NCM
L.L. No. 2-2006	1-3-2006	Taxation: alternative veterans exemption	Ch. **110**, Art. **IV**
L.L. No. 3-2006	2-7-2006	Personnel policy amendment	Ch. **28**
L.L. No. 4-2006	4-25-2006	Moratorium	NCM
L.L. No. 5-2006	6-12-2006	Site plan review repealer; zoning amendment; subdivision of land amendment	Chs. **91** (reference only) 104; 138
L.L. No. 6-2006	9-5-2006	Zoning amendment	Ch. **138**
Ord.	11-9-2006	Docks, moorings, boathouses and marinas	Ch. **54**
L.L. No. 1-2007	3-6-2007	Administration and enforcement of Uniform Construction Code	Ch. **62**, Art. **II**
L.L. No. 2-2007	3-6-2007	Zoning amendment (Eastline Commons)	Ch. **138**, Appendix
L.L. No. 3-2007	3-6-2007	Zoning amendment (Corporate Technology Park)	Ch. **138**, Appendix
L.L. No. 4-2007	5-1-2007	Subdivision of land amendment	Ch. **104**

Enactment	Adoption Date	Subject	Disposition
L.L. No. 5-2007	5-1-2007	Health and sanitation: sanitation standards amendment	Ch. **73**, Art. **I**
L.L. No. 6-2007	5-1-2007	Alternate positions for Planning Board and Zoning Board of Appeals	Ch. **138** (footnote only)
L.L. No. 7-2007	6-5-2007	Zoning amendment	Ch. **138**
L.L. No. 8-2007	8-7-2007	Subdivision of land amendment	Ch. **104**
L.L. No. 1-2008	12-4-2007	Zoning amendment	Ch. **138**
L.L. No. 2-2008	1-3-2008	Stormwater management and erosion and sediment control	Ch. **91**
L.L. No. 3-2008	1-3-2008	Storm sewers: illicit discharges, activities and connections	Ch. **92**
L.L. No. 4-2008	1-3-2008	Zoning amendment (Watershed Protection Overlay District Map)	NCM
L.L. No. 5-2008	10-7-2009	Taxation: Cold War veterans exemption	Ch. **110**, Art. **VI**
L.L. No. 6-2008	10-7-2008	Zoning Map amendment	NCM
L.L. No. 1-2009	2-3-2009	Stormwater management and erosion and sediment control amendment	Ch. **91**
L.L. No. 2-2009	2-3-2009	Storm sewers: illicit discharges, activities and connections amendment	Ch. **92**, Art. **I**
L.L. No. 3-2009	2-3-2009	Zoning amendment	Ch. **138**
L.L. No. 4-2009	4-7-2009	Fire prevention and building construction amendment	Ch. **62**
L.L. No. 5-2009	4-7-2009	Vendors amendment	Ch. **127**
L.L. No. 6-2009	4-7-2009	Zoning amendment	Ch. **138**
L.L. No. 7-2009	4-7-2009	Zoning amendment (Mixed Use and Business Highway District Design Standards)	Ch. **138** (Appendix 1)
L.L. No. 8-2009	4-7-2009	Watershed Overlay Protection District Map amendment	NCM
L.L. No. 9-2009	5-5-2009	Subdivision of land amendment; zoning amendment	Chs. **104**; 138
L.L. No. 10-2009	8-4-2009	Zoning amendment	Ch. **138**
L.L. No. 11-2009	8-4-2009	Zoning amendment	Ch. **138**
L.L. No. 1-2010	5-4-2010	Zoning amendment (Watershed Protection Overlay District Map)	NCM

