

Town of Clifton Park Planning Board
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PLANNING BOARD

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Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Minutes
March 12th, 2019

Those present at the March 12th, 2019 Planning Board meeting were:

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

Those absent were: G. Szczesny

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

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

Mr. Ferraro announced that Ms. LaSalle would be sitting as a full voting member of the Board at this evening's meeting in the absence of Mr. Szczesny.

Minutes Approval:

Ms. Bagramian moved, seconded by Mr. Ophardt, approval of the minutes of the February 26th, 2019 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

None

Old Business:

2019-011 Abele 23 Lot Cluster Subdivision

Applicant proposes construction of 23 single family homes in a cluster design on a road to be connected to John J McKenna IV Way with an emergency access road onto Christinamarie Drive. This is an amendment to the plans from project 2017-021 Abele 14 Lot Subdivision that was approved on 12-11-18 increasing the number of homes from 14 to 23, Christinamarie Dr, Zoned: R-1, Status: PB Preliminary Review

SBL: 284.-1-10.21

To be reviewed by: MJE Consultant: ABD Applicant: Abele **Last Seen on: 12-11-18**

Consultant/Applicant Presentation:

John Allen from Whiteman Osterman & Hanna, noted the applicant is proposing 23 single family homes in this cluster subdivision in replace of the previously approved 14 lot subdivision. Duplex units were proposed for each lot which was not approved by the Planning Board since the plan did not meet the minimum lot requirements of the zoning code. Luigi Palleschi of ABD engineers explained the loop road would remain same as previously approved but with 23 single family with frontage width and minimum setbacks remaining the same from the prior approval. Lot lines have been changed and each home will have an increase of rear setback of 20 to 25 feet. Utilities will remain the same, and water and sewer will still connect to Christinamarie Drive. Storm water will remain the same, but can be dedicated to town. The applicant is requesting a public hearing to be scheduled for the April 9, 2019 meeting, pending recommendations and accommodations can be resubmitted before that date.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 02/28/2019 stating:

This is a totally new configuration that has not been previously proposed.

From previous comments

- Streets names for 911 addressing are still not provided, they should be provided prior to final plans.
- The additional hydrant needed at the entrance from Plaza 8 is not shown. Fire hydrants are required every 400'.
- Another additional hydrant is required around Sta 19100 to 20+00 unless all the houses are sprinklered.
- Sump drains are not shown as connecting to the storm drains as required. Some are shown as daylighted. The elevations indicate sump pumps will be required to pump up to discharge elevations so pumping to the storm drains should not be an issue, elevations for storm drains and basements shall be adjusted to accommodate this.
- Many buildings show two discharges as if they were still duplexes or perhaps they are meant to be roof drains.

New Comments

- All buildings do not show roof drains.
- Basement elevations are shown lower than stormwater management areas.
- Building setbacks are proposed as smaller than any other cluster in town (10' off front property line and 5' off the sides) Any building protrusion over the 5' line will require fireproofing per building per code.
- Per the soils data groundwater was encountered at a higher elevation than the basement elevation. No foundations will be approved unless there is a 2' separation to groundwater.

- Narrowing of the road to 20' violates the requirements of the NYS Fire Code.
- Correspondence states drywell elevations are shown on plans-not found.
- The emergency access drive must have 16' able to support a 75,000 pound vehicle not 12'.
- The town has no interest in maintaining drywells in the stormwater management areas and they shall be removed as a result if the town is to take over these areas.
- Lot 23 does not appear viable due to the slope present and the code requirements for setbacks from the toe of slope.
- Considering the stormwater phasing plan only has 0.52 acres and 0.14 acres of leeway it will be carefully monitored for any issues.
- SWPPP comments are expected from Scott Reese.

Sheryl Reed, Chief of the Bureau of Fire Prevention issued a memo dated 03/12/2019 stating:

- Provide proposed street names for postal verification.
- Provide hydrants per IFC.
- Specify the minimum width of the emergency access roadway to be 16 feet and loading of 75,000 lbs. per IFC

Scott Reese, Stormwater Management Technician issued a memo dated 03/11/19 with the following comments:

1. Verify separation distances of bottom of drywells to seasonal high ground water elevations. *ABD stated "That the elevations are now shown on the plans." ABD will need to verify if there is the required separation between the bottom of the proposed drywells and the seasonal high ground water elevation. (See NYS Stormwater Management Design Manual Section 6.3.1).*
2. Verify that the grading to the elevation of 291 behind units 6-9 will continue to drain to the natural retention area and will not disturb past the Deed Restricted Line. *ABD stated "The elevation of the Natural Detention Area is 285.0±. The proposed grading that drains behind these new lots, are now shown of the plans." ABD shall verify if the drainage to the back of lots 5-8 is being directed to the existing stream or to the existing depression.*
3. The applicant should describe how Low Point 3 (behind Lot 9) will be maintained as it is in the Deed Restricted Area. *ABD stated "The elevation of the Natural Detention Area behind Lot 12 (Former Lot 9) is 285.0±. All proposed grading terminates before the Deed Restricted Line. There is no maintenance expected in this low area, since its existing vegetated area with no signs of erosion issues." The Natural Detention Area is being used to retain and treat additional runoff from this project. The drainage to and the area of the existing depression shall be protected, so homeowners cannot fill or disturb the drainage features. In addition access shall be allowed by Town if maintenance is ever needed to ensure operation.*
4. In the Notice of Intent question #38, modify the entity responsible for the long term Operation and Maintenance to Town of Clifton Park.

