

Clifton Park Planning Board Meeting Minutes

September 24, 2002

Those present at the September 24, 2002 were:

Planning Board: K. O'Brien, Chairman, S. Bulger, B. Czub, R. d'Amico, J. Russell,

Those absent were: J. Larkin, J. Marzola

Those also present were: J. Kemper, Director of Planning, J. Grasso, Clough, Harbour, and Associates

P. Pelagalli, Counsel, arrived at 8:00p.m. during the discussion regarding the Abraham office buildings

Mr. O'Brien, Chairman, called the meeting to order at 7:10p.m.

Public Hearings:

No public hearings were scheduled for this evening's meeting.

Old Business:

[2002-036] Mildred Peck Trust – Proposed (49) lot subdivision, Clifton Park Center Road – Revised conceptual review for Phase I – (5) lots.

Mr. Gordon Nicholson, Environmental Design Partnership, presented Phase I of the proposed (49) lot subdivision of the Lands of the Mildred Peck Trust. He explained that the applicant proposes a (5) lot subdivision as Phase I of the larger development project. The proposed five lots are composed of the existing residence fronting on Clifton Park Center Road, three lots fronting on Miller Road, and the remaining lands owned by the Mildred Peck Trust. Mr. Nicholson pointed out that approval of Phase I would establish the points of ingress/egress for the larger subdivision and that no Building Permits would be requested until the entire subdivision is approved.

Mr. Kemper advised the applicant that written verification must be supplied from N.Y.S.D.E.C. regarding the wetland note. The sight distances along both Miller and Clifton Park Center Roads must be evaluated. Several parishioners from the Clifton Park Baptist Church have reviewed the plans. Most of them expressed serious concerns regarding the proposed access road location onto Clifton Park Center Road and the limited sight distance. The location of the ACOE wetlands will have to be verified and the date of the delineation should be added to the plans. A jurisdictional determination letter from the ACOE should be provided. Driveway locations along Miller Road should be illustrated on the plot plan and house and driveway locations on the west side of Miller Road should be illustrated on the plot plan. Though the applicant is proposing 5 lots for

Phase 1, the project will be reviewed as a whole, and will therefore be a Type 1 action requiring coordinated review. A review of the file created when an application was made for an expansion of the church indicates that there were engineering issues with driveway locations along Clifton Park Center Road. As a result, one church driveway was eliminated and another relocated to the east.

Mr. Grasso explained that several issues from the August 5, 2002 review letter have not been adequately addressed, some of which may affect the layout, configuration and density of the proposed Phase 2 development. It is recommended that the proposed 5-lot Phase 1 subdivision be reviewed concurrently with preliminary review of the future Phase 2 work. In general, we do not support the development of lots directly along a Town road for a project site of this size.

It appears that one of the existing structures on the proposed Lot 1 does not meet the 25-foot minimum rear yard setback requirement. In addition, the eastern side lot line for Lot 1 will become a front yard when the proposed Town roadway is constructed in Phase 2 of the project. As such, Lot 1 would become a corner lot and be subject to two front yards. Another existing structure on Lot 1 would not comply with the 50-foot minimum front yard setback from the proposed roadway. Either the lot lines should be adjusted to meet the minimum setback requirements or area variances from the Zoning Board Appeals are required.

The "Utility Note" on the plan indicates that Lots 1 through 4 shall have municipal sewer and water service connections. The location, size and material of the existing municipal sewer and water main should be shown on the plans. In addition, the method of connection and design information for the proposed sanitary sewer and water supply service laterals should be shown.

The adequacy of the sight distance at the proposed driveway locations should be verified. The locations of existing homes and driveways across from the proposed driveways should be shown on the plan to evaluate the impact of headlights of entering and exiting vehicles. The existing driveway for Lot 1 crosses over a portion of Lot 5 for access to Clifton Park Center Road: an ingress and egress easement over Lot 5 in favor of Lot 1 is required.