Enactment	Adoption Date	Subject	Disposition
L.L. No. 2-2010	12-7-2010	Zoning amendment (Stonebridge)	Ch. **138**, Appendix
L.L. No. 3-2010	12-7-2010	Dog control	Ch. **48**, Art. **I**
L.L. No. 1-2011	2-1-2011	Zoning amendment (Eastline Commons)	Ch. **138**, Appendix
L.L. No. 2-2011	3-1-2011	Change of meeting date of NCM Board of Assessment Review	
L.L. No. 3-2011	5-31-2011	Zoning amendment (Rossi Commercial Business)	Ch. **138**, Appendix
L.L. No. 4-2011	6-7-2011	Docks, moorings, boathouses and marinas amendment	Ch. **54**
L.L. No. 1-2012	3-6-2012	Procurement Policy amendment	Ch. **30**
L.L. No. 2-2012	8-7-2012	Solar collection systems	Ch. **89**
L.L. No. 3-2012	8-7-2012	Zoning amendment (Beacon Hill)	Ch. **138**, Appendix
L.L. No. 4-2012	11-8-2012	Mass gatherings amendment	Ch. **81**
L.L. No. 5-2012	12-4-2012	Zoning amendment (Corporate Technology Park)	Ch. **138**, Appendix
L.L. No. 1-2013	1-8-2013	Zoning amendment (Stonebridge)	Ch. **138**, Appendix
L.L. No. 2-2013	8-27-2013	Zoning amendment (Beacon Hill)	Ch. **138**, Appendix
L.L. No. 3-2013	9-24-2013	Zoning amendment	Declared invalid
L.L. No. 4-2013	10-29-2013	Zoning amendment	Ch. **138**
L.L. No. 1-2014	6-24-2014	Health and sanitation: sanitation standards amendment; property maintenance amendment	Ch. **73**, Arts. I and II
L.L. No. 2-2014	9-30-2014	Zoning amendment	Ch. **138**
L.L. No. 3-2014	11-6-2014	Tax cap	NCM
L.L. No. 4-2014	12-9-2014	Zoning amendment (Abele Woods)	Ch. **138**, Appendix
L.L. No. 5-2014	12-9-2014	Subdivision of land amendment	Ch. **104**
L.L. No. 1-2015	6-9-2015	Zoning amendment	Ch. **138**
L.L. No. 2-2015	6-9-2015	Solar collection systems amendment	Ch. **89**
L.L. No. 3-2015	10-13-2015	Zoning amendment	Ch. **138**

Disposition List

§ 138-105 Application for approval.

solar

An application for site plan approval shall be made in writing to the Chairman of the Planning Board and delivered to the Building Department in accordance with the following requirements. It shall be accompanied by information and documentation contained on the following checklist. Where the sketch plan conference was held or the conceptual site plan review process was initiated, the accompanying information shall be drawn from the following checklist as determined necessary by the Planning Board pursuant to such sketch plan conference or conceptual plan review.

A. Site plan submissions checklist.

(1) Title of drawing, including name and address of the applicant and person responsible for preparation of such drawing.

(2) North arrow, scale and date and location map.

(3) Boundaries of the property plotted to scale.

(4) Existing watercourses.

(5) Owners and use of adjacent lands.

(6) Existing zoning and zoning district requirements.

(7) Site area in acres and square feet.

(8) Existing utilities (location and size).

(9) Location of all easements.

(10) Site coverage statistics.

(11) Proposed finished floor elevations.

(12) Limits of grading and clearing.

(13) Grading and drainage plan, showing existing and proposed topography at minimum two-foot contour intervals, extending 50 feet from the site, and based on a NAVD 1929 benchmark (shown on plans).

(14) Location, proposed use, dimensions and height of all buildings, including building setback dimensions to each lot line.

(15) Location, design and construction materials of all parking and truck loading areas, number of parking spaces and showing ingress and egress.

(16) Provision for pedestrian access/parking for handicapped.

(17) Location of outdoor storage, if any.

(18) Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls, surface treatments and fences.

(19) Description of the method of sewage disposal and location, design and construction materials of such facilities.

(20) Description of the method of stormwater collection and location, design and construction materials of such facilities.

(21) Description of the method of securing public or private water and location, design and construction materials of such facilities.

(22) Location of fire and other emergency zones, including the location of fire hydrants.

(23) Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy.

(24) Location, size and design and construction materials of all proposed signs.

(25) Location and proposed development of all buffer areas, including existing vegetative cover.

(26) Location and design of outdoor lighting facilities.

(27) Location of service and equipment, HVAC, refuse, loading, recycling.

