

Town of Clifton Park

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PLANNING BOARD

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Planning Board Meeting

January 24, 2017

Planning Board: R. Ferraro - Chairman, E. Ophardt, D. Bagramian, E. Andarawis, A. Neubauer, Greg Szczesny, J. Jones, T. LaSalle – alternate

Absent: D. Bagramian

Those also present: J. Scavo, Director of Planning
A. Morelli, Counsel
J. Hakes, M.J. Engineering and Land Surveying, P.C.
M. Springli, Secretary

Mr. Rocco Ferraro, Chairman, called the meeting to order at 7:04pm. All in attendance stood for the Pledge of Allegiance.

Mr. Ferraro welcomed everyone and noted that Ms. La Salle would be a voting member in absence of Ms. Bagramian.

I. Minutes Approval – January 10, 2017

Mr. Ophardt moved, seconded by Mr. Jones to approve the minutes of January 10, 2017, as written.

Ayes: All. Noes: none.

II. Public Hearings

2015-039 Vistas West (aka Levy) Subdivision

Proposed subdivision (22) duplex units extending from Vista Court and (1) single family residences on Tanner Road. Public water and sewer. Route 146 and Tanner Rd, Zoned: CR, Status: PB Prelim Review - Possible Determination

SBL: 270.-2-3.2

Mr. Ferraro explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Neubauer moved, seconded by Mr. Ophardt, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Ferraro, Chairman, called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on January 9, 2017.

Consultant/Applicant Presentation:

Joe Dannible with Environmental Design Partnership representing Kohler Homes, LLC. Presented this project which included 22 two-family townhomes and 1 single family residence and has been reviewed by both the Planning Board and the Zoning Board of Appeals. The consultant indicated the site on a map and indicated that the project is located on the northeast quadrant of the intersection of Tanner Road and NYS Route 146 and is surrounded by parcels with different zoning including Hamlet Mixed Use, Corporate Commerce B-5, Conservation Residential, and Residential-1 zones. The speaker stated that 16 out of 38 acres is constrained, variances were received and the allowable density is what has been included in this submittal. Mr. Dannible noted that the project will be connected to Sewer District #1 and public water. The project proposed gravity sewer to be connected to Vistas Court on existing stubs that were part of the original Vista Court subdivision plan. The tree planting plan was presented to the Board. The tree placement was shown meeting the total number of trees required although not necessarily two trees on each lot, but instead designed so that the streetscape would blend in with the adjacent project. Mr. Dannible noted that sidewalks connecting to The Vistas were proposed and a mail kiosk was also indicated. The site distance at the intersection with Tanner Road was discussed and photos showing the proposed minimal tree clearing. Next, Mr. Dannible showed a draft façade rendering with Craftsman style architecture proposed with craftsman garage doors, stone, or brick mixed with board and batten and shake siding. The consultant noted that at this time the smallest unit base price was expected to start at \$309,000 and up. Mr. Dannible added that the builder intended to complement the existing Vistas Townhome style

Staff Comments:

ECC – a memo sent January 17, 2017 had the following recommendations:

- The ECC notes that the applicant has removed the Rain Garden Practice and replaced with grass depressions on Lots 7AB - 11AB. The ECC would recommend that all water quality treatment areas be placed on HOA property, so they can be properly maintained by the HOA. The ECC is concerned with the water quality treatment areas being on private property that the homeowner may not be properly maintained (eg. Filled in).
- The ECC notes that the request for the applicant to demonstrate that the wetland crossing for Vista Court Extension conforms to ACOE specifications for wildlife passage was not addressed.
- The ECC would recommend that fencing and or signage to mark the boundaries of the wetlands.
- The applicant prior to approval shall show that the lots with private open space are described with deed restrictions in perpetuity.

S. Myers – memo dated 1/5/2017

- Signs require Building Department approval.
- Pocket ponds are not allowed by town code.
- How will SMA #3 & 4 be guaranteed not to be modified by homeowners? A better option for runoff control should be proposed such as grading the lots to direct runoff to the enclosed drainage system at the road.

S. Reed - no comment

Stormwater, S. Reese – memo dated 1/19/2017

- The grass depressions located behind units 7-11, shall have a (Town and HOA) access easement to ensure that the maintenance of these stormwater management areas is kept.
- The applicant is proposing pocket ponds for water quality and quantity controls. The applicant shall verify if no other NYSDEC stormwater practice can be applied. If no other practice is practicable then a pocket pond with a barrier / liner is suggested in the bottom up the sides to the permanent pool elevation.
- Applicant shall indicate why a forebay is not used for SMA #2.
- The applicant shall show the high seasonal water elevation on the Pocket Pond & Outlet Structure Detail.
- The Town would like to be copied on the Joint Application Permit / correspondence for the wetland crossing.

