

Town of Clifton Park

One Town Hall Plaza
Clifton Park, New York 12065
(518) 371-6054 FAX (518)371-1136

PLANNING BOARD

ROCCO FERRARO
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MEG SPRINGLI
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MEMBERS

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

(alternate) Teresa La Salle

Planning Board Meeting Minutes April 26, 2017

Those present at the April 26, 2017 Planning Board Meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Jones,
A. Neubauer, E. Ophardt, G. Sczesny
T. LaSalle – Alternate Member

Those absent were: None

Those also present were:

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

Mr. Ferraro, Chairman, called the meeting to order at 7:01pm. All in attendance stood for the Pledge of Allegiance. Mr. Ferraro noted that the Town was recently awarded a grant for the Crescent Road Trail Connector Project and thanked the Planning Department for working on the application.

I. Minutes Approval

Mr. Sczesny moved, seconded by Ms. Bagramian to approve the minutes of April 11, 2017 as written.

Ayes: Neubauer, Sczesny, Jones, Ophardt, Andarawis, Bagramian, Ferraro. Noes: None.

II. Public Hearings

2017-014 Village Plaza Mixed Use Subdivision

Applicant proposes to subdivide the the new outlot development from the balance of the shopping center. There will be 2 new lots plus the remaining lands, 19 Clifton Country

Rd, Zoned: TC5 & TC6. Status: PB Prelim Review - Poss. Determination
SBL: 272.-1-44

The public hearing was opened at 7:04pm. The secretary read the notice as it was published in the Daily Gazette on 4/12/2017.

SEQR neg dec

Moved by Szczesny

2nd by Jones

Tom Andress with ABD Engineering represented the applicant Windsor Development for this proposed subdivision. Mr. Andress described the two new lots of the Village Plaza that would be on the perimeter of the area which is leased to Hannaford in the current shopping center. The consultant noted that the two lots would front Clifton Country Road and site plans for each of the two new lots were approved last year, adding that one plan was for a multi-story, mixed use project, and one was for a single story building in the Town Center 5&6 zones.

Building and Development

Steve Myers issued a memo dated 4/13/2017 with the following comment(s):

- I thought no further subdivision of this project was going to be allowed.
- 36 apartments on 3.604 acres. 10 apartments per acre allowed. Barely meets requirement. Verification of property lines by independent survey should be required since the road between #11 and #15 is being included in area of the parcels and a corner of the property appears to be in the roadway at Wall Street.
- Previous comments on parallel parking still applicable.

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comments:

- The applicant shall be made aware that each individual lot owner will be required to file with Saratoga County Offices "The Stormwater Management Practice Maintenance Agreement" (SMPMA). The SMPMA requires a depiction of the stormwater facilities and maintenance instructions, including but not limited to the Operation and Maintenance portion of the Stormwater Pollution Prevention Plan and plans showing facility locations.

Planning

John Scavo offered the following:

- Place a note on the final subdivision plat that states:

THESE PARCELS ARE SUBJECT TO DECLARATION OF RECIPROCAL EASEMENTS AT VILLAGE SQUARE, CLIFTON COUNTRY ROAD, IN THE TOWN OF CLIFTON PARK, COUNTY OF SARATOGA, STATE OF NEW YORK, DATED MARCH 31, 1988; MADE BY CLIFTON COUNTRY ROAD ASSOCIATES, RECORDED IN THE OFFICE OF THE COUNTY CLERK, SARATOGA COUNTY ON JULY 27, 1988 IN LIBER 1236 OF DEEDS AT PAGE 232 AND ALL SUPPLEMENTS AND AMENDMENTS.

- Obtain the assigned 911 addresses from the Town's Chief of the Fire Bureau and add them to the final plat.

Public Comment:

None

There being no further comment, the Chairman moved to close the public hearing at:7:12pm

Seconded by: Ophardt

Ayes: All

Noes: None

Motion carried

Planning Board Review

Mr. Morelli confirmed that he had received the Draft Reciprocal Agreement and that he had reviewed it and stated that it appeared to be in order.

Mr. Jones moved, seconded by Mr. Szczesny, to establish the Planning Board as Lead Agency for this application, a Type II action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Jones offered Resolution #5 of 2017, seconded by Mr. Ophardt, to waive the final hearing for this application for the 3 lot Village Plaza Mixed Use Subdivision, and to grant preliminary and final subdivision approval condition upon 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.

Conditions: The Reciprocal Agreement and supplementals shall be reviewed and approved as acceptable by the Town Planning Board Attorney

Roll call

Ayes: D. Bagramian, E. Andarawis, A. Neubauer, G. Szczesny, J. Jones, E. Ophardt, R. Ferraro

Noes: None

III. Old Business

2016-050 Zappone Overflow Parking Lot – Site Plan

Applicant proposes to construct an asphalt parking lot for the existing 2.2 acre lot adjacent the existing auto dealership, Rt 9, Zoned: B-4A, Status: PB Prelim Review - Poss. Determination SBL: 266.3-3-10.1

John Harding, Consultant with Harding Engineering, representing Zappone Dealership, presented the project, which includes a parking lot expansion immediately south of the existing auto dealership. Mr. Harding stated that access will be from Route 9 as well as the existing parking lot. Mr. Harding then explained that he had met with Town Staff including Scott Reese and had reviewed comments sent by M.J. Engineering. The consultant stated that he had addressed those concerns with his latest revisions.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting to discuss the project and issued a comment letter on 4/18/2017 stating that:

- The ECC notes that there have been historic stormwater management failures with the applicant's present complex. The new project increases the impervious surface by approximately 30% of the total impervious area under the applicant's control. The applicant shall provide a comprehensive stormwater management plan for the entire complex including the proposed project in order to assess the requirements and to provide for a full review of the stormwater impacts on the site.
- The ECC notes as per the Town of Clifton park stormwater technician the proposed stormwater management plan utilizing drywell and infiltration facilities at a high infiltration rate without a safety factor may have implications on downstream locations specifically the existing inadequate stormwater management area.
- The ECC recommends the applicant should install sidewalks compatible with the Town plan on having continuous sidewalks along NYS Route 9.

Building and Development

Steve Myers issued a memo dated 4/13/2017 with the following comment(s):

- Have been informed that property is leased and the NOI application must be changed.
- Have also been informed that perc tests did not meet design so SWPPP will require revision.
- It is my understanding the existing stormwater basin on the property is the responsibility of Zappone. Failure to maintain it could result in action from NYSDOT.

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comments and Mr. Harding met with Scott Reese on 4/26/2017 to review the concerns and discuss modifications:

- The existing basin in front of Zappone's property to the north does not have an emergency overflow. Past history of flooding has been an issue at this location (1993 & 2008). In 2012 Zappone Chrysler-Jeep-Dodge had a Site Plan Approval for a 1,200 square foot addition and façade redesign at 1780 Route 9. In the Notice of Decision (NOD) dated, November 14, 2011 it states "that the applicant will be required to manage stormwater onsite and, if negative impacts of flooding offsite occur, the applicant will be required to provide a plan for corrective action and make necessary site improvements." It appears that statement may address the concerns on the flooding issue at this time. Zappone Chrysler Jeep Dodge is still responsible for the maintenance of the storm basin at 1780 Route 9, Clifton Park.
- The WQv will need to be recalculated and the WQv Pre-treatment for Infiltration Facilities will need to be recalculated. The drawings may need to be updated to reflect the new calculations.
- Show how 100% of the WQv will be pretreated prior to entry into the infiltration facility (Design Manual - 6.3.3). The response letter states that a grass lined swale is used for the pre-treatment of the WQv. The Design Manual Section 5.3.3 the maximum water quality volume that can be treated is 20% in hydrologic soil group A and B. The SWPPP shall show how the grass lined swale design meets the required elements as outlined in Section 5.3.3.
- Further detail, explanation, needs to be provided on the existing depression located along the owner's western property line and the Interstate Route 87. Clarification of the 18" culvert in the stormwater management area needs to be clarified if it an inlet or outlet and how it effects the stormwater management that is on the applicant property. If the catch basin outlets located along the western and southern portion of the property are not functioning then is there additional impact to the stormwater management area that is on the applicants parcel? On sheet 7/11 under the Change in Runoff Table indicates the "Runoff flows to existing depression @ west property line & infiltrated." The existing contours for the existing depression do not reflect the actual conditions. The basin should be surveyed showing outfall elevations, inverts and side-slopes. The original plans

from the NYSDOT should be obtained to confirm that the additional runoff does not impact the runoff from the NYSDOT.

- Questions for the infiltration area along the eastern property line:
 - Should have an emergency overflow outfall.
 - The Jeep Display Trail is outside the parking setback and no encroachments are allowed, remove the Jeep Display Trail over the stormwater management area.
 - Due to the past history of the dry wells clogging in front of Zappone's property to the north and the New York State Stormwater Management Design Manual (Design Manual) Section 6.3.1. Design Guidance recommends dry wells should include rooftop runoff only.
- The sequence for the installation of the drywells and gravel should be at the time after the pavement has been installed and the grass has been established. In the Design Manual under 6.3.6 Maintenance Required Elements "Infiltration practices shall never serve as a sediment control device during the construction phase. In addition, the Erosion and Sediment Control plan for the site shall clearly indicate how sediment will be prevented from entering an infiltration facility."

Planning

John Scavo offered the following:

- The applicant should be aware that if any construction activities are to occur within the NYS DOT ROW, a Highway Work Permit from NYS DOT will be required to be obtained by the applicant prior to commencement of such activities.
- Although this parcel and the parcel to the north are held in common ownership, it is advised that the applicant establish a reciprocal cross access ingress/egress easement since ownership of either party could be transferred to a separate entity in the future.
- As previously noted by the Planning Board, pedestrian improvements along Route 9 have been retrofitted along the existing highway as private redevelopment opportunities and public funding has allowed. In general, and in keeping with complete street principles considered by the Planning Board, whenever the roadside and land development conditions are such that pedestrians may travel along a highway, they should be furnished with a sidewalk, walkway or shared use path, as suitable given the conditions. The applicant should provide such an accommodation along the frontage for the project parcel.

Professional Comment:

Joel Bianchi, reviewed the letter issued by M.J. Engineering on 4/21/2017 with the following comment(s): those in bold were emphasized.