Future plan submittals should include the following information:

- Bearings and descriptions of the existing and proposed lots based upon an accurate field survey and deed research in accordance with the Clifton Park standards of accuracy;
- Existing and proposed monuments, iron pipes and benchmarks;
- Description and limits of existing woodline and other site coverage/land uses (meadow, brush, etc.);
- Location and type of open space and multi-use pathways within the adjacent subdivisions;
- Lot numbering as determined by the Chief of the Bureau of Fire Prevention;
- Signature and seal of a NYS Licensed Land Surveyor.

Mr. Kemper read the ECC comment that recommends that both phase one and phase two be considered together to avoid the issue of segmentation. This is especially important because of the environmentally sensitive areas located on the parcel.

Mr. Nicholson pointed out that the applicant does plan to pursue approval of Phase II of this project in the near future: approval for Phase I is necessary pursuant to the sales contract and to establish the access points for the larger development.

Mr. O'Brien expressed concern about the issue of segmentation. He will confer with Mr. Pelagalli to determine the proper steps for reviewing the application.

Since it appeared that several members of the audience were interested in this application, Mr. O'Brien explained that this project proposal was presented for conceptual review at this evening's meeting and that no determination would be made by the Board at this point. The Board would permit comments from the public, though a formal public hearing would be held following the submission of preliminary plans.

Mr. Chris Smith, resident of Clifton Park and member of the Clifton Park Center Baptist Church, expressed several concerns regarding this project proposal. He first spoke of the traffic problems that would be amplified by build-out of this project. He noted that the increased traffic generated by development along Miller Road has made entering and exiting the church property very difficult since the sight distance at the top of the hill is extremely limited. He further commented that he was surprised that the Planning Board recommended a cluster design for the Peck property since it was located in such a rural area. Impact to wetlands is also a concern: he is aware that there are federally jurisdictional wetlands on the site as well as numerous springs and streams. He encouraged a thorough delineation of the wetlands and protection of environmentally sensitive areas. Mr. Smith pointed out that lot #4 located on Miller Road is oddly configured and that locating a house on the parcel may be difficult. Speaking of SEQRA review, he questioned whether or not the project as presented would be considered as "segmentation".

Mr. Nicholson explained that a traffic study has been completed and that wetlands have been delineated in the field. He also said that initial application submissions included a conventional subdivision lay-out as well as the cluster proposal. He would welcome the opportunity to meet with church representatives to discuss plans for the Peck parcel.

Ms. Marilyn Grimm, parishioner of the Baptist Church and Receptionist for the Town of Clifton Park, related an anecdote that highlighted the sight distance problem at the proposed location of the new road. She described a call from the pastor of the church who was extremely concerned about the traffic in the area of the church since his wife was nearly hit several times by drivers traveling too fast between Miller Road and Vischer Ferry Road. She was concerned about the safety of future residents of the subdivision as well as those attending the church.

Mr. Richard Kruger, a member of the Clifton Park Center Baptist Church congregation,

reported that he has conducted an “unscientific” study of the traffic along Clifton Park Center Road in the area of the church access and the proposed new road. He learned that the limited sight distance from the top of the hill to the proposed access point would allow west-bound drivers approximately 2 seconds to make the turn into the proposed subdivision. He believes that this is not adequate and asks that the Board review the traffic study in greater depth. Mr. Kruger also asked about the need for two access points for the project. Mr. Nicholson responded that emergency services personnel often request two means of ingress/egress, though he is willing to discuss the issue with the Chief of the Bureau of Fire Prevention and the appropriate fire department.

Mr. Jason Green, resident of Miller Road, urged the Board to provide adequate buffering between his lot and the proposed lots.

Ms. Elaine Frederick, resident of Miller Road, stated that traffic along Miller Road has increased significantly in the past few years due to the construction of several new housing developments. She sees this project as contributing to the already dangerous travel conditions in the area of the proposed access on Miller Road. She asked that the Board review the traffic study carefully.

Mr. O’Brien informed the audience that all comments will be factored into any Board decisions along with the “standard aspects” of review. He assured the audience that public comment will be permitted throughout the process.