MJ Engineering and Land Surveying – from a letter dated December 30, 2016

- Subdivision plan should include a note regarding two larger stormwater areas to be conveyed to the Town

Planning

John Scavo offered the following:

- Replace the Permanent Open Space Notes to read as follows:
 - Allowable uses within the permanent Open Space shall be pursuant to those prescribed within §208-16(2) of the Clifton Park Town Code.
 - In accordance with §208-16(G)(5)(c) of the Town Code:
 - Unless otherwise agreed to by the Town of Clifton Park Planning Board, the cost and responsibility of maintaining open space and facilities shall be borne by the private owner, the homeowners' association, the conservation organization or land trust or, in the case of lands and facilities deeded to the Town of Clifton Park, the municipality. Likewise, if any lands restricted as open space land are deeded to the county or the state, these respective municipal governments would be responsible.
- The applicant shall provide the Planning Board Attorney a draft Stormwater Easement Agreement for access, conveyance, and maintenance of the Stormwater facilities and improvements within the designated HOA land to the Town of Clifton Park. The Planning Board Attorney will review the agreement for acceptability prior to final subdivision approval by the Planning Board.
- Add the following note to the plan, “The parcels shall be included within the Sherwood Forest Park District.”

Public Comment

Gerry Havasy, 26 Vista Court, resident and President of Vistas Homeowners' Association read a statement that will be included in the file, but he emphasized the following concerns:

- No surprise about extension of Vista Court to Tanner Road
- No opposition if consistent with the existing Vistas, and done correctly
- Would like name not to include “Vistas”
- Concerned about the style
- Request that construction traffic use Tanner Road
- Request similar lamp posts and exteriors
- Don't want stop signs at Vista Dr. and Vista Court
- Sidewalk connectivity
- Underground service for electric
- Sewage routing

Geraldine Havasy, 26 Vista Court, voiced her concerns with the proposed project

- Proposed model suggested brick not cultured stone
- Price point is a big step down

- Request different name Vistas West
- Does not consider it comparable

Ed Galka, 18 Vista Court asked about the notification process, which was explained by Mr. Scavo who stated that notices are sent out at the conceptual application to neighbors within 500 feet of the proposed development. Mr. Ferraro noted that residents need to check the town website to see when agendas are posted, and that the legal notices are posted in the Daily Gazette. The secretary explained that the Town is working on development of a new website which will have the ability for residents to subscribe for notifications and alerts when items such as agendas, minutes and newsletters are published.

Ariel Gill and Michael Fleischman 1267 Route 146, requested the ability to have a driveway cut to Vista Court. Mr. Scavo stated that once the road is turned over to the Town at 80% buildout, the owner could request a curb cut permit from Highway Superintendent as well as access to Sewer and Water if they choose to pursue that. Ms. Gill also requested that a fence be built on her property by the developer and then she asked when trees would be removed so that they could plan their outdoor wedding at another time if there was a potential conflict. Mr. Dannible stated that the tree cutting might start in October. Mr. Dannible stated that he will speak with the developer about her fence request but added that he was not certain the developer would want to install a fence on the resident's property but that he might elect to install one on the Vistas West parcel.

Mr. Ferraro questioned fence restrictions in the Town Code, but Mr. Scavo stated there were none. Mr. Jones asked if the trees would remain and be appropriate screening, but it was indicated that they were not adequate.

Phil O'Connor, 17 Vista Court resident, had the following concerns:

- Asked for clarification about the architectural rendering that was shown.
- Asked about shared driveways
- Asked if all garages would be front facing
- Vistas earned Open Space award for sidewalk system, asked that new sidewalk would connect to existing system

Mr. Dannible responded that there would be a variety of homes and styles and shared driveways would be avoided as much as possible.

Discussion ensued about any interference or obstacles that might exist in making the connection with the existing sidewalk. The Chairman stated that he felt they should strive to make the connections and accommodate the features.

There being no further public comment, Mr. Ferraro moved, seconded by Mr. Jones, to close the public hearing at 7:47 pm. The motion was unanimously carried.

