

Town of Clifton Park

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PLANNING BOARD

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Emad Andarawis
Denise Bagramian
Jeffery Jones
Andy Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa La Salle

Planning Board Meeting February 16, 2017

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

Absent: None

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

Mr. Rocco Ferraro, Chairman, called the meeting to order at 7:02pm. All in attendance stood for the Pledge of Allegiance.

I. Minutes Approval – January 24, 2017

Mr. Ophardt moved, seconded by Mr. Jones to approve the minutes of January 24, 2017, as written with the changes that were suggested Chairman Ferraro.

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

Noes: none

Abstain: Bagramian

II. Public Hearings

2016-017 Callender 2 Lot Subdivision

*Existing 14.37 +/- acre lot with one single family home to be subdivided into 2 lots. Proposed "Lot" A" to be 5.07 +/- acres and to include existing residence. "Lot B" to be 9.30 +/- acres and will be used to construct a new single family home and garage, 311 Miller Rd, Zoned: R-1
SBL: 276.-2-34.1*

SEQRA

Mr. Andarawis moved, seconded by Ms. Bagramian, 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 7:06p.m. The Secretary read the public notice as published in the Daily Gazette on February 1, 2017.

Tom Andress with ABD Engineers, representing the owner, Scott Callender, also in attendance. Mr. Andress described some changes to the plan since it was last reviewed. Mr. Andress noted that Lot B will be used to construct a single-family residence and garage, while Lot A will retain the existing single-family residence and garage. Mr. Callender indicated that the existing deer raising activity will continue on Lot B.

Staff Comments

ECC – The Environmental Conservation Commission issued a memo with the following comments:

- The ECC notes that the proposed septic system shall have the required separation to the existing septic system on Lot A.
- The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.
- With the close proximity of the NYSDEC wetland buffer zone the ECC recommends that the buffer zone should be delineated by split rail fencing or signage.

S. Myers – issued a review letter dated 1/26/2017 with the following comments:

- Subdivision proposed in R-1 zone.
- Need to confirm wetland and buffer locations are correct due to potential distance requirements from wetland buffer.
- Fill has been installed on this property for months and it is believed there may be NYSDEC issues regarding the wetlands and use of the property. All these issues should be resolved prior to any approvals. Fill if in the structure area will require confirmation via compaction tests that it was installed correctly for house construction.
- Driveway installed across highway ditch, unknown if approved.
- Due to the type of septic system proposed it is assumed the soil drains poorly or there is a high water table. Either condition will affect house construction.

John Scavo, Planning Director, issued the following comments:

- The Saratoga County Planning Board issued a letter dated April 22, 2016, that noted, “No Significant County-Wide or Inter-Community Impact.”

- Per my prior review letter issued March 20, 2016, add a note to the plan that states:
 - This parcel is located in an area where aviation activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours of operation, and other associated activities. A study describing this impact in detail is available for inspection in the offices of the Albany International Airport.
- Per my prior review letter issued March 20, 2016, add a note to the plan that states:
 - The identified Freshwater Wetland is protected and regulated under federal law (Section 404 of the Clean Waters Act) by the U.S. Army Corps of Engineers. Prior to undertaking any project that may be within or adjacent to the wetland, contact both the DEC Region 4 Office at (518) 357-2069, and the US Army Corps of Engineers at (518) 266-6350, to obtain required permits.
- Per my prior review letter issued March 20, 2016, add a note to the plan that states:
 - Any work within the Miller Road public right-of-way will require a right-of-way work permit from the Town of Clifton Park Highway Department prior to construction. Contact the Highway Superintendent at 518-371-7310 to obtain such permit.
- Per my prior review letter issued March 20, 2016, the limits of disturbance should be clearly identified on the plan to ensure the project is below the one-acre threshold that would trigger mandatory NYS DEC regulation compliance for erosion and sediment control plans. If any area of the property will be utilized to stock pile soil material, such area should be delineated on the plan to ensure the one-acre threshold is not exceeded and is outside of any NYS DEC regulated wetland and adjacent buffer.
- Per my prior review letter issued March 20, 2016, add a note to the plan that states:
 - “The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.”
- An approval from the Clifton Park Water Authority is required to for the proposed lateral connection to the water main.