Short Environmental Assessment Form

- No additional comments

Site Plan

- As noted in Comment 8 of our December 8, 2016 review, it is suggested that a cross lot access easement be required to the parcel that is adjacent to the north. It is understood that the access to Route 9 is proposed, however, providing an easement would allow for and preserve the ability for improved access management should either properties change ownership and/or use.
- As noted in Comment 7 of our March 10, 2017 review, the plans should include pedestrian facilities along Route 9. The applicant has put forth rationale as to why the sidewalks should not be provided, some of which are related to site restrictions. To clarify the restrictions, it is suggested that a plan or plans be provided to fully illustrate how these site restriction limit the ability to construct the sidewalks.
- The plans need to clearing illustrate how construction phase site runoff will be controlled and directed away from the infiltration facilities. Mr. Harding stated that the existing stormwater issues would be reduced and handled on site with the improvements being made with this project.

Stormwater Pollution Prevention Plan

- Pursuant to Section 6.3.1 of the New York State Stormwater Management Design Manual (NYSSMDM) the maximum drainage area to dry wells should generally be smaller than one acre, and should include rooftop runoff only.
- It is unclear from the Plans or SWPPP how the infiltration facilities are being provided with the required pretreatment. The amount of pretreatment shall correspond to the infiltration rates observed at each stormwater facility.
- In reviewing the NOI, the following comments are provided:
 - Question 14 notes work within a regulated wetland or adjacent area. Please indicate where this occurson the plans.
 - Question 29 needs to be corrected to show the dry well (I-3) as the selected practice.
 - Complete Question 30, 32,36, 42

Public Comment:

Anthony LaFleche, 21 Wheeler Drive, asked where the proposed trail was shown on the site plan. Mr. Harding explained that it was not on the current submittal but that it had been agreed to in the last few days prior to the meeting and that the trail would be placed in the right-of-way parallel with Route 9. It was explained that Town Staff has indicated that the Town would accept

ownership and maintain the trail once it has been built and conveyed to the Town. Mr. Scavo explained that a Department of Transportation Representative had confirmed that a use and occupancy permit would not need to be renewed every year if the Town owned it.

Planning Board Review:

Mr. Ophardt questioned whether this trail plan was consistent with earlier plans approved by the Planning Board on nearby projects. Mr. Scavo stated that this trail would be in the public ownership and right-of-way rather than on private property, but otherwise this section would be in line with other segments to enable future connection of the trail. Discussion ensued about the merits of placing the trail close to Route 9, considering the constraints of each site, so that eventually the Town would have a continuous pedestrian path. Ms. LaSalle stated that in her work with CDTC she would say that the time to ask for a sidewalk would be while there was an application before the Planning Board and that in her opinion, any sidewalk was better than none at all.

Mr. Neubauer asked about the Jeep Display Trail and Mr. Harding stated that it was removed from the proposed expansion due to setback requirements.

Mr. Neubauer moved, seconded by Mr. Jones, 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. Szczesny moved, seconded by Mr. Ophardt, to waive the final hearing for this application for the site plan review of Zappone Overflow Parking Lot, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions: that if the plan submitted for stamping does not meet the satisfaction of professional staff, the project shall be remanded to the Planning Board for further review.

Ayes: All. Noes:None. The motion is carried.

2016-052 99 Restaurant Parking Expansion Site Plan

Applicant is proposing to add an access aisle on the 1.28 acre lot around the north/northeastern portion of the Ninety Nine Restaurant that will accommodate new parking spaces. The parking would increase from 65 to 88 spaces. 306 Clifton Park Center Rd, Zoned: TC3 & TC5, SBL: 272.-1-41.2 & SBL 272.-1-42.2

Joe Dannible, Consultant with Environmental Design Partnership, presented the project, a parking lot expansion in Town Center 3 and 4 Zoning districts. Mr. Dannible described changes to the proposal since it was last seen on 2/28/2017, explaining that landscaping and safety concerns were being addressed with the recent submittal. The consultant stated that site disturbance would be approximately ½ an acre, and total green space would be 30%.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting to discuss the project and issued a comment letter on 4/18/2017 stating that:

- The ECC recommends that the Highway Department considers advanced pedestrian crossing warning signs and HAWK crossing signal at the Clifton Country Road Crossing to the multi-use trail.

Building and Development

Steve Myers issued a memo dated 4/13/2017

- Mr. Scavo explained that the Planning Board would be deferred to regarding Town Center Zoning compliance

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comments:

- The Environmental Assessment Form states under question 17 “The site will direct new stormwater runoff into the existing system which has been determined to be able to handle this proposal.”
 - Applicant shall add to the plans proposed drainage flow arrows and spot grades on the proposed impervious areas to demonstrate how the stormwater runoff will drain to the existing underground stormwater management system.

Planning

John Scavo offered the following:

- As a follow-up to my request made in the December 13, 2016 review letter confirm the following notes have been added to the site plan (I was unable to locate the notes on the current submittal):
 - Any work within the Clifton Park Center Road Right-Of-Way will require permitting from the Town of Clifton Park Highway Department prior to construction.