Planning Board Discussion

Mr. Jones asked about tree species. Mr. Dannible replied that 4-5 different species would be used, for resisting spread of disease and seasonal interest. Mr. Jones suggested that the developer might leave some trees behind the existing house near the right-of-way if possible rather than a fence

Mr. Dannible stated that he felt a fence would be out of character with the community and Mr. Ferraro added that the existing property owner did have a right to put one in on their own property. Mr. Dannible then suggested that any fence should be placed in a manner to avoid impeding sight lines to driveway. Mr. Andarawis noted that perhaps some added street trees would be an acceptable buffer. Mr. Dannible noted that the property could be developed as commercial uses and that the Planning Board would have the ability to impose those buffers at the time that they are submitted in the future.

Mr. Dannible stated that Rain Gardens are no longer proposed, and that a shallow infiltration depression system would be used. Mr. Dannible explained that the site has very sandy soil for good drainage. Mr. Ferraro stated that he felt it should be noted in the stamped plans that any improvements in those individual lots would require HOA approval and that an access easement for the Town will be required, and should be outlined as recommended by the Stormwater Technician. Discussion ensued about the alternatives that were considered.

Mr. Ophardt asked for the elimination of a guiderail and suggested that a 1:3 slope could be graded to achieve a better effect. Wildlife passage in the area was discussed, and it was noted that there should not be any problems for known wildlife crossing in this vicinity. Mr. Dannible stated that he would discuss this matter with the Highway Superintendent and could adjust the plans according to the outcome of that discussion, as the Town will ultimately own and maintain the road.

A resident stated that the soil in existing Vista is clay silt which does not drain like sand. Mr. Dannible stated that test pits were done, and the drainage is designed for the sandy soil on the property and that these soils change throughout the parcel. Ms. Hakes remarked that the Town Designated Engineer, the Chief Zoning Officer and the Stormwater Technician had met and discussed the stormwater solutions as proposed and that they were in agreement. Ms. Hakes noted that pocket ponds may be allowed per State Code in certain circumstances and it was added that documentation has been provided by the applicant to the Town Designated Engineer regarding this issue. Mr. Ferraro requested that be provided to Town staff as well.

Mr. Ferraro noted the following:

- on Sheet 2 of 10 proposed limits of clearing is not consistent with Sheet 7 of 10 and should be corrected. Existing conditions and removals plan need to concur

- Construction vehicles should be discouraged on Vistas Court through signage, but added that the Fire Marshall must be consulted
- Sidewalk connection to Vista Drive should be a condition of approval
- The Planning Board would not have any authority over the name of the subdivision
- Lighting should be similar to The Vistas

Mr. Galka requested that a sign be posted at the beginning of the subdivision. Mr. Scavo stated that they will be allowed one sign which was proposed at the Tanner Road entrance.

Mr. Ferraro explained that comments that are provided by the Town Designated Engineer, Committees and Staff are all important and need to be taken into consideration by all applicants.

Resolution

Mr. Ophardt offered Resolution #2 of 2017, seconded by Mr. Andarawis, to waive the final hearing for this subdivision application and to grant preliminary and final approval conditioned upon the applicant's including the sidewalk connection to the existing Vistas network, inspections of stormwater management areas including easement access and appropriate restrictions noted on the site plan and the deeds of the individual parcels behind the units 7 through 11, and satisfaction of all items listed in the final comment letter issued by the Planning Department. Ayes: Andarawis, Neubauer, La Salle Szczesny, Jones, Ophardt, Ferraro. Noes: None

III. Old Business

2016-035 Hoffman Office Building - Site Plan

Applicant proposes to construct a 45,000 SF two story office building on a 4.35 acre parcel with 210 +/- parking spaces. The project includes access to Route 9 and on-site stormwater management. Project also involves parcel 266.3-3-19; 1766 Rt 9, Zoned: B-4A, Status: PB Preliminary Review w/ Possible Determination
SBL: 272.1-1-1

Consultant/Applicant Presentation:

Mr. Gavin Vuillaume, Environmental Design Partnership, representing CFH Properties which proposed demolition of an existing carwash and rental car office. Mr. Vuillaume stated that the project remains much as it was seen in December of 2016. The speaker added that this submittal has minor technical adjustments as suggested at that meeting. Next Mr. Vuillaume noted that there was an existing driveway at the rear of the parcel that has not been used much in the past but will remain intact, and easements will be provided in the event that it is necessary in the future. The consultant explained that a sidewalk will be stopped short of property line but will be added by the owner, Chuck Hoffman, when the Town requires it for connectivity to the adjacent property when that is developed. Mr. Vuillaume then stated that comments in the review letters

issued by the Town Designated Engineer and Staff had been addressed and were now satisfied and addressed with the latest plans. The speaker noted that the planting plan had been increased to address screening issues raised by the ECC, and stated that existing wells will be capped as per NYSDEC regulations and was noted on the plans.