(28) Designation of the amount of building area proposed for retail sales or similar commercial activity.

(29) General landscaping plan and planting schedule.

(30) Other elements integral to the proposed development as considered necessary by the Planning Board, including identification of any state or county permits required for the project's execution.

(31) Completed and signed application form.

(32) Required application fee.

(33) Environmental assessment form, with Part 1 completed and signed by applicant.

(34) Site photographs showing existing conditions.

B. Additional submission requirements.

(1) Stormwater. The submission requirements and standards set forth in Chapter **91** (entitled, "Stormwater Management") of the Town Code shall apply and be adhered to by the applicant.

(2) The applicant shall submit an existing conditions diagram showing relevant features including but not limited to those identified in § **138-105A(1)** through **(9)**. This diagram should also be used to identify the location and direction of the site photographs.

C. Waivers: On its own initiative or at the request of the applicant, one or more of the above submission requirements may be waived. The intent is not to require information that is not relevant for the purpose of making an informed decision or to become unduly burdensome on those projects where the level of detail is not warranted. As such, the Planning Board has flexibility in its discretion to determine what shall be required as part of the application submissions. Thus, if the Planning Board finds that any of the information requirements as set forth above are not necessary to conduct an informed review, it may waive such information requirements as it deems appropriate. Any such waiver shall be made in writing, and shall contain statements of the reasons why the waived information requirements are not necessary for an informed review under the circumstances. The Planning Board may grant such waivers on its own initiative or at the written request (that sets forth the specific requirements that are requested to be waived and the reasons for the requested waiver) of an applicant.

Zoning > Site Plan Review

§ 104-14 Traditional neighborhood design (TND) standards.

sola

Show Less

A. The following design standards apply to all subdivisions in the Hamlet Residential and Ballston Lake Residential Zoning Districts of the Town. This development must utilize municipal sewer and water services. Extension of municipal sewer and water services are permitted. This section is divided into design standards that will be required of any subdivision in the aforesaid districts and shall be implemented by the applicant and/or required by the Planning Board wherever feasible; and design standards, density bonuses and other requirements for major subdivisions of 15 lots or more (or planned unit developments of 15 units or more) where the applicant wishes to create a traditional neighborhood and/or the Planning Board determines that a traditional neighborhood is warranted. A planned unit development shall be required for any proposal of more than 100 residential units. An applicant has the option to apply for a planned unit development for any proposal of less than 100 residential units.

B. Purpose. The purpose of these standards is to allow the optional development and redevelopment of land in the Hamlet Residential and Ballston Lake Residential Zoning Districts consistent with the design principles of traditional neighborhoods. A traditional neighborhood:

(1) Is relatively compact.

(2) Is designed for the human scale.

(3) Provides a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood.

(4) Provides a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes.

(5) Incorporates a system of relatively narrow, interconnected streets with sidewalks or pedestrian paths, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those streets to existing and future developments.

(6) Retains existing buildings with historical features or architectural features that enhance the visual character of the community.

(7) Incorporates significant environmental features into the design.

(8) Is consistent with the Town's Comprehensive Plan.

C. General TND standards for all subdivisions. These minimum standards shall apply to all subdivisions, regardless of the number of lots proposed, in the Hamlet Residential and Ballston Lake Residential District so as to accommodate future development in such districts consistent with the TND design concept.

(1) Easements with a minimum width of 10 feet shall be required along front of lots for provision of off-street sidewalks or paths, lighting and utilities.

(2) Reserve strips of land or easements for provision of future streets and creation of blocks shall be required in locations that are consistent with traditional neighborhood design.

(3) The layout of lots shall accommodate future development consistent with traditional neighborhood design.

(4) In determining the layout of lots, the accommodation for future sidewalks, blocks and streets, the standards set forth in Subsection **D** below, should be utilized as guidance.

D. TND standards for specific TND subdivisions. The Traditional Neighborhood Development Ordinance is an alternative set of standards for development within the Hamlet Residential and Ballston Lake Residential District for new development of 15 lots or more unless the development can be considered a continuation of an adjacent TND development.