Joel Bianchi, of M. J. Engineering and Land Surveying, stated that all of the following comments, from a review letter dated January 31, 2017, were addressed since that date.

State Environmental Quality Review

- No additional comments.
Short Environmental Assessment Form
- As noted in Comment 2 of our March 18, 2016 review, Part I.3.b. indicates a land disturbance of 0.90 acres. Subsequent plan submissions shall substantiate the stated value.
- As noted in Comment 3 of our March 18, 2016 review, Part I.12.b of the SEAF notes that the site is within an archeologically sensitive area. Additional information may be warranted on this topic if subsequent plans indicate that 1 acre or more of land will be disturbed, to demonstrate permit eligible for coverage under GP-0-15-002.

Subdivision Plan

- As noted in Comment 6 of our March 18, 2016 review, provide notation on the plan as follows:
 - No Utilities shall be installed beneath the proposed driveways.
- As noted in Comment 7 of our March 18, 2016 review, there may be a need to provide a drainage culvert at the new driveway to support existing drainage along Miller Road. If required, show the location, size and materials of construction.
- As noted in Comment 8 of our March 18, 2016 review, provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
- As noted in Comment 9 of our March 18, 2016 review, the submitted plans provide no existing or proposed contours. Therefore, the noted area of disturbance of 0.90 acres cannot be validated. Subsequent submissions shall include sufficient data to support the area of disturbances noted. The plans at a minimum shall show 5' contour intervals.
- As noted in Comment 11 of our March 18, 2016 review, the applicant needs to obtain the 911 emergency response address and show on the final plat.
- On the Septic Plan, there appear to be horizontal separation distances that are not being met based upon the requirements of Appendix 75-A of the State Sanitary Code, Table 2
 - Pursuant to footnote c, the required separation between the septic system and dwelling is 20-feet and is measured from the toe of the slope of the fill. The submitted plans show the tow of slope to be less than the minimum 20-feet.
 - The required horizontal separation is 100-feet between existing and proposed wastewater treatment systems. The existing septic system on the adjacent lot is approximately 80-feet from the toe of fill area of the proposed septic system
- The septic system should include an additional useable area of 50 percent for future expansion or replacement pursuant to Section 75-A.4(a)(5) of the State Sanitary Code

Scott Reese, Stormwater Technician sent a memo with the following recommendation:

- The plans should show the drainage route along Miller Road and the location of the existing culverts under Miller Road that this project will drain to.

Public:

Anthony LaFleche, 21 Wheeler Dr. asked what the setback is for the proposed home and if a 15 Right-of-way could be provided across the front of the property. Mr. Scavo remarked that past discussion indicated that any trails might be on the West side of the road, so it would not be needed in this case.

There being no further public comment, Mr. Ferraro moved, seconded by Mr. Neubauer, to close the public hearing at 7:20 pm. The motion was unanimously carried.

Planning Board Discussion

Mr. Andarawis asked if the 9-foot fence would be remaining and suggested that a sign be posted on the fence delineating the wetlands stating that the wetlands are not to be disturbed. The applicant stated that he will be in contact with John Scavo to determine the specifications for the required signage.

Resolution: Jones normal conditions

Second andarawis

Unanimously approved

Resolution

Mr. Jones offered Resolution #3 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 satisfaction of all items listed in the final comment letter issued by the Planning Department.

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

Noes: None

III. Old Business- none

IV. New Business

2017-001 Stewart's Shops Vischer Ferry / Route 146 - Site Plan

Applicant proposes to raze the existing two buildings on the southwest corner of Route 146 and Vischer Ferry Road for the construction of a new 3,675 Sq Ft Stewart's with four multiple product dispensers (eight fueling positions). Project also includes parcel 270.-2-19, 1202 Rt 146, Zoned: B-3 SBL: 270.-2-18

Marcus Andrews, representing the Stewart's Corporation, presented some revised plans to the Planning Board Members that address comments offered by staff and the Town Designated Engineer. Mr. Andrews stated that the building will look as if it has two fronts with one on each road. Mr. Andrews noted that the two parcels will be merged and that any necessary variances will be sought from the Zoning Board of Appeals.