Mr. Bulger asked about the number of lots permitted in a conventional lay-out as compared to a cluster plan. Mr. Kemper explained that the numbers were the same: 48-49 lots would be allowed on this property. Ms. Czub asked about the future of the pond on the property. Mr. Nicholson stated that the pond will remain. Mr. d’Amico suggested that the three lots that front on Miller Road be incorporated in the overall subdivision design and should be accessed from the new road.

[2002-005] US Foodservice – Proposed 109,188 SF expansion of existing facility, Pierce Road – Preliminary site plan review and possible determination.

Mr. Ed Vopelak, C.T. Male, presented this application that calls for a significant addition to the warehouse facility on Pierce Road in a L-I zone. Representatives of Environmental Structures, builders of the project, were also in attendance. Pursuant to the Board’s request, a revised long Environmental Assessment Form was submitted for review on September 20, 2002. Site statistics have been added to the plan. The site plan now calls for the construction of a new dry storage, cooler, freezer, compressor room, and alteration to an existing mezzanine for an office addition. The new structure consists of a concrete slab on grade with a structural steel frame covered by insulated metal wall panels. The roof system consists of metal joist, metal roof deck, and insulation with a mechanically attached roof system. The entire structure will be protected by a sprinkler system. The entire building area will be 350,508 SF, an increase in building area of 29.7%. Greenspace on the parcel will be 36.5% and a total of 299 parking spaces will be provided. On February 4, 2002, the Zoning Board of Appeals granted four variances: a

front setback for parking from the required 50 ft. to 22 ft.; a reduction in greenspace from 40% to 34%; a reduction in the side yard buffer area from 25 ft. to 10 ft.; an increase in building height from 25 ft. to 40 ft. The standard statements required by the ECC have been added to the plan.

Mr. Vopelak explained that the site will be served by two entrances from Pierce Road – one for use by tractor trailers and one for employees. He also pointed out that the retention areas were originally sized for such an expansion of the facility and will remain in place. Pursuant to Board comments, additional landscaping has been added in the northeastern portion of the site. Mr. Vopelak reported that C.K. Sanitary Systems, Inc. will continue to accept sanitary flows from the site and the CPWA will provide water service. The Saratoga County Sewer District finds the project acceptable.

Mr. Kemper explained that he is in receipt of a memo from CPWA stating that the authority will provide water service to this facility; however, replacement of the twelve inch main on the northern property line must be coordinated with the CPWA and easements will be required over all pipe for maintenance and repair. C.K. Sanitary submitted a letter dated September 16, 2002 stating that they will accept flows from the project with conditions. Sheryl Reed's memo of September 24, 2002 required that the new ingress/egress point be accessible for emergency services' vehicles. The Board has not yet issued a SEQRA determination for this application. Mr. Kemper noted that several issues remain to be addressed from the August 13, 2002 Planning Board meeting. Handicap and No Parking signs should be depicted on the plot plans; dumpster pad enclosures should be illustrated on the plot plan; plantings that to be placed along the north and northeast corner of the site must be shown on the plans.

Mr. Grasso noted that most of the issues identified by Clough, Harbour, and Associates have been addressed. Handicap Parking and No Parking signs should be provided. The existing cedar hedgerow to be removed should be replaced and additional screening vegetation should be provided along the north and northeast sides of the facility, specifically, to screen views of the facility from southbound travelers of the Northway. The proposed exterior site lighting design that is currently being designed should be submitted for our review.

The following comments on the Full Environmental Assessment Form should be addressed on the final executed form: Item A.15.a should be answered; Item B.3.a should be answered yes and the topsoil should be stockpiled for reclamation; Item B.20 should be answered; Item B.23 should identify the water usage for the entire site; Item C.11 and C.11a should both be answered yes.

Mr. Kemper read the ECC recommendations provided by Mr. O'Brien, Environmental Specialist. The following standard statement should be added to the plan: Due to the potential of federal wetlands on the parcel, the applicant will determine the location and extent of disturbance of such wetlands before a building permit is issued. Oil/water separators should be used to prevent contaminants from washing off the trailer storage area. Due to the increased truck traffic and possible standing, a contaminant risk is high

in this area. Any proposed outdoor lighting shall be directional and limited.