Staff Comments

ECC – recommended the following items from a memo dated January 17, 2017

- The ECC requests, in lieu of the proposed maple trees planted between the proposed structure and the Northway, that coniferous trees be utilized for visual and auditory buffering from the Northway.
- Due to the probability of wastes leaking from the on-site commercial dumpster(s) the ECC recommends the applicant enclose the area by architectural blockwalls and roof and be positioned on an impervious surface.
- The ECC recommends that the applicant be prepared and expect to coordinate the extension of the sidewalk adjacent lots to the north (eg. Medical Office Building and Zappone Property).

S. Myers – from a memo dated 1/5/2017

- No stormwater management report provided.
- Further comments may follow.

S. Reese – from a memo dated 1/24/2017

- For the design storm (24hr) data use the New York State Stormwater Management Design Manual (NYSSMDM), (January 2015), figures 4.1 – 4.5 for the rainfall amounts (specifically the 100 year storm event).
- In the hydrocad calculations the use of the existing drainage pipes as reaches impacts the true amount of runoff through the pipes to the design point of the project. To achieve a more accurate result the pipes should be modeled as ponds.
- For all the hydrocad summary results the inflow depths should show an equivalent and not a greater than symbol, the time span may have to be increased to provide accurate flows.
- Provide test hole and perc test data for the stormwater management practices per the New York State Stormwater Design Manual.
- Temporary sediment traps / basins shall be sized accordingly with the NYSDEC “Blue Book” Standards and Specifications for Sediment Trap – Trap Size (3,600 cu. ft. per acre of disturbed).
- Extend the rip-rap from the outlets of the stormwater management area and the relocated perimeter storm pipe outlet to minimize any scouring the runoff may have during large storm events.

MJ Engineering and Land Surveying – Ms. Hakes stated that all prior comments have been addressed

Planning

John Scavo offered the following:

- Correspondence from NYS DOT should be provided to the Planning Board in regards to their review of the traffic analysis and findings.
- Final sign-offs from the Clifton Park Water Authority and Saratoga Co. Sewer District will be required prior to stamping the final plan.
- Add a note to the plan that notes, “The property owner shall provide documentation that a NYS DOT – Highway Work Permit has been obtained for construction activities that are proposed to occur within the NYS DOT ROW.
- Pre-treatment requirements for the gravel diagram encourage use of “pea gravel” size 1/8” to 3/8” or acceptable pre-treatment practice. The current plan detail shows 3/4” to 1 1/2” gravel stone.

Public Comment - none

Planning Board Discussion

Mr. Jones suggested that an electrical vehicle station be added. Mr. Ophardt asked if drainage going to the State property would be a problem. Mr. Vuillaume responded that it was not a change from the existing drainage and that he felt runoff would be less than the prior use. Mr. Neubauer remarked that he felt properties along Northway which add landscaping for screening from the Northway should be discussed in relation to the Town Center intentions. Mr. Vuillaume stated that at this point they were not necessarily wanting to hide the building, but that headlights could be an issue. Mr. Ferraro stated he would prefer landscaping be concentrated on the frontage along NYS Route 9 to be more enhanced rather than on the Northway side. The chairman then noted that the consultant should move the blue spruce out of the access easement on the plan.

SEQR

Mr. Ophardt moved, seconded by Mr. Neubauer, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Motion

Mr. Jones moved, seconded by Mr. Andarawis, to waive the final hearing for this application for the site plan review of the Hoffman Office Building, and to grant preliminary and final site plan approval conditioned upon receiving a signoff letter from DOT, and satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listened in the final comment letter issued by the Planning Department.

Ayes: All

Noes: None

The motion is unanimously carried.