Staff Comments

ECC –

- ECC recommends that the plans at least maintain the 22% greenspace currently in place (the proposed greenspace is 15%). The minimum B-3 zoning greenspace requirement is 35%.
- 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.

Steve Myers issued the following comments:

- Proposed new store and gas pumps in the B-3 zone.
- Are lot lines to remain as shown? If so, more setback variances will be required.
- Variances required (table on plans is incorrect). Building setbacks, canopy setbacks, parking setbacks, sign size (not part of planning approval), gas pump setbacks, greenspace, two entrance/exits on Rt. 146, landscaping, possibly more once reviewed fully.
- Proposed must meet the requirements of 208-93 for service stations.
- Full SWPPP will be required.
- Access to Vischer Ferry Road will make a bad traffic problem worse, consider a right in and right out only.
- Drainage to where? Hot spot?
- Need number of pumps and number of nozzles.

Stormwater Technician, Scott Reese sent a memo with the following comments:

- The stormwater runoff from this vehicle fueling station is classified as a stormwater hotspot. Runoff from hotspots cannot be allowed to infiltrate untreated into groundwater, where it may contaminate water supplies. The runoff from this project is directed untreated to the Saratoga County storm sewer that outlets to the Dwaaskill. The Dwaaskill is identified as waters from the final New York State “2014 Section 303(d) List of Impaired Waters Requiring a TMDL / Other Strategy”. The applicant shall show how vehicle contaminants will be constrained prior to entering the off-site storm system

John Scavo offered the following recommendations:

- Since the project fronts both NYS Route 146 and CR-90 (Vischer Ferry Road) a referral to the Saratoga Co. Planning Board is required in accordance with §239 M & N of GML. Town Staff have forwarded the conceptual site plan application to the County Planning Board for their consideration and recommendation.
- The applicant should verify with Steve Myers, Town Chief Zoning Officer that the 20’ side yard shown between the proposed building southern property line is acceptable and is not considered a second rear yard since the parcel fronts two public right-of-ways.
- The applicant should reuse and relocate the existing bike rack.

- Pursuant to §208-39 of the Town Code, “There shall be not more than one entrance and one exit per establishment upon any individual public thoroughfare, and the distance between the entrance and exit center lines, if separated, shall be not less than 100 feet.”
- The applicant should consider removal of the proposed eastern most right-in/right-out entrance along NYS Route 146. This will bring the site into compliance with the code requirement and will increase greenspace from the proposed 15%.

Joel Bianchi, MJ Engineering and Land Surveyors emphasized that the easternmost entrance and egress along Route 146 should be eliminated from the plan. Mr. Bianchi also noted that cross access easements to adjoining parcels should be added. In addition, he offered the following comments:

State Environmental Quality Review

- Based upon our review of Part 617 of NYS Environmental Conservation Law, the project 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:
 - Clifton Park Water Authority: Taking of additional potable water.
 - Saratoga County Sewer District: Additional reserve sewer capacity.
 - Saratoga County Planning: 239m referral due to the parcel being within 500 feet of NYS Route 146.
 - New York State Department of Transportation: Utility / Non-Utility Work permit and access modifications onto a State highway.
 - Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review.

Short Environmental Assessment Form

- Under 3.b. the area of disturbance is indicated as being 0.78 acres. The provided plan suggests the entire parcel may need to be disturbed as part of the project, which would then approach 0.97 acres. Confirm the stated area accounts for all required disturbances, both on the parcel and off-site.
- Under 8.a. at a minimum, information regarding expected vehicle trips from the proposed use shall be provided to support the response provided in regards to traffic.
- Under 13.a with the site being located in an archeologically sensitive area, should the project become subject to the NYSDEC General Permit GP-0-15-002, a “no effect” letter will be necessary for the project to be eligible for permit coverage.