- A sign-off from the Saratoga Co. Planning Board shall be required prior to approval of the final plan due to the presence of an existing Sewer Easement through the parking area.
- The proposed landscaping treatments along the front property boundary, sidewalk, and crosswalk striping are consistent with staff recommendations from our January 24th meeting which was also attended by two Planning Board Members.
- It should be noted that the proposed monument sign, while shown on the site plan is not approved by the site plan process of the Planning Board and will need additional approval from the Building Department.
-

Professional Comment:

Joel Bianchi, of M.J. Engineering discussed the letter of 4/21/2017 with the following comment(s):

Site Plan

- Provide calculations to support that the introduction of new runoff to the existing drainage system will not adversely impact its operation as well as supporting the use of the single new drywell on the northern portions of the project. For the new drywell, infiltration tests should be performed to validate any design assumptions made.
- It is suggested that some level of landscape screening be provided adjacent to the relocated dumpster enclosure.
- Should the Planning Board find the front yard landscaping acceptable, placement of these features within the Town's right-of-way is subject to the review and approval of the Town Highway Superintendent. Further, it is our recommendation that the applicant be required to execute a hold harmless agreement with the Town for items being located within the Town right-of-way.

Public Comment:

None

Planning Board Review:

Mr. Szczesny asked whether the applicant had reached an agreement about a pedestrian connection with the Pier One property owner. Mr. Dannible stated that he felt that a striped crosswalk could be incorporated within the public right of way, and that the applicant would be amenable to providing one at that location, as well as ADA transitions at the intersection of the driveway with Clifton Park Center Road, and that there was no need to make any additional crosswalk on the private property under separate ownership. Planning Board members agreed with the proposed connections.

Mr. Szczesny 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. Ophardt moved, seconded by Mr. Andarawis, to waive the final hearing for this application for the site plan review of 99 Restaurant Parking Expansion, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions: Technical issues of the crosswalk(s) must be resolved with professional staff

Ayes: All. Noes: None. The motion is carried.

IV. New Business

2017-021 Abele 14 Lot Subdivision and Duplex SUP

Applicant proposes construction of 14 Duplex Units on a private road to be connected to John J McKenna IV Way. After construction of the duplex buildings, each building will be subdivided down the common wall so each side can be individually owned. A homeowner association will own and maintain the roadway, Christinamarie Dr, Zoned: R-1, Status: PB Concept Review SBL: 284.-1-10.2

Mr. Ferraro explained that duplexes were allowed as a use within the R-1 zone per the Town Code, subject to requirements of 208-79 for a special use permit. He stated that this would not be a rezoning. Then the chairman explained that the application was subject to site plan review and that conditions may be imposed by the Planning Board on the special use.

Tom Andress, Consultant with ABD Engineers and Surveyors, presented the project, on behalf of the applicant, Abele Builders. The consultant explained that the applicant proposed 14 duplexes for a total of 28 semi-detached units. Mr. Andress reviewed the background of recent proposals submitted and reviewed on this parcel, explaining that the developer had previously proposed apartment buildings in this location, and subsequently a Planned Development District application for townhouses had been submitted to the Town Board but it did not move forward. Mr. Andress then explained that the applicant reduced the total number of dwelling units and was submitting for an allowed use in the R-1 zone per Town Code with this most recent application. Mr. Andress noted that the 14 duplexes would be accessed from John J. McKenna IV Way and an emergency/pedestrian access only on Christina Marie Drive.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting to discuss the project and issued a comment letter on 4/18/2017 stating that:

- The ECC notes that the usable yard space is severely limited due to deed restrictions and or wetland boundaries. The deed restrictions are due to previous wetland violations and the ECC is concerned that the proposed structures could abrogate these agreements. Therefore the ECC recommends that the applicant obtain all necessary approvals from the ACOE before concept approvals are granted.
- It appears that the project will require significant grading adjacent to wetlands in order to be implemented.
- The applicant has not shown any stormwater management areas on this concept plan and proposes to use infiltration as their primary stormwater solution. The applicant shall provide percolation tests and test hole data prior to concept consideration.
- The ECC notes that the applicant will need ZBA approval due to the proposed front yard setback lines not meeting code.

Fire Prevention

Sheryl Reed issued a memo dated 4/17/2017 with the following comment(s):

- History shows that private roads in large subdivisions have issues with maintenance of the streets and emergency access roadways. Who will plow and do general maintenance if the HOA goes defunct? This has proven to be an issue for emergency services.
- Minimum width of the roadway for emergency services is 26 feet per IFC.
- Provide a street name for postal verification.

Building and Development

Steve Myers issued a memo dated 4/13/2017 with the following comment(s):

- Said to be 14 lot subdivision, is actually 28 lot subdivision.
- Private road is to avoid building to town standards. HOA will want town to take over road maintenance. At a minimum road must be built to town standards. New York State Fire Code requires road to be a minimum of 26' wide not 24' as shown.
- Chain link fence shown at end of McKenna Way is believed to be surrounding playground for daycare in Plaza 8. There is also a Clifton Park Water Authority easement in that area that is not shown.
- Due to the numerous wetlands noted, extensive soil testing will be required prior to issuance of any building permits to determine the suitability of the soil for foundations.
- Once duplexes are subdivided it appears many lots will not meet the 20,000 sf minimum required. As a result, this should possibly be considered a cluster subdivision for 28 lots, not 14.
- Many parcels severely restricted by wetlands (20' or less for backyards to wetland boundaries). This is perhaps too dense a proposal for existing conditions.

- A full SWPPP is required and grading plans with erosion and sediment control for each parcel due to the proximity of the wetlands.