The Environmental Conservation Commission held a meeting on 03/05/2019 and issued a memo recommending:

- Due to the Deed Restrictions on lots 9, 10, 11, 12, 16, 17, 18, & 19 noted on the plan, the ECC recommends that these lots not be approved as configured, due to the potential environmental impacts and limited useable yard space.
- Due to the percentage of deed restricted area on these lots, there is high degree of risk that there will be incursions into deed restricted areas.
- Regardless if the project's plan conforms with R1 Zoning, it appears any proposed development of these lots should not be pursued, due to the above constraints.
- Per 179-37(Cluster Subdivision Requirements) Paragraph B, the Department of Planning shall determine the number of building lots for dwelling units that can be practically developed pursuant to said plan, considering the requirements of these regulations and the Zoning Law, the requirements of NYSDOH, and NYSDEC, and limitations of soils, topography, wetlands and other environmental features.
- The ECC recommends all proposed HOA deed restricted lands be dedicated instead to the Town of Clifton Park. This action will facilitate that all the private property boundaries are properly enforced. In addition, Town ownership of the permanent open space will facilitate achievement of the objectives contained in section 179-39.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- The site layout plan shows a 6 ft. wide asphalt sidewalk along the entrance roadway from John J. McKenna IV Way to the 12 ft. wide emergency access drive. Since this is a cluster subdivision proposal and compact by design with homes close to the roadway, we recommend a 5ft. concrete sidewalk along the entrance roadway instead of the 6 ft. wide asphalt sidewalk shown on the plans.
- In order to create a better sense of community and a stronger pedestrian connection among the proposed single family homes as well as the adjacent neighborhoods, the Trails Subcommittee recommends a 5 ft. concrete sidewalk in front of the homes around the entire roadway loop . A crosswalk should also be provided across the entrance roadway for a safe crossing from the recommended entranceway sidewalk to the loop sidewalk.

John Scavo, Director of Planning issued a letter dated 03/11/2019 with recommendations he made to Mr. Luigi Palleschi, P.E. of ABD Engineers stating:

1. A referral to the Saratoga Co. Planning Board has been made in accordance with §239 (m) & (n) of GML. It is scheduled to be considered at their March 21st meeting.
2. The applicant is required to send out new 500' notification letters to adjacent property owners.
3. It is anticipated the applicant will submit a preliminary plan that addresses comments from this evening's meeting for a public hearing to be scheduled for either the April 9th or April 23rd meeting of the Planning Board. It should be noted the plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the state environmental quality review act.

4. Regarding SEQRA, 10 NYCRR Part 97 is 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 and requires the completion of either a full environmental assessment form (FEAF) or a draft environmental impact statement (EIS).
5. Section §179-37 (B) of the Town Code states:

Allowable density. The Department shall review the conventional subdivision plan required in Subsection A above and shall determine the number of building lots for dwelling units that could be practically created pursuant to said plan, considering the requirements of these regulations and the Zoning Law, the requirements of the New York State Department of Health and Department of Environmental Conservation and the limitations of soils, topography, wetlands and other environmental features. The Department shall report its recommendation(s) to the Board, which shall establish the maximum number of units permitted in the subdivision, provided that the number of lots does not exceed the product of the subdivision's buildable land acreage and the dwelling units per acre as established by the Town Zoning Law. For the purposes of this article, proposed roadway areas and wetland buffer shall be considered in computing net acreage as part of the subdivision's buildable land acreage. A partial credit of one-to-two ration, or one acre of credit for every two acres of existing land, shall be granted for those wetland areas classified by the New York State Department of Environmental Conservation as Class III wetlands or Class W wetlands and for those wetlands designated as such by the Army Corps of Engineers in computing buildable land acreage. No credit shall be accorded for Class I or Class II DEC wetlands, Class I through Class W wetlands being defined by NYCRR Part 663 (Freshwater Wetlands Permit Requirements).

[Amended 10-26-1992 by L.L. No. 9-1992]

It should be noted the applicant has submitted a density justification analysis in accordance with above referenced code section to achieve the proposed cluster subdivision of 23 lots.

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 03/08/2019 had the following comments:

State Environmental Quality Review

1. 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.
2. 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:
 - a. Clifton Park Water Authority – request for taking of additional water, public water supply plan approval.
 - b. Town of Halfmoon - being within 500 ft of the municipal boundary

- c. Saratoga County Planning - 239m referral due to the project's proximity to Interstate 87.
 - d. Saratoga County Sewer District No. 1 – request for reserve sewer capacity, public sewer plan approval.
 - e. NYS Dept of Health – realty subdivision approval and public water supply plan approval.
 - f. 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.
 - g. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources.
 - h. United States Army Corps of Engineer - potential permitting associated impacted to regulated waters.
3. The applicant has submitted Part 1 of the Full Environmental Assessment Form (FEAF). Based upon our review of the submitted Part 1 FEAF, the following comments are offered:
- a. Under D.1.b.b; the physical disturbance is listed at 6+/- acres. This does not match the submitted plans, specifically, Sheet 5 of 10 which states at total 9.3 acres for Phase 1 and Phase 2.
 - b. Under E.1.b, the land use cover values remain unchanged from the FEAF submitted for the prior application submitted. Part D.2.e.i notes an increase of 0.2 acres of impervious surface with this current application (3.3 acres to 3.5 acres). Advise if the responses provided under E.1.b need to be amended.
 - c. Correct the response provided for E.2.d as soil investigations have been completed since the prior FEAF was submitted and illustrates groundwater at shallower depths than what is noted.

Subdivision Plan

- 4. The project is located within the Town's Residential I District (R-1). The proposal for single-family dwellings is a permitted special use pursuant to Section 208-10(B)(2) of the Town's Zoning.
- 5. The applicant is proposing a cluster subdivision that is subject to Section 179-37 of the Town's Subdivision Regulations. The proposed bulk lot requirements, specifically setbacks and lot areas shall be reviewed and approved by the Planning Board. The plan shows lot areas that are no less than 50% of the minimum required of the R-1 Zoning District. It would appear that the setbacks are generally consistent with the prior application submitted for this parcel.
- 6. 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 to the Town 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.
- 7. Sheet 2 of 10 labels all stormwater management areas to be conveyed to the Town of Clifton Park and Sheet 3 of 10 labels all stormwater management areas to be conveyed to the HOA. Clarify end ownership of these facilities.
- 8. Lot 23 is a marginal lot with limited rear yard area. The Planning Board should offer an opinion of this lot size and arrangement.
- 9. On Sheet 2 and 3 of 10, confirm Note 9 is still applicable since each home will reside on its own lot.