(1) Incentive bonus. For those subdivisions which utilize the TND requirements set forth below, the allowable density as calculated pursuant to a conventional subdivision may be increased at the discretion of the Planning Board depending on the extent of design standards utilized in the subdivision. For purposes of increasing density, the Planning Board is hereby expressly authorized to increase density in such cases where furtherance of the traditional neighborhood design is accomplished.

(a) In areas devoted to mixed residential uses:

[1] The number of single-family detached dwellings permitted shall be up to six dwellings per net acre.

[2] The number of multifamily units shall be up to 12 dwelling units per net acre.

[3] Secondary dwelling units shall not be permissible under this section.

[4] For each affordable housing unit (pursuant to the definition promulgated by the Department of Housing and Urban Development) provided under this section, one additional dwelling unit shall be permitted, up to a maximum increase of 15% in dwelling units.

[5] For each senior housing unit (a unit for persons 55 years and older) provided under this section, one additional dwelling unit shall be permitted, up to a maximum increase of 15% in dwelling units.

[6] Affordable and senior housing units shall be equally distributed throughout the TND.

(b) In mixed use areas:

[1] The number of single-family and multifamily dwelling units permitted shall be calculated the same as above.

[2] All dwelling units constructed above commercial uses shall be permissible in addition to the number of dwelling units authorized under this section. However, the total number of dwelling units shall not be increased by more than 10 dwelling units or 10%, whichever is greater.

[3] The total ground floor area of nonresidential development uses, including off-street parking areas, shall not exceed 25% of the traditional neighborhood development.

(2) Design requirements.

(a) Lot and block standards.

[1] Introduction. Providing diversity in block and lot size can help to create an environment that is pedestrian friendly. Short blocks in traditional grids create multiple routes and more direct ones for pedestrians, bicyclists, and motorists. Lot and block design should promote development that is compatible with natural features, minimizes pedestrian and vehicular conflict, promotes street life and activity, reinforces public spaces, promotes public safety, and visually enhances development.

[2] Block and lot size diversity. Street layouts should provide for perimeter blocks that are generally in the range of 200 to 600 feet deep by 400 to 1,200 feet long. A variety of block and lot sizes should be provided to facilitate housing diversity

and choice and meet the projected requirements of people with different housing needs.

[3] Lot widths. Lot widths should create a relatively symmetrical street cross section that reinforces the public space of the street as a simple, unified public space.

[4] Setbacks.

[a] Building setback, front: areas of mixed residential uses. Single-family detached residences shall have a building setback in the front between 15 and 30 feet. Single-family attached residences and multifamily residences shall have a building setback in the front of 15 feet.

[b] Building setback, rear: areas of mixed residential uses. The principal building on lots devoted to single-family detached residences shall be set back no less than 30 feet from the rear lot line.

[c] Side setbacks. Provision for zero lot line single-family dwellings should be made, provided that a reciprocal access easement is recorded for both lots and townhouses or other attached dwellings; all dwellings have pedestrian access to the rear yard through means other than the principal structure; and Building Code requirements are complied with regarding firewalls between residential dwellings.

(b) Circulation standards. The circulation system shall allow for different modes of transportation. The circulation system shall provide functional and visual links within the residential areas, mixed use area, and open space of the traditional neighborhood development and shall be connected to existing and proposed external development. The circulation system shall provide adequate traffic capacity, provide connected pedestrian and bicycle routes (especially off-street bicycle or multi-use paths or bicycle lanes on the streets), control through traffic, limit lot access to streets of lower traffic volumes, and promote safe and efficient mobility through the traditional neighborhood development. Dead-end streets or culs-de-sac should be discouraged.

[1] Pedestrian circulation. Convenient pedestrian circulation systems that minimize pedestrian-motor-vehicle conflicts shall be provided continuously throughout the subdivision with the alignment with existing or future pedestrian circulation systems. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All streets, except for alleys, shall be bordered by sidewalks or paths on both sides of the street. The following provisions also apply:

[a] Sidewalks in residential areas. Clear sidewalks or walkways, three to five feet in width, depending on projected pedestrian traffic, shall connect all dwelling entrances to the adjacent public sidewalk.