General Comments

- The site plan indicates the project will be provided public sanitary sewer by way of connection to the Saratoga County Sewer District No. 1 sewer system, which may include the re-use of an existing service. While the proposal may yield lower sewer flows than the prior uses, it is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project.

- The applicant has indicated water service will be provided by the Clifton Park Water Authority, which may include the re-use of an existing service. While the proposal may yield lower water demands than the prior uses, it is recommended that the Town be furnished with documentation that the CPWA is willing and capable of service this project.
- The project proposes access onto U.S. Route 146, which includes the modifications to the existing curb cuts. This proposed work is subject to the review and approval of the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.
- The project proposes to redirect drainage to the closed drainage system of Vischer Ferry Road (Co Route 90). This proposed work is subject to the review and approval of the Saratoga County Dept. of Public Works. The applicant shall coordinate with the Saratoga County Dept. of Public Works and obtain permitting in advance of construction.
- While the application materials indicate that the project will have less than 1 acre of disturbance and would not be subject to GP-0-15-002, there is a proposal to increase impervious cover and potentially change or alter drainage patterns. As such, an analysis shall be completed that examines the pre and post drainage conditions to determine whether or not there will be adverse impacts to the receiving drainage system

Site Plans

- The project resides within the Town's B-3 Zoning District. In our review of Section 208-37(B) of the Town's Zoning, the proposal for a convenience store is a permitted principal uses within the B-3 Zoning District as long as there are less than 12 gas pumps proposed.
- In our review of the concept plan submitted, it appears that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Sections 208-38 and 208-98 of the Town's Zoning. The potential lot deficiencies identified are as follows, noting that we assume that there would a consolidation of the two lots to form one single lot
 - Section 208-38(G) requires a minimum of 35% greenspace. The plan proposed to reduce the greenspace from 22% to 15%.
 - Section 208-98 indicates that no building or part of a building, other than steps, eaves and similar fixtures, shall extend nearer to the center line of the street or road than 130 feet. The proposed building and gas canopy are within the stated front setback of Route 146 and the canopy is within the stated setback of Vischer Ferry Road.
- Section 208.39 of the Town's Zoning states that there shall be not more than one entrance and one exit per establishment upon any individual public thoroughfare, and the distance between the entrance and exit center lines, if separated, shall be not less than 100 feet. The plan proposes two entrances along Route 146. One of the two entrances would need to be removed, preferably the entrance closest to the intersection of Route 146 and Vischer Ferry Road to conform to the noted section of the Town Zoning.

- Section 208-40 of the Town's Zoning requires that the property margins at the sides from the front building line to the rear property line shall be planted with trees and shrubs for a width of not less than 10 feet. The western side margin includes the required landscaping, however the southern side margin has none. This is due to limited area available. The Planning should discuss the need to further supplement sideline screening along the project's side lines.
- Provide a delineation of the area of expected disturbance associated with the project along with the numerical value, which shall include both on-site and off-site improvements.
- The modifications to the site entrance at Vischer Ferry Road will require the reconstruction of the Town's existing multi-use trail. This work shall be designed in accordance with NYSDOT standards, similar to the original path construction.
- There should be consideration of the construction of pedestrian/bicycle facilities along Route 146 as well as a defined pedestrian connection from the proposed building to the existing / proposed pedestrian/bicycle facilities that adjoin the parcel
- For any existing utilities that are to be abandon, there locations shall be noted and the extent of removals/abandonment identified in accordance with authorities having jurisdiction.
- There needs to be indication whether or not the building will be provided with an automatic sprinkler as a result of proposed building materials and occupancy type. Depending on whether or not the building is sprinklered will dictate if an on-site hydrant is required.
- Indicate on the plans the locations of the Knox Box and fire department connection or provide a note on the plans indicating final location is to be determined as part of the building permit process and is subject to the Town of Clifton Park's review and approval.
- It is suggested that cross lot access easements be considered to the adjacent parcels to promote future connectivity.
- The Vischer Ferry ingress/egress should be limited to right in (approaching from south), left in (approaching from the north) and right out (from internal site). The left out (from internal site) should be prohibited as it is close to the Vischer Ferry left turn lane and will create conflicting turn movements and unnecessary staking of vehicles
- The turning template plan provided illustrates two paths for deliveries to occur, supporting the need for a left turn movement existing onto Vischer Ferry Road. In reviewing this information, it appears feasible to provide an alternate route where the delivery route shown on the left diagram could continue clockwise around the building and then exit the facility at the Route 146 exit (western most exit). This appears viable based upon a similar movement shown on the right diagram, but noting the deliveries are shown in a counterclockwise direction.