10. On Sheet 3 of 10, the stormwater management lot, adjacent to Lot 3 labels the flag of the lot as an easement conveyed to the HOA. Please confirm ownership and correct as needed.
11. If the Town is to take ownership of each of the proposed stormwater management areas, further modifications are required to fully comply with the NYSSMDM and to ensure Town forces can adequately access and maintain the facilities. The modifications are as follows:
 - a. The maintenance access roads shall extend to all weirs and outflow locations for access by Town personnel. The turn arounds shown may need to be modified to accommodate potential longer access roads.
 - b. Coordinate with the Highway Superintendent on whether a split rail fence is required around each stormwater area which is a standard requirement of Town owned facilities.
 - c. The Highway Superintendent should review the access to the stormwater basin adjacent tot Lot 3. With the positioning of the homes, there is limited room should the Town ever need to repair the drainage pipe leading from the road to the stormwater management areas. The narrow flag of the lot may need to be widened to accommodate such activities.
12. The stone diaphragm is still shown along the proposed roadway, extending from Sta 15+50 to 20+90(+/-). As noted in Comment 6 of our December 7, 201 review, the stone diaphragm shall be shifted away from the edge of pavement to minimize Town plows doing damage and requiring continual repair at the Town's expense.
13. 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 Christinamarie Drive unless waived by the Planning Board.
14. On Sheet 4 of 10, the retaining wall near Sta 1+00 notes the inclusion of a guide rail as previously requested for vehicular safety. Provide a sectional detail of this condition to illustrate that there will be sufficient room to place the wall that considers potential stacking offsets of layers of block. The detail shall also illustrate that the guide rail will be sufficiently anchored to provide the level of protection it is intended to. Depending upon the wall materials selected, there may be limited structural reinforcement to anchor the guiderail, and therefore not functioning as intended.
15. With the change from duplex units and what was believed to be slab on grade to single family homes with potentially full basements, there needs to be consideration of providing the required separation between the basement floor and seasonal high groundwater. The Town has consistently required that there be vertical separation between seasonal high groundwater and the basement floor. The proposed finish floor elevations of the homes may need to be raised from what is shown to meet this requirement.

Stormwater Management Report

16. Appendix A of the SMR provides a summary table all segments of storm sewer pipe to show that the 10-year, 24-hour design storm freely discharges without backwater conditions occurring pursuant to 86-7(A)(1)(a) of the Town Code. In reviewing this information, the following is observed;
 - a. The hydraulic grade line (HGL) has not been calculated for each pipe segment which is how to determine or confirm whether backwater conditions are occurring.

- b. Available freeboard is being reported as a function of the delta between each structures rim elevation and the water elevation in the downstream stormwater basin. This is incorrect and shall be reported as a function of the rim elevation and the maximum hydraulic grade line (HGL) elevation attained in each pipe segment.
- c. Several of the input parameters in the table do not match the current plan information. Most notably, (1) the pipe segment between CB 4 and CB 3 is not shown, (2) there is a pipe segment shown from CB 4 to FES that does not exist and (3) the pipe slope between CB 3 and FES is shown at 2%, whereas the plans show 0.6%.

Stormwater Pollution Prevention Plan

- 17. Update the time frames stated in Question 8 of the NOI which shall account for the review period for other agencies having jurisdiction.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Asked for verification that the road off McKenna will be flush with no speed bumps and the road width is 26 feet except for loop that was prior approved. Also requested verification that some of the property to the north and northeast is deed restricted and will remain as preserved as Federal Wetlands and the trees will be preserved, homes on the property will be 25-40 feet from restricted area. He also inquired on the lawsuit present. Board clarified the lawsuit is independent of Planning Board review.

Ralph Reale – 13 Hiawatha Drive – Raised concern in regard to town code 208-116A. He has concerns on the noise buffers and glare from light, and to maintain the buffer from Plaza 8. Mr. Ferraro will have Mr. Scavo and Mr. Morelli look into the existing buffer. Mr. Palleschi stated that the cluster will keep trees in place and that the street will be 10-12 feet below the berm between the two properties and possible retaining wall. Mr. Morelli commented that the Board will take into consideration glare, easement and noise. Mr. Reale also has concerns regarding 208-38H for a 100 foot buffer. Mr. Ferraro clarified that 179-36 requires a 60 foot buffer, except for a subdivision cluster plan for a single family home.

Kathleen Kennett – 15 Hiawatha Drive – Concerned with lot 23, in regards to noise due to traffic. Concerned road is close to property, trees are old and tall, and proximity to lot 23. She suggested more vegetation to block noise, as well as to eliminate lot 23. Mr. Neubauer questioning the need for lot 23, and Mr. Ferraro expressed concerned with the yardage. Mr. Andarawis seconding the concern with lot 23.

Ed Able – Developer – unit count is less than the allowable 28. The roadways are the same as previously approved. He will take into consideration Planning Board and staff comments.

Planning Board Review:

Mr. Andarawis would like to see and be provided with a conventional layout design to show the layout for the 23 home subdivision with the right of way. Mr. Ferraro stated that previous calculations and

approval were already submitted taking into consideration acreage. He also confirmed that an HOA will be a part of the project, Mr. Palleschi confirmed.

Mr. Ophardt indicated the pathway listed was 12 feet but described as 16, clarification of 16 feet was made by Mr. Palleschi, as per weight limit allowed according to Mr. Scavo. Mr. Ophardt asked for verification that the pitching of the loop into the catch basins was allowable by the town highway department.

Mr. Neubauer would like a community gathering space within the looped area and would like the Trails Committee's comments to be taken into consideration, and to have the west end loop as open space for community activity, and agrees with lot 23 as being problematic.

Mr. Jones also has concerns with lot 23. He would like to see the access gate to be far out of site. He would also like a community gathering space in the western loop. Mr. Palleschi stated that the area is for storm water management but will consider looking at the space and next to lot 23 as options for community space.

Mr. Ferraro would like to have a sidewalk in the inner loop area connecting the community to the trails. He stated that if the trail was extended to Crescent Road as agreed to in the previously approved subdivision plans, then he would be willing to forego the sidewalk in the inner loop. Mr. Able will visit the extension. Mr. Ferraro would like deed restricted properties to have signage and staggered fencing as required in other plans where there are restricted lands on private property.

Mr. Jones also recalled that the pedestrian walkway to Crescent Road was part of the previously approved subdivision.