IV. New Business

2016-031 DCG Town Plaza Drive Thru - Site Plan Amendment

Applicant proposes to renovate existing building 100 and reconfigure parking areas as needed to accommodate a drive thru restaurant use and add a covered canopy with order boards for over 18 vehicle parking spaces, 100 Rt 146, Zoned: TC3, Status: Amendment to Approved Site Plan w/ Possible Determination

SBL: 271.-3-

33

Consultant/Applicant Presentation:

Mr. Joe Dannible, of Environmental Design Partnership, represented the owner, DCG Development. Mr. Donald MacElroy of DCG was also present. Mr. Dannible stated that this submittal was requesting revision of a prior approved site plan. Mr. Dannible explained that a new tenant has requested some changes to the existing plan and that the modifications to the drive thru required two canopies and outdoor dining in addition to the prior plan. Mr. Dannible also described the modifications as required for the emergency vehicle access. Mr. Ferraro questioned notations of two-way traffic arrows as shown on the plan and Mr. Dannible stated those in particular were in the wrong orientation and would be corrected with the next submittal.

Staff Comments:

ECC issued the following comments on a memo dated January 17, 2017

- The plans shall be submitted to the Traffic Safety Committee, given the extensive moving traffic through static parking areas adjacent buildings 100, 200 and 300.
- Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow
- The ECC notes that the total greenspace is not listed. The greenspace shall comply with The Town Center Bulk Standards Table and listed on the plans.
- In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.

Stormwater

Scott Reese sent a memo dated 1/19/2017 with the following comments:

- The applicant has filled in the existing stormwater management area in the northeastern portion of the site. The applicant should comment on how they are going to mitigate this

change. Test holes for seasonal high ground water will be required and percolation tests if applicable.

Building and Development

Steve Myers offered the following from a memo dated 1/5/2017:

- Allowed use in TC3 zone.
- Pervious pavement not recommended due to traffic and maintenance issues.
- Further comments to follow.

Planning

John Scavo offered the following:

- Highway Safety Committee expressed favorable support of markings, signing and delineations on the pavement for vehicular traffic
- Rendering dumpster must be enclosed and lidded, grease trap specs should be noted
- The exterior architectural character, proportion, materials, and articulation should be substantially similar to the schematic elevations previously shown to the Planning Board with the original approval.
- Review the attached mark-up to the concept plan and explore the opportunity to pursue one-way traffic flow around the 18 parking spaces with order boards and canopies. This will allow for a reduction of turning movement conflicts.
- Show the sidewalk that I believe has been constructed and completed to Route 146 from the site along the western most full access curb cut to the Plaza.

Open Space Committee

Jen Viggiani sent a comment letter that was forwarded to the Planning Board members with the following comments:

Existing Conditions – please show the existing pedestrian infrastructure already completed:

- Please show the existing sidewalk connection that starts at NYS Route 146 and leads internally into the site, towards Building #300.
- Please show all existing crosswalks internal to the site plan, if any, to date. Customers within the plaza among the multiple buildings, should be able to comfortably, with ADA accessibility, access all the buildings internal to the site including ready access to Building #100.

VEHICULAR TRAFFIC & PEDESTRIAN MOVEMENT RECOMMENDATIONS:

- Pedestrians at Buildings #400 and #300 should be able to safely walk across the internal vehicular driveways to access Buildings #200 and #100. Please show a safe, ADA,

crosswalk from 300 to 200 if this does not already exist. If already constructed, please show on site plan.

- More detailed traffic movement and intersection analysis is needed for these entrances off of NYS Route 146, and off of Municipal Plaza Road. This may need to incorporate looking at the intersection with 146 and Maxwell Drive Extension.
- Please show how pedestrians can safely access the site coming in from this intersection if they are trying to head to Building #100. Please provide more traffic layout, traffic control and design details at the eastern entrance to the parcel off of Municipal Plaza. This entrance off of Municipal Plaza should be designed for, and outfitted with a pedestrian sidewalk connection to the Municipal Plaza road. Showing / installing a pedestrian connection to this side street may help in traffic management design overall at this currently wide-open, intersection. Lane markings, stop sign control, crosswalks are all recommended types of treatments to consider.
- Potentially, this eastern intersection may need some overall redesign: such as, should Municipal Plaza road be “T-ed” up with this eastern entrance to the DCG property, and “T-ed” up with the Citizens Bank southern entrance, and “T-ed” up with the rest of the through-road that leads to the Public Safety Building/NYS Troopers/CAPTAIN building, and then exits onto Maxwell Drive Extension across from Staples/Panera?
- INTERNAL PEDESTRIAN CIRCULATION. Please consider additional internal crosswalks and vehicular traffic control, especially around Building #100 at the northeast corner.

LIGHTING PLAN

- Please show street lighting of the intersection of Municipal Plaza and the eastern access to the DCG parcel to illuminate this potentially busy future higher volume intersection, and to ensure safety of pedestrians.