Public Comments

Anthony LaFleche asked about the following:

- Circulation of large trucks.
- Interconnectivity with North Country Commons
- Extending existing sidewalk across the property along NYS Route 146.
- Room for a bike path
- If Planning Board would consider a green space concession for creation of bike path
- Combined entrance for Stewarts and the lot to the south

Mr. Andrews responded that Stewart's Corp. will research interconnectivity with North Country Commons, but that they do not own the property. Mr. Andrews also stated that they had reached out to purchase the property to the south but that was not going to proceed any further.

Planning Board Comments

Mr. Szczesny commented that he supported any ability to share the western curbcut. Discussion ensued about the traffic patterns and the potential conflicts with all the ingresses/egresses and turning movements proposed on both Route 146 and Vischer Ferry Road. Mr. Ferraro reminded the Board members that the DOT is going to be reviewing this intersection in the near future, and that he had real concerns about offering solutions without having properly studied the area. Mr. Scavo remarked that the proposed distances from the intersection look as if they can accommodate any of the future solutions that DOT may offer. Mr. Andarawis asked about the feasibility of swapping the building and the canopy and Mr. Andrews replied that it was not necessarily going to work with the current configuration of the building layout. Mr. Neubauer asked why the original plan was revised. Mr. Andrews noted that this plan offered a little more green space and better circulation. Board members stated that they would support the addition of a concrete sidewalk along Route 146 and would also support including that in the green space calculation. Mr. Ferraro also recommended adding some black aluminum fence along Route 146 similar to what is across the street by the Market 32 project on Vischer Ferry Road. Landscaping was discussed and the addition of a cross access easement on the plan for the Stewart's property to the adjoining property to the west, so that it is provided for future development should that project be proposed even if it is not opened at this time. It was added that a note on the plan should state that if the cross access easement is activated, that the western-most entrance on the Stewart's property be closed. The Board also asked that a pedestrian access be added along the south of the property to the shop. Mr. Neubauer then stated that he had more concerns with current position, and he would prefer a position closer to the street. Mr. Jones stated that he agreed and would prefer to see the building on the corner, and the canopies be put to the back, Additional options were also suggested and Mr. Andrews stated that he would have his engineers explore those alternatives. Next, the Planning Director suggested that the applicant should meet

with planning staff and return back to the Planning Board with a revised conceptual plan before going to the ZBA.

2017-002 Ravenswood Outdoor Patio - Site Plan

Applicant proposes to construct an outdoor patio area (933 SF) along with a new bathroom(72 SF) and new door out of the existing enclosed seating area, 1021 Rt 146, Zoned: B-3, Status: PB Concept Review

SBL: 271.-1-17 To be reviewed by: MJ Engineering Consultant: ABD Applicant: Van Auken Management, LLC

Tom Andress, Consultant with ABD Engineers, representing Ravenswood Restaurant. Have consulted the Building Department to ensure that building code could be met with this proposal. The speaker added that an outdoor seasonal patio for dining with a masonry wall will be added and a new restroom and emergency exits will be added in order to comply with those standards. Mr. Andress stated that entertainment was not intended for this area. The consultant also explained that the restaurant has a shared parking agreement with the adjacent land so that there is enough parking for the number of seats. Mr. Ferraro suggested that it might be a good idea to post an “additional parking” sign. It was noted that this is a pre-existing, landlocked parcel and that the Building Director has determined which side would be interpreted as the “front”.

Staff Comments:

ECC offered the following recommendations:

- ECC recommends a “traffic proof” barrier between the parking area and proposed patio.
- The ECC is concerned with the traffic flow and parking areas that are relative to the proposed patio. The plans should show how the traffic flow and parking will work with the proposed patio.
- The applicant shall demonstrate that there are sufficient parking spaces on premise for the existing building and proposed patio capacity.