2018-069 Stewart's Grooms Shop #296 - Site Plan

Applicant proposes construction of a new 3,675 sq ft Stewart's Shop. Upon completion of new building, existing building to be razed and new gas tanks and canopy to be installed, 641-645 Grooms Rd/307,309 Vischer Ferry Rd, Zoned: B-3, Status: PB Preliminary Review w/possible determination SBL: 277.13-4-26

To be reviewed by: MJE Consultant: Marcus Andrews Applicant: Stewart's **Last Seen on: 1-8-19**

Consultant/Applicant Presentation:

Marcus Andrews – Stewart's Shops – The site plan proposal is looking to change the location for the existing store. The proposed Stewart's building has been turned 90 degrees to face Grooms Road with Vischer Ferry becoming green space and patio area. The project includes 8 fueling points with canopy, with modifications to the canopy for a pitched roof with shingles to match the commercial buildings. Parking is proposed in both the front and rear of the building. White vinyl fence will be in rear of building to help shelter mechanics of the building but remain open enough for deliveries and garbage removal. A few trees will be removed for extension of bike path on Vischer Ferry and curb cuts and the catch basin will be remaining. All lighting will be LED for all 4 buildings. All requests from MJ Engineering will be considered. A side walk was added to rear of building so other businesses have a way of getting to dumpsters for safe trash removal.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 02/28/2019 stating:

- This proposal is a group of establishments (208-41). The property line along Vischer Ferry Road does not meet the 400' minimum and is not five acres.
- Need 130' from both road centerlines for building, only have 108' from Vischer Ferry.
- Need 130' from both roads to gas canopy. Have 82' from Grooms and 66' from Vischer Ferry.
- Pumps must be 50' from property line (208-93). Pumps at west end is about 40'.
- Confirmation that this proposal is not within 500' of an aquifer should be confirmed.
- Signs are not part of the planning review and should be applied for thru the Building Department. Previous variances will apply.
- Considerable traffic flow conflicts are expected due to the new configuration eliminating the road west of the building.
- Access for maintenance of the Boni property should be maintained by eliminating perhaps two parking spots.

Sheryl Reed, Chief of the Bureau of Fire Prevention issued a memo dated 03/12/2019 stating:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 03/11/19 with the following comments:

- The applicant is proposing snouts in the catch basins that the gas filling stations drain to. The catch basins connect to a Hydrodynamic Separator prior to out letting into an infiltration area. The applicant shall install bio-skirts or approved equivalent to the snouts in the catch basins to be able to reduce motor oils and Polynuclear Aromatic Hydrocarbons (PAHs) prior to the infiltration basin.

The Environmental Conservation Commission held a meeting on 03/05/2019 and issued a memo with the following recommendations:

The gas station is a "hotspot" and infiltration is not recommended for stormwater treatment. The applicant shall provide additional filtering measures to ensure protection of groundwater and the stream located north of the project site that runs into the Stony Creek Reservoir.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- The 8 ft. wide asphalt multi-use path extension shown on the site plan from the Vischer Ferry Rd. Stewarts entrance to the existing multi-use path on Grooms Rd. provides an important connection of the Vischer Ferry Road Trail and the Grooms Road Trail.
- Crosswalks should be provided across all Stewart's entranceways that cross multi-use paths.

John Scavo, Director of Planning issued a letter dated 03/05/2019 with recommendations he made to Mr. Marcus Andrews of Stewart's Shops Corporation stating:

1. The Saratoga Co. Planning Board noted in a letter dated February 21, 2019, that the project would have no significant county-wide or inter-community impact. The County did request a note be added to the plan stating, "The Saratoga Co. DPW will not be responsible for the maintenance of the proposed sidewalk/multi-use path."
2. Based on the size and scale of the proposed project and prior approvals, it appears the prior SEQR Determination of a negative declaration is still valid and no additional SEQR review is required. If a new

SEQR Determination by the Board was desired for this project, it would be my recommendation that the current action be classified as a Type II Action pursuant to §617.5(C)(9) which states:

- Construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
Once declared a Type II Action, no additional review under SEQR is required.

3. I commend, the applicant for making accommodations to preserve significant mature trees at the corner of Grooms and Vischer Ferry Road.
4. Page 3 of the site plan lists prior area variances granted by the Town's ZBA that carry with the land and apply to the setback relief proposed for this application.
5. The applicant has met with Town Planning Staff since their last appearance before the Planning Board and has adequately addressed my prior comments.

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 03/08/2019 had the following comments:

General Comments

1. No additional comments.

State Environmental Quality Review

2. No additional comments.

Short Environmental Assessment Form

3. An updated Short Environmental Assessment Form was not submitted. As such the following comments still remain from our January 3, 2019 review:
 - a. As noted in Comment 5 of our January 3, 2019, Under Part 1.2 identify the NYSDEC as an additional agency having jurisdiction due to the need to seek coverage under GP 0-15-002.
 - b. As noted in Comment 7 of our January 3, 2019, Under Part 1.15, please also indicate a listing of a search of the USFW Ipac database for federally listed threatened and endangered species. Demonstrating that there is no adverse impact to state of federally listed threatened and endangered species is a requirement of GP 0-15-002.

Site Plans

4. As noted in Comment 14 of our January 3, 2019, there needs to be indication whether the building will be provided with an automatic sprinkler as a result of the proposed building materials and occupancy type. Depending on whether the building is sprinklered will dictate if an on-site hydrant is required.

5. As noted in Comment 16 of our January 3, 2019 review, it is suggested that cross lot access easements be considered to the adjacent parcels to the north (Lands of Carota or Lands of Boni Enterprises) to promote future connectivity.
6. The Site Plan shows 41 relocated and/or new parking spaces with one accessible parking space. Table 1106.1 of the IBC indicates that 2 accessible parking spaces are required when between 26 and 50 parking spaces are proposed. It is noted that when reviewing the entire parcel, there are adequate number of accessible spaces. However, it is recommended that 2 be provided that are central to the new building.
7. Where the multi-use path crosses the south entrance to Vischer Ferry Road, it is unclear if there will be grassed buffer provided between the path and road shoulder, similar to what exists further north. If not proposed, it should be considered.
8. The landscaping plan proposed predominately deciduous shrubs. To provide some blend of species and to have continual green outside of the normal growing season, it is recommended that coniferous species be considered.
9. On the Stormwater Management Details, label the level of stormwater runoff by storm event in one of the sectional views of the subsurface chambers.
10. Sheet S-7 shall show existing and proposed contours to demonstrate that the erosion control measures shown are appropriate and being placed correctly.
11. Pursuant to Section 3.5 of the NYSSMDM, the proposed stormwater practices need to have a conspicuous and legible sign posted. The plans need to provide the standard sign with the applicable language as well as the location for any modified and/or new stormwater facilities.
12. Section 6.3.1 of the NYSSMDM requires the bottom of the infiltration facility to be separated by at least three feet vertically from the seasonally high-water table or bedrock layer, as documented by on-site soil testing (four feet in sole source aquifers). The project is located over the Niskayuna/Schenectady Sole Source Aquifer and therefore in-situ soil testing is required to confirm the noted minimum separation to seasonal high groundwater is being provided.
13. Section 6.3.5 of the NYSSMDM requires that upstream construction shall be completed and stabilized before connection to a downstream infiltration facility. A dense and vigorous vegetative cover shall be established over the contributing pervious drainage areas before runoff can be accepted into the facility. Sheet S-7 shall provide notation indicating the above requirement.
14. Sheet S-7 shall show required sediment traps along with sizing information. Note that the use of infiltration facilities (existing or proposed) for construction phase sediment traps is prohibited pursuant to Section 6.3.6 of the NYSSMDM. The plans shall show how construction phase sediment will be prevented from entering the existing infiltration facility.
15. Sheet S-7 shall show any require stock pile areas along with a detail.
16. Provide a pavement section detail for the construction of the multi-use path along Vischer Ferry Road. Materials shall match the current NYSDOT standards for materials, with specific attention of the need to designate the correct HMA pavement material.