Mr. Vopelak stated that there would be no disturbance of the two small areas of federal wetlands located adjacent to the Northway. He also stated that a lighting plan has been prepared and will be submitted for review.

Mr. O'Brien expressed concern about the volume of truck traffic using Pierce Road. He also asked that the applicant submit colored renderings of building elevations. Mr. Bulger expressed his appreciation to the applicant for his willingness to work with the Board to design an acceptable site plan.

Mr. O'Brien moved, seconded by Ms. Czub, to establish the Planning Board as Lead Agency and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. d'Amico, approval of this application conditioned upon the satisfaction of comments offered by Mr. Kemper, Clough, Harbour, and Associates and the ECC and the submission of architectural renderings of the proposed facility. The motion was unanimously carried.

[2002-039] Abraham, Akiva D., MD – Proposed 9,600 SF medical office use in (2) buildings, 950 Route 146 – Preliminary site plan review and possible determination.

Mr. Tom Andress, ABD Engineers and Surveyors, presented this application for the Board's review. The plan calls for the construction of two 4,800 SF medical office buildings on a 2.1 acre parcel on the south side of NYS Route 146. 64 parking spaces will be provided on the site. The applicant has attempted to address the concerns identified by the Board at the July 9, 2002 meeting. The number of parking spaces has been reduced in accordance with code requirements, the standard notes required by the ECC have been added to the plan, and the access drive has been aligned with the entrance to Green Meadow Drive. Connection will be made to the C.K. Sanitary system. Stormwater management plans have been revised in order to maintain run-off from all major storm events on site and a landscaping plan has been provided.

Mr. Kemper read Sheryl Reed's memo of September 24, 2002 that required the applicant to provide a larger turning radius in the rear parking lot area for emergency services' vehicles. The project will require a signoffs from Saratoga County Sewer District, C.P.W.A., and C.K. Sanitary. A curb cut from N.Y.S.D.O.T. must be provided. Elevations for the project were submitted on September 5, 2002. Façade renderings with samples of building materials and colors must be included in the final plans for stamping. The Saratoga County Planning Board approved the project on July 19, 2002 with the following comment: "The amount of parking proposed is well above what the town requires for these uses. The applicant may want to landbank some of the spaces to use at a later date. The applicant will need to obtain a N.Y.S.D.O.T. curb cut permit for the drive onto N.Y.S. Rt. 146."

Mr. Kemper asked that the proposed dumpster enclosure be relocated in back of the parcel. The proposed plantings should be increased in size to 3-3 ½ inch caliper for deciduous trees and 24" to 36" spread minimum for ornamental plantings. An ingress/egress easement for access onto adjoining parcels will be required. The Handicap and No Parking areas should be depicted on the plan and signs for these areas should also be placed on the plot plan. The applicant should evaluate the option of using a future expansion area for the parking lot. The proposed uses for the two buildings should be clarified. Mr. Kemper stated that the ECC had no comments at this time.

Mr. Grasso advised that although construction of the proposed water supply system can proceed as a private service, the proposed water supply extension should be a public water main that requires NYSDEC review and approval. The plans should be expanded to include a plan and profile of the connection with all appropriate details. An engineer's report and public water supply application will also be required and should be submitted for review. This must be completed prior to issuance of a certificate of occupancy and shall be appropriately noted on the plan. The proposed water main should be extended to the east side of the final driveway location.

An end section for the culvert pipe should be provided to handle runoff that approaches the site from the west and a note should be added indicating the flow of drainage in the southwest corner. The sizes of all proposed storm sewers should be identified on the plans.

The restoration detail of Green Meadows Drive should indicate lapped paving joints, a 1½" top course, compaction requirements, and use of stabilization fabric.

An approval letter from NYSDOT should be submitted.

The following comments concern the stormwater management report. Post developed peak discharge rates for the 2-year, 10-year and 100-year storm events should be restricted to pre-developed peak discharge rates for the 2-year, 10-year and 100-year storm events, respectively. Since the proposed method of stormwater management is solely infiltration, it is recommended that test pits and percolation tests be performed at the proposed drywell locations. Soil test pit logs and percolation results should be provided. Peak water elevations during a 100-year storm event should be provided so that the impacts may be evaluated.