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comments:

- Stormwater Management Areas should be shown on the concept plan.
- The applicant is proposing on-site infiltration for treatment for stormwater management. When the plans develop the design engineer shall supply test hole and percolation test information with the design calculations.
- It appears that this project will disturb more than five acres (6± ac), therefore a full Stormwater Pollution Prevention Plan will be required to be submitted after concept approval.

Planning

John Scavo offered the following:

- In accordance with §239(m)&(n) of GML, the project will be forwarded to both the Saratoga Co. Planning Board and Town of Halfmoon for their recommendations and comments.
- The HOA Offering Plan should provide the HOA with oversight and additional enforcement of the ACOE deed restricted area for each private lot.
- As plans advance it will be important to ensure stockpiling of site materials, construction equipment and vehicles, clearing and grading do not occur within the ACOE deed restricted areas.
- Provide for a cluster mailbox design detail and location on the plan and provide verification that it is to the satisfaction of the Clifton Park Postmaster.
- Add the following notes to a future preliminary plan:
 - The Town of Clifton Park is not responsible for the snow removal in front of and around the cluster mailbox. It shall be the responsibility of either the homeowners association or the property owners within the subdivision to clear and maintain the area around the cluster mailbox for postal deliveries. The Town of Clifton Park is neither the owner of nor responsible for the designated cluster mailbox, mounted post, and concrete pad.
 - The private roadway and emergency access drive shall be owned and maintained by the HOA and shall not be accepted for dedication by the Town of Clifton Park.
 - In accordance with §86-10 of the Town Code, the applicant shall be required to plant two new trees per living unit on the street side of new construction sites.

- 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.
- Due to the proximity of Interstate 87 and CR-92, the properties within the subdivision could experience noise and vibrations commonly associated with a busy interstate highway system and county highway.

Professional Comment:

Joel Bianchi, of M.J. Engineering discussed the letter of 4/21/2017 with the following comment(s):

State Environmental Quality Review

- Based upon a review of the proposal, it is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 in the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action.
- Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
 - Clifton Park Water Authority—request for taking of additional water, public water supply plan approval.
 - Town of Halfmoon—being within 500 ft of the municipal boundary
 - Saratoga County Planning-239m referral due to the project's proximity to Interstate 87.
 - Saratoga County Sewer District No. 1—request for reserve sewer capacity, public sewer plan approval.
 - NYS Dept of Health –realty subdivision approval and public water supply plan approval.
 - NYS Dept of Environmental Conservation—public sewer plan approval, permit coverage under stormwater SPDES, identification of threatened and endangered species, potentially taking of additional water, joint applicant for potential wetland impacts.
 - NYS Office of Parks, Recreation and Historic Preservation—identification of cultural or historic resources
 - United States Army Corps of Engineer-potential permitting associated impacted to regulated waters.

General Comments

- The project proposes to service each new lot with public water from the Clifton Park Water Authority via extending a new public water main throughout the project. The applicant shall provide the Town documentation of the CPWA's ability and willingness to service the project with potable water. Any action on the subdivision application should be conditioned upon receipt of plan approval from the CPWA.
- The extension of public water mains to the project is subject to NYSDOH plan approval and potentially the NYSDEC for the taking of additional water. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the subdivision application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water.
- The applicant proposed to service each lot with public sanitary sewers from the Saratoga County Sewer District No. 1 via extending a new public sewer main throughout the project. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with public sewers. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD's review and approval.
- The extension of public sanitary sewers to the project is subject to the review and approval by the NYSDEC. Any approvals offered by the Planning Board should be conditioned on receipt of NYSDEC's review and approval.
- The project will disturb more than 1-acre of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-15-002. As such a full SWPPP will be required addressing water quality and quantity controls.
- It is suggested that the Town be furnished with a copy of the HOA offering plan for review to ensure adequate accommodations are planned for the proposed ownership of the roadways.
- At a minimum, the applicant shall provide the peak hour vehicle trips expected from the development, assuming 28 units will be constructed and applying the appropriate land use code (LUC).

Subdivision Plan

- The project is located within the Town's Residential I District (R-1). The proposal for two-family and/or semidetached dwellings are a permitted special use pursuant to Section 208-10(B)(9)(a)(7) of the Town's Zoning.
- Based upon a review of the proposed lot configuration, the following lot deficiencies may exist:

- The front setback line within the R-1 district shall be 50-feet pursuant to Section 208-11 of the Town's Zoning. All lots proposed appear to show homes within the noted front setback line.
- The minimum lot width at the building line shall be 100-feet pursuant to Section 208-11 of the Town's Zoning. Upon the division of each lot, following the construction of the homes, each lot would not be provided with the minimum lot width. We would defer to the Chief Zoning Officer on this item due to the nature of the two-family and/or semidetached dwellings.
- Section 179-26(A) of the Town's Subdivision Regulations requires that the owner shall offer to the Town, Class A, B, money in lieu of land or a combination of the three. The plan submitted suggests no land will be offered as part of the project. The Town will need to review the proposal for what appears to be an offer of payment in lieu of for public land to ensure it is acceptable.
- Section 86-6(E)(5) of the Town Code requires that street lighting be provided at the intersection of subdivision streets and an existing arterial or collector street. Subsequent plans may need to show a street light at the intersection with John J. McKenna IV Way and/or Christina Marie Drive.
- The theoretical right-of-way measures approximately 35-feet in width. Should some time in the future the HOA request that the Town take over this road, it would be precluded as this right-of-way width does not meet the minimum requirements of New York State Town Law, Article 8, § 180, which indicated no highways shall be laid out less than three rods in width (or 49.5-feet).
- The plans show a sidewalk integral to the roadway. Subsequent plans shall show how appropriate barrier protection will be provided between the pedestrian/bicyclist and vehicles.
- The layout provided for an assumed garage and two parking spaces per unit. With the proposal for a 24-foot wide roadway, there may be inadequate space for overflow parking. There may need to be consideration of overflow parking being furnished somewhere in the development to accommodate visitors.
- The proposed roads are shown with fire hydrants. Should this be considered an access road with a hydrant pursuant to Section D103.1 of the Fire Code of New York State (FCNYS), it shall be a minimum of 26-feet wide, exclusive of shoulders. If this is the case, the roadway shall be modified to conform with Figure D103.1 of the FCNYS.
- The northern most dead-end roadway measures in excess of 500-feet. The turnaround for this roadway shall be modified to be 26-feet wide and meet the other dimensional requirements of Table D103.4 of the FCNYS.

- Subsequent plans shall show how stormwater management is being provided. Infiltration is noted as being utilized. In-situ soil testing will be required to support the design.
- With the roadway planned for private ownership, indicate who will also own the stormwater infrastructure.
- It is unclear from the plan if wetland impacts are proposed. The Town shall be furnished with the appropriate permitting from the USACOA and/or NYSDEC to support any planned wetland impacts (permanent or temporary).
- Considering the plan submitted is conceptual in nature, additional comments would be provided upon submission of updated plans and reports.

Public Comment:

Brian Rivers, 20 Christina Marie Dr., resident opposed project and expressed the following concerns:

- Feared reduction of property values
- The appearance of a gate and Knox Box near end of his driveway
- Preferred removal of emergency access altogether

Dan Hartnett, 32 Southbury Dr. opposed this development and expressed the following concerns:

- The past history of this developer with wetland violations in this location
- Felt that any perceived hardship created was self-imposed while building Christina Marie Dr.
- Too dense for a restricted land area
- Considered that public schoolbuses could be an issue on the private road as configured
- Sidewalks should extend to the Crescent Road Trail
- Felt that the developer was not trustworthy

Anthony LaFleche, 21 Wheeler Drive, questioned some design aspects of the plan:

- Narrow road width
- The dead-end roads rather than a continuous loop
- Large size of lots on the eastern side of proposal
- Private road vs. public

Ed Abele, developer, explained that this submittal was Plan "C", stating that Abele Builders wanted to offer home styles that were in short supply in town. Mr. Abele also stated that after meeting with neighbors, they had decided not to make a through road between this neighborhood and Christina Marie Dr. residences.

Peter Beaudette, 17 Christina Marie Dr., stated that he was opposed to the development for the following reasons:

- Feared devaluation of his property
- Loss of privacy in his own backyard
- A gate in his front yard would be unsightly (requested that it be relocated in the woods)
- More drivers adding to existing traffic congestion on Crescent Road

Ryan MacEvoy, 17 Hiawatha Dr., stated that he was opposed to the proposal for the following reasons:

- That the Planning Board should not reward past infractions
- Felt there was misleading information from the Developer
- Preferred single family residences
- Proximity of the road behind homes on Hiawatha Dr.

Planning Board Review:

Mr. Scavo asked that Mr. Andress explain the different markings on the site plan that delineate areas that were deed restricted as opposed to the areas that were actual wetlands. Mr. Andress stated that the “hatched” sections of the plan show the lots which were deed restricted and the darker areas were the delineations of the DEC and/or ACOE wetlands.

Mr. Scavo also stated that the access road area could be 12’ wide with additional grass pavers to meet 20’ width capable of supporting 75,000 lbs. Then the Planning Director noted that another option for meeting Emergency Service requirements might be to sprinkler the homes. Discussion ensued whether the lots would meet minimum requirements if it were considered 28 lots, or if this would be considered a cluster subdivision. Mr. Scavo stated that a meeting with Steve Myers would be encouraged since he is Chief Zoning Officer and ultimately would have final authority on whether it would be considered 14 or 28 lots. Next the Planning Director explained that State Building Code mandates that semi-detached units be split at the firewall, or common party wall. For that reason, he added that the subdivision mylars for individual lots would not be filed with the County Clerk until there was an as-built plan for each of the two units.

Board members asked that the developer should consider what benefit there might be to the Town to allow a cluster subdivision.

Mr. Jones added that he felt the gate at the end should be setback further from the Christina Marie Drive entrance. Then he asked if the emergency access would be able to be fully paved in the future. Mr. Scavo explained that it would not be able to meet requirements for a Town road.

Next, the impact of the deed restrictions to private property owners was discussed. Mr. Address stated that the draft deeds could be provided to the Board Members to determine the limitations that would be placed on the homeowners. Planning Board members asked if they would be able to see the past Planning Board minutes for background, since none of them were present for those applications. It was suggested that signs or fencing should be added to delineate the restricted areas.