Steve Myers –

- Too close to existing parking spaces.
- Bathroom location?
- Handicapped accessibility for new door.
- Occupant load increase may require sprinklers.
- Loss of parking spaces? How many parking spaces available? Handicapped parking number and location?
- Does the facility have public water and sewer?
- If on septic will existing system be able to handle increase in load?
- More detail needed more comments to follow.

Trails Subcommittee offered these comments:

- One recommendation is for a sidewalk connection from the front door of Ravenswood, or at least the front of property, down to NYS Route 146, be considered.
- Additionally, if there is not already a bike rack, a bike rack should be installed for employees' potential use, as well as customers, due to the restaurant's close proximity to neighborhoods.

MJ Engineering offered comments from a February 10th, 2017 letter:

State Environmental Quality Review

- Based upon our review of Part 617 of NYS Environmental Conservation Law, the project 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.

Short Environmental Assessment Form

- No comments.

Site Plans

- The project resides within the Town's B-3 Zoning District. In our review of Section 208-37(B) of the Town's Zoning, the proposal for an expansion of an existing restaurant is a permitted principal uses within the B-3 Zoning District.
- In our review of the concept plan submitted, it appears that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Section 208-38 of the Town's Zoning. The potential lot deficiencies identified are as follows:
 - Section 208-38(C) indicates that there shall be a minimum front yard of 80 feet, into which space there shall be no encroachment of structures other than a fence, a wall or a sign not larger than 20 square feet and no encroachment of commercial usage other than parking space. It would appear that the lot's frontage is along the western property line that abuts the access road. If this is the case, then the proposed addition appears to be within the stated front setback.
 - Section 208-38(G) requires a minimum of 35% greenspace. While the aerial image suggests sufficient greenspace exists, there are no numerical values stated to confirm this.
 - Provide an analysis of required number of parking spaces based upon the existing / proposed uses and size to determine whether sufficient parking exists or if

additional spaces are required. This analysis shall also identify the location and number of accessible spaces (existing or proposed).

- A review of the Saratoga County GIS suggests that the parcel has public sewer however, this needs to be confirmed.
- 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

Anthony LaFleche, asked if the adjoining land owner were to develop his parcel would the access interfere with the existing parking on the Ravenswood site, and Mr. Andress responded that it would not.

Board members discussed the reduced width of the existing parking and drive adjacent to the proposed patio and potential safety conflicts that may occur. Building a masonry wall along the perimeter of the patio creating a physical separation between the drive and patio space would help address those concerns.

Board members recommended posting an additional parking sign to indicate the agreement with the adjoining area. They also suggested a condition of approval be added that no entertainment activity be allowed in this outdoor site, that notes should indicate that it is strictly for seasonal dining.

At this time, Mr. Neubauer stated that he was recusing himself from the final agenda item for the reason that his employer was bidding on the architectural work for the potential project, and then he exited the building.

2017-003 Camp Bow Wow - Site Plan

Applicant proposes converting the existing Giffy's BBQ site to Camp Bow Wow, a day care facility for Boarding Dogs. A 3,235 Sq Ft addition will be added to the rear of the existing building and outdoor enclosed play areas will be constructed in the existing parking lot.

Overnight boarding, grooming and training will also be provided, 1739 Rt 9, Zoned: B-4A, SBL: 272.1-2-13.1

Tom Andress representing the applicants, Matthew and Marlene Beck, proposed owners of Camp Bow Wow, a franchised, day care, and dog boarding operation. Mr. Andress explained that an addition to the building and fencing was proposed for controlled dog play and activities. Dog boarding, daycare, grooming were all proposed. Parking would be modified, and the façade would be improved. The applicant explained that landscaping would remain and that he wanted

the screening although some of the trees need some trimming. Grease traps from restaurant would be abandoned.

Matt Beck gave a brief overview of the business. Owner and operator of this franchise, 150 exist throughout the country. Hours of operation – dogs outside only between hours of 7 am and 7 pm. Location is ideal for this business, and it is an allowed use in the B-4A.