Board comments focused upon providing access to adjoining lots. Mr. d'Amico observed that connecting infrastructure between parcels along NYS Route 146 appeared to be very reasonable since numerous driveways along the road would make travel hazardous. He encouraged the Board to consider requiring "service roads" to link parcels along this major thoroughfare.

Mr. O'Brien moved, seconded by Mr. Russell, to establish the Planning Board as Lead Agency for this unlisted action and to issue a negative declaration pursuant to SEQRA.

Mr. d'Amico moved, seconded by Ms. Czub, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of all of the comments issued by Mr. Kemper, Mr. Grasso, an evaluation of the feasibility of connecting to adjoining parcels both east and west of the project site, and the submission of elevations, including material and color samples, for the proposed buildings. The motion was unanimously carried.

[2002-035] Specific Chiropractic – Proposed 1,023 SF office addition and 1,555 SF 2-family dwelling, 957 Route 146 – Preliminary site plan review and possible determination.

Mr. Les Ackerman, Charette Associates, discussed this application that calls for the site development of 957 Route 146 in three phases. As presented at the July 9, 2002 meeting, Phase I involves the conversion of an existing 930 SF residence to a chiropractic office; Phase II calls for a 1,023 SF office addition; Phase III calls for the construction of a 2-story two family dwelling of 1,555 SF. Area and bulk requirement variances were granted by the Zoning Board of Appeals on August 20, 2002 for front and side setbacks, setback from Route 146, and for minimum lot area and width. Though the plan now indicates the installation of 10 parking spaces, future expansion will provide five additional spaces. Greenspace will total 62.6% of the site.

Mr. Ackerman addressed several of the comments from Clough, Harbour, and Associates. The site will be served by the Clifton Park Water Authority and connection will be made to the Saratoga County Sewer District. Plan details for offsite development, including profiles, depth of cover, invert elevations, etc. will be provided with the final plans. A curb-cut permit from NYSDOT will be provided. Stormwater calculations will be submitted for review and the stormwater management plan will provide for drywells or retention areas as appropriate to retain all water on site. Trees will be increased to 3" caliper. Parking setbacks will be respected and adequate maneuvering areas for emergency vehicles to the rear of the site will be provided. All applicable standard statements will be added to the plan. Carriage lights will provide lighting throughout the site. The existing stone on the façade of the house will remain and a residential character will be retained.

Mr. Kemper offered several comments on the project plan. Erosion control measures should be depicted on the plot plan. The size of the proposed plantings should be added to the plan. All Handicap and No Parking signs should be depicted on the plot plan. The Saratoga County Planning Board reviewed the project at their July 18, 2002 meeting and determined that the project had no significant county-wide impact. The Board did comment that the amount of development proposed is very intense for the size of the site. It was suggested that the town and applicant explore some alternative designs to lessen the overall building square footages. During the Planning Board meeting on July 9, 2002, the applicant indicated that the proposed residential dwelling will be built for two families. Given the size of the project on a small site, and the concerns of the Saratoga County and Clifton Park Planning Boards, it appears that the 2 family dwelling can be reduced to one family and the office addition could be reduced to alleviate some of these

concerns. The applicant indicated at the July 9, 2002 Planning Board meeting that plantings will be installed to provide a buffer from the adjoining residence: the location and sizes of these plantings should be shown on the plan.

A memo from Don Clemens dated September 24, 2002 stated the following: "The ZBA and I believe this is a very intensive use of an undersize lot. The ZBA refused to consider the variance for a reduction in greenspace because of this, though the other variances for setbacks and lot size were granted." During the last review before the Planning Board, the Board requested additional information regarding the number of variances obtained from the ZBA, the intensity of development proposed for the site, and the proposed plantings along the property lines.