17. Provide a detail for the stormwater pretreatment units proposed.

Stormwater Pollution Prevention Plan

18. The report analyzes the 1, 2, 10, 25, 50 and 100 year, 24-hour storm events. For future reference, only the 1, 10 and 100 year, 24-hour storm events require analysis unless there are unique circumstances requiring the additional storm events.
19. Since the stormwater management area will be privately owned and operated, a Town of Clifton Park Maintenance Agreement will need to be executed and filed.
20. Sections 1.0 and 5.0 indicates the project is considered entirely redevelopment and needing to only provide 25% of the required WQv and no RRv. In reviewing the HydroCAD model for pre and post development, there is 1.352 acres and 1.489 acres of impervious area, respectively. As such, the new impervious area shall comply with Chapter 4 of the NYSSMDM which require 100% WQv and RRv. Discussion of this additional design requirement shall be provided.
21. Section 2.2 shall discuss the require in-situ soil testing completed to support the proposed stormwater management systems. This shall include the results from the infiltration tests and test pits to establish seasonal high groundwater conditions. It shall be noted that the site is located over the Schenectady-Niskayuna Sole Source Aquifer and the separation to season high groundwater for infiltration facilities increases to 4-feet.
22. Section 2.3(2) shall include in-situ soil testing to establish seasonal high groundwater at the locations of any proposed stormwater management facilities.
23. Section 2.7 of the SWPPP shall also include a search of the USFW Ipac database with results reported.
24. Section 3.3 shall also mention and describe any required concrete washout areas.
25. Section 4.3 shall be specific to the level of soil restoration required based upon current site soil classification.
26. Section 6.2 indicates the infiltration rate was determined to be 18 inches / hour. Provide supporting in-situ infiltration test data to support this statement. In the design, a factor of safety of 2 shall be utilized to account for long term degradation and/or clogging of soil.
27. Provide calculations showing that the infiltration practice will fully dewater within 48 hours after a storm event pursuant to Section 6.3.2 of the NYSSMDM.
28. Section 6.3.3 of the NYSSMDM requires a specified percentage of the WQv to be pretreated prior to entry into the infiltration facility based upon the in-situ infiltration rate of the soils. Section 6.2 indicates the pre-treatment units provide 100% of the WQv but no supporting calculations are furnished.
29. The proposed conditions subcatchment map in Exhibit E needs to be clarified to make subcatchment boundaries more prominent from other existing/proposed features. It is difficult to follow and confirm boundaries.

30. Provide calculations that support that the appropriate level of WQv (25% for redeveloped area and 100% for new developed area) is being provided by the stormwater practices being proposed.
31. Provide calculations that support the provided RRV value stated in the Question 30 of the NOI. The RRV would apply only to the new impervious area associated with DA4.

Public Comments:

Anthony LaFlesche – 21 Wheeler Drive – inquired about the entry for fuel trucks. Mr. Andrews stated that likely would come in on Grooms and would exit either Grooms or Vischer Ferry Road. Mr. LaFlesche asked for verification where the path starts and ends on Vischer Ferry Road.

Ms. And Mr. Bandyopadhyay – 1 Heavenly Way – She is concerned about the glare and lighting from current and new proposal. She has asked for more tree barriers put into place, as the trees are high and bare at bottom and not evergreen. Mr. Andrews has agreed to add some evergreen trees to accommodate lighting and traffic glare. Mr. Bandyopadhyay is concerned with people using Heavenly Way as a cut through for traffic. Mr. Neubauer stated that the exit/entrance are remaining the same, however Stewart's is creating more community space. Ms. Bagramian agreed that green space and landscaping is more accommodating.

Planning Board Review:

Mr. Ferraro would like the painted sidewalk to connect from the path to the building. He also had concerns regarding the prior comments on not impacting the aquifer. Mr. Andrews stated that all bioskirts and limiting barriers will be taken into account as previously mentioned.

Mr. Ophard had concerns with parking spot #8 in regards to its position relative to traffic. If the vehicle will be backing into the entry lane of traffic and suggestion is to remove it. Mr. Andrews states that there is extra 15 feet until entry because they will be backing out into the exiting lane of traffic.

Mr. Andarawis would like to see more landscaping from Vischer Ferry Road carried over to the Grooms Road side of the property to keep it the same on both corners. Mr. Andrews agreed to add more beds to the Grooms Road side of the property.

Mr. Jones moved, seconded by Mr. Ophardt, to waive the final hearing for this application for the site plan review, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, and all items listened in the final comment letter issued by the Planning Department.

Condition(s): Evergreen vegetation along property on 1 Heavenly Way. Add more landscaping to property front on Grooms Road. Address all outstanding technical comments provided by professional staff and any additional comments or conditions noted in the final review letter to be issued by Planning Staff.

Ayes: 8 (eight) Noes: 0 (zero). The motion is carried.

2018-057 Ellis Medical Center Phase 2 - Site Plan

Applicant is proposing a 62,037 sf building addition to it's existing medical facility. The total parcel is 11.57 acres with road frontage and site access on both Sitterly Road and Clifton Park Center Road. The proposed site includes parking for approximately 377 vehicles, a second patient and ambulance drop off area and on site stormwater management, 103 Sitterly Rd, Zoned: TC1, Status: PB Preliminary Review w/possible determination.