ECC offered the following:

- 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 recommends the applicant demonstrate how dog waste will be prevented from contaminating stormwater runoff from the project site (Eg. Outdoor play areas). The ECC recommends the waste be directed to a sanitary system.

Steve Myers sent a memo with these comments:

- Parcel zoned B-4A which allows animal care facilities.
- Why is parking being removed and asphalt left in place?
- Can existing drainage handle load?
- Why is gravel being allowed to remain? Should not be included in green space.
- Handicapped parking needs to be closest to the entrance.
- More comments to follow.

Sheryl Reed – no comments

Stormwater Technician offered the following:

- Applicant shall clarify how animal wastes will not contaminate any stormwater runoff from the site.

Discussion of a possible sidewalk location ensued, possibly terminating at the property line, or an easement for future development could be provided. Mr. Scavo stated that the easement would offer maximum flexibility without having to take any property in the future. Mr. Address stated that they would make it wide enough to accommodate flexibility for a sidewalk behind the sign

John Scavo offered the following comments:

- Since the project is adjacent to NYS Route 9 a referral has been made to the Saratoga Co. Planning Board in accordance with §239(m)&(n) of GML.
- If any exterior wall mounted lighting is proposed, please show a detail for such additional lighting and use a downlight style fixture with a cut-off shield.
- The conceptual site plan contained the information and detail that we discussed at the sketch plan meeting with the applicant. Therefore, I have no additional comments at this time.

MJ Engineering sent a letter to the consultant on February 10th with the following recommendations:

State Environmental Quality Review

- Based upon our review of Part 617 of NYS Environmental Conservation Law, the project 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 U.S. Route 9.
Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review.

Short Environmental Assessment Form

- No comments.

Site Plans

- The project resides within the Town’s B4-A Zoning District. In our review of Section 208-50.2(B) of the Town’s Zoning, the proposal is a permitted principal use within the B4-A Zoning District.
- In our review of the concept plan submitted, it appears that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Section 208-38 of the Town’s Zoning. The potential lot deficiencies identified are as follows:
 - Section 208-98 indicates that no building or part of a building, other than steps, eaves and similar fixtures, shall extend nearer to the center line of the street or road than 130 feet. The existing building is within the stated front setback of Route 9, noting this is an existing condition and is unchanged as a result of the proposed improvements.
- With the former use being a restaurant, there may be a need to disconnect any existing exterior grease traps from the sanitary sewer system. If required, show/describe how this abandonment/disconnection shall occur.
- Advise of the need to black out several existing parking spaces, north of the building addition and what the intended area will be utilized for.
- Describe how roof drainage from the building addition will be collected and directed to the site storm sewer.

Mr. LaFleche stated that he supported the easement for the future walkway.

Planning Board members asked

- if there would be areas for taking a walk. Mr. Beck explained that they would be walked within the facility.
- Handling of waste – Mr. Beck explained that they would be using a “Powerloo” to dispose of canine waste products through the sanitary waste system
- Staffing is there 6:30 am – 7:30 pm
- Felt site was ideal for this application, no residences surrounding this property

The applicant was thanked for the additional information packet they provided to the Planning Board as being very helpful.

V. Discussion Items - NONE

Next Meeting: February 28th with submittal date: February 6th

Mr. Andarawis moved, seconded by Mr. Ophardt, adjournment of the meeting at 9:45 pm. The motion was unanimously carried.

NOTICE OF DECISION

Resolution #3 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 February 16, 2017, there were:

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

Mr. Jones offered Resolution #3 of 2017, and Mr. Andarawis seconded, and

Whereas, an application has been made to this Board by Scott Callender, for approval of a subdivision entitled Subdivision of the Lands of Callender, consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on February 16, 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 February 16, 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 Subdivision of the Lands of Callender consisting of (2) lots is granted preliminary and final approval conditioned upon the applicant's including the satisfaction of all items listed in the final review letter issued by the Planning Department.

Resolution #3 of 2017 passed 2/16/2017

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

Noes: None

Rocco Ferraro, Chairman