Mr. Ophardt expressed that he was concerned about the shallow front setback lines, and a lack of guest parking availability, as well as the sidewalk design. Mr. Address explained that the HOA would have restrictions about parking of things such as boats and RV's, and that he felt there should be enough parking in the driveways.

Mr. Neubauer noted that he was in favor of the concept with some modification, and that he would prefer a cluster design which encouraged walkability and some community greenspace. The board member stated that he felt that the access point was a good trail network connection to the commercial area and the Crescent Road Trail and then he suggested that the applicant consider collapsible bollards as opposed to a gate. Mr. Neubauer also stated that the 12' wide path with grass pavers was a good solution to keep the appearance of a trail. Next he offered some suggestions to realign the access to John J. McKenna IV Way away from the adjacent daycare center and Hiawatha Dr. neighbors.

Mr. Ferraro stated that Sheryl Reed's comments regarding Fire Safety regulations would be crucial. The Chairman explained that he was concerned with stormwater management areas and grading along the easternmost roadway and its impact on the wetlands and deed restricted areas. Mr. Ferraro also explained that he preferred a variety of housing facades and recommended asymmetry in design with side loaded garages.

John Scavo reminded residents that they can sign up on cliftonpark.org for e-subscriptions for Agendas and Minutes to be delivered to their email boxes as they are uploaded to the website, so that residents will be kept up to date on agenda items for Town Board, Zoning Board and Planning Board meetings.

2017-019 Schuyler Ridge Addition - Site Plan

The applicant proposes to modify the existing facility to add 40 new private rooms. The 40 existing double rooms will be modified into private rooms so there will be no net change in the amount of rooms in the facility. Other modifications include expansion of the parking lot including new LED lighting and expanding the loading dock, adding a new generator and a new A/C tower, 1 Abele Blvd, Zoned: TC4, Status: PB Concept Review. SBL: 271.-3-18.12

Patrick Dailey, Consultant with Crawford & Associates, presented the project, on behalf of St. Peter's Health, the owner of the facility. Mr. Dailey described the 2-story addition which would result in the same number of patients being served at Schuyler Ridge with more private rooms being offered to residents. Mr. Dailey also described the upgrade to the lighting plan which would include energy efficient LED lighting, and the increased stormwater system. The consultant also explained that sidewalks would be shown on the plan to meet compliance with State Department of Health requirements although that would not be subject to Planning Review.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting to discuss the project and issued a comment letter on 4/18/2017 stating that:

- The ECC recommends that the applicant modify the lighting plan to incorporate lighting that is directional and limited.

Building and Development

Steve Myers issued a memo dated 4/13/2017

- Mr. Scavo explained that Mr. Myers comments would be resolved and that between Version 4.0 to 5.0 of Town Center Form-based Zoning Code an entry on the Table 3-1 Allowed Uses should have included Nursing Home as an allowed use in TC4, however, it did not make the 5.0 edition of Town Center Zoning
- Town Board is considering corrective action to the TC4 zone in May

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comments:

- Applicant is proposing infiltration areas for stormwater management. When the plans develop the design engineer shall supply test hole and percolation test information with the design calculations.
- It appears that this project will disturb more than one acre (1.4± ac), therefore a full Stormwater Pollution Prevention Plan will be required to be submitted after concept approval.

Planning

John Scavo offered the following:

- Jen Viggiani comment – crosswalk connections to Town trail
- The proposal is consistent with feedback and conversations I have had with representatives from Crawford Engineering in preparation for the concept plan submittal.
- The 5' wide sidewalk interconnects the campus entrances and exits with one contiguous pedestrian route that circulates around the entire building complex.

- Additional comments will follow at the time of the preliminary plan submittal.

Professional Comment:

Joel Bianchi, of M.J. Engineering discussed the letter of 4/21/2017 with the following comment(s):

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–potential taking of additional water.
 - Saratoga County Sewer District No. 1–potential request for reserve sewer capacity.
 - Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review.

General Comments

- The project would result in disturbances in excess of 1-acre and therefore is subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-15-002. As the project proceeds through the regulatory review process, a fully conforming Stormwater Pollution Prevention Plan (SWPPP) will be required that addresses stormwater quality, quantity and green infrastructure elements and must be submitted as part of a preliminary plan submission to the Town.
- The site plan indicates the project will be provided public sanitary sewer by way of existing connections to the Saratoga County Sewer District No. 1 sewer system. It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project
- The site plan indicates the project will be provided potable water by way of existing connections to the Clifton Park Water Authority water system. It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of servicing this project

Site Plans

- In discussions with Town staff, it is understood that the parcel is part of an existing planned development district. However, when the formed based code was passed, it may not have excluded this parcel. Due to the unknown or unclear zoning designation to the parcel, we defer all matters relating to allowed use and bulk to standards to the Chief Zoning Officer.

- There needs to be indication as to 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.
 - The applicant shall coordinate with the responding fire department for the location of the Knox Box and fire department connection. Notation to that effect shall be added to the plans.
 - Subsequent submissions should include architectural renderings with a summary of building materials to be utilized for review by the Planning Board.
10. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted.

Public Comment:

Ed Abele, Abele Builders, abutting neighbor at 646 Plank Road, questioned that the occupant was not increasing the number of residents served by the facility although square footage was being increased. Mr. Abele asked to be made aware of site design issues in particular related to stormwater and parking on Abele Drive. Then Mr. Abele disclosed that he was part of the original building development team, stating that he was not opposed to the proposal.