SBL: 272.-1-49.1

To be reviewed by: MJE Consultant: EDP Applicant: Ellis Hospital **Last Seen on: 10-10-18**

Consultant/Applicant Presentation:

GavinVuillaume – EDP – parking spaces have been changed to 373 spaces. Parking will be from the Northway out to Clifton Park Center Road. Ellis will be using existing parking as well as additional parking shown. Crosswalks have been added to plan. Sidewalk will be added along west side parking as well as the east side of Clifton Park Center Road. Requesting 3 waivers for TC1 to build to front zone, front parking setback for traditionally 40 feet down to 20 feet, and front sidewalk to be 5 foot sidewalk instead of an 8 foot. The main entrance will be shared with Stewart's and Ellis will be modifying the teardrop island for better traffic flow. Storm water drainage will be towards Northway and south Sitterly Road, keeping the drainage to continue to drain away from Northstar Chevrolet. Lighting will be added to make sure code is up to date. Grading near property line with Stewart's has been added.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 02/28/2019 stating:

- Building is zoned TC-1
- Property has two fronts and two sides-no rear.
- Show location of current fire department connection on existing building.
- Install TEE in place of WYE at northeast corner on 8" DIP for future extension of water main.
- The water authority may want the water line connected between the new hydrants at the NE and SW corners of the expansion so a loop is formed rather than two dead ends.
- Parking setback issues noted previously appear to have been corrected.
- Building does not meet front setbacks for TC-1.
- All signage shall be submitted for approval to the Building Department. Any site plan approvals do not include signage.
- A full SWPPP is required.

Sheryl Reed, Chief of the Bureau of Fire Prevention issued a memo dated 03/12/2019 stating:

Specify the location of the existing fire department connection.

The Environmental Conservation Commission held a meeting on 03/05/2019 and issued a memo with the following recommendations:

1. The design should incorporate increased tree buffers and landscaping along the Northway frontage to maintain an attractive presence along the Northway. The present design proposes a single row of vegetation along the parking area and no vegetation along the Northway adjacent to the surgery center and existing building. This appears to be inadequate according to the TC1 Highway Zone Requirements.
2. The Applicant must indicate the proposed amount of greenspace for this project. Per the Town Code the minimum amount to 20% (208-22.1.A).

Scott Reese, Stormwater Management Technician issued a memo dated 03/11/19 with the following comments:

1. The fill required for the proposed drives that border the Stewart's northern and eastern property minimize the depressed area that runoff would drain to, verify if this would create any ponding on the Stewart's property. In addition, it appears that fill will be placed on Stewart's property, is there an agreement in place between the two land owner's?
2. Bio-retention practices will need pretreatment of at least 25% of the computed WQv.
3. The proposed 326 contour terminates at the 324 contour in the northeastern corner of the project site. It will need to connect back to the 326 contour, that will require more fill along the existing fence line.
4. Show locations of observation wells and drywells in the infiltration basin areas.
5. Verify 100-year storm event storage volume with required freeboard from top of stormwater management areas.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- The 10 ft. wide multi-use pathway shown on the site plan should extend along the entire length of the property on Clifton Park Center Rd.
- A crosswalk should be provided across the Stewarts entranceway on Clifton Park Center Rd.

John Scavo, Director of Planning issued a letter dated 03/07/2019 with recommendations he made to Mr. Gavin Vuillaume of Environmental Design Partnership stating:

1. At the May 10, 2011 Planning Board Meeting with review of the original Ellis Urgent Care Facility it was noted, "The Town Highway Superintendent did not support sidewalk construction along Sitterly Road since it would provide a visual cue for pedestrians to continue to the bridge over the Northway that is unsafe for pedestrian use."
2. Attached is a copy of the costs associated with modifications to Sitterly Road that was completed by Ellis Hospital, during construction of the urgent care facility. Off-site improvements within the public ROW was approximately \$578,000.00 in value. The applicant also provided a 25' easement along their property frontage adjacent to Sitterly Road for a future multi-use pathway or sidewalk connection by the Town.
3. Add the following notes to the plan that state:
 - No demolition, clearing, or grading is to occur prior to the stamping of the final site plan. Also, the MS4 Acceptance form must be signed by the Town's Stormwater Management

Officer and the NOI needs to be filed with NYS DEC by the applicant for at least five business days prior to disturbance.

- Site Design - The exterior character, proportion, materials and articulation must be substantially similar to the illustrative elevations shown on the submitted architectural plans.

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 03/08/2019 had the following comments:

General Comments

1. No additional comments.

State Environmental Quality Review

2. No additional comments.

Full Environmental Assessment Form

3. No additional comments.

Site Plans

4. With the submission of the Town's Form Based Development Code Project Review form, the following waivers from Section 208-22.1(TC1)(A) of the Town's Zoning would be needed from the Planning Board based upon the proposed site layout.
 - a. Build to Zone Front: Required is 30' min, 80' max; provided 214' to 344'.
 - b. Rear Parking Set Back; Required 40' min, provided 20'
5. As noted in Site Plan Comment 5 of our October 5, 2018 review, Clifton Park Center Road is defined as a perimeter street in the Future Streets Map found in Section 208-23 of the Town Zoning and requires lighting be provided within the 9-foot planter areas. The plans have been updated to show a sidewalk along Clifton Park Center Road. The applicant shall confirm with the Town that the 5' sidewalk is acceptable as opposed to an 8' wide multi-use path. The response provided indicates lighting and trees would be installed upon development of the front portion of the property. The Planning Board shall confirm this approach is acceptable.
6. As noted in Comment 16 of our January 18, 2019 review, based upon the extent of building work and overall site modifications, it is believed that Section 208-26(6)(A) of the Town Zoning is applicable which requires all preexisting site lighting fixtures to be replaced if not in compliance with the current zoning. The response indicates the existing lighting was recently replaced and comply. The submitted illumination plan shall be updated to note the design footcandle values as well as mounting heights to confirm they conform to Zoning.
7. As noted in Comment 17 of our January 18, 2019 review, provide information and/or summary of the pedestrian amenities that are to be provided consistent with Section 208-26(7) of the Town Zoning. The

applicant is proposing to provide a bicycle rack as the amenity. The Planning Board shall confirm if this is adequate.