Mr. Kemper read the ECC comments. ECC members ask that any proposed outdoor lighting shall be directional and limited. Several standard statements should be added to the plan: the borders of all lands to remain undisturbed shall be clearly marked on the site before site preparation begins and on-site boundary markers shall remain until all construction is completed and soils are stabilized; all erosion and water quality controls shall be put into place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso pointed out that pursuant to Section 208-99 of the Town Zoning Code, the minimum required parking space for a medical/dental office is one space for each 150 square feet of gross floor area, or 17 parking spaces for 2,500 square feet. Two additional parking spaces are required for the two proposed dwelling units for a total of 19 required parking spaces. Only ten parking spaces are shown on the plan. Should an area be reserved for future additional parking spaces, the design, layout and grading should be specified.

The latest design plan specifies municipal water supply and sanitary sewer service in lieu of the previously proposed onsite drilled well and onsite wastewater disposal system. It is our opinion that the site is better suited for municipal service. However, specific design information should be provided for the long offsite utilities including profiles, utility crossings, depth of cover, invert elevations, top of frame elevations, pipe lengths, slopes, sizes, materials and classes. The water supply and sanitary sewer systems are subject to review and approval by the Clifton Park Water Authority, the Saratoga County Sewer District and the New York State Department of Transportation. In addition, it appears that a public water supply and public sanitary sewer extension is proposed, which would require review and approval by New York State Department of Health and New York State Department of Environmental Conservation. The proposed water supply and sanitary sewer extensions should be designed to facilitate future extension by others. Highway Work Permits are required from NYSDOT and the Town of Clifton Park Highway Department for work within New York State Route 146 and Green Meadow Drive. Also, specific details and notes should be provided for maintenance and protection of traffic as well as restoration of New York State Route 146 and Green Meadow Drive. The proposed use of the new well point should be identified.

The sole proposed method of stormwater management is by infiltration through two proposed drywells at the rear of the site, each with a top of grate elevation of approximately 90.5. However, the soil test pit observations state that mottling was observed at a depth of approximately 3 feet, indicating a seasonal high groundwater at an approximate elevation of 91. The proposed stormwater management system should be revised to provide the required storage volumes during periods of high seasonal groundwater or frozen conditions. Stormwater management computations should be provided conforming to Section 208-115 D. of the Town Code, including analysis of the 2, 10 and 100-year storm events and provisions for water quality treatment of the first ½ inch of runoff.

Handicap Parking and No Parking sign locations and details should be added to the plans. The striped handicap parking access aisle should be eight foot wide minimum. Handicap parking spaces, pavement symbols and diagonal striping should all be painted blue in color. Additional spot elevations, specifications and notes are required to ensure that the proposed handicap ramps are designed and constructed in accordance with the Americans with Disabilities Act. The consultant should verify that emergency vehicles and trash hauling vehicles are capable of maneuvering through the site. The consultant should confer with the Building Department to determine the minimum required parking setback from the building based upon construction materials and door/window locations.

A minimum ten-foot buffer should be provided along the side and rear property lines. Therefore, additional screening plantings should be provided along the western side lot line between the end of the proposed building and the existing pine tree row. The planting schedule should include the size of each of the proposed plantings. Deciduous trees should be three inch caliper minimum, evergreen trees six feet high minimum and shrubs should be 24 inch to 36 inch spread minimum.

The origin or terminal of the existing 12-inch CMP storm pipe at the front of the site should be shown on the plan. Should the existing storm sewer serve adjacent properties or NYSDOT, a drainage easement may be appropriate.

Ms. Czub asked that any signage for the parcel contain the street address in large and visible letters and numbers. Mr. d'Amico recommended substantial buffering of existing residences. He also asked that the applicant investigate the feasibility of providing access to adjoining properties to the east and west. He suggested that the applicant consider connecting to the existing driveway that serves Mr. Zdrahal's engineering office. Mr. Bulger applauded the applicant's willingness to work with the Board. Mr. O'Brien did not believe that the two-family dwelling would substantially impact traffic or site development, though he was not prepared to grant final approval since several outstanding issues remained to be adequately addressed.

Mr. O'Brien moved, seconded by Mr. d'Amico, 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. Bulger moved, seconded by Ms. Czub, to grant preliminary site plan approval to this application conditioned upon satisfaction of the issues listed by Mr. Kemper, Ms. Reed, and Clough, Harbour, and Associates. The motion was unanimously carried.
[2002-048] Touchless Carwash – Proposed 2,800 SF carwash facility (former Raindancer Carwash), 1537 Crescent Road – Revised conceptual review.