Planning Board Review:

Mr. Scavo noted that Town Code would dictate parking requirements based on the number of occupants and employees, and in the event of any future expansion or reversion to double rooms, further planning board review would be required. Board members discussed the possibility of land-banking of parking spaces and connection to the nearby trail. Mr. Neubauer also mentioned that the path should continue eastward along Abele Boulevard per Town Center Code. Then Mr. Neubauer stated that this project could be considered a preferred incremental change. In response to a question about architectural standards, the applicant stated that they were looking to make it fit in with the existing building but that there would be some changes in material to break up the massing on facades and they would be meeting DOH requirements as well. Board Members appeared to be generally in favor with the proposal.

2017-018 CPC Eastside Renovations - Site Plan

Applicant proposes to renovate a portion of the East Side Facade of Clifton Park Center in order to create a shop front and a wide sidewalk and drop off area. A minor parking

lot will expand parking by 12 spaces. New landscaping will be done, 22 Clifton Country Rd, Zoned: TC-5, Status: SBL: 272.-1-45.1

Joe Dannible, Consultant with Environmental Design Partnership, presented the project, on behalf of the Applicant DCG Development. Mr. Dannible showed an aerial view of the parking and ingress/egress of the area considered for renovation which consisted of 150' linear feet of façade renovation with new landscaping and drive aisle redesign, and parking reconfiguration. It was stated that shopfronts were being added, but no there would be no change to drainage or reduction of impervious surface. Next, façade renderings and site statistics were displayed. Mr. Dannible also explained the area of the "roadway" that he used for his calculations for the Town Center to arrive at setback dimensions, and greenspace requirements to complete the TC-5 Form Based Code Data Sheet.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting to discuss the project and issued a comment letter on 4/18/2017 stating that:

- The ECC would like to see further detail on the proposed landscape improvements.

Fire Prevention

Sheryl Reed offered the following comment(s):

- Provide a clear indication of what façade work will be performed.
- Specify that "No Parking Fire Lanes" will be provided.

Building and Development

Steve Myers issued a memo dated 4/13/2017 with the following comment(s):

- Needs better identification of location where work is proposed.
- Needs details of building modifications.

Stormwater

Scott Reese sent a memo dated 4/21/2017 with the following comment:

- Protect inlets from runoff from refuse enclosures.

Planning

John Scavo offered the following:

- Agreed with the Town Designated Engineer's assessment
- Handicapped parking should be updated on the plan with correct # of spaces
- Service entry corridor would remain and would require a "no parking" sign to allow for deliveries on the sidewalk

- Had no issue with approval if Board is so inclined

Professional Comment:

Joel Bianchi, of M.J. Engineering discussed the letter of 4/21/2017 with the following comment(s):

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 Interstate 87.
 - Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review.

Site Plans

- The project is located within the Town's TC5 Neighborhood Zone. The proposal for exterior parking lot improvements and building facade renovations may be considered acceptable activities within the TC5 zoning district.
- Since there are no planned new buildings, a review of the building placement, building form, building type and allowed frontage types as outlined in the TC5 Zones have not been completed
- Due to the limited nature and location of the improvements, a review of the plan with respect to the TC5 street treatment and parking lot landscaping does not appear warranted. The Planning Board does have the authority to grant waivers from TC5 street treatment requirements should they find them acceptable as permitted in Section 2.3 of the FBC. Should the Planning Board grant waivers, they shall be based upon the criteria outlined in Section 2.3, Items A through E of the FBC.
- We would defer to Town staff on whether the limited nature of building and site improvements warrants an independent review meeting with the TAC.
- For consistency, it is suggested that the applicant complete the Form Base Code data sheet to illustrate how the project does and does not conform to the TC5 District standards.
- Describe the nature of the parking lot improvements with respect to potential alterations to drainage patterns. If the proposed layout and grading

modifications results in substantive changes to how the drainage functions, it may require a limited hydraulic analysis to confirm the existing infrastructure can accommodate the improvements.

- Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted.

Mr. Bianchi stated that he felt there would be no issue with approval this evening considering the limited amount of change on this proposal.

Public Comment:

None

Planning Board Review:

Ms. Bagramian expressed she was in favor of the proposal. Mr. Jones also stated he felt it was favorable and asked if any benches were proposed. Mr. Neubauer stated that he felt that the applicant needed to make some changes to conform to Chapter 6 of the Town Center Code, including height requirements of 22' and the bump out of 2'.

Mr. Dannible stated that this was just a façade treatment to an existing building and that the architect could be consulted to determine if those can be achieved.

Mr. Jones 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. Jones moved, seconded by Mr. Neubauer, to waive the final hearing for this application for the site plan review of Clifton Park Center, Eastside Renovations, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions: that the architectural design of the façade, meet the approval of a Technical Advisory Committee which will include Mr. Neubauer, Ms. Bagramian and Mr. Szczesny.

Ayes: All. Noes: None. The motion is carried.

V. Discussion Items –

Szczesny moved, seconded by Neubauer, to adjourn the meeting at 10:55pm. The motion was unanimously carried.

Next Meeting: May 9, 2017

Next Submittal Date: May 1st for the Wednesday May 24th meeting

Respectfully Submitted,

Meg Springli