[b] Sidewalks in mixed use areas. Clear and well-lighted walkways shall connect building entrances to the adjacent public sidewalk and to associated parking areas. Such walkways shall be a minimum of five feet in width.

[c] Disabled accessibility. Sidewalks shall comply with the applicable requirements of the Americans with Disabilities Act.

[d] Crosswalks. Intersections of sidewalks with streets shall be designed with clearly defined edges. Crosswalks shall be clearly marked with contrasting paving materials at the edges or with striping.

[2] Bicycle circulation. Bicycle circulation shall be accommodated on streets and/or on dedicated bicycle paths. Where feasible, any existing bicycle routes through the site shall be preserved and enhanced. Facilities for bicycle travel may include off-street bicycle paths (generally shared with pedestrians and other nonmotorized users) and separate, striped, four-foot bicycle lanes on streets. If a bicycle lane is combined with a lane for parking, the combined width should be 14 feet.

[3] Public transit access. Where public transit service is available or planned or where senior housing is planned, convenient access to transit stops shall be provided. Where transit shelters are provided, they shall be placed in highly visible locations that promote security and shall be well-lighted. School bus stops may also be planned and accommodated for.

[4] Motor vehicle circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features such as queuing streets, curb extensions, roundabouts, and medians may be used to encourage slow traffic speeds.

[a] Street hierarchy. Each street within a traditional neighborhood development shall be classified according to the following [major collector (arterial) streets should not bisect a traditional neighborhood development.]:

[i] Local street. This street provides primary access to individual residential properties and connects streets of lower and higher function. Design speed is 25 miles per hour.

[ii] Marginal access. This street provides primary access to individual residential properties but is protected from through traffic. Usually they are parallel to and adjacent to arterial streets or county or state highways. Traffic volumes are relatively low, with a design speed of 20 miles per hour.

[iii] Minor collector street. This street carries traffic from local streets to a major collector street, including the principal entrance streets of a

residential development and streets for circulation within such development. Traffic volumes are higher with a design speed that varies by location and use (30 to 45 miles per hour).

[iv] Alley. These streets provide secondary access to residential properties where street frontages are narrow, where the street is designed with a narrow width to provide limited on-street parking, or where alley access development is desired to increase residential densities. Alleys may also provide delivery access or alternate parking access to commercial properties.

[b] Street layout. The traditional neighborhood development should maintain the existing street grid, where present, and restore any disrupted street grid where feasible. In addition:

[i] Intersections shall be at right angles whenever possible, but in no case less than 75°. Low-volume streets may form three-way intersections creating an inherent right-of-way assignment where the through street receives precedence which significantly reduces accidents without the use of traffic controls.

[ii] Corner radii. The roadway edge at street intersections shall be rounded by a tangential arc with a maximum radius of 15 feet for local streets and 20 feet for intersections involving collector or arterial streets. The intersection of a local street and an access lane or alley shall be rounded by a tangential arc with a maximum radius of 10 feet. The Town Engineer shall approve the selected curve radius dimension and shall recommend revisions as required.

[iii] Curb cuts for driveways to individual residential lots shall be prohibited along arterial streets. Curb cuts shall be limited to intersections with other streets or access drives to parking areas for commercial, civic or multifamily residential uses. Clear sight triangles shall be maintained at all intersections.

[iv] The orientation of streets should enhance the visual impact of common open spaces and prominent buildings, create lots that facilitate passive solar design, and minimize street gradients. All streets shall terminate at other streets or at public land, except local streets may terminate in stub streets when such streets act as connections to future phases of the development. Local streets may terminate other than at other streets or public land when there is a connection to the pedestrian and bicycle path network at the terminus.

[c] Parking requirements. Parking areas for shared or community use should be encouraged. In addition:

[i] In an area of mixed residential and commercial use, any parking lot shall be located at the rear or side of a building. If located at the side, screening shall be provided.

[ii] A parking lot or garage may not be adjacent to or opposite a street intersection.

[iii] In the mixed use area, a commercial use must provide one parking space for every 500 square feet of gross building area.