MJ Engineering and Land Surveying letter written January 20, 2017, Ms. Hakes noted that the traffic on the site could be further studied, those comments in **bold** were emphasized at the meeting.

State Environmental Quality Review

- Since this appears to be an amendment to a previously approved application, the Planning Board does have the option of relying upon the prior SEQRA findings. Should the Planning Board feel that this proposal is not consistent with the prior SEQRA findings then a new review shall be conducted. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project still appears to be an “Unlisted” action. Assuming the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved /

interested agencies to be engaged may include, but is not necessarily limited to the following:

- Saratoga County Planning: 239m referral due to the parcel being within 500 feet of NYS Route 146.
- Additional involved/interested agencies may be defined as the project proceeds through the Town's regulatory review.

Full Environmental Assessment Form

- No comments.

Site Plan

- With the site modifications being proposed with the current application plus the previous application reviewed and approved, there needs to be confirmation that the total site disturbance does not trigger the need to prepare a stormwater pollution prevention plan (SWPPP).
- **The current plan impacts or removes an existing stormwater basin. It is assumed that the conceptual approach of porous asphalt or underground stormwater will replace the existing stormwater facilities. Subsequent plans shall detail how the site stormwater will be managed. This shall include appropriate construction details, calculations and soil testing.**
- The existing site entrance from Rt. 146, across from Tallow Wood Drive is shown as part of a future perimeter road or multi-use path on the Future Streets Map found in the FBC. It is understood this application proposed no improvements in the vicinity of this roadway. Notwithstanding, it may once again be an opportunity to discuss with the applicant how this connection may be facilitated at some future time.
- **Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.**

Public Comment - No comments

Planning Board Review:

Mr. Jones expressed concern about traffic congestion near the exit from the drive thru. Mr. Dannible stated that it might be better to narrow it to a single lane. Mr. Szczesny asked if the developer could estimate the busy time of the day for this restaurant and the type of conflicts that might arise with the tenants in the rest of the Town Plaza. Discussion ensued regarding traffic concerns and some adjustments to the flow in the southeastern corner of the property. Board members expressed concerns that perhaps this use was too intense for the site. Donald MacElroy stated that he felt this would actually be an improvement and that any stacking would not be as much of an issue at this particular establishment because of the 18 park and order slots. Mr. MacElroy explained that the parent company which is a national company, had reviewed the site and stated that this would work for their model, and he also added that DCG felt comfortable with their experience. Mr. MacElroy suggested that DCG might discuss these concerns further with the applicant to work out some better circulation. Mr. Neubauer stated that he felt there was a lot of merit to this proposal within the TC-3 zone as a transition to the Town Center depending on internal traffic concerns being addressed. Board members agreed that this was the issue that needs to be resolved. It was also suggested that the applicant should review the Open Space Coordinator and Stormwater Technician comments. Board Members praised the use of the rain garden design.

V. Discussion Items –

Members were reminded that the Saratoga County Planning and Zoning Conference would take place the following day.

Mr. Ophardt moved, seconded by Mr. Jones, adjournment of the meeting at 9:28 pm. The motion was unanimously carried. The next meeting of the Board will be held on Thursday February 16, 2017.

Respectfully submitted,

Meg Springli

Secretary

NOTICE OF DECISION

Resolution #2 of 2017

Preliminary and Final Subdivision Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on January 24, 2017, there were:

Present: R. Ferraro - Chairman, E. Ophardt, E. Andarawis,
A. Neubauer, Greg Szczesny, J. Jones, T. LaSalle – alternate
Absent: None

Mr. Ophardt offered Resolution #2 of 2017, and Mr. Andarawis seconded, and

Whereas, an application has been made to this Board by Kohler Homes, LLC, for approval of a subdivision entitled Vistas West Subdivision, consisting of (23) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on January 24, 2017;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on January 24, 2017;

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now, therefore, be it resolved that the final hearing for this application is waived and the subdivision plat entitled Vistas West Subdivision consisting of (23) lots is granted preliminary and final approval conditioned upon the applicant's including the sidewalk connection to the existing Vistas network, signoff of stormwater management areas, and the satisfaction of all items listed in the final review letter issued by the Planning Department.

Resolution #2 of 2017 passed 1/24/2017

Ayes: Andarawis, Neubauer, LaSalle, Szczesny, Jones, Ophardt, Ferraro.

Noes: None

Rocco Ferraro, Chairman