8. Sheet C-003 provides the internal traffic regulatory signage. The following additional comments are provided relative to the signage proposed.
 - a. Note the ADA parking signage required.
 - b. Provide a stop sign at the new entrance (creating a four leg intersection) such that the proposed pedestrian cross walk may benefit from a controlled stop.
9. The one way out from the existing facility should be modified to provide two-way traffic but maintain the right in from Sitterly Road. This will allow vehicles coming from Stewarts to continue straight rather than make an awkward movement to access through the right turn only lane off Sitterly Road.
10. Dry wells have been added to SMA#5 to account for winter time operations. Provide a construction detail within the plan set for this item.

Stormwater Pollution Plan

11. In response to Comment 39 of our January 18, 2019 review, Part II.G of the SWPPP includes the results of the USFW Ipac database. This search reviewed one threatened species and one endangered species. Advise if any mitigation measures are necessary such that the project is eligible for permit coverage.
12. In response to Comment 43 of our January 18, 2019 review, the applicant has indicated their intent to apply for a 5 acre disturbance waiver. This request must be applied for and granted prior to filing for coverage under GP 0-15-002. Should the Town consider granting the disturbance waiver, it should be understood that this is a discretionary approval and may be rescinded at any time based upon failure to properly execute.

Stormwater Management Narrative

- No additional comments.

Public Comments:

Anthony La Flesche – 21 Wheeler Drive – Requested verification that the 5 foot clearance of sidewalk on Clifton Park Center Road. Mr. Vuillaume confirmed. He confirmed the grading with Mr. Vuillaume.

Planning Board Review:

Mr. Ferraro stated that his daughter works for Ellis Hospital but he has no financial relation to his daughter; he requested an opinion from the Attorney that he can be part of the discussion. Mr. Morelli agrees. Mr. Ferraro asked if the improvements on Sitterly would address the problem of traffic. Mr. Vuillaume assured the Board that the proposal would keep the same level of traffic service along Sitterly and Clifton Park Center Roads, and that any future problems will hopefully be kept on the property.

Mr. Scavo commented that the sidewalk comment by Trails Committee is for a 10 foot pathway, but 5' should be sufficient. He noted that the bridge for the Sitterly Road I-87 overpass is not due for replacement in the near future.. However, if/when the bridge is replaced in the future, land has been

dedicated to include a sidewalk or pathway along the Sitterly road frontage as noted in John Scavo's comments. A crosswalk and signal installed for at Clifton Park Center Road and Sitterly Road will be updated next year under a Town PSAP Grant.

Ms. Bagramian asked for clarification of the teardrop island in the shared entrance with Stewart's. A Yield sign will be put into place allowing incoming traffic to have the primary route. Ms. Bagramian also requested more landscaping closer to the building to help hide the blank wall on the Northway side.

Mr. Jones asked about traffic studies due to increase traffic. Mr. Vuillaume stated studies showed no major impact and the left hand turn will not be a problem, as well as most of traffic entering area will be off of Sitterly Road. Mr. Scavo added the road was previously built up to withstand the traffic in anticipation. Mr. Vuillaume also suggested they would be removing the hatching from Sitterly to invite traffic to stage their entry into the roadway to the building. Mr. Jones also asked for clarification on the drainage system that may impact Northstar. Mr. Bianchi assured that the piping is in place and sufficient enough to not interfere with the adjacent property. The topography also slopes away from the Northstar site. Mr. Scavo stated that the pipe is 30 inches, but the site could potentially be raised. Mr. Jones states that heading south on highway the building will not be noticed, and trees are blocking views. Mr. Neubauer stated the need for fluency from the older building to new building.

Mr. Andarawis is requesting external charging stations and encouraged the applicant to seek NYS grants for funding assistance. Mr. Vuillaume states none in plan but can be added.

Mr. Neubauer has concerns with the landscaped islands where there is a 12 space maximum, per the form-based code requirements, but there are 18 in place. Mr. Vuillaume said it was possible to add more but would be problematic for snow removal but the applicant would comply by adding 2 islands resulting in a 12 space maximum. Mr. Neubauer would also like to see trees closer to 40 feet where they are now are 60 feet. Mr. Vuillaume agrees that extra trees can be planted. He would also like more landscaping around the edge of the stormwater management area towards Clifton Park Center Road. Mr. Vuillaume agrees. Mr. Neubauer raised the issue regarding Section 6 in the architectural guidelines. Building is 170 feet long. Mr. Nadoly (Mark from Creighton Manning) states the building 3rd floor is offset on Northway side but flush on Sitterly Road. Mr. Nadoly explains that imaging is on the blank wall facing the Northway.

Ms. LaSalle was inquiring on the anticipated level of service from the turn into the site from Sitterly. Mr. Vuillaume stated it was a 2 stage turn.

Mr. Ophardt questioned the need for 2 signs on the rear of the building. Mr. Jones questions if it will even be seen from northbound vehicles on the highway.

Mr. Ophardt moved, seconded by Ms. Bagramian, to waive the final hearing for this application for the site plan review, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, and all items listened in the final comment letter issued by the Planning Department.

Condition(s): Final sign off pending the review by the TAC of the landscaping proposals in accordance with code, and elevations as discussed. All which can be completed via email.

Ayes: 8 (eight) Noes: 0 (zero). The motion is carried.

New Business:**2019-010 Aqueduct Animal Hospital (2) - Site Plan**

The existing building will remain and the interior will be modified for an animal hospital. The facility will utilize the existing 84 parking stalls for the change in use. Access to the site will remain at the existing site entrance along Riverview Road. The building will utilize the existing water and sanitary sewer servoces from CPWA and Old Knott Farm Sewer District, 896 Riverview Rd, Zoned: HM, Status: PB Concept Review

SBL: 269.19-1-44.1

To be reviewed by: MJE Consultant: Lansing Applicant: Matthew Pike

Consultant/Applicant Presentation:

Jason Dell – engineer with Lansing – noted the applicant is proposing for the 8.98 acre Hamlet mixed use zoned parcel to include an outdoor fenced in area of 2300 sq/ft in rear of the existing medical building. Interior renovations to the current building will be made to convert the space to an animal hospital. Additional entrance on west side with a sidewalk will be added. The applicant will use existing water and sewer connections and the existing storm water management systems will remain. 84 parking stalls and the current building entrance will remain. The new building proposed on the adjacent project site is no longer being considered.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 02/28/2019 stating:

- Property is zoned HM, Hamlet Mixed Use. Animal hospitals are an allowed use so long as it does not have outdoor runs. A determination as to whether the proposed outdoor play areas qualify as outdoor runs.
- Thinning of the vegetation will further promote noise transfer.