[iv] Commercial parking lots or garages must provide not less than one bicycle parking space for every 10 motor vehicle parking spaces.

[v] Adjacent on-street parking may apply toward the minimum parking requirements.

[vi] In the mixed residential/commercial areas, parking may be provided on-site. At least one off-street parking space with unrestricted ingress and egress shall be provided for each dwelling unit.

(c) Architectural standards. A variety of architectural features, building materials and designs should be implemented to avoid uniformity of building design and to give each building or group of buildings a distinct character.

(d) Guidelines for new structures.

[1] Height. New structures within a Traditional Neighborhood Development shall be no more than two stories for single-family residential, or three stories for commercial, multifamily residential, or mixed use.

(e) Open space guidelines. At least 10% to 20% of the gross acreage of the traditional neighborhood development must be open space. At least 50% of the open space must be common open space dedicated to the public for parkland and be useable land for such parkland use. Seventy-five percent of the lots within the areas devoted to mixed residential uses shall be within a 1/3 mile or a ten-minute walk from common open space.

(f) Guidelines for lighting.

[1] Streetlighting shall be provided along all streets. Generally more, smaller lights, as opposed to fewer, high-intensity lights, should be used and should be on a scale appropriate for a pedestrian environment. Streetlights shall be installed on both sides of the street at intervals of no greater than 100 feet.

[2] Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties.

[3] A streetlighting and sidewalk district shall be created in order that the cost and maintenance be assessed against those properties in the district that are

benefited by the lighting and sidewalks.

(g) Landscaping and screening guidelines. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed, contiguous planting areas shall be preferred to smaller, disconnected areas. Where screening is required by this chapter, it shall be at least three feet in height, unless otherwise specified. Required screening shall be at least 50% opaque throughout the year. Required screening shall be satisfied by one or some combination of a decorative fence not less than 50% opaque behind a continuous landscaped area, a masonry wall, or a hedge.

[1] Street trees. A minimum of one deciduous canopy tree per 50 feet of street frontage, or fraction thereof, shall be required. Trees can be clustered and do not need to be evenly spaced. Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete. If placement of street trees within the right-of-way will interfere with utility lines, trees may be planted within the front yard setback adjacent to the sidewalk.

[2] Parking area landscaping and screening.

[a] All parking and loading areas fronting public streets or sidewalks, and all parking and loading areas abutting residential districts or uses, shall provide:

[i] A landscaped area at least five feet wide along the public street or sidewalk.

[ii] Screening at least five feet in height and not less than 50% opaque.

[iii] One tree for each 25 linear feet of parking lot frontage.

[b] Parking area interior landscaping. The corners of parking lots, islands, and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation can include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.

(h) Stormwater management standards. The design and development of the traditional neighborhood development should minimize off-site stormwater runoff, promote on-site filtration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained/protected to the maximum extent practicable. New development and redevelopment shall meet the following requirements in addition to applicable standards and requirements set forth in Chapter **91** (entitled "Stormwater Management") of the Town Code:

[1] Untreated, direct stormwater discharges to wetlands or surface waters are not allowed.

[2] Postdevelopment peak discharge rates should not exceed predevelopment peak rates.

[3] Erosion and sediment controls must be implemented to meet or exceed NYSDEC requirements for removal of total suspended solids.

[4] Areas for snow storage shall be provided for commercial areas unless the applicant provides an acceptable snow removal plan.

[5] Redevelopment stormwater management systems should improve existing conditions and meet standards to the extent practicable.

[6] All treatment systems or BMPs must have operation and maintenance plans to ensure that systems function as designed.

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Ch 138 Attachment 1 - Existing Planned Unit Developments

ZONING 138 Attachment 1 Town of Ballston APPENDIX Existing Planned Unit Developments 138 Attachment 1:1 03 - 01 - 2012 ZONING EASTLINE COMMONS PLANNING UNIT DEVELOPMENT DISTRICT [Adopted 9-5-1989 by L.L. No. 4-1989; amended 3-6-2007 by L.L. No. 2-20071] Section 1. Title of the proposed amended...

Zoning

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