Mr. Tom Andress, ABD Engineers and Surveyors, described this proposal that calls for the demolition of the existing carwash and the construction of a new carwash facility. Though the site will remain basically unchanged – the existing entrance will be utilized, the existing water and sewer connections will remain, and the existing separator tanks will be used – the plan does call for the removal of some existing curbing, additional plantings along Crescent Road and to the rear of the site, and an increase in greenspace from 47% to 56%. An existing easement with the adjoining real estate office will continue to be used.

Mr. Kemper explained that this project last appeared before the Planning Board on August 13, 2002. The Deputy Highway Superintendent reports that the driveway currently serving the Raindancer Carwash is not a town road and that the Town does not anticipate such a conveyance. The project will require a signoff from Saratoga County Sewer District and the CPWA. A signoff from Sheryl Reed is also required. The Saratoga County Planning Board approved the project on August 15, 2002. The color façade renderings that were submitted on September 4, 2002 will be included in the final plans for stamping. Additional plantings will need to be provided along the northern property line. The size of the plantings must be a minimum of 3” caliper for deciduous trees and 24” min. spread bushes and shrubs.

The ECC requested that the following standard statements be added to the plot plan: the borders of all lands to remain undisturbed shall be clearly marked on the site before site preparation begins and on-site boundary markers shall remain until all construction is completed and soils are stabilized; all erosion and water quality controls shall be put into place and maintained at the initial phase of site preparation; the applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso offered several engineering comments. The B-3 zone requires a minimum 40,000 SF lot size. The existing parcel is 34,000 SF. Since the application involves the total removal of the existing structure, a determination should be made by the zoning enforcement officer as to whether a lot size variance is required.

The plan indicates a potential Town Road right-of-way exiting to the existing Crescent Road intersection. Since the existing structure will be removed, the zoning enforcement officer should make a determination if this site constitutes a corner lot and if an 80’ front yard setback will be required. A planted 10’ wide buffer is required along each side property line pursuant to the B-3 zone. As such, additional landscaping should be provided along the northern property boundary. Erosion and sedimentation control measures should be shown on future plans.

The engineering firm offered the following additional comments. Calculations should be provided documenting that the existing stormwater management area is adequate for the proposed project. If adequate, it is recommended that any existing vegetation in the stormwater management area that aids in the biological uptake of stormwater pollutants be preserved. Additional clarification is requested regarding the existing and proposed sanitary sewer service. The consultant should contact the Saratoga County Sewer District (SCSD) to determine whether pretreatment of the wastewater is required prior to discharge. Existing utility easements over the existing 18" CMP storm sewer and the existing water main at the northern portion of the site should be shown on the plan. If none exist, it is recommended that a utility easement be granted over the subject parcel in favor of the adjacent Realty USA parcel.

The applicant's consultant should verify that handicapped accessible parking is not required for this facility. Mr. Grasso also questioned the decibel levels of the vacuums to be installed at the facility. The applicants responded that the noise level was extremely low. Mr. O'Brien noted that the berm separating the facility from its northern neighbor would muffle most of the noise created by the equipment used for the carwash.

The owners of the carwash explained described the operation of the facility, noting that water usage per vehicle is minimal. There will be no floodlights installed at the site, though the facility will operate 24 hours a day.

Mr. O'Brien moved, seconded by Ms. Czub, 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. Bulger moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments issued by Mr. Kemper and Mr. Grasso and the submission of colored architectural renderings. The motion was unanimously carried.

New Business

[2002-058] Cole, Daniel – Proposed (2) lot subdivision, Riverview Road – Conceptual subdivision review.

Mr. Daniel Cole, applicant, presented this proposal to the Board. The application calls for the subdivision of approximately 3.67 acres of land into lots of 1.86 acres and 1.81 acres, respectively. The property is located in an R-3 zone on Riverview Road. Since each lot has less square footage than R-3 zoning requires, the applicant received a variance from the Zoning Board of Appeals on April 16, 2002. One lot of 79,000 SF received a 21,000 SF variance and the other received an 11,000 SF variance. Mr. Cole explained that plans call for connection to the Rexford Water District and the installation of an on-site sanitary septic system.