The Environmental Conservation Commission held a meeting on 03/05/2019 and issued a memo with the following recommendations:

1. ECC recommends applicant provide clarification to their noise abatement procedures concerning the proposed outdoor animal play areas.
2. In keeping with the rural nature of the project area and the recommendations of the Town Comprehensive Plan, the Applicant *should* retain existing vegetation to the maximum extent practical and use landscaping and grading to provide visual and auditory buffering between the project and roadway.

Sheryl Reed, Chief of the Bureau of Fire Prevention issued a memo dated 03/12/2019 stating:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 03/11/19 with the following comments:

Applicants engineer to report on existing driveway culvert condition and any visible drainage and/or erosion issues.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- An 8 ft. multi-use path should be provided on the property along Riverview Rd. -
A multi-use path at this location is an important segment of the Town of Clifton Park Trails Concept Plan’s multi-use path along Riverview Rd. and a future connection to the recently completed multi-use path on Balltown Rd.
- Otherwise, a 15 ft ROW/Trail Easement should be provided on the property along Riverview Rd. for a future multi-use path and utility realignment.

John Scavo, Director of Planning issued a letter dated 03/11/2019 with recommendations he made to Mr. Scott Lansing, P.E. of Lansing Engineering stating:

- As plans progress toward preliminary detail design drawings, the applicant should evaluate the existing handicapped accessible parking spaces, access isle, and signage to ensure those spaces meet current NYS Building Code Requirements. If provisions to meet the current standard is required, those modifications should be shown on the site plan.
- The applicant should provide additional detail on the level of vegetative thinning, sought at the front of the parcel to increase visibility to the building.
- It appears the project has a substantial existing mature buffer between the medical office building and nearest residences to the rear of the parcel.
- A new referral to the Saratoga Co. Planning Board has been made for their consideration.

Professional Comments:

**Joel Bianchi, P.E. of MJ Engineering in a letter dated 03/08/2019 had the following comments:
State Environmental Quality Review**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If 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:
 - a. Saratoga County Planning: 239m referral due to the project's proximity to County Route 91 (Riverview Road).

Additional agencies may be identified by the Town during its review of the project.

Short Environmental Assessment Form

2. No comments.

Site Plans

3. The project is located within the Town's Hamlet Mixed Use (HM) District. The proposal for an animal care hospital provided that any structure or area used for such purposes, including pens or exercise runs, shall be at least 100 feet distant from any residential district is a permitted principal use within the HM District as noted in Section 208-43.2 of the Town's Zoning.
4. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town's Zoning are satisfied.
5. Update the site statistics table to account for the special setback requirements from Riverview Road as defined in Section 208.98 of the Town's Zoning. It would appear that the existing building is within the 130-foot setback identified in Section 208.98 of the Town's Zoning, However, is a preexisting condition that is not changing as a result of the project.
6. 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 208115 of the Town zoning specific to site grading, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

Pam Marshall – 5 Fairlong Court – Are runs being added? Mr. Dell verified there will be a play area with sets of gates for different pens.

Anthony La Flesche – 21 Wheeler Drive – inquired the impact of the proposal on the properties to the rear of the building.

Planning Board Review:

Mr. Andarawis would like clarification on what is a dog run vs. play area? Mr. Dell states it is still in question, but it is a 2300 sq/ft area. Mr. Scavo has verified standards of a run to be 100 feet away from a residential area, which this is. Mr. Andarawis also is questioning the property line to south. Mr. Dell states it is unclear as of now.

Ms. La Salle has a similar concern expressed by the ECC for the proposed buffer thinning on roadside and how this will be addressed now that plans have changed from new construction to modification of the current building. Mr. Ferraro has concerns on wetlands boarding the property as well. Mr. Dell will look at and address at next meeting. Ms. La Salle is questioning signage. Mr. Dell stated the old signage will be removed and new one in place in accordance with town codes.

Mr. Neubauer would like to see undergrowth cut back to make roadside more appealing and keep the Hamlet façade. Mr. Ferraro pointed out established evergreens, but Board will make a site visit to verify.

Mr. Ferraro wanted clarification for the play area and how many trees would be removed and kept away from the slope. Mr. Dell confirms no impact on slope. Mr. Ferraro would like land set aside for a future trail to be put in eventually. Mr. Scavo agreed.

***the Site Plan for 1 Emma Lane – Peregrine Senior Living Facility has been pulled from tonight’s Planning Board meeting. The Town Board had the public hearing last evening on the proposed PDD Amendment but did not pass the amendment and wanted to wait to allow additional time for any interested parties to contact them in writing if they had concerns or comments regarding the amendment.*

2019-002 1 Emma Lane PDD Amendment (aka Peregrine Senior Living) - Site Plan

Applicant proposes a building expansion of 7,035 SF to the existing 30,969 sf building on 5.25 acres. Up to 12 new parking spaces are proposed to accommodate building if demand is demonstrated, 1 Emma Ln, Zoned: PUD, Status: PB Preliminary Review

SBL: 271.-2-22.12

To be reviewed by: MJE Consultant: EDP Applicant: Peregrine Senior Living

Discussion Items:

Mr. Ferraro – The Verizon cell tower Article 78 challenge to the Zoning Board’s decision on the use variance went in favor of Verizon. A Public hearing is needed, however town cannot deny any approvals per the Federal Court’s decision. The applicant did propose a “Stealth Monopole” to minimize visual impacts.

Mr. Ferraro and Mr. Scavo met with Open Space Committee to discuss open space and agricultural land preservation in the western part of town including a discussion about the Edison Club Golf Course. Mr. Scavo will be doing an inventory analysis for parcels and open space locations within the Western GEIS Study Area.

Mr. Andarawis will be absent from next meeting, Ms. La Salle will be present.

Mr. Jones moved, seconded by Mr. Neubauer, adjournment of the meeting at 10:30p.m.

The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on March 26th, 2019.

Respectfully submitted,
Paula Cooper, Secretary