Mr. Kemper asked that a site location map should be added to the plot plan. The standard note for lots with wells, septic note, and airport note should be also be added to the plat. The date and number of the variance granted from the Zoning Board of Appeals must also be included on the plan. Any N.Y.S.D.E.C. or ACOE wetlands on the parcel should be delineated and mapped. The project was referred to the Saratoga County Planning Board on August 27, 2002. A curb cut permit will be required from Saratoga County Department of Public Works. The ECC had no comments regarding this application.

Mr. Grasso stated that the proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The involved agencies are expected to include the Town of Clifton Park Planning Board for subdivision approval, the Saratoga County Planning Board for Section 239-M referral and the Saratoga County Department of Public Works for a Highway Work Permit.

On April 16, 2002, the Zoning Board of Appeals granted area variances from the minimum lot area of 100,000 square feet for the two proposed lots. Notes should be added to the plan identifying the specific variances that have been granted.

Since the proposed lot to be subdivided includes steep slopes, shallow bedrock and borders the Mohawk River it is recommended a grading plan be provided which identifies proposed grading, limits of clearing and grading, and erosion and siltation controls in order to protect the Mohawk River from siltation.

The proposed method of water supply and sanitary sewage service should be identified on the plan. If an onsite drilled well and an onsite wastewater disposal system are proposed, the locations and design should be shown on the plans. Existing wells and septic systems within 100 feet of the proposed parcel should be shown in order to verify adequate separation distances from the proposed septic system. In addition, it is recommended that two test pits and percolation tests be performed in the area of the proposed wastewater disposal system in order to verify that the onsite soils are conducive to the proposed wastewater disposal system.

The adequacy of the sight distance should be verified at the proposed driveway on Riverview Road. A Highway Work Permit is required from the Saratoga County Department of Public Works for the proposed driveway onto the County Road. Future plan submittals should include the following information:

- Identification of the zoning district and building setback lines;
- Site location map;
- Description and limits of existing woods and other site coverage/land uses (meadow, brush, etc.);
- Lot numbering as determined by the Chief of the Bureau of Fire Prevention;
- Signature and seal of a NYS Licensed Land Surveyor.

Board members found this subdivision proposal acceptable. Once preliminary plans have been prepared, the public hearing will be scheduled.

Minutes Approval

Mr. Russell moved, seconded by Ms. Czub, approval of the minutes of the September 11, 2002 Planning Board meeting as written. Ayes: Czub, Bulger, Russell, O'Brien. Noes: None. Abstained: d'Amico.

Discussion Items

Spa Body Works

Mr. Tim Russo, employee of Spa Body Works, explained that the applicant would like to install an awning at his business located at the rear of the Clifton Park Dodge World facility. Mr. Kemper explained that the new tenant had worked to remove tires and other debris from the site and to regrade a portion of the site. He produced photos of drainage problems created by the re-grading, noting a particularly significant area where erosion had occurred. Mr. O'Brien approved of the clean-up procedures, but explained that the owner has not adhered to conditions of site plan approval. Board members agreed that the owner, Mr. Rosetti, should be applicant and that site plan review would be necessary in order to resolve the drainage problems and encourage conformance with the approved site plan.

Oranacha Farms

The owners of Oranacha Farms on Vischer Ferry Road request permission to construct a grape arbor on their property. Since the plan calls for the installation of a cement slab and arbor, Board members agreed that site plan review would be required.

Ivan Zdrahal

Mr. Zdrahal proposes the construction of a (3) bay garage addition to the rear of his business at 959 NYS Route 146. Board members agreed that the proposal, a significant change to the existing site, should be presented as a formal site plan to be reviewed by the Board.

Ms. Czub moved, seconded by Mr. Bulger, adjournment of the meeting at 9:40p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for October 8, 2002.

Janis L. Dean,

Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